



# Development Services Committee Agenda

Meeting Number 17  
October 28, 2019, 9:30 AM - 3:00 PM  
Council Chamber

Please bring this Development Services Committee Agenda to the Council meeting on November 13, 2019.

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	<b>Pages</b>
<b>1. CALL TO ORDER</b>	
<b>2. DISCLOSURE OF PECUNIARY INTEREST</b>	
<b>3. APPROVAL OF PREVIOUS MINUTES</b>	
<b>3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – OCTOBER 15, 2019 (10.0)</b>	<b>8</b>
1. That the minutes of the Development Services Committee meeting held October 15, 2019, be confirmed.	
<b>3.2 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES – OCTOBER 7, 2019 (10.0)</b>	<b>23</b>
1. That the minutes of the Development Services Public Meeting held October 7, 2019, be confirmed.	
<b>4. PRESENTATIONS</b>	
<b>4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)</b>	
Carla Crockett, Building Inspector II, Building Standards, 30 years	
Bradley Harris, Firefighter, Fire Services, 30 years	
Phillip Harrison, Firefighter, Fire Services, 30 years	
Joseph Hill, Firefighter, Fire Services, 30 years	
Alan Jenkins, Captain, Fire Services, 30 years	

Edward Roblin, Firefighter, Fire Services, 30 years

John Roszkiewicz, Firefighter, Fire Services, 30 years

Michael Thomson, Platoon Chief, Fire Services, 30 years

Dell Wright, Firefighter, Fire Services, 30 years

Mary Hristov, Licensing Officer, Legislative Services and Communications, 30 years

John Karabourniotis, Administrative Services Coordinator, Print, Legislative Services and Communications, 30 years

Melville McCart, Facility Operator III, Cornell C.C., Recreation Services, 30 years

Anni Hansen, Customer Service Representative, Recreation Services, 20 years

John Daniel Jones, Maintenance Assistant, Museum, Culture-Museum

-Site Maintenance, 15 years

Prem Hall, Engineering Technologist/Inspector, Engineering, 15 years

Noris Dela Cruz, Manager, Information Management (IMS), Environmental Services, 15 years

Shumin Gao, Water System Engineer, Environmental Services, 15 years

Mario Roque, Waterworks Technician, Environmental Services, 15 years

Kenneth Karges, Lead, Service Management, Information Technology Services, 15 years

Beverly Chin, Contact Centre Representative, Legislative Services and Communications, 15 years

Rosaria Cozis, Manager, Contact Centre, Legislative Services and Communications, 15 years

Letta Gogas, Contact Centre Representative, Legislative Services and Communications, 15 years

Laura Gold, Council/Committee Coordinator, Legislative Services and Communications, 15 years

Ryan O'Reilly, Working Supervisor, Gardener, Operations - Parks, 15 years

Paul Willis, Sign Maintenance, Operations - Roads, 15 years

Trevor Frizzle, Facility Operator I, Recreation Services, 15 years

Scott Greer, Facility Operator II, Cornell C.C., Recreation Services, 15 years

Nancy Letman, Community Program Coordinator AQGFT, Recreation Services, 15 years

Michael Van Veghel, Facility Operator II, Angus Glen C.C., Recreation Services, 15 years

Giuseppe (Joseph) Palmisano, Manager, Transportation Planning, Engineering, 10 years

Lijing Xu, Wastewater Hydraulic Engineer, Environmental Services, 10 years

Cheryl Mcconney-Wilson, Diversity Specialist, Human Resources, 10 years

John Fourtounas, Provincial Offences Officer II, Legislative Services and Communications - Bylaws, 10 years

Tracey Anastacio, Public Utilities Coordinator, Operations, 10 years

Robert Marinzal, Technical Coordinator, Roads, Operations - Roads, 10 years

Jesse Bamber, Waterworks Operator I, Environmental Services, 5 years

Gurmit Sunak, Business Compliance Accounting Clerk, Environmental Services, 5 years

Amanda Knegje, Manager, Tax & Assessment Policy, Financial Services, 5 years

## **5. DEPUTATIONS**

## **6. COMMUNICATIONS**

## **7. PETITIONS**

## **8. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES**

### **8.1 HERITAGE MARKHAM COMMITTEE MINUTES – SEPTEMBER 11, 2019 (16.11) 29**

1. That the minutes of the Heritage Markham Committee meeting held September 11, 2019, be received for information purposes.

### **8.2 PUBLIC ART ADVISORY COMMITTEE MINUTES – APRIL 11, 2019 AND 39**

**AUGUST 20, 2019 (16.0)**

1. That the minutes of the Public Art Advisory Committee meeting held April 11, 2019 and August 20, 2019, be received for information purposes.

**8.3 VARLEY-MCKAY ART FOUNDATION OF MARKHAM MINUTES – MAY 27, 2019 (16.0)**

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1. That the minutes of the Varley-McKay Art Foundation of Markham meeting held May 27, 2019, be received for information purposes.

**8.4 UPDATED FLOODPLAIN MAPPING AND REVIEW OF THE UNIONVILLE SPECIAL POLICY AREA (10.0)**

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P. Wong, ext. 6922

1. That the report entitled “Updated Floodplain Mapping and Review of the Unionville Special Policy Area” be received; and,
2. That staff be directed to initiate a boundary review of the Unionville Special Policy Area and to prepare draft Official Plan and Zoning By-law Amendments; and,
3. That a community information meeting be held to notify all affected property owners of the updated floodplain mapping; and further,
4. That staff be authorized to schedule a statutory Public Meeting to consider draft Official Plan and Zoning By-law Amendments;
5. And that staff be authorized and directed to do all things necessary to give effect to this resolution.

**8.5 AUSTIN DRIVE PROPOSED PARKING PROHIBITION (WARD 3) (5.12)**

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1. That the report entitled “Austin Drive Proposed Parking Prohibition (Ward 3),” be received; and,
2. That Schedule “C” of Parking By-law 2005-188 be amended to prohibit parking on the north side of Austin Drive, between Bullock Drive and Couperthwaite Crescent (east intersection); and,
3. That Schedule “C” of Parking By-law 2005-188 be amended to prohibit parking on the south side of Austin Drive, between Bullock Drive and a point 15 metres west of Karma Road; and,
4. That Schedule “C” of Parking By-law 2005-188 be amended to rescind the existing parking prohibition on the north side of Austin Drive,



between Bullock Drive and the east property limit of block no. 81 (Austin Drive Rugby Club); and,

5. That the cost of materials and installation for the traffic signs and pavement markings in the amount of \$500 be funded from capital project # 083-5350-19050-005 'Traffic Operational Improvements'; and,
6. That the By-law Enforcement, Licensing & Regulatory Services be directed to enforce the parking prohibition upon installation of the signs and passing of the by-law; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

## 9. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES

### 9.1 MAKING OUR MARK MARKHAMS PUBLIC ART MASTER PLAN 2020 TO 2024 (6.0)

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N. O'Laoghaire, ext. 3273

**Note: This item will be dealt with at 11:00 a.m.**

**Helena Grdadolnik, Director, Workshop Architecture will be in attendance to provide a presentation on this matter.**

1. That the report entitled Making Our Markham: Markham's Public Art Master Plan 2020-24 be received; and,
2. That the Making Our Markham: Markham's Public Art Master Plan 2020-24 be approved; and,
3. That the five-year Public Art Implementation Plan be approved in principle, that Council direct the Commissioner of Development Services to incorporate the Implementation Plan into annual Business Planning, Capital and Operating Budget processes and to report progress annually to Council; and,
4. That the title of Public Art Coordinator be changed to Public Art Curator to reflect the requirements of the role; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## 10. MOTIONS

### 10.1 ROAD SAFETY AWARENESS AND PROMOTION (5.10)

**Note: The notice of this motion was given to Development Services Committee at its meeting held on October 15, 2019.**

Whereas road safety is an important issue that affects all road users; and,

Whereas traffic volumes continue to increase on all roads under different jurisdictions; and,

Whereas public transit, walking and cycling are other modes of transportation that are encouraged in Markham to reduce the reliance on single occupancy vehicles; and,

Whereas vulnerable road users (pedestrians, cyclists, seniors, youths, etc.) are increasing in number on all roads; and,

Whereas Markham has started working on a road network safety audit; and,

Whereas Markham is implementing traffic speed mitigation initiatives and various road safety education programs; and,

Whereas a consolidated road safety awareness and promotion program will improve the effectiveness of a public education and change road user behaviour; and,

Now therefore be it resolved:

1. That Engineering and Corporate Communication staff are requested to develop a road safety education program and branding, and to involve other jurisdictions and agencies as necessary, and to report back to the Development Services Committee in early 2020.

## 11. NOTICES OF MOTION

## 12. NEW/OTHER BUSINESS

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

## 13. ANNOUNCEMENTS

## 14. ADJOURNMENT

**Information Page**

**Development Services Committee Members: All Members of Council**

**Development and Policy Issues**

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Keith Irish

**Transportation and Infrastructure Issues**

Chair: Deputy Mayor Don Hamilton

Vice-Chair: Councillor Reid McAlpine

**Culture and Economic Development Issues**

Chair: Councillor Alan Ho

Vice-Chair: Councillor Khalid Usman

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Alternate formats for this document are available upon request.

**Consent Items:** All matters listed under the consent agenda are considered to be routine and are recommended for approval by the department. They may be enacted on one motion, or any item may be discussed if a member so requests.

**Please Note:** The times listed on this agenda are approximate and may vary; Council may, at its discretion, alter the order of the agenda items.

**Development Services Committee is scheduled to recess for  
lunch from approximately 12:00 PM to 1:00 PM**

**Note: As per the Council Procedural By-Law, Section 7.1 (h)  
Development Services Committee will take a 10 minute recess after  
two hours have passed since the last break.**



## Development Services Committee Minutes

**Meeting Number 16**

**October 15, 2019, 9:30 AM - 3:00 PM**

**Council Chamber**

Roll Call	Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Jim Jones Councillor Keith Irish Councillor Reid McAlpine	Councillor Karen Rea Councillor Amanda Collucci (arrived at 10:23 AM) Councillor Khalid Usman Councillor Isa Lee
Regrets	Mayor Frank Scarpitti Regional Councillor Joe Li	Councillor Alan Ho Councillor Andrew Keyes
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Chief of Staff Brian Lee, Director, Engineering Biju Karumanchery, Director, Planning & Urban Design	Ron Blake, Senior Manager, Development Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship Marg Wouters, Senior Manager, Policy & Research Lilli Duoba, Manager, Natural Heritage Regan Hutcheson, Manager, Heritage Scott Chapman, Election & Council/Committee Coordinator

**Alternate formats for this document are available upon request**

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### 1. CALL TO ORDER

The Development Services Committee convened at the hour of 9:44 AM in the Council Chamber with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 11:24 AM and reconvened at 11:42 AM.  
Development Services Committee recessed at 12:41 AM and reconvened at 1:39 PM.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

**3. APPROVAL OF PREVIOUS MINUTES****3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – SEPTEMBER 23, 2019 (10.0)**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

1. That the minutes of the Development Services Committee meeting held September 23, 2019, be confirmed.

**Carried**

**4. DEPUTATIONS**

Deputations were made for the following item:

9.3 York Region Roads Capital Acceleration Program (City-Wide)

Refer to the individual item for the deputation details.

**5. COMMUNICATIONS**

There were no communications.

**6. PETITIONS**

There were no petitions.

**7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES****7.1 HISTORIC UNIONVILLE COMMUNITY VISION COMMITTEE MINUTES – MAY 15, 2019 AND JUNE 19, 2019 (10.0)**

There was discussion regarding the paid parking analysis commissioned as part of a previous parking strategy developed by the City.

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the Historic Unionville Community Vision Committee meeting held May 15, 2019 and June 19, 2019, be received for information purposes.

**Carried**

**7.2 MAIN STREET MARKHAM COMMITTEE MINUTES – JUNE 19, 2019 (16.0)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the minutes of the Main Street Markham Committee meeting held June 19, 2019, be received for information purposes.

**Carried**

**7.3 REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD OF JUNE 10, 2019 TO SEPTEMBER 15, 2019 (10.0)**

There was discussion regarding the development application submitted by Bur Oak (ARH) Developments Inc. It was noted that the applicant is currently advertising the sale of units for their development proposal, and concerns were expressed over the potential implications to purchasers of these units should the applicant fail to receive the required approvals. Staff advised that they will look into this matter further.

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “Report on Incoming Planning Applications for the period of June 10, 2019 to September 15, 2019, be received and staff be directed to process the applications in accordance with the approval route outlined in the report.
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution

**Carried**

**7.4 INFORMATION REPORT 2019 THIRD QUARTER UPDATE OF THE STREET AND PARK NAME RESERVE LIST (10.14, 6.3)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled ‘Information Report 2019 Third Quarter Update of the Street and Park Name Reserve List’, be received; and,

2. That Council approve the revised Street and Park Name Reserve List set out in Appendix 'A' attached to this report.

**Carried**

**7.5 RECOMMENDATION REPORT DEMOLITION PERMIT  
APPLICATION 11 PRINCESS STREET MARKHAM VILLAGE  
HERITAGE CONSERVATION DISTRICT, WARD 4 (16.11, 10.13)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled "Recommendation Report, Demolition Permit Application, 11 Princess Street, Markham Village Heritage Conservation District, Ward 4, File No. 19 133557", dated October 15, 2019, be received;
2. That Council endorse the demolition of the existing 1950s dwelling;
3. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7.6 RECOMMENDATION REPORT AMENDMENT TO THE THORNHILL  
HERITAGE CONSERVATION DISTRICT PLAN – ROBERT JARROT  
HOUSE STATEMENT OF CULTURAL HERITAGE VALUE OR  
INTEREST 15 COLBORNE STREET THORNHILL HERITAGE  
CONSERVATION DISTRICT, WARD 1 (16.11)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled "Recommendation Report, Amendment to the Thornhill Heritage Conservation District Plan – Robert Jarrot House Statement of Cultural Heritage Value or Interest, 15 Colborne Street, Thornhill Heritage Conservation District, Ward 1", dated October 15, 2019, be received; and,
2. That as recommended by Heritage Markham, the Statement of Cultural Heritage Value or Interest for 15 Colborne Street in the Building Inventory of the Thornhill Heritage Conservation District Plan (2007) be amended as per Appendix 'C' to include the exterior of the 1963/1975 addition designed by B Napier Simpson Jr. as a heritage attribute based on its design/physical value and its historical/associative value; and further,

3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7.7 APPLICATION FOR SITE PLAN APPROVAL FOR A BELL MOBILITY TELECOMMUNICATION TOWER AND EQUIPMENT COMPOUND AT 10 BUR OAK AVENUE, FILE NO. SC 14 129195 (WARD 6) (10.6)**

There was discussion regarding the potential impact of the development proposal on local area residents. It was noted that no concerns have been expressed by residents relative to the application.

Moved by Councillor Amanda Collucci

Seconded by Councillor Khalid Usman

1. That the memorandum dated October 15, 2019, entitled “Application for Site Plan Approval for a Bell Mobility Telecommunication Tower and equipment compound at 10 Bur Oak Avenue, File No. SC 14 129195 (Ward 6)”, be received; and,
2. That the Site Plan application be endorsed, subject to the conditions of Site Plan Approval as identified in Appendix ‘A’ to this report; and,
3. That Industry Canada be advised in writing of this conditional endorsement (concurrence), and that this conditional endorsement is with respect to this location only; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution;

**Carried**

**8. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES**

**8.1 CITY OF MARKHAM COMMENTS ON THE PROVINCIAL POLICY STATEMENT REVIEW (10.0)**

Arvin Prasad, Commissioner, Development Services, addressed the Committee and introduced the staff report.

Lilli Duoba, Manager, Natural Heritage, addressed the Committee and delivered a presentation on the Provincial Policy Statement review being undertaken by the Province. Key changes proposed by the Province as well as staff comments to the proposed changes were identified.



The Committee discussed the need for greater clarity and guidance from the Province on several of the proposed changes to the Provincial Policy Statement, including:

- The meaning and scope of the proposed direction towards providing for "market-based" housing and taking into account "market demand" in planning decisions;
- The level of engagement required of municipalities with indigenous communities in planning decisions affecting cultural, heritage, and archeological resources; and,
- Criteria for identifying "priority" development applications eligible for fast-tracking

The Committee discussed the importance of balancing market demand with the needs of the community and other planning objectives in building complete communities. The Committee affirmed that identifying priority development applications is a matter that is best dealt with at the local municipal level where local priorities are best understood.

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

1. That the staff report entitled "City of Markham Comments on the Provincial Policy Statement Review, dated October 15, 2019, be received; and,
2. That this staff report and recommendations be forwarded to the Ministry of Municipal Affairs and Housing and York Region as the City of Markham's comments on the proposed changes to the Provincial Policy Statement as part of the Provincial Policy Review; and,
3. That the Ministry of Municipal Affairs and Housing be advised that whereas Markham Council supports the Provincial Policy Statement as a tool to establish high level Province-wide standards in land use planning, Markham Council does not support inclusion of detailed policy language regarding matters that are best dealt with at the local municipal level having regard for local priorities (e.g., identifying priority development applications); and,
4. That the Ministry of Municipal Affairs and Housing be advised of the following specific recommendations:
  - i. That current Provincial Policy Statement 2014 policy 4.9 which identifies that the PPS policies represent minimum standards, remain as policy in the Interpretation and Implementation section under Part V: Policies;

- ii. That the references to ‘market-based’ and ‘market demand’ in proposed policies 1.1.1, 1.1.3.8, 1.4.3 and 1.7 be clarified through definition, or alternately that a reference to both market-based and non market-based be included to ensure planning authorities continue to plan for an inclusive, broad and responsive approach to addressing housing needs, which would include but not prioritize market-based approaches to housing;
- iii. That the employment policies be revised as follows:
  - a. That the proposed additional references to ‘mixed uses’ and ‘consideration of housing policy’ be deleted from proposed policy 1.3.1;
  - b. That the prohibition of residential and institutional uses in proposed policy 1.3.2.3 apply to all employment areas, rather than only to those planned for industrial and manufacturing uses; and,
  - c. That the reference in proposed policy 1.3.2.3 to include appropriate transition within employment areas be revised to provide for appropriate transition between employment areas and non-employment areas, to be consistent with the Growth Plan;
- iv. That the Province provide guidance and clarification for municipalities with respect to the required method and level of engagement with Indigenous communities;
- v. That the Province provide municipalities with an opportunity to review any future modifications to ‘Hazard Lands’ policies resulting from the ongoing current review prior to incorporation in the Provincial Policy Statement;
- vi. That proposed policy 4.7 regarding streamlining of development approvals be removed, and instead the Province be advised that the intent of proposed policy 4.7 regarding streamlining development approvals would be more appropriately directed to the review and update of regulations, guidelines, standards and internal and external staffing levels to achieve the outcome of fast tracking applications;
- vii. That if proposed policy 4.7 regarding streamlining of development approvals remains, the Province provide criteria and guidance on identification of ‘priority’ applications for consideration of fast tracking;
- viii. That the Province review the process for approval of private communal water and wastewater services to require that private operators establish fiscally responsible life cycle and financial reserve practices, to ensure

that these systems are designed to meet municipal design standards and to allow municipalities to recover all costs of taking over these services in the event of a default;

ix. That the Province consider stronger policy wording in building strong healthy communities that requires land use planning to seek solutions to minimize and/or reduce climate change impacts; and,

5. Further that staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.2 RECOMMENDATION REPORT HUMBOLD GREENSBOROUGH VALLEY HOLDINGS LIMITED APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW, AND FOR DRAFT PLAN OF SUBDIVISION AND SITE PLAN APPROVAL TO PERMIT A COMMON ELEMENT CONDOMINIUM TOWNHOUSE DEVELOPMENT COMPRISED OF 147 TOWNHOUSES INCLUDING 121 BACK-TO-BACK TOWNHOUSES ON THE EAST SIDE OF DONALD COUSENS PARKWAY, SOUTH OF MAJOR MACKENZIE DRIVE, WEST OF NINTH LINE, NORTH OF CASTLEMORE AVENUE (CONCESSION 8, PART OF LOT 19) (WARD 5) FILE NOS: OP 18 129244, ZA 10 132122, SU 11 118324 & SC 10 132123 (10.3, 10.5, 10.7 & 10.6)**

Ron Blake, Senior Development Manager, addressed the Committee and provided members with a brief overview of the development proposal and the recommendations contained in the staff report.

Billy Tung, KLM Planning Partners, consultant for the applicant, addressed the Committee and delivered a presentation on the details of the development proposal, including the site context, proposed site plan, floor plan, street-view elevations, and conceptual building renderings.

There was discussion regarding the integration between the future City park and the open space block to be conveyed to the City on the north side of the subject property, which may include a walkway in the future. There was also discussion regarding whether noise attenuation fencing should be located on public or private property, if required, to mitigate noise impacts from Donald Cousens Parkway. Concerns were expressed regarding the long-term maintenance costs to residents from installing noise attenuation fences on private property rather than public property. Staff clarified that installation of noise attenuation fences on private property, where required, is a standard policy requested by City and York Region.

The Committee requested that staff and the applicant ensure that any noise attenuation measures required for the proposed units fronting Donald Cousens Parkway are secured through the site plan approval process. The Committee also requested that staff investigate and report back on the policy, potential responsibility, and financial implications to the City, York Region, and other stakeholders of not placing noise attenuation fences on public property city-wide. It was further requested that staff investigate options for the potential relocation and reuse of the excess fill resulting from the development.

Moved by Councillor Karen Rea

Seconded by Councillor Khalid Usman

1. That the staff report titled “RECOMMENDATION REPORT, Humboldt Greensborough Valley Holdings Limited, Applications to amend the Official Plan and Zoning By-law, and for Draft Plan of Subdivision and Site Plan Approval to permit a common element condominium townhouse development comprised of 147 townhouses including 121 back-to-back townhouses on the east side of Donald Cousens Parkway, south of Major Mackenzie Drive, west of Ninth Line, north of Castlemore Avenue (Concession 8, Part of Lot 19) (Ward 5), File Nos: OP 18 129244, ZA 10 132122, SU 11 118324 & SC 10 132123”, be received; and,
2. That the record of the Public Meeting held on June 11th, 2018 regarding the applications for Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision 19TM-95082, be received; and,
3. That Council approve the Official Plan Amendment application (OP 18 129244) submitted by Humboldt Greensborough Valley Holdings Limited to redesignate the subject land from “Residential Low Rise” to “Residential Mid Rise” in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018), as amended, attached in draft as Appendix ‘A’ be finalized and adopted without further notice; and,
4. That Council approve the Zoning By-law Amendment application (ZA 10 132122) submitted by Humboldt Greensborough Valley Holdings Limited to amend Zoning By-laws 304-87 and 177-96, as amended, attached in draft as Appendix ‘B’ be finalized and enacted without further notice; and,
5. That Council approve the application for Draft Plan of Subdivision 19TM-95082 (SU 11 118324) submitted by Humboldt Greensborough Valley Holdings Limited subject to the condition attached in draft as Appendix ‘C’; and,

6. That Council endorse in principle the Site Plan application (SC 10 132123) submitted by Humbold Greensborough Valley Holdings Limited for a common element condominium townhouse development comprised of 147 townhouses including 121 back-to-back townhouses, subject to the conditions attached as Appendix 'D'; and,
7. That Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate, not to be issued prior to execution of a site plan agreement; and,
8. That Council assign servicing allocation for a maximum of 147 townhouses; and,
9. That Council permit applications for minor variances within two (2) years of the proposed amending by-law coming into force, attached as Appendix 'B', in accordance with Section 45 (1.4) of the Planning Act; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **9. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES**

### **9.1 HWY 404 MID-BLOCK CROSSING COST SHARING WITH YORK REGION (NORTH OF 16TH AVENUE, NORTH OF MAJOR MACKENZIE DRIVE AND NORTH OF ELGIN MILLS ROAD) (5.10)**

There was no discussion on this item.

Moved by Regional Councillor Jack Heath

Seconded by Deputy Mayor Don Hamilton

1. That the report entitled "Hwy 404 Mid-Block Crossing Cost Sharing with York Region (North of 16<sup>th</sup> Avenue, North of Major Mackenzie Drive and North of Elgin Mills Road); and,
2. That staff be authorized to issue a Purchase Order to the Regional Municipality of York, in the amount of \$1,223,540.22, inclusive of HST impact, for the City of Markham's share of the cost for the following projects:
  - a. Mid-block Crossing North of 16th Avenue (EA and detailed design)
  - b. Mid-block Crossing North of Major Mackenzie Drive (EA)

- c. Mid-block Crossing North of Elgin Mills Road (EA); and,
- 3. That the amount of \$1,223,540.22, inclusive of HST impact, be funded from Capital Project #18048 (Regional Mid-block Crossing EA and Design) which currently has an available funding of \$1,366,900; and,
- 4. That the remaining funds of \$143,359.78 be returned to the original funding source upon the completion of the N of 16th Avenue detailed design; and,
- 5. That Staff be directed to prepare a Tri-Party Agreement for the construction of the Hwy 404 Mid-Block Crossing (North of 16<sup>th</sup> Avenue.); and further,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**9.2 HIGHWAY 404 MID-BLOCK CROSSING, NORTH OF 16TH AVENUE  
AND CACHET WOODS COURT EXTENSION – PROJECT UPDATE  
AND PROPERTY ACQUISITION (WARD 2) (5.10)**

Brian Lee, Director, Engineering, addressed the Committee and provided members with an overview of the staff report.

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

- 1. That the report titled “Highway 404 Mid-block Crossing, North of 16<sup>th</sup> Avenue and Cachet Woods Court Extension – Project Update and Property Acquisition (Ward 2)”, be received; and
- 2. That staff be authorized to issue a purchase order to the Regional Municipality of York (“York Region”) in the amount of \$7,123,121.06 inclusive of HST impact, for Markham’s share of the cost for the property acquired to date; and,
- 3. That the Engineering Department Capital Administration fee in the amount of \$142,462.42, be transferred to revenue account 640-998-8871 (Capital Administration Fee); and,
- 4. That the purchase order and capital administration fees be funded from Capital Project #19035 (Hwy 404 Midblock Crossing, North of 16<sup>th</sup> Avenue & Cachet Woods), which currently has an available funding of \$11,984,300.00; and

5. That the remaining funds of \$4,718,716.52 be kept in the account to cover the cost of the remaining properties to be acquired for the project; and
6. That Staff continue to work with York Region to finalize the detailed design, and acquisition of additional lands by York Region, and report back on the possible accelerated schedule of the construction of the section of road and the bridge over Rouge River, between Markland Street and Cachet Woods Court Extension in advance of the Mid-block Crossing over Highway 404; and
7. That the Mayor and Clerk be authorized to execute an agreement with the City of Richmond Hill and York Region for the design of the Highway 404 Mid-block Crossing, North of 16<sup>th</sup> Avenue and Cachet Woods Court Extension and property acquisition required for the project, provided the form of such agreement is satisfactory to the Director of Engineering and the City Solicitor; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### **9.3 YORK REGION ROADS CAPITAL ACCELERATION PLAN (CITY-WIDE) (5.10)**

Michael Gannon, representative for the Unionville Residents Association, addressed the Committee and stated concerns with the recommendation contained in the staff report. Mr. Gannon requested that the Committee postpone consideration of a formal request to York Region to allow for a City-wide public education workshop on the impact of road widenings as a strategy for mitigating traffic congestion.

Elizabeth Tan, Markham resident, addressed the Committee and stated concerns with the proposed road widening as a strategy for mitigating traffic congestion along 16<sup>th</sup> Avenue. Ms. Tan requested that the Committee postpone consideration of the staff recommendation, and that staff be asked to host a public education workshop to provide residents with an opportunity to better understand and provide feedback on potential traffic mitigation strategies in the City.

The Committee resolved to direct staff to organize a public education workshop on transportation strategies for addressing traffic congestion in Markham. It was requested that the workshop include input from transportation experts as well as case studies analyzing the impact of road widenings in other municipalities.

Moved by Councillor Reid McAlpine  
 Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “York Region Roads Capital Acceleration Plan (City-wide)” be received; and
2. **That the deputations of Michael Gannon and Elizabeth Tan be received; and,**
3. **That staff be directed to organize a transportation education workshop for members of Council and members of the public to consider potential strategies for mitigating traffic congestion including road widenings by the end of November 2019; and further,**
4. **That staff be directed report back on the results of the workshop by the end of December 2019.**

**Carried**

## **10. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES**

### **10.1 CANADA INDIA BUSINESS FORUM, NEW DELHI AND MUMBAI, NOVEMBER 19 AND 21, 2019 (10.16)**

There was a brief discussion on the air travel arrangements for the business forum.

Moved by Councillor Amanda Collucci  
 Seconded by Councillor Isa Lee

1. That the Report dated October 15, 2019 entitled “Canada India Business Forum, New Delhi and Mumbai, November 19 & 21, 2019 ” be received, and
2. That the City of Markham be represented at the Canada India Business Forum by Christina Kakaflikas, Manager, Economic Development, and
3. That the total cost of the City’s participation in the Forum, not exceeding \$6,500.00 will be expensed from within Economic Development’s 2019 operating budget (acc. #610-9985811-International Investment Attraction Program), and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**



## **11. MOTIONS**

There were no motions.

## **12. NOTICES OF MOTION**

### **12.1 ROAD SAFETY AWARENESS AND PROMOTION**

**Note: This item will be considered at the October 28, 2019 Development Services Committee meeting.**

Councillor Amanda Collucci addressed Development Services Committee and announced her proposed Notice of Motion.

Moved by Councillor Amanda Collucci  
Seconded by Councillor Reid McAlpine

Whereas road safety is an important issue that affects all road users; and,

Whereas traffic volumes continue to increase on all roads under different jurisdictions; and,

Whereas public transit, walking and cycling are other modes of transportation that are encouraged in Markham to reduce the reliance on single occupancy vehicles; and,

Whereas vulnerable road users (pedestrians, cyclists, seniors, youths, etc.) are increasing in number on all roads; and,

Whereas Markham has started working on a road network safety audit; and,

Whereas Markham is implementing traffic speed mitigation initiatives and various road safety education programs; and further,

Whereas a consolidated road safety awareness and promotion program will improve the effectiveness of a public education and change road user behaviour;

Now therefore be it resolved:

1. That Engineering and Corporate Communication staff are requested to develop a road safety education program and branding, and to involve other jurisdictions and agencies as necessary, and to report back to the Development Services Committee in early 2020.

## **13. NEW/OTHER BUSINESS**

There was no new / other business.

**14. ANNOUNCEMENTS**

There were no announcements.

**15. CONFIDENTIAL ITEMS**

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the Municipal Act, Development Services Committee resolve into a confidential session to discuss the following matters:

**Carried**

**15.1 DEVELOPMENT AND POLICY ISSUES****15.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - SEPTEMBER 23, 2019 (10.0) [Section 239 (2) (c)]**

Development Services Committee confirmed the September 23, 2019 confidential minutes.

**15.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ANDRIN INVESTMENTS LIMITED, 5440 16TH AVENUE (WARD 4) (8.0) [Section 239 (2) (e)]**

Development Services Committee consented to refer this item to the October 29, 2019 confidential Council agenda for consideration.

**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Development Services Committee meeting adjourn at 2:49 PM.

**Carried**



## Development Services Public Meeting Minutes

**Meeting Number 10**

**October 7, 2019, 7:00 PM - 10:00 PM**

**Council Chamber**

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Councillor Keith Irish	Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Regrets	Regional Councillor Jim Jones Councillor Alan Ho	Councillor Reid McAlpine
Staff	Biju Karumanchery, Director, Planning & Urban Design Sabrina Bordone, Senior Planner Sally Campbell, Manager, East District	Rick Cefaratti, Planner II Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship

**Alternate formats for this document are available upon request**

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### **1. CALL TO ORDER**

The Development Services Committee convened at 7:03 PM with Councillor Keith Irish in the Chair.

### **2. DISCLOSURE OF PECUNIARY INTEREST**

None.

### **3. REPORTS**

**3.1 PRELIMINARY REPORT 1938540 ONTARIO LTD., UNIONVILLE MONTESSORI SCHOOL, TEMPORARY USE ZONING BY-LAW AMENDMENT APPLICATION TO PERMIT A PRIVATE SCHOOL AND DAY NURSERY TO OPERATE WITHIN THE EXISTING PORTABLE AT 9286 KENNEDY ROAD, FILE NO. PLAN 19 256209 (WARD 6) (10.5)**

The Public Meeting this date was to consider an application submitted by 1938540 Ontario Ltd., Unionville Montessori School for temporary use Zoning By-Law Amendment application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road (File No. PLAN 19 256209 (Ward 6)).

The Committee Clerk advised that notices were mailed on September 17, 2019, and a Public Meeting sign was posted on September 17, 2019. No written submissions were received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

The Applicant spoke about the proposal, the location, surrounding uses and outstanding issues.

Zhi Xiang (Richard) Tang provided the following feedback on the development application:

- Advised that he was property owner of the neighbouring property to the North on Kennedy Ave;
- Requested that he be advised of the long-term development plans for the site.

Staff advised that the neighbouring resident will be notified regarding any future development applications for the site, as part of the development process.

Committee provided the following feedback to the Applicant:

- Emphasized the importance of restoring the heritage property;
- Suggested that the application to extend the temporary usage should be submitted in a more timely manner in the future;
- Noted that the school serves the community really well;
- Asked about the Applicant's future plans for the property.

The Applicant advised that that they plan to re-develop the site to include an additional building, as they plan to extend their educational services to include high school. There have been ongoing discussions with staff (including heritage staff) on the re-development of the property. The re-development application will be submitted once all details are worked out with staff. The application to extend the temporary usage was submitted late due to confusion regarding the end date of their previous Temporary Use By-Law. Committee approved the applicant's

request to enact the extension of the Temporary Use By-Law to permit a private school and day nursery with the existing portable at 9286 Kennedy Road, from the day the by-law is passed for a three-year term, rather than from the day the previous by-law expired.

Moved by Councillor Amanda Collucci

Seconded by Councillor Khalid Usman

1. That the deputation by Zhi Xiang (Richard) Tang made at the October 7, 2019 Development Services Public Meeting regarding 1938540 Ontario Ltd. Unionville Montessori School, Temporary Use Zoning By-Law Amendment Application be received.
2. That the report titled “**PRELIMINARY REPORT**, 1938540 Ontario Ltd., Unionville Montessori School, Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received; and,
3. That the Record of the Public Meeting held on October 7, 2019, with respect to the Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received; and,
4. That the application by 1938540 Ontario Ltd., Unionville Montessori School, to amend Zoning By-law 304-87, as amended, be approved; and,
5. That the proposed amendment to Zoning By-law 304-87, as amended, be enacted without further notice; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**3.2 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW  
AMENDMENT TO FACILITATE A FUTURE LAND SEVERANCE AND  
PERMIT ONE SINGLE DETACHED DWELLING WITH SITE-SPECIFIC  
ZONE EXCEPTIONS AT 7739 9TH LINE, ON THE SOUTH SIDE OF  
14TH AVENUE**

**(WARD 7) FILE NO. ZA 19 126535 (10.5)**

The Public Meeting this date was to consider an application submitted by Memar Architects Inc. for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site specific zone exceptions at 7739 9<sup>th</sup> Line, on the south side of 14<sup>th</sup> Avenue (File No. ZA 19 126535 (Ward 7)).

The Committee Clerk advised that 138 notices were mailed on September 17, 2019, and a Public Meeting sign was posted on September 17, 2019. No written submissions were received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

There were no comments from the audience with respect to this application.

In response to Committee inquires, staff advised that the heritage house frontage is being reduced, as the land is being protected by York Region so that 14<sup>th</sup> Avenue can be widened in the future.

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

1. That the Development Services Commission report dated September 23, 2018, entitled "Preliminary Report Application for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site-specific zone exceptions at 7739 9<sup>th</sup> Line, on the south side of 14<sup>th</sup> Avenue. (Ward 7). File No. ZA 19 126535", be received; and,
2. That the Record of the Public Meeting held on October 7<sup>th</sup>, 2019 with respect to the proposed application for Zoning By-law Amendment, be received; and,

3. That the applications by Memar Architects Inc., for a Zoning By-law Amendment (ZA 19 126535) be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**3.3 PRELIMINARY REPORT - OP TRUST OFFICE INC. APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A CAMPUS-STYLE BUSINESS PARK DEVELOPMENT AT 101 MCNABB ST. (WARD 8) FILE NO ZA 17151261 (10.5)**

The Public Meeting this date was to consider an application submitted by OP Trust Office Inc. for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb Street File No. ZA 17 151261 (Ward 8).

The Committee Clerk advised that notices were mailed on September 17, 2019, and a Public Meeting sign was posted on September 15, 2019. A written submission from James Ng was received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

The Applicant gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

There were no comments from the audience with respect to this application.

In response to a Committee inquiry, the Applicant provided the following responses:

- The site plan has been designed so that it does not interfere with the easement on the property;
- The purpose of the easement on the property is unknown;
- There has been no communications with neighbouring properties at this point in time;
- They are looking at ways to make the property have more of a frontage onto Dennison Avenue in the long-term.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Isa Lee

1. That the Development Services Commission report dated September 9, 2019, entitled “Preliminary Report, OP Trust Office Inc., Application for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb St. (Ward 8), File No. ZA 17 151261”, be received; and,
2. That the Record of the Public Meeting held on October 7, 2019 with respect to the proposed Zoning By-law Amendment application, be received; and,
3. That the application by OP Trust Office Inc., for a proposed Zoning By-law Amendment (ZA 17 151261), be referred back to staff for a report and a recommendation; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **4. ADJOURNMENT**

The Development Services Public Meeting adjourned at 8:12 PM.



**Heritage Markham Committee Meeting  
City of Markham  
September 11, 2019  
Canada Room, Markham Civic Centre**

**Members**

Graham Dewar, Chair  
Maria Cerone  
Ken Davis  
Doug Denby  
Evelin Ellison  
Anthony Farr  
Shan Goel  
Councillor Keith Irish  
Councillor Reid McAlpine  
David Nesbitt  
Councillor Karen Rea  
Paul Tiefenbach

**Regrets**

Jennifer Peters-Morales  
George Duncan, Senior Heritage Planner

**Staff**

Regan Hutcheson, Manager, Heritage Planning  
Peter Wokral, Senior Heritage Planner  
John Britto, Committee Secretary (PT)

Graham Dewar, Chair, convened the meeting at 7:22 PM by asking for any disclosures of interest with respect to items on the agenda.

There were no disclosures of interest by any members

**1. Approval of Agenda (16.11)**

- A) Addendum Agenda
  - **Zoning By-law Amendment Application, 12 and 16 Deer Park Lane, Markham Village, 19 128208.**
- B) New Business from Committee Members

**Recommendation:**

That the September 11, 2019 Heritage Markham Committee agenda be approved, as amended.

CARRIED

**2. Minutes of the August 14, 2019  
 Heritage Markham Committee Meeting (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Recommendation:

That the minutes of the Heritage Markham Committee meeting held on August 14, 2019 be received and adopted.

CARRIED

**3. Request for Feedback,  
 Kennedy Road Class Environmental Assessment Study,  
 (Steeles Avenue to Major Mackenzie Drive),  
 Impact to Heritage Properties,  
 7779-7781 Kennedy Road (Thomas Morley House),  
 9286 Kennedy Road (George Hunter House),  
 9392 Kennedy Road (Thomas Lownsbrough House) (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 M. Siu, Senior Capital Work Engineer

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The Manager of Heritage Planning reviewed the request for feedback by York Region on the impact to three Heritage Properties located at 7779-7781 Kennedy Road (The Thomas Morley House), 9286 Kennedy Road (The George Hunter House) and 9392 Kennedy Road (The Thomas Lownsbrough house). He advised that York Region is undertaking a Class Environmental Assessment Study for Kennedy Road between Steeles Avenue and Major Mackenzie Drive with the objective to widen the road. A number of alternatives were developed ranging from avoidance to demolition. The Region and its consultant are seeking feedback from a heritage perspective on the most appropriate approach (Preferred Alternative) for each property of the affected properties.

Ms. Michelle Mascarenhas, Project Manager, HDR Inc. who have been retained by York Region provided an overview of the impact on the three heritage properties due to the road widening of Kennedy Road, and provided suggested recommendations of the Project Team as follows:

Thomas Morley House

The Kennedy Road cross-section has been reduced and the proposed road alignment/geometry has been optimized in this location to minimize impacts to cemetery lands (Hagerman West and Hagerman East) which are located on the west and east boulevards. The Kennedy Road widening results in impacts to the Thomas Morely House. Based on the structural assessment, the Thomas Morley House is in fair condition and is feasible to relocate. The Project Team recommends that the Thomas Morley House

be relocated east on its existing lot or to a new site and encroach on 7779-81 Kennedy Road.

#### George Hunter House

The George Hunter house abuts the Kennedy Road right-of-way and will be impacted by the proposed widening of Kennedy Road. The structural team was not permitted to enter due to safety concerns. The George Hunter House is in a deteriorating state of disrepair and is not recommended to be relocated. However, the Region will be looking into a specialized building moving contractor to confirm if it is possible to relocate this building. The Project Team's initial recommendation was to demolish all components of the George Hunter House and encroach on 9286 Kennedy Road. If demolished, then during the design phase a heritage documentation report will be prepared, and the George Hunter House will be commemorated through interpretive signage. However, the Region will review with a specialized building moving contractor to confirm if it is possible to relocate the building and encroach on 9286 Kennedy Road).

#### Thomas Lownsbrough House

The Kennedy Road cross-section has been reduced and the proposed road alignment / geometry has been optimized in this location to minimize impacts to cemetery lands (St. Philips Cemetery and Bethesda Cemetery) which are located on the west and east boulevards. Based on the structural assessment, the Thomas Lownsbrough House is in fair condition and is feasible to relocate. The Project Team's recommendation is to Demolish the West Wing Extension and garage of Thomas Lownsbrough House, relocate its Main Block and West Wing further west on its current lot, then encroach on 9392 Kennedy Road.

The Manager of Heritage Planning advised that Heritage Section staff has met with the Region and their consultants to provide staff's feedback. It was suggested that the Region should consult with the Heritage Markham Committee to seek feedback from the Committee. He further advised that:

For the Thomas Morley House, Heritage Section staff supports the relocation on site, but not to a new location elsewhere, as this is one of only a few heritage resources remaining in Hagerman's Corners;

For the George Hunter House, Heritage Section staff supports the relocation on site further to the west, in the same orientation, as the City has been working with the owners to ensure that this building is retained and not lost to demolition; and

For the Thomas Lownsbrough House, Heritage Section staff supports the relocation on site further to the west, in the same orientation, as retention and restoration of this heritage resource is a condition of development approval for the property.

The Committee discussed the various options and the suggested recommendation proposed by the HDR Project Team. Responding to a question from a Committee member on whether the property owners have been contacted with respect to moving

their properties and whether the properties will be maintained in the future, Ms. Mascarenhas advised that the Region and HDR first met with the City's Heritage Section staff who advised that feedback be sought from the Heritage Markham Committee.

Responding to a question from a Committee member Mr. Doug McKay, Manager of Traffic Engineering, York Region advised that all recommendations will be considered on the completion of the Kennedy Road Class Environmental Assessment Study.

Responding to another question from a Committee member, Mr. Doug McKay, Manager of Traffic Engineering, York Region advised that reversible lanes were explored early in the process but that they could cause issues with vehicles reversing out of their driveways onto Kennedy Road, similar to those being experienced on Jarvis Street in the City of Toronto.

Recommendation:

That Heritage Markham Committee receive the presentation from Michelle Mascarenhas of HDR on the Class Environmental Assessment Study for Kennedy Road between Steeles Avenue and Major Mackenzie Drive (Impact to Heritage Properties), including the consultant's preferred alternative for each heritage property; and,

That Heritage Markham Committee has the following comments on the preferred approach for the following properties:

Thomas Morley House

- Support the concept of relocating the building further to the east generally in the same location and same orientation of the building, but not relocation to a new site.

George Hunter House

- Support the concept of relocating the building further to the west generally in the same location and same orientation of the building, but not demolition.

Thomas Lownsbrough House

- Support the concept of relocating the building further to the west in the same orientation as retention of the building onsite was a condition of development approval for the property.

CARRIED

- 4. Heritage Permit Applications,  
 15 Colborne Street, Thornhill HCD  
 37 Colborne Street, Thornhill HCD  
 12 Dryden Court Markham, Village HCD  
 309 Main Street North, Markham Village HCD  
 3 Wismer Place, Markham Heritage Estates HCD  
 Delegate Approvals: Heritage Permits (16.11)**

File Numbers: HE 19 131274

HE 19 132296

HE 19 129194

HE 19 132904

HE 19 131706

Extracts: R. Hutcheson, Manager of Heritage Planning

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Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

CARRIED

- 5. Information,  
 Letter from Ministry of Culture,  
 Related to Recent Changes to the Ontario Heritage Act (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Recommendation:

That Heritage Markham Committee receive as information.

CARRIED

- 6. Correspondence (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Recommendation:

That the following correspondence be received as information:

- a) Markham Historical Society: Remember Markham Newsletter, Fall 2019 Issue. Staff has full copy.
- b) National Trust for Canada: Notice of National Trust Conference 2019.

CARRIED

**7. Request for Feedback,  
 3010 19<sup>th</sup> Avenue and 33 Dickson Hill Road,  
 Proposed Designation of Joseph Pipher House and,  
 Proposed Relocation of Schoolhouse No. 7 (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

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The Senior Heritage Planner reviewed a request for feedback on the proposed designation of the Joseph Pipher House located at 33 Dickson Hill Road and the proposed relocation of a brick one room Schoolhouse No. 7 located at 3010 19<sup>th</sup> Avenue and designated under Part IV of the *Ontario Heritage Act* since 2004.

The Senior Heritage Planner advised that the property at 33 Dickson Hill Road has recently been purchased by a new owner who will be taking possession of the property in January of 2020. He further advised that in addition to stabilizing and restoring the fine two storey stone house that occupies the rear portion of the property (which is not visible to the public), the owner would like to relocate the vacant school building at 3010 19<sup>th</sup> Avenue to the front portion of the property at 33 Dickson Hill Road as an accessory building to be restored and operated as a small Montessori day care facility providing a unique historical setting and educational experience.

The City's Official Plan 2014 requires the retention of cultural heritage resources in their original locations but does allow for the consideration of relocating heritage resources to a different portion of the property, or another property within Markham, including a Hamlet, if retention of the heritage resource in its original location is deemed neither appropriate nor viable.

If relocation of Schoolhouse No. 7 is not supported, the City would have to rely on the enforcement of the City's Property Standards By-law and the Keep Markham Beautiful By-law to preserve and protect the vacant historic school building for an undetermined amount of time, as the cemetery use proposed by the Catholic Cemeteries is not currently permitted.

If relocation of Schoolhouse No. 7 is supported, the schoolhouse can be preserved and restored to a use similar to its original use, in a location where it could enhance the heritage character of the Hamlet of Dickson Hill.

Whether relocation of Schoolhouse No. 7 is supported or not, Heritage staff recommends that the property at 33 Dickson Hill be designated under Part IV of the *Ontario Heritage Act* in order to better protect, preserve and recognize the cultural heritage significance of the Pipher House, and to ensure that site plan approval would be required, should the relocation of Schoolhouse No. 7 be permitted by the City.

Mr. Sam Orrico, a local resident addressed the Committee. He spoke about the issues he faced with respect to his own property, and recommended that the Committee should not support relocation of the vacant school.

Recommendation:

That the existing heritage building located at 33 Dickson Hill Road be designated under Part IV of the *Ontario Heritage Act*, to recognize the cultural heritage significance of the property and to ensure that site plan approval is required for future development of the land; and

That Heritage Markham supports the relocation of school house No. 7 from 3010 19<sup>th</sup> Avenue to 33 Dickson Hill Road to be restored as an accessory building and utilized as a day care facility under the *Day Care Nurseries Act*; and

That a commemorative plaque be installed at 3010 19<sup>th</sup> Avenue to recognize the heritage value of the property.

CARRIED

**8. Information,  
 Markham Village Streetscape,  
 Proposed Tree Grates (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 M. Busato, Supervisor, Parks - Horticulture

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The Manager of Heritage Planning reviewed the information item regarding installing proposed tree grates in the Main Street Markham Streetscape. The proposed grate is galvanized, grey/silver in colour. Operations staff have indicated that the galvanization will darken over time and will not chip, tarnish or rust. This option was chosen due to the amount of salt used by City's snow plowing contractors in the winter. It is acknowledged that a black grate would better match the streetscape but painting or powder-coating would not last and would require on-going maintenance and recurring costs. Staff currently remove the heritage benches (which are powder-coated black) each winter to avoid damage due to salt at a substantial cost to the City.

The Manager of Heritage Planning advised that from a Heritage Section staff perspective, there is no objection to the installation of the proposed tree grate. Although it would be preferable in black, given the grate is a permanent feature installed at ground level which takes substantial abuse from snow clearing machinery and salt usage, staff support the proposed approach by Operations staff. He further advised that Operations (Parks Staff) also plan to replace some of the trees (5), clean up around each tree pit and install the grates before the winter sets in.

Recommendation:

That the Heritage Markham Committee has no objection to the installation of the proposed tree grates on the Main Street Markham streetscape.

CARRIED

**9. Zoning By-law Amendment Application  
 12 and 16 Deer Park Lane  
 Markham Village (File # 19 128208) (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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The Manager of Heritage Planning reviewed the Zoning By-law Amendment Application to rezone the lands situated at 12 and 16 Deer Park Lane and adjacent to the Markham Village Heritage Conservation District, to permit four semi-detached dwellings and a single detached dwelling, including site specific development standards. The single detached dwelling is proposed to front onto Elizabeth Street and the four semi-detached dwellings are proposed to front onto Deer Park Lane. All of the proposed dwellings are to be freehold in tenure.

The Manager of Heritage Planning advised that the subject property is not within the Markham Village Heritage Conservation District but is adjacent to the district boundary. He further advised that according to the Markham Official Plan with respect to cultural heritage resources, “*adjacent lands*” means those within 60 m of a *cultural heritage resource*, which is defined as a built heritage resource or a cultural heritage landscape (which includes a heritage conservation district).

The Manager of Heritage Planning advised that according to section 4.5.3.11 of the Official Plan, it is the policy of Council “to review applications for *development approval* and *site alteration* on *adjacent lands* to an individually designated property or a *heritage conservation district* to require mitigative and/or alternative development approaches in order to conserve the *heritage attributes* affected. This review may include measures to ensure compatibility with the characteristics, context and appearance of the *heritage attributes* affected.”

Heritage staff believe that since this is not a Site Plan Control Area, once the applicant obtains a zoning by-law amendment and severance of the properties through the Committee of Adjustment process, they will only need to obtain a Building Permit. The overall design of the proposed dwellings appears to be complementary to the characteristics and appearance of dwellings in the heritage conservation district and is generally reflective of the design approach for new infill development within the Markham Village Heritage Conservation District. The garages are recessed from the front façade of the dwelling, brick is proposed as a wall cladding material on the semi-detached units and the window treatment is reflective of the typically heritage windows



in the heritage district. The new development will require the removal of existing vegetation from the property, and compensation will be required by the City.

The Committee discussed the maximum building height relative to the R1 Zone Standards. The Committee also discussed the overall size, lot coverage and the design of the proposed dwellings.

Recommendation:

That Heritage Markham has no objection to the design of the proposed development at 12 and 14 Deer Park Lane from a heritage perspective but recommends that a Development Agreement be required as part of any future approvals for the properties which would ensure the implementation of the proposed design approach for the dwellings.

CARRIED

**10. New Business**

**Former Tremont Hotel Property, Main Street (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Heritage Markham Committee expressed concern with respect to the derelict condition of the Tremont Hotel property located on Main Street Markham, which has become an eyesore. A Committee member suggested that the By-law Department should enforce appropriate by-laws, so the property owners restore the property to a habitable condition. Another Committee member suggested that it would be appropriate if this matter is dealt with by the Property Standards Committee.

The Manager of Heritage Planning advised the Committee that it would be advisable to request By-law Enforcement Department to ask the property owners to bring the property in compliance with the Keep Markham Beautiful By-law and the Property Standards By-law.

Recommendation:

That Heritage Markham Committee is concerned about the current condition of the cultural heritage aspects of the former Tremont Hotel property; and

That By-law Enforcement be requested to bring the former Tremont Hotel into compliance with the Keep Markham Beautiful By-law and the Property Standards By-law.

CARRIED

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September 11, 2019  
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**Adjournment**

The Heritage Markham Committee meeting adjourned at 9:01 PM.



**MARKHAM PUBLIC ART ADVISORY COMMITTEE  
YORK ROOM, MARKHAM CIVIC CENTRE**

**Minutes**

**Meeting No. 1**

**Thursday, April 11, 2019**

**6:00 p.m.**

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**PRESENT**

Members

Taleen Der Haroutiounian  
Bill Pickering  
Ardy Reid  
Alina Tarbhai  
Julie Tiefenbach  
Jenny Tung  
Ken Wightman

Guest

Helena Grdadolnik, Consultant

Staff

Stephen Chait, Director of Economic Growth,  
Culture and Entrepreneurship  
Niamh O'Laoghaire, Manager, Varley Art Gallery  
Yan Wu, Public Art Coordinator  
Bev Shugg Barbeito, Committee Coordinator

**REGRETS**

Stephen Lusk, Chair  
Adam Keung  
Rahul Shastri  
Councillor Alan Ho

**1. CALL TO ORDER**

The Public Art Advisory Committee was called to order at 6:06 pm with Taleen Der Haroutiounian presiding as Chair.

**2. DECLARATION OF PECUNIARY INTEREST**

None was declared.

**3. CHANGES OR ADDITIONS TO THE AGENDA**

The Committee agreed to have the items "Public Art Updates" and "New Business" considered before agenda item "Public Art Master Plan" presentation; the agenda was accepted as amended.

**4. ADOPTION OF THE MINUTES OF THE MARKHAM PUBLIC ART ADVISORY COMMITTEE MEETINGS HELD ON OCTOBER 10, 2018**

It was

Moved by            Bill Pickering  
 Seconded by       Ken Wightman

That the minutes of the Markham Public Art Advisory Committee meeting held on October 10, 2018 be approved as presented.

CARRIED

**5. BUSINESS ARISING FROM THE MINUTES**

None was reported.

**6. PUBLIC ART UPDATES**

Niamh O’Laoghaire and Yan Wu reported on the following public art projects:

Aaniin Community Centre

An agreement has been completed with the manufacturer regarding construction of the large top; installation is anticipated for fall 2019.

Downtown Markham Public Art Installation

It was reported that negotiations are continuing in order to conclude a land transfer agreement between the City and the developer regarding the additional piece of land the City requires from the developer to install the work. It is hoped that installation will take place in fall 2019.

Rizal Statue

It was reported that installation will take place very soon at Boxgrove Community Park, the site for the statue of Dr. Jose P. Rizal. The official unveiling of the statue is scheduled as part of a larger celebration for the Filipino community to celebrate Filipino Independence Day on June 9, 2019.

The City’s Public Art Collection (2-dimensional works)

Yan Wu advised that a tour of artwork from the existing public art collection would likely require ninety minutes; she will include a tour on the agenda of a future meeting, time permitting.

**7. NEW BUSINESS**

Niamh O’Laoghaire, Manager, Varley Art Gallery, advised that there would be an open house at the Varley Art Gallery on Sunday, April 14, 2019 from 2:00 – 4:00 pm.

## 8. PUBLIC ART MASTER PLAN

Helena Grdadolnik, the successful candidate of the Request for Proposal (RFP) process for a consultant to develop a Public Art Master Plan, presented a draft public art master plan.

Ms. Grdadolnik spoke of feedback obtained about a proposed vision and potential sites for public art in Markham through meetings with internal and stakeholders, the steering committee, this committee, senior staff, Mayor Scarpitti and Markham Council, and a public workshop held recently in March 2019. It was determined that public art: is a site-specific work, in a public space, created by an artist/arts group, and follows the city process. She suggested that public art should make a mark and showed examples of public art which identifies the city where it is located; public art in Markham should likewise identify Markham.

From the feedback received from the various stakeholders, a draft vision was developed as: public art will mark the city as a place where local residents and visitors engage with each other and with the built and natural environments in Markham. Draft objectives for public art will connect and inspire residents, strengthen Markham's brand, and celebrate diverse cultures, heritage and shared values. Funding might be derived from a Public Art Reserve, Markham investment, and through a portion of capital projects budgets. For comparison purposes, Ms. Grdadolnik displayed a chart showing a number of Ontario municipalities, the City budget for public art and the amount from private development contributions. She spoke of the draft governance proposed outline as well as the roles for Markham Council, this Committee, and Art Selection panels. Ms. Grdadolnik discussed potential public art sites classified in the following five categories:

- Key Civic Sites and Gateways
- Major Parks and Facilities Projects
- Community Parks and Trails
- Streetscapes and Transit Sites
- Major Urban Development Sites

Ms. Grdadolnik then led Committee members in a discussion of:

- The draft vision and objectives
- Potential funding mechanisms
- Governance and the role of the committee, and
- Public art sites and approach.

Committee members advised that they felt the Public Art Master Plan should be aspirational, action-oriented, and speak of the quality expected of the art, e.g. excellent and distinctive to Markham focusing on diversity, natural touches, and elements of a city and a town as well as both established and newer communities. Committee members discussed at length the aspect of diversity; it was agreed that diversity needs to be reflected in the master plan but there should also be a balance between diversity and natural history.

Stephen Chait left the meeting at 7:25 pm.

Markham Public Art Advisory Committee  
 April 11, 2019  
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Committee members discussed funding methods and the need for annual operating costs to be declared. It was noted that there is a large amount in the public art reserve, some of which must be dedicated to certain areas of the City. It was also noted that the Public Art Master Plan will indicate staffing and other resources needed for the public art program. In response to questions from Committee members about the approval process for projects and donations, Committee members were advised that the Public Art Master Plan would outline the public art program for a five year period including the objectives, the practices to be followed for acquisitions, and the funding strategies. It was thought that this approach would free the Committee to focus on reviewing public art policies and plans, providing feedback on proposed budgets and expenditures as well as providing advice to staff regarding reports to Council (including about acquisitions and donations), and feedback on a quarterly basis, and to advocate for public art programs with Council and citizens. In response to questions from Committee members about participation on Art Selection panels, it was thought that one or two Committee members could attend as observers. They were also advised that Public Realm, Public Art and the Markham Development Services department operate as an inter-departmental group bringing together the strengths of each area for the benefit of Markham. Committee members recommended that Committee membership include a Regional Councillor, in addition to a Markham Councillor.

Ms. Grdadolnik advised that the presentation would be emailed to Committee members so that they could give it more consideration and send her further thoughts and ideas.

Addendum:

Yan Wu sent the draft presentation to Committee members and requested they provide feedback via email to her (particularly on the sites, categories and art approaches for each site) by the end of the day Wednesday, April 24, 2019.

## **9. NEXT MEETING DATE**

The next meeting of the Public Art Advisory Committee will be held at the call of the Chair.

## **10. ADJOURNMENT**

It was

Moved by	Ken Wightman
Seconded by	Jenny Tung

That the Markham Public Art Advisory Committee adjourn at 8:15 pm.

**CARRIED**



**MARKHAM PUBLIC ART ADVISORY COMMITTEE  
YORK ROOM, MARKHAM CIVIC CENTRE**

**Minutes**

**Meeting No. 2**

**Tuesday, August 20, 2019**

**6:00 p.m.**

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**PRESENT**

Members

Stephen Lusk, Chair  
Bill Pickering  
Ardy Reid  
Ken Wightman

Guest

Helena Grdadolnik, Consultant

**REGRETS**

Taleen Der Haroutiounian  
Adam Keung  
Rahul Shastri  
Alina Tarbhai  
Julie Tiefenbach  
Jenny Tung  
Councillor Reid McAlpine

Staff

Stephen Chait, Director of Economic Growth,  
Culture and Entrepreneurship  
Niamh O'Laoghaire, Manager, Varley Art Gallery  
Yan Wu, Public Art Coordinator  
Bev Shugg Barbeito, Committee Coordinator

**1. CALL TO ORDER**

The Public Art Advisory Committee was called to order at 6:01 pm with Stephen Lusk presiding as Chair.

**2. DECLARATION OF PECUNIARY INTEREST**

None was declared.

**3. CHANGES OR ADDITIONS TO THE AGENDA**

The agenda was accepted as distributed.

**4. ADOPTION OF THE MINUTES OF THE MARKHAM PUBLIC ART  
ADVISORY COMMITTEE MEETINGS HELD ON APRIL 11, 2019**

As there was no quorum, adoption of the minutes was deferred to the next meeting.

## 5. BUSINESS ARISING FROM THE MINUTES

None was reported.

## 6. PUBLIC ART UPDATES

Niamh O’Laoghaire and Yan Wu reported on the following public art projects:

### Aaniin Community Centre

Production of the large top and lighting fixtures is underway; installation is anticipated for late fall 2019.

### Downtown Markham Public Art Installation

It was reported that delays have occurred in the negotiations relating to the transfer of the additional piece of land the City requires from the developer to install the work. Markham has approved the fabrication of the work and its storage for up to two years. Markham has also assured the artist that the work will be installed, even if installation at another site becomes necessary.

### Rizal Statue

It was reported that the statue of Dr. Jose P. Rizal has been completed and installed at Boxgrove Community Park. The official unveiling of the statue was scheduled as part of a parade and celebration for the Filipino community to celebrate Filipino Independence Day. Donors have contributed funds for future maintenance of the work.

## 7. PUBLIC ART MASTER PLAN

Helena Grdadolnik, the consultant selected through a Request for Proposal (RFP) process to develop a Public Art Master Plan, presented a draft public art master plan.

Ms. Grdadolnik reminded Committee members of feedback obtained about a proposed vision for public art in Markham through meetings with internal and external stakeholders, the steering committee, this committee, senior staff, Mayor Scarpitti and Markham Council, and residents who attended a public workshop held in March 2019. The feedback received has formed the basis for “Making Our Mark: Markham’s Public Art Master Plan.

Ms. Grdadolnik briefly advised that the principal recommendations, which make up the proposed Markham’s Public Art Master Plan, include:

- Updating the vision, objectives, guiding principles and definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector;
- Consolidating the current five contribution options into one single stream: the Markham Public Art Acquisition Reserve Fund;
- Updating Markham Public Art Policy relating to funding investments, including contributions from the capital budget of major City capital projects and private development projects, establishing an annual municipal operating funding for the Public Art Program through the Accommodation Tax, and encouraging partnerships and private donations;
- Adopting the Public Art Site Selection criteria, types and sites;
- Updating Markham Public Art Policy relating to art acquisitions, including procurement and assessing donations and gifts;



- Updating Markham Public Art Policy including the governance process.

Ms. Grdadolnik reviewed the proposed vision, objectives and guiding principles:

- Vision: Innovative Public Art will highlight the city's unique characteristics and create new experiences through which local residents and visitors can engage with each other and the rich surroundings in Markham.
- Objectives:  
 Each public art project will meet at least two of the following objectives:
  - Inspire people to live in, work in, visit and invest in Markham.
  - Celebrate the diverse cultures and heritage in Markham from multiple points of view.
  - Connect residents to Markham's built and natural environment.
- Guiding Principles:  
 It is proposed that the City of Markham's Public Art Program will follow the following guiding principles:
  - Community education and engagement
  - Cultivation of the local arts sector - in a wide variety of art forms and practices
  - Artistic excellence and innovation
  - Protection of artists' integrity; fair pay for artists who retain their copyright and moral rights
  - Professionalism, fairness and equity in processes
  - Sustainability and responsibility of the program
  - Accessibility and geographic reach of the collection
  - Stewardship of the collection

Case studies within the proposed plan showed how existing examples in other communities are relevant to Markham and how Markham could build on its public art program.

Ms. Grdadolnik presented proposed criteria for public art site selection:

- Meeting City of Markham's strategic and planning goals
- Distribution and variety
- Public activity and use
- Transportation access to site
- Site capacity and appropriateness

These proposed criteria would allow Markham staff to identify appropriate sites for public art.

Ms. Grdadolnik reviewed the proposed site categories:

- Key Existing City Sites, Gateways And Heritage Areas, such as Pan Am Centre Plaza, Markham Civic Centre and Future Civic Square, and Varley Art Gallery Courtyard
- Major Parks and Facilities Projects, such as Angus Glen Community Centre and Victoria Square Community Centre
- Community Parks and Trails, such as Rouge River Trails Markham Centre (Birchmount Park), Rouge National Park trails, and Milne Dam Conservation Park
- Streetscape and Transit, such as Highway 7 transit stops and Main Street Unionville Streetscape

- Major Urban Developments, such as Gallery Square, Movieland Markham, and Remington Centre

She also reviewed a map indicating proposed public art sites for the Public Art Plan period of 2020-25, and other sites proposed for the period beyond 2025.

Committee members discussed the site categories and the associated preferred public art approaches for each, processes for acquisition of public art, donation policies and processes, and funding for the plan. They recommended that

- for financial sustainability, the proposed plan would need to clearly state that City funding would be needed to fund the operating budget to cover costs for staffing
- acceptance of donations be a nuanced process and include a general statement that the process would be consistent with Markham's conflict of interest policies and procedures
- criteria for selection of public art sites include engagement of the community who live in and around the proposed site.

Committee members were advised that Markham Clerks Office would develop terms of reference for the Markham Public Art Advisory Committee, including the roles for Markham Council, Committee members, and Art Selection panels; future Committee members will be selected per City policies and procedures. When discussing Committee roles, it was recommended that the role of providing feedback on the Public Art budget and long range planning be included.

It is expected that the proposed Markham Public Art Master Plan will be presented to Markham Council in October 2019. It was reported that the proposed Markham's Public Art Master Plan, including its proposed policies, procedures and budget, would provide the roadmap to achieve the vision for public art in Markham and relieve Council from day-to-day decision-making related to future public art projects.

Committee members expressed support for the proposed plan. Ms. Grdadolnik advised that additional input from Committee members would be welcome until the end of August 2019.

## **8. NEXT MEETING DATE**

The next meeting of the Public Art Advisory Committee will be held at 6:00 pm on Wednesday, September 25, 2019.

## **9. ADJOURNMENT**

The Markham Public Art Advisory Committee adjourned at 8:15 pm.

**VARLEY- MCKAY ART FOUNDATION OF MARKHAM****Monday, May 27, 2019, 5:00 p.m.****Varley Art Gallery****MINUTES****Attendance:**

Board of Directors Present: Terrence Pochmurski, Chair, Craig McQuat, Vice-Chair, John Ingram, Edie Yeomans, Amin Giga, Howard Back, Mathew Reilly, Joseph Schmidt and Caroline Le Quere

Regrets: Lisa-Joy Facey

Staff: Niamh O’Laoghaire, Director, Varley Art Gallery, Francesca Dauphinais, Cultural Development Officer, Laura Gold, Council/Committee Coordinator

<b>Agenda Item</b>	<b>Discussion</b>	<b>Action Item</b>
<b>1. Call to Order</b>	The Varley-McKay Art Foundation of Markham convened at 4:15 pm with Terrence Pochmurski presiding as Chair.	
<b>2. Disclosure of Pecuniary Interests</b>	None.	
<b>3. Additions/Changes to the Agenda</b>	It was requested that “Art Acquisition Report” be added to the agenda under item No. 9 Sub-Committee Reports.	
<b>4. Approval of the Minutes</b>	Moved by Craig McQuat Seconded by Edie Yeomans  That the March 4, 2019, Varley-McKay Art Foundation of Markham Minutes be approved as presented.  Carried	

Varley-McKay Art Foundation of Markham

May 27, 2019

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Agenda Item	Discussion	Action Item
<b>5. Business Arising from Minutes</b>	The Board reviewed the Action items from the previous meeting.	
<b>6. Confidential Session</b>	<p>Moved by Edie Yeomans Seconded by John Ingram</p> <p>That in accordance with Section 239 (2) (b) of the <i>Municipal Act</i>, the Varley-McKay Art Foundation of Markham resolve into a confidential session at (4:20 PM) to discuss a personal matter about an identifiable individual, including City or local board employees.</p> <p style="text-align: right;">Carried</p> <p>Moved by John Ingram Seconded by Howard Back</p> <p>That the Varley-McKay Art Foundation of Markham rise from its confidential session at (4:25 PM).</p> <p style="text-align: right;">Carried</p>	
<b>7. Director's Report</b>	<p>Niamh O'Laoghaire, Director of the Gallery presented the Director's Report. The full report was circulated to the Board. Some of the highlights of the report included:</p> <p><u>Vintages Congratulations</u> The Director congratulated the Foundation on a successful "Vintages at the Varley" event.</p> <p><u>Ontario Arts Council Grant</u> The Gallery is applying to the Ontario Arts Council for a grant. The Board may be required to pass a resolution approving the grant application.</p> <p><u>Staffing</u> There were no changes to the full time positions at the Gallery at this time.</p>	

Varley-McKay Art Foundation of Markham

May 27, 2019

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Agenda Item	Discussion	Action Item
	<p><u>Public Art</u> A public engagement session entitled “Making our MARKham” was held on Thursday, March 21, 2019 at YSpace, the York University Innovation Hub. The event was very successful.</p> <p>The Director and Yan Wu have been assisting with a monument to Philippine National Hero Dr. Jose P. Rizal. The statue will be unveiled on June 9<sup>th</sup> on the Philippine National Holiday.</p> <p><u>Exhibitions</u> The following exhibitions were installed since the last meeting:</p> <ul style="list-style-type: none"> <li>• Our Children: Reflections of Childhood in Historical Canadian Art, April 13<sup>th</sup> – June 23, 2019 curated by Anik Glaude and Charlotte Gagnier</li> <li>• Nava Waxman: Choreographed Marks, curated by Anik Glaude</li> <li>• Sara Niroobakhsh: Zaghareet, curated by Mahmoud Obaidi</li> </ul> <p>The exhibit schedule for the remainder of 2019 was presented to the Board.</p> <p>Moved by Howard Back Seconded by Amin Giga</p> <p>That the Board congratulate the Gallery on the beautiful installation of the exhibit “Our Children: Reflections of Childhood in Historical Canadian Art”.</p> <p style="text-align: right;">Carried</p> <p><u>Public Program and Events</u> An update on the Gallery’s programs and events was provided.</p>	

Agenda Item	Discussion	Action Item
<b>8. Development Officer Report</b>	<p>Francesca Dauphinais, Cultural Development Officer presented the Development Officer Report. A copy of the report was included with the agenda package. The report included an update on: volunteers; William J. Withrow School Visits Bursary; the Rouge: Varley Gala; and Vintages at the Varley: New World Wines.</p> <p>The following was discussed:</p> <p><u>William J. Withrow School Visits Bursary and Wally Joyce Scholarship</u></p> <ul style="list-style-type: none"> <li>• Two schools have applied for the William J. Withrow School Visits Bursary to date;</li> <li>• Michelle Cheng from Bayview Secondary School was awarded the 2019 Wally Joyce Scholarship;</li> <li>• The following Canada Summer Jobs grant were approved: <ul style="list-style-type: none"> <li>○ Gallery Animateurs (2)</li> <li>○ Summer Camp and Community Events Volunteer Supervisor (1);</li> <li>○ Social Media and Marketing Assistant (1);</li> </ul> </li> <li>• Waiting for the response with respect to the grant request for a 6 month full time Special Events Assistant position.</li> </ul> <p><u>Rouge Varley Gala</u></p> <ul style="list-style-type: none"> <li>• The Board was encouraged to work on getting sponsorship for the event;</li> <li>• Silent Auction items are coming in steadily;</li> <li>• Board Members were encouraged to donate two bottles of wine each (with a price value of \$20-\$100) for the Wine Pull;</li> <li>• A special room rate has been provided by the Toronto Marriott Markham for the evening of the event.</li> </ul> <p><u>Vintages at the Varley: New World Wines</u></p> <ul style="list-style-type: none"> <li>• Event was successfully held April 17, 2019;</li> <li>• Net revenue from the event was \$2,756.23.</li> </ul>	

Varley-McKay Art Foundation of Markham

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Agenda Item	Discussion	Action Item
	<p><u>Partnership –Blossom and Bloom</u></p> <ul style="list-style-type: none"> <li>Will partner with past board member, Phoebe Lo in May 2020 for Blossom and Bloom, a Mother’s Day pop up market.</li> </ul> <p><u>Golf Tournament</u></p> <ul style="list-style-type: none"> <li>There was a brief discussion on the possibly of planning a golf tournament, as a future fundraising activity.</li> </ul>	
<p><b>9. Sub-Committee Reports</b></p>	<p>A. <u>Art Acquisition Committee</u></p> <p>Edie Yeomans provided the following update from the April 19, 2019, Art Acquisition Committee meeting:</p> <p><u>Completed Donations</u></p> <ul style="list-style-type: none"> <li>Jacques de Tonnancour (1917, Montreal QC -2005, Montreal, QC) <ul style="list-style-type: none"> <li>Untitled (Landscape with Low Pine Trees), 1950</li> <li>Oil on Canvas. 59.69 x 79.4 cm</li> <li>Signed and dated</li> <li>Donated by Aldona Satterthwaite</li> </ul> </li> <li>Fredrick Horsman Varley (1981, Sheffield, UK – 1969, Unionville, ON) <ul style="list-style-type: none"> <li>Gothic Arches at Doon, c. 1948-49</li> <li>Watercolour and charcoal on paper, 8 x 10.5 inches</li> <li>Signed lower right, with thumb print</li> <li>Donated by Heather McCallum</li> </ul> </li> <li>Daphne Odjig (1919, Wiikwekoon, ON – 2016, Kelowna, BC) <ul style="list-style-type: none"> <li>Pow-wow singers, 1978;</li> <li>Serigraph, 66 x 50 cm</li> <li>Donated by Paul Green Burg</li> </ul> </li> </ul>	

Varley-McKay Art Foundation of Markham

May 27, 2019

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Agenda Item	Discussion	Action Item
	<p><u>Purchased Works by John Sasaki</u></p> <ul style="list-style-type: none"> <li>• An Unused Panel from Varley's Studio Left in Stormy Weather – Day 1, Front Side, 2017 – Digital Print 38 3/8" – Price \$3,500</li> <li>• An Unused Panel from Varley's Studio Left in Stormy Weather: Day 160 Rear, 2017- Digital Print 38 3/8" – Price \$3,500</li> <li>• An Unused Panel from Varley's Studio Left in Stormy Weather: Day 224, Front Side (Final Day) – front side 38 3/8" – Price \$3,500</li> </ul> <p>The Board was asked to approve the purchase for the permanent collection in the amount of \$15,000.</p> <p>Moved by Edie Yeomans Seconded by John Ingram</p> <p>That the Varley McKay Art Foundation of Markham approve the purchase of the following artwork for \$15,000 plus applicable taxes:</p> <p>Greg Staats Untitled (restraint_contraint) 2015 Inkjet print on Hahnemuhle Paper, mount on dibond edition 1 of 3 Image size: 44 x 48 ¾ inches Collection of the Artist</p> <p style="text-align: right;">Carried</p> <p>B. <u>Rouge: Varley Gala Committee 2019</u></p> <p>This item was discussed under the Development Officer Report.</p> <p>C. <u>Vintages at the Varley</u></p>	



Varley-McKay Art Foundation of Markham

May 27, 2019

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Agenda Item	Discussion	Action Item
	<p>This item was discussed under the Development Officer Report.</p> <p>D. <u>Development Committee</u></p> <p>The Memorandum of Understanding (MOU) for the Foundation needs to be reviewed and updated. The Chair and Vice-Chair will meet to discuss the MOU. The next steps will then be to set up a meeting with Stephen Chait to discuss the proposed changes.</p> <p>E. <u>Volunteer Committee</u></p> <p>No report was provided.</p>	<p>Meet to discuss changes to the MOU – Chair and Vice-Chair</p>
<b>10. Financial Report</b>	<p>Amin Giga, Treasurer presented the 2018 draft Financial Statements for the Varley McKay-Art Foundation of Markham.</p> <p>Moved by Amin Giga Seconded by Craig McQuat</p> <p>That the 2018 Varley McKay Art Foundation of Markham, Financial Statements, with a year ending December 31, 2018, be approved as presented.</p> <p style="text-align: right;">Carried</p>	
<b>11. New Business</b>	<p><u>Election of the Officers</u></p> <p>The Board elected the Officers for 2019.</p> <p>Moved by John Ingram Seconded by Howard Back</p> <p>That the following Directors be appointed as Officers of the Varley McKay Art Foundation of Markham:</p>	

Varley-McKay Art Foundation of Markham

May 27, 2019

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Agenda Item	Discussion	Action Item
	<p>Chair – Terrence Pochmurski  Vice-Chair – Craig McQuat  Treasurer – Amin Giga</p> <p style="text-align: right;">Carried</p> <p>There was a brief discussion on whether the Board was required to appoint a Secretary under the <i>Corporations Act</i>. The Chair and Vice-Chair will look into this matter and report back at the next meeting.</p>	<p>Report back on whether a Director needs to be appointed to the role of Secretary – Terrence Pochmurski and Craig McQuat</p>
<b>12. Next Meeting Date</b>	The next meeting of the Varley-McKay Art Foundation of Markham will be held on September 9, 2019 at 5:00 PM at the Gallery.	
<b>13. Adjournment</b>	The Varley-McKay Art Foundation of Markham adjourned at 5:45 pm	

Varley-McKay Art Foundation of Markham

May 27, 2019

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# List of Action Items

Action	Meeting Date	Member Responsible for Completion of Task	Status
1. Report back on whether a Director is required to be appointed to the role of Secretary under the <i>Corporations Act</i> .	May 27, 2019	Terrence Pochmurski and Craig McQuat	
2. Review the Memorandum of Understanding and suggest updates where required.	May 27, 2019	Terrence Pochmurski and Craig McQuat	



Report to: Development Services Committee

Meeting Date: October 28, 2019

**SUBJECT:** Updated Floodplain Mapping and Review of the Unionville Special Policy Area

**PREPARED BY:** Patrick Wong, Senior Planner, Natural Heritage, RPP, MCIP (ext. 6922)

**REVIEWED BY:** Lilli Duoba, Manager, Natural Heritage, RPP, MCIP (ext. 7925)

**RECOMMENDATION:**

1. That the report entitled “Updated Floodplain Mapping and Review of the Unionville Special Policy Area” be received;
2. That staff be directed to initiate a boundary review of the Unionville Special Policy Area and to prepare draft Official Plan and Zoning By-law Amendments;
3. That a community information meeting be held to notify all affected property owners of the updated floodplain mapping;
4. That staff be authorized to schedule a statutory Public Meeting to consider draft Official Plan and Zoning By-law Amendments;
5. And that staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to inform Development Services Committee of the updated floodplain mapping prepared by the Toronto and Region Conservation Authority (TRCA) and to obtain authorization to begin a review of the boundary of the Unionville Special Policy Area.

**BACKGROUND:**

**Updated Floodplain Mapping has been prepared by TRCA**

Floodplains are locations next to watercourses that are subject to flooding under major storm events. Provincial and municipal planning policy directs new development away from flood hazards in order to minimize risk to public health and safety. In Markham, the identification of floodplains is a responsibility of the TRCA. Periodically, updates to the floodplain mapping are completed to reflect changes in land use, vegetation cover, drainage patterns, topography and culvert/bridge crossings. The TRCA recently advised staff that an updated floodplain is available for the Unionville area. Portions of the Unionville floodplain are identified as a Special Policy Area in the Markham Official Plan 2014.

**History and Purpose of the Unionville Special Policy Area**

In 1990, Markham Council adopted an Official Plan Amendment to establish the Unionville Special Policy Area. Since 1990, two updates have been completed to the Special Policy Area as follows:

- 
- Modification of the SPA boundaries through Official Plan Amendment 153 to the Official Plan (Revised 1987), as amended – adopted by Markham Council in 2006 and approved by York Region in 2008
  - Modification of the SPA policies through the Official Plan 2014 – adopted by Markham Council in 2013. The SPA policies were brought into force and effect by the Local Planning Appeal Tribunal in 2016.

The current boundaries of the Unionville Special Policy Area are shown on Figure 1. A Special Policy Area (SPA) is described as an “area within a community that has historically existed in the floodplain and where site-specific policies [...] are intended to provide for the continued viability of existing uses [...] and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development” (Provincial Policy Statement, 2014). The Unionville Special Policy Area is one tool that supports the continued vibrancy and economic viability of the Unionville community. Within the Unionville Special Policy Area, certain development rights are retained which can allow for development, such as new structures and building expansions which would otherwise be prohibited.

While the SPA provides for certain development permissions, steps are taken to minimize the extent of flood-related risk. All proposals for development or site alteration within the Unionville Special Policy Area must obtain permission from the TRCA. Requirements such as flood proofing and flood response plans are imposed on new developments. Sensitive uses such as those that serve vulnerable populations (e.g., schools, daycares, elderly homes) and emergency services are prohibited from locating within the SPA. Finally, site-specific requests to intensify or to increase the population within the SPA beyond the permissions of the underlying land use designation is not permitted.

## **DISCUSSION:**

### **Description of changes to the Floodplain Boundary**

Figure 2 shows a comparison between the previous and updated floodplain boundaries. Overall, minor changes were observed for the majority of the floodplain boundaries along the major river systems of the Rouge River, Bruce Creek and Robinson Creek. Noteworthy changes to the floodplain affecting multiple properties are identified below:

- A reduction in the floodplain associated with Fonthill Creek (runs from Toogood Park to the Millenium Bandstand) affecting approximately 70 properties.
- A reduction in the floodplain associated with the Rouge River near Prince William Drive, River Bend Road, Annina Crescent and Walkerton Drive affecting approximately 35 properties.
- An expansion in the floodplain along both the north and south sides of Highway 7, west of Main Street Unionville affecting approximately 50 properties.
- An expansion in the floodplain on the north side of Highway 7 at Kennedy Road affecting approximately 30 properties.

### **Unionville Special Policy Area Review will be completed in partnership with TRCA**

Given the changes to the floodplain boundary, a review of the Unionville Special Policy Area is necessary. Staff’s review of the Unionville Special Policy Area will be based on the

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Province's Procedures for Approval of new SPAs and Modifications to Existing SPAs under the Provincial Policy Statement, 2005. The following matters will be reviewed:

- Identification of SPA lands that are no longer encumbered by the floodplain and to be removed from the SPA;
- Review SPA lands that remain in the floodplain based on the updated flood depth and velocity information and determine the continued appropriateness of the SPA designation;
- Identify lands newly identified within the floodplain and determine the appropriateness of adding the lands to the SPA;
- Identify the emergency response measures for existing and proposed SPA lands.

Staff will also be working closely with TRCA staff to document the technical floodplain analysis including floodplain boundaries, flood depths, flow velocities, flood frequency, access and egress routes and floodproofing requirements.

### **Draft Official Plan and Zoning By-law Amendments**

Based on the results of the Unionville Special Policy Area review, staff will prepare draft Official Plan and Zoning By-law Amendments to reflect the boundary changes. The current SPA policies were last updated as part of the Markham Official Plan 2014 and are already consistent with the Provincial Policy Statement, 2014. As it is not anticipated that any modifications to the SPA policies will be required, this review is expected to be limited to a boundary adjustment of the Unionville Special Policy Area.

### **Provincial Interest in Managing Flood Hazards**

The Province identifies flood hazards as a matter of provincial interest in the Planning Act and the Provincial Policy Statement, 2014. Based on the increased risk associated with SPAs, the Province has established procedures for the review and approval of Special Policy Areas. Staff will be meeting with Provincial staff to obtain input into the review of the Unionville Special Policy Area. The Official Plan Amendment will be subject to approval by both the Minister of Natural Resources and Forestry and the Minister of Municipal Affairs and Housing.

The Province recently announced that it is conducting a review of its flood management practices and has named a Special Advisor on Flooding. Staff are monitoring this review and will ensure that any direction regarding Special Policy Areas are addressed in the draft Official Plan and Zoning By-law Amendments.

### **Community Information Meeting and Statutory Public Meeting**

Given the number of properties affected by the updated floodplain mapping, staff recommend that a separate community information meeting be held for affected area residents. The purpose of the information meeting is to assist residents in better understanding the updated floodplain information, the Special Policy Area review process, and development criteria in the floodplain and Special Policy Area. TRCA staff will be invited to answer technical questions related to floodplain modelling. Notification will be provided through a direct mail-out to residents and advertised in the Markham Economist and Sun. Once a draft Official Plan and Zoning By-law Amendment is prepared, staff will schedule the statutory public meeting as required under the Planning Act.

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**FINANCIAL CONSIDERATIONS**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The review of the Special Policy Area policies ensures that the most accurate floodplain information is incorporated into land use planning decisions. It is aligned with the 'Safe & Sustainable Community' priority to protect public safety while supporting the continued economic viability of the Unionville community.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Staff from Fire and Emergency Services and the Engineering Department will be involved in the review of the Unionville Special Policy Area.

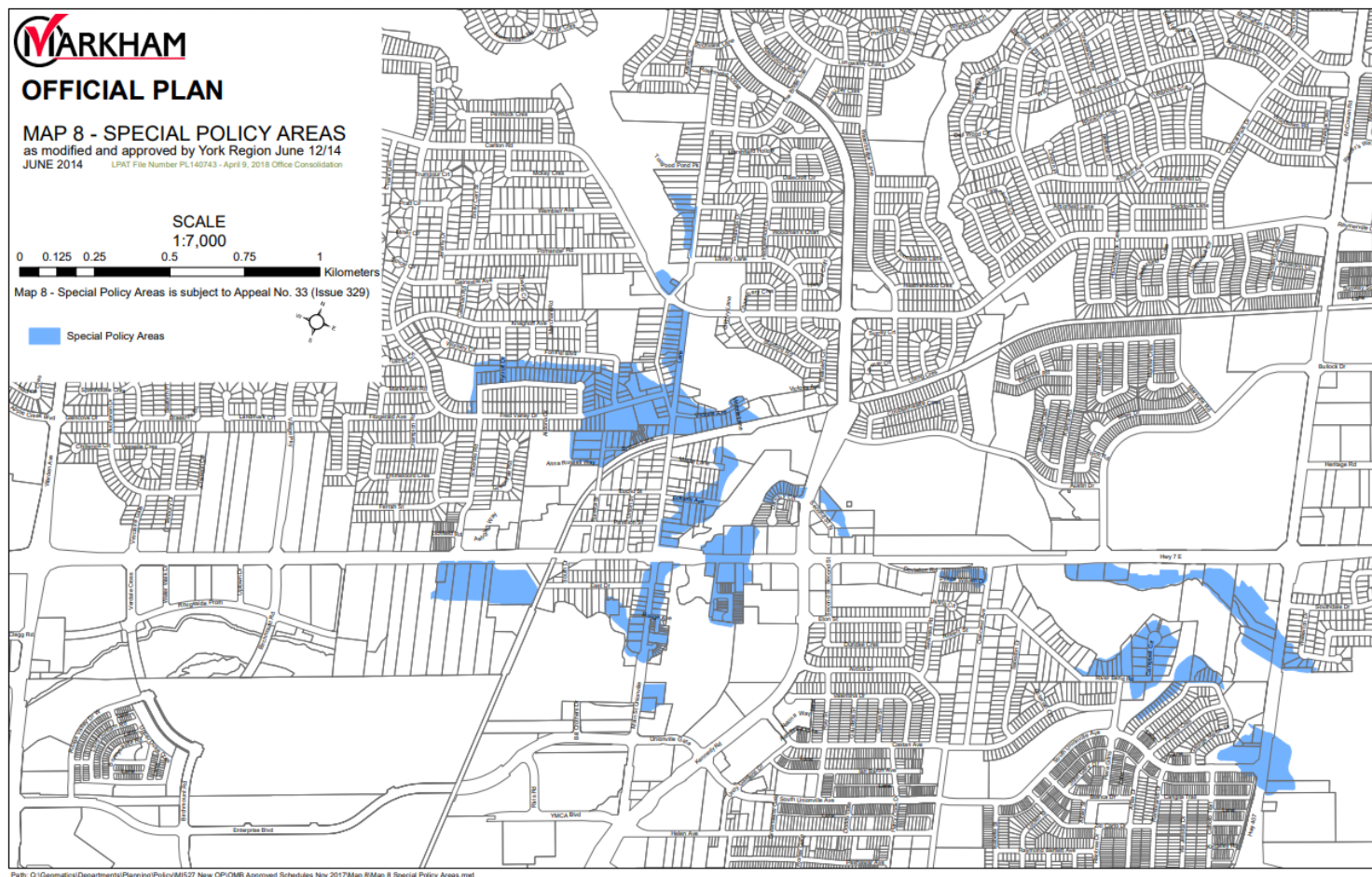
**RECOMMENDED BY:**

Arvin Prasad, RPP, MCIP  
Commissioner of Development Services

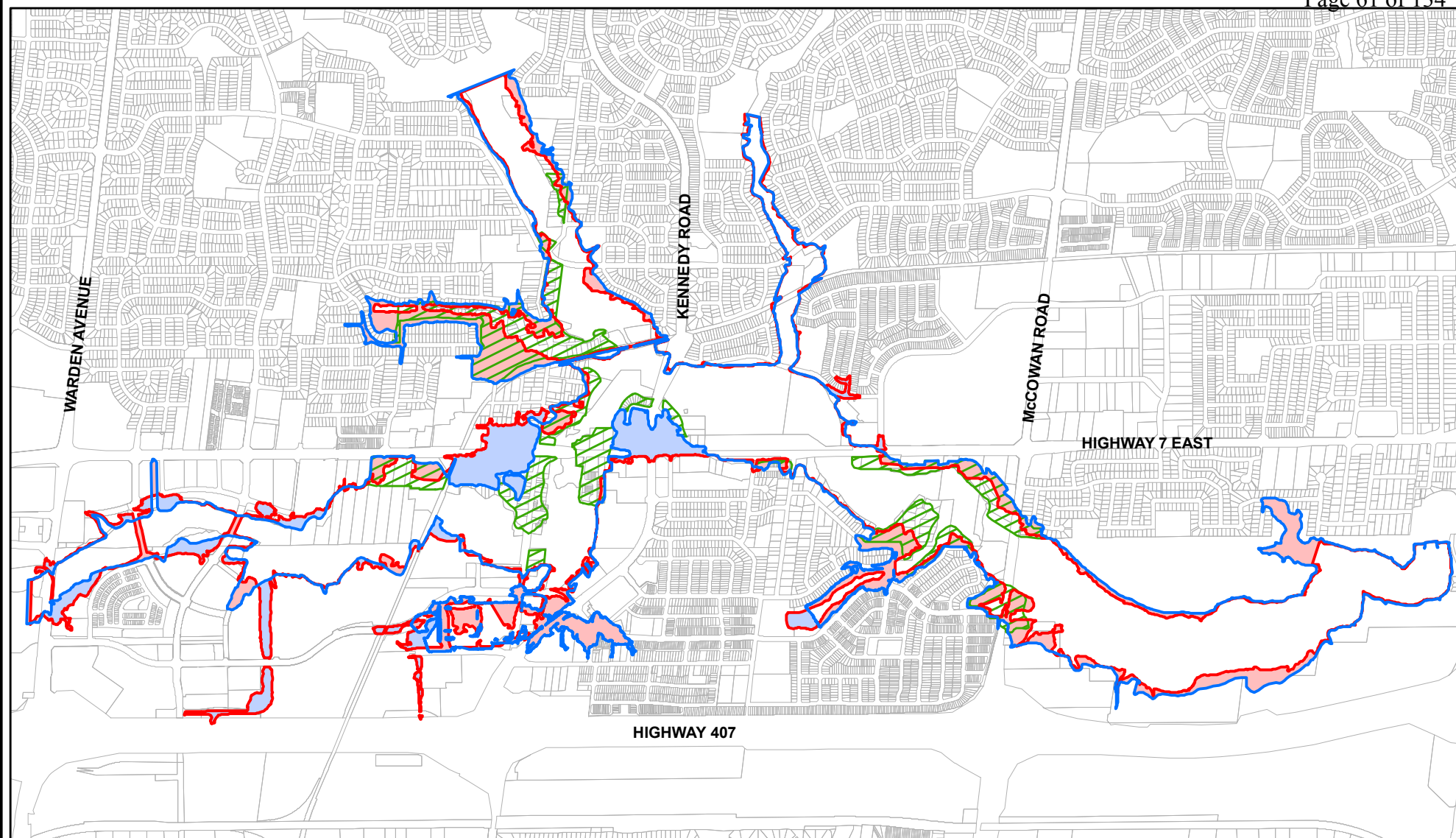
**ATTACHMENTS:**

- Figure 1: Map of Unionville Special Policy Area (Map 8, Official Plan 2014)
- Figure 2: Changes to the Unionville Floodplain






Figure 1: Map of Unionville Special Policy Area (Map 8, Official Plan 2014)







# CHANGES TO THE UNIONVILLE FLOODPLAIN

- |   |   |   |                     |
|---|---|---|---------------------|
|  | TRCA Floodline (2014 Official Plan)                 |  | Floodline Expansion |
|  | New TRCA Floodline                                  |  | Floodline Reduction |
|  | Unionville Special Policy Area (2014 Official Plan) |   |                     |



Q:\Geomatics\Resources\TRCA\TRCA Unionville Flood Plain Data June 2019\Figure 2 Changes to the Unionville Floodplain.mxd



DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: PW

DATE: 28/08/2019

FIGURE No. 2



Report to: Development Services Committee

Meeting Date: October 28, 2019

**SUBJECT:** Austin Drive Proposed Parking Prohibition (Ward 3)

**PREPARED BY:** David Porretta, Manager, Traffic Engineering, ext. 2040

**REVIEWED BY:** Loy Cheah, Senior Manager, Transportation, ext. 4838

**RECOMMENDATION:**

- 1) That the report entitled “Austin Drive Proposed Parking Prohibition (Ward 3),” be received;
- 2) That Schedule “C” of Parking By-law 2005-188 be amended to prohibit parking on the north side of Austin Drive, between Bullock Drive and Couperthwaite Crescent (east intersection); and
- 3) That Schedule “C” of Parking By-law 2005-188 be amended to prohibit parking on the south side of Austin Drive, between Bullock Drive and a point 15 metres west of Karma Road; and
- 4) That Schedule “C” of Parking By-law 2005-188 be amended to rescind the existing parking prohibition on the north side of Austin Drive, between Bullock Drive and the east property limit of block no. 81 (Austin Drive Rugby Club); and
- 5) That the cost of materials and installation for the traffic signs and pavement markings in the amount of \$500 be funded from capital project # 083-5350-19050-005 ‘Traffic Operational Improvements’; and
- 6) That the By-law Enforcement, Licensing & Regulatory Services be directed to enforce the parking prohibition upon installation of the signs and passing of the by-law; and further,
- 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report recommends a parking prohibition on the north side of Austin Drive, adjacent to the Austin Drive Rugby Club, to address traffic safety concerns created by ongoing street parking activity. Further, the report recommends an administrative amendment to Parking Bylaw 2005-188 to accurately reflect current “no parking” signs on the south side of Austin Drive between Bullock Drive and Karma Road.

**BACKGROUND:**

Austin Drive, located north of Highway 7 and between Kennedy Road and Bullock Drive, is a 2-lane residential collector road with an average daily traffic volume of 6,100 vehicles. Within the subject portion of Austin Drive, the Rugby Club is located on the north side.

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Austin Drive Park is located along almost the entirety of the south side. East of Karma Road, on the south side of Austin Drive, is a residential condominium complex.

Traffic Engineering staff was contacted by local residents and also by By-law Enforcement, Licensing & Regulatory Services regarding vehicles parked on both sides of Austin Drive, adjacent to the Austin Drive Rugby Club and the Park, creating operational safety concerns.

As per the City's parking by-law, parking is currently prohibited only on the north side of Austin Drive, between Bullock Drive and the eastern property limit of the Rugby Club. An existing parking prohibition is signed on Austin Drive, between Bullock Drive and Karma Road, but the necessary by-law has not been enacted.

### **OPTIONS/ DISCUSSION:**

#### **Street parking is impacting traffic operations, adjacent to the Rugby Club**

With a road width of 8.25 metres, Austin Drive can accommodate vehicles parked on one side of the street and maintain two-way traffic flow. If vehicles are parked on both sides, the road is effectively reduced to one-lane, creating vehicular conflicts and access issues for emergency vehicles.

Traffic Engineering staff, with the assistance from By-law Enforcement, Licensing & Regulatory Services staff, have confirmed that this activity is occurring on Austin Drive (see Attachment "A"). In particular, vehicles were found to be parking in front of, and near the Rugby Club. The street parking occurs whenever a game is held at the Club. This can be multiple times per week during the summer months, particularly on weekends. The on-street parking activity is the result of the Rugby Club parking lot being filled to capacity. Elsewhere on Austin Drive, parking activity is low and infrequent.

#### **A parking prohibition on the north side of Austin Drive is recommended**

If vehicles are prohibited from parking on the north side of Austin Drive in front of the Rugby Club (see Attachment "B"), two-way traffic and street parking on the south side of the street be maintained. This would effectively result in extending the existing parking prohibition on the north side, further west to Couperthwaite Crescent. Additionally, staff recommend amending the parking by-law to formalize and enforce the existing prohibition on the south side, between Karma Road and Bullock Drive. It is not expected that these prohibitions will impact street parking availability on Austin Drive or affect nearby residential properties.

#### **The Rugby Club is supportive of the recommended parking prohibition**

City staff have consulted the Rugby Club about the ongoing street parking concerns on Austin Drive. They support the proposed prohibition and will be notifying their members, participants and spectators accordingly if this restriction is approved by Council. Further, the Club will have volunteers to assist with parking management within the on-site facility during their games, and consult with Markville Mall about potentially using the mall parking lot as an overflow parking lot.

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**FINANCIAL CONSIDERATIONS**

The cost of materials and installation of the regulatory signs in the amount of \$500 will be funded from capital project #19050 “Traffic Operational Improvements”. On-going maintenance costs will be managed within the Operations Department’s existing operating budget; therefore, there is no incremental impact to the operating budget. There is no incremental life cycle impact.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The recommendations identified are intended to improve the safe and efficient movement of vehicles through our transportation network, and to enhance safety of all road users. Therefore, the recommendations align with the City’s Strategic Plan goal of a “Safe & Sustainable Community”.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

By-law Enforcement, Licensing & Regulatory Services have been consulted and support the proposed prohibition.

**RECOMMENDED BY:**

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Brian Lee, P.Eng.  
Director, Engineering

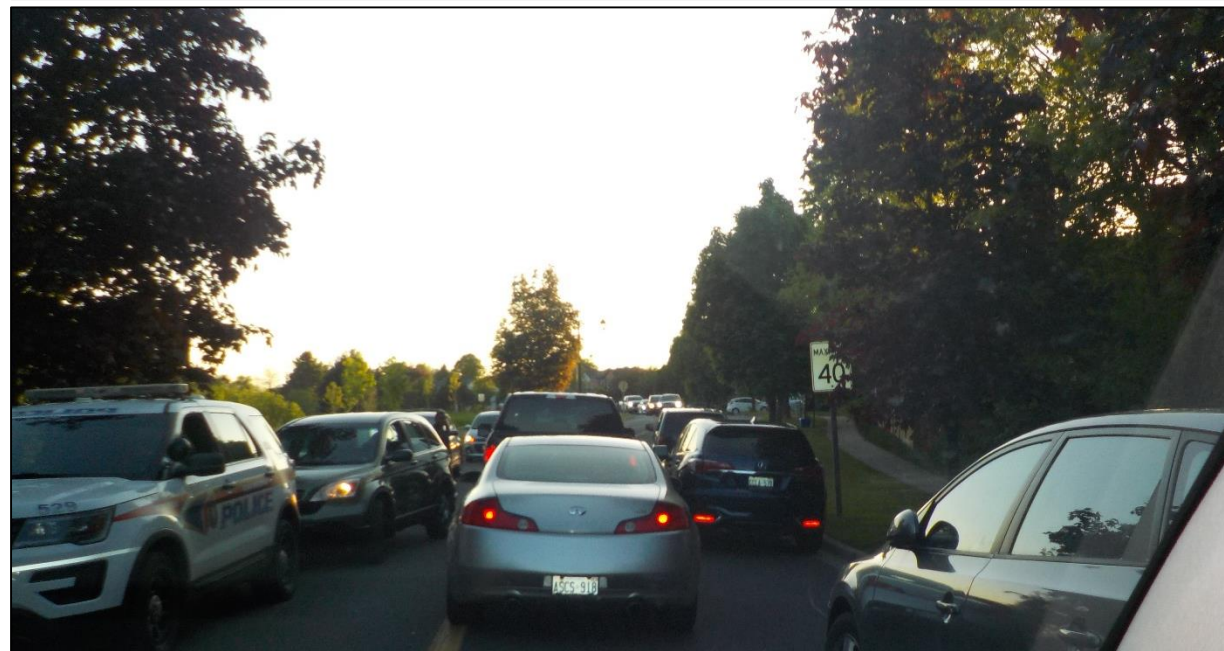
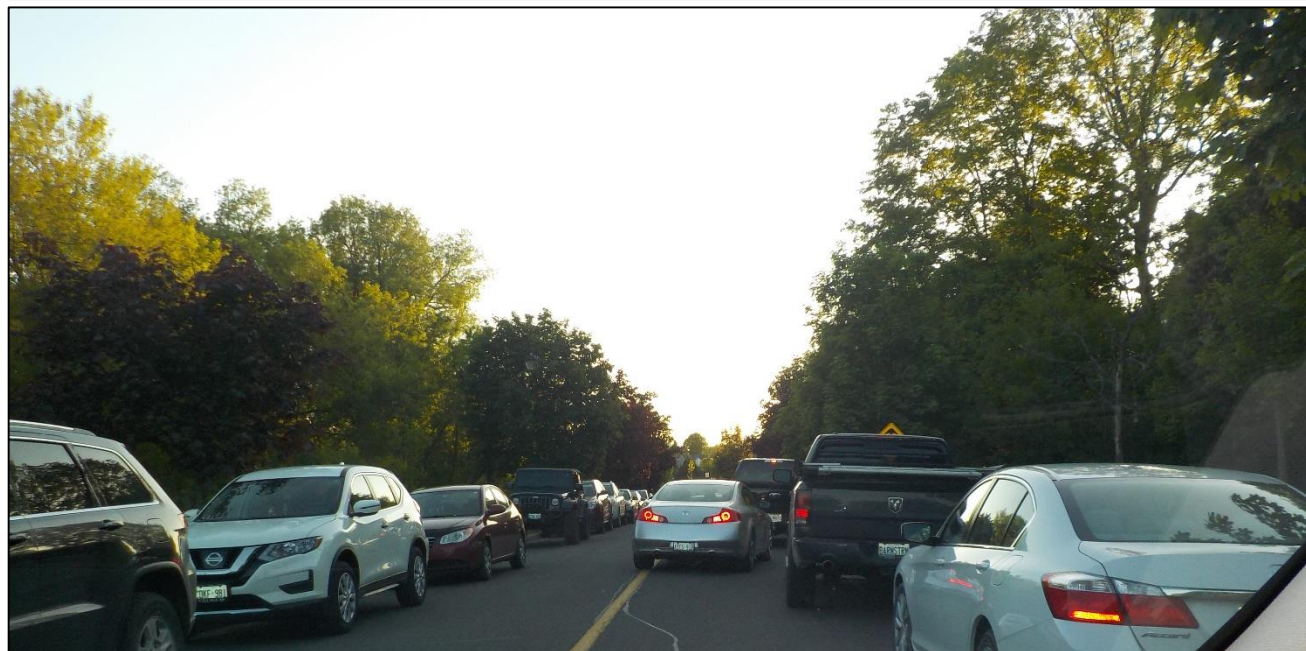
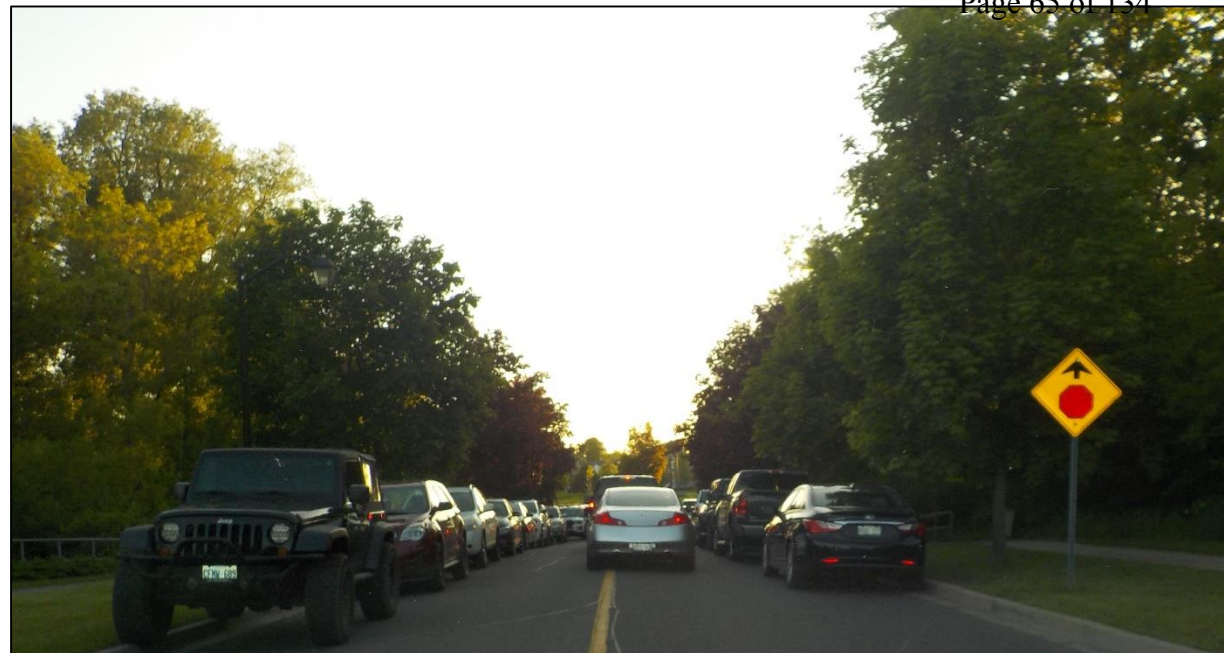
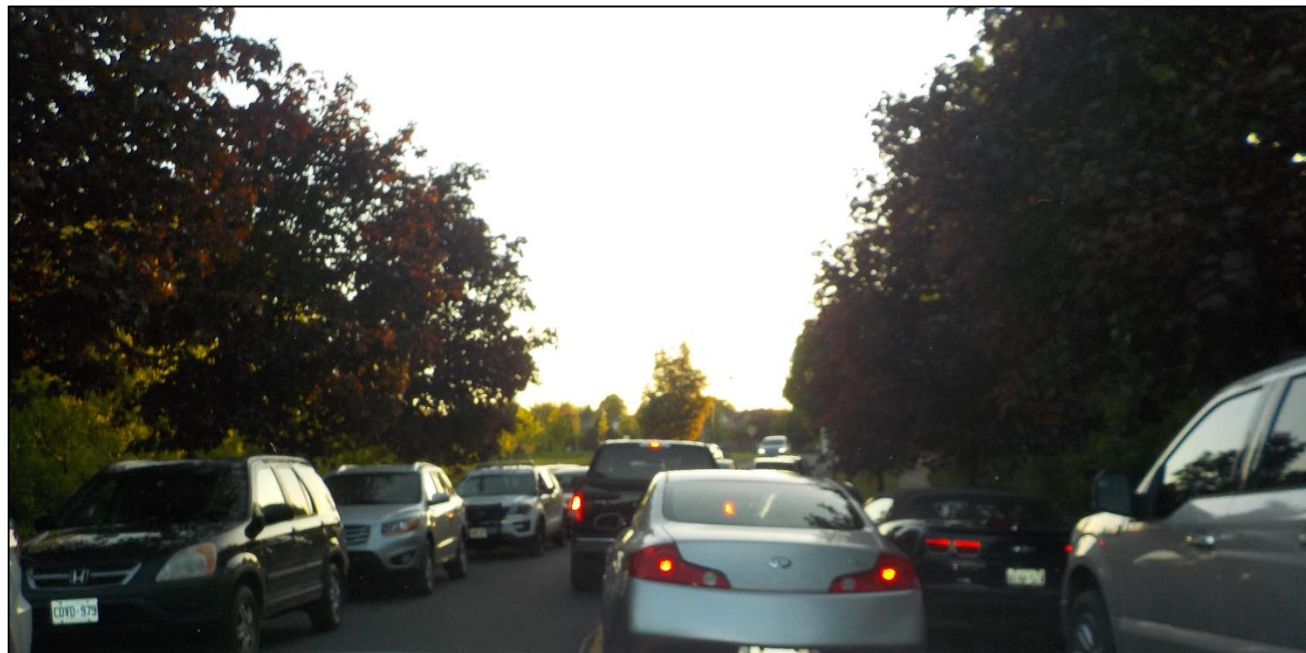
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Arvin Prasad, MPA, RPP, MCIP  
Commissioner, Development Services

**ATTACHMENTS:**

Attachment “A” – On-Street Parking Photographs  
Attachment “B” – Austin Drive Parking Restriction Map  
Attachment “C” – Proposed By-Law Amendment









Kennedy Rd

McCowan Rd



Hwy 7

KEY MAP

- Existing Parking Prohibition
- Proposed Parking Prohibition
- Existing Parking Prohibition (no bylaw)

Austin Drive

Proposed Parking Prohibition



Engineering Dept.  
October 2019

ATTACHMENT B





BY-LAW NUMBER \_\_\_\_\_

TO AMEND PARKING BY-LAW 2005-188

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT PARKING BY-LAW 2005-188 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. That Schedule “C” of Parking By-law 2005-188, pertaining to “No Parking”, be amended by adding the following:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>STREET</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Austin Drive	North	Bullock Drive and Couperthwaite Crescent (east intersection)	Anytime
Austin Drive	South	Bullock Drive and a point 15 metres west of Karma Road	Anytime

2. That Schedule “C” of Parking By-law 2005-188, pertaining to “No Parking”, be amended by rescinding the following:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>STREET</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Austin Drive	North	Bullock Drive to the east property limit of block no.81	Anytime

3. The By-law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when the authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS\_\_\_\_\_

DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
KIMBERLY KITTERINGHAM  
CITY CLERK

\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR



Report to: Development Services Committee

Meeting Date: 28 October, 2019

**SUBJECT:** Making Our Mark: Markham's Public Art Master Plan 2020-2024

**PREPARED BY:** Niamh O'Laoghaire, Varley Art Gallery Manager, ext. 3273

**RECOMMENDATION:**

1. THAT the report entitled Making Our Markham: Markham's Public Art Master Plan 2020-24 be received; and
2. THAT the Making Our Markham: Markham's Public Art Master Plan 2020-24 be approved; and
3. THAT the five-year Public Art Implementation Plan be approved in principle, that Council direct the Commissioner of Development Services to incorporate the Implementation Plan into annual Business Planning, Capital and Operating Budget processes and to report progress annually to Council; and
4. THAT the title of Public Art Coordinator be changed to Public Art Curator to reflect the requirements of the role; and
5. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to seek approval of the Making Our Markham: Markham's Public Art Master Plan 2020-24 (attachment one). The Master Plan is the blueprint for a Public Art Program that celebrates the cultural diversity of Markham, fosters Markham's role as a high tech capital of Canada, promotes an engaged, thriving and vibrant City, and contributes to the building of complete communities. Implementation of the Public Art Master Plan will distinguish Markham as a municipal leader in cultural development, celebration and engagement.

The seven recommendations outlined in the plan in combination with the Implementation Plan (attachment two) will direct the development and execution of a successful public art program from 2020 to 2024 including prioritizing potential sites and opportunities for new public art projects in Markham, and identifying best practices for the administration and implementation of public art projects.



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## **BACKGROUND:**

### **Public Art Program in Markham**

In 2003, a Public Art Policy Framework for the City of Markham (then Town of Markham) was approved by Council. This led to the initiation of the Markham Public Art Program and the founding of the Markham Public Art Advisory Committee. In 2012, Markham approved a Public Art Policy to direct the integration of public art into public places and in the same year approved a Culture Plan that identified public art as a key contributor to the uniqueness and identity of Markham. In 2013, the part time contract position of Public Art Coordinator was established, reporting to the Director of Culture in the Community and Fire Services Commission. After the merger of Economic Development and Culture in 2016, the Public Art Coordinator now reports through the Manager of the Varley Art Gallery to the Director of Economic Growth, Culture and Entrepreneurship in the Development Services Commission.

### **Public Art Policy 2012**

The City of Markham has two existing Public Art Policies, both approved by Council in 2012. These are Public Art Policy – Markham Municipal Projects (attachment three) and Public Art Policy – Private Sector (attachment four). Each policy encourages up to one percent of construction cost investment in public art, i.e., both for City capital projects and private developments respectively (attachment three, page 3 and attachment four, page 3)

### **Public Art Acquisitions Reserve Fund**

Private land developers have been encouraged to contribute to the public art collection in Markham. Over the past five years, through the development process, the City has received cash contributions to be used exclusively for the production of public art. The current balance of the Public Art Acquisitions Reserve Fund as of October 2019 is \$2.47 million.

### **Key Accomplishments**

Since 2013, five permanent, major public art works in the city have been commissioned through the public art program, with two more on the way, to be completed in 2019 and 2020. In addition, the program has facilitated community art initiatives in collaboration with the City's Public Realm section such as the Henderson Bridge mural projects, Pan Am student art project, and managed contributions by local community members.

Markham's Public Art Collection includes the following completed works:

- *Cloudflower* by Douglas Walker, 2015, Cornell Community Centre, Ward 5
- *Gambrel Journey* by kipjones, 2015, Markham Museum, Ward 4
- *Quarry* by Mary Anne Barkhouse, 2016, Carlton Road, Unionville, Ward 3
- *Monument to William Berczy* by Marlene Hilton Moore, 2016, 16<sup>th</sup> Avenue and Kennedy Road, Ward 6
- *Monument to Benjamin Thorne* by Les Drysdale, 2017, Thornhill Community Centre, Ward 1
- *Dr. José P. Rizal* by Ignacio (Mogi) Mogado, 2019, Luneta Gardens, Boxgrove Bypass at Rizal Avenue, Ward 7



*Monument to  
Benjamin Thorne*



*Quarry*



*Gambrel Journey*



*Monument to William Berczy*



*Cloudflower*

Markham's Public Art Collection, works in progress include:

- *Top Garden* by Guild, Aaniin Community Centre, 5665 14<sup>th</sup> Avenue, Ward 7
- *Living Light* by Jill Anholt, Enterprise Boulevard near Warden Avenue, Ward 3

### **Need for a Master Plan**

The public art projects accomplished to date have been achieved through a series of ad hoc opportunities. In order to position Markham as a leader in the field it is now imperative to adopt a strategic Master Plan that will address the short-term and long-term requirements of an outstanding Public Art program in Markham, identifying and prioritizing potential sites and opportunities for new public art projects within the city. This will have the additional benefits of mobilizing the \$2.47 million accumulated to date for public art and providing a specific, concrete, deliverable roadmap of how to achieve the City's goals.

In September 2018, Workshop Architecture was contracted by the City of Markham to develop a master plan that addresses and meets the short-term and medium-term requirements of the City's Public Art Program over the next five (5) years 2020-2024.

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Workshop Architecture has produced successful, high profile and detailed public art master plans for municipalities ranging in population from 80,000 to 800,000 (Kingston, Newmarket and Mississauga). It has also created plans for areas within larger cities (Queen's Park and Eglinton Crosstown LRT in Toronto). The Markham Public Art Master Plan project lead, Helena Grdadolnik (BES, M.Arch), has 17 years of urban design and public art experience in the UK, USA and Canada. This comprises extensive knowledge of the public sector from multiple perspectives including developing and reviewing public art policies and master plans as a consultant and implementing programs as a City staff member in Mississauga and with the Commission for Architecture and the Built Environment (CABE) in the UK. She has also managed the delivery of projects from \$25,000 to \$2M on behalf of artists and public-sector organizations (Infrastructure Ontario and Toronto Transit Commission).

### **OPTIONS/ DISCUSSION:**

The brief provided to Workshop Architecture was to devise a new Public Art Master Plan 2020-2024 for the City of Markham by reviewing current program policies, procedures, and inventory, and by making recommendations that would serve to accomplish the following operational priorities:

- Formalize the Public Art Program and comprehensively integrate the City's current policies under a coordinated framework that provides strategic and programming direction to guide the future advancement of the Public Art Collection;
- Set out policy and programming directions that adopt the best practices in the field, respond to the capacity of the Public Art Program in Markham and the City's future development, and foster an innovative model of Public Art Collection;
- Assist in determining funding allocations that addresses the immediate goal of mobilizing the Public Art Acquisitions Reserve Fund and the longer-term goal of achieving financial sustainability that supports diverse methods of public art acquisition;
- Assist in developing a collaborative administrative framework that focuses on maximizing the impact of existing resources and streamlining interdepartmental project development and management;
- Institutionalize public art selection processes from consideration of site to acquisition method to governance process; and
- Advise on public consultation and transparency to ensure community members are informed, engaged and involved in the process of new commissions and with the existing Public Art Collection.

### **Consultation Process**

Developing the Markham Public Art Master Plan required significant consultation on the part variously of the Workshop Architecture Consultant, the Public Art Coordinator and the Varley Art Gallery Manager. This included meetings with staff members in many departments and all three Commissions in the City of Markham including the CAO and three Commissioners, the Mayor and Councillors. External stakeholders included local developers, York University and Parks Canada personnel. The community as a whole was invited to engage through a public art workshop mounted in partnership with York

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Region Arts Council at YSpace in downtown Markham. The Markham Public Art Advisory Committee (MPAAC) contributed its input and reviewed drafts of the plan as it progressed. MPAAC has enthusiastically endorsed both the Markham Public Art Master Plan and the Public Art Implementation Plan.

### **Seven Recommendations**

As a result of the foregoing consultations, Workshop Architecture created a plan with the following seven recommendations:

- **Recommendation 1:** Adopt updated vision, objectives and guiding principles within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector.
- **Recommendation 2:** Adopt updated definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector.
- **Recommendation 3:** Adopt revisions to the City of Markham Public Art Policy—Private Sector to reduce from five to three the current options for participation in the Markham Public Art Program by eliminating Options D (a combination public/private and on/off-site contribution) and E (donation of pre-existing art work) and revising the remaining options to follow best practices.
- **Recommendation 4:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to funding investments as follows:
  - a. As per the existing 2012 Public Art Policy, contribute up to 1% of the capital budget of major City capital projects to integrating Public Art into the public facility, including parks, trails, community centres, libraries, streetscapes and infrastructure (bridges, walls, waterworks, etc.);
  - b. Private development projects to participate in the Markham Public Art Program as per Recommendation 3;
  - c. Establish an annual municipal funding of at least \$250,000 for the Public Art Program;
  - d. Encourage partnerships and private donations for further investment in the City's Public Art Program, to follow the City's donation and acquisition processes.
- **Recommendation 5:** Adopt the proposed Public Art Site Selection criteria, types and sites.
- **Recommendation 6:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to art acquisitions, including procurement and assessing donations and gifts.
- **Recommendation 7:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects including the governance process.

**Five –Year Implementation Plan**

The Public Art Master Plan recommends a detailed five-year period Implementation Plan (see attachment two for full details and simplified chart below). Based on internal and external consultation the Implementation Plan itemizes each of the priority locations in line with the City's development plans for the next five years balanced with prioritization of areas that do not have public art investment. The Plan also itemizes:

- the appropriate project type for each site
- the best acquisition method (e.g. direct commission, curated selection, etc.)
- the required funding
- the funding source, (reserve, operating or capital funds)
- the relevant City business unit(s) involved, and
- a production timeline.

	LOCATION	SITE CATEGORY	PROJECT TYPE	PROJECT START DATE				
				2020	2021	2022	2023	2024
1	PanAm Centre Plaza Public Art Project	Key Civic Sites, Gateways and Heritage	Large scale, multiple components, stand alone	X				
2	Main Street Unionville Streetscape	Streetscapes and Transit	Integrated artwork and pilot projects in collaboration with Public Realm	X	X			
3	Digital Art Platform, site(s) to be determined	Key Civic Sites, Gateways and Heritage	Platform for changing digital art commissions			X		
4	Across Ward Seasonal Artwork(s) in Parks and Trails	Parks and Trails, tbd.	Seasonal Artwork in 1-2 locations every 2 years		X		X	
5	Varley Art Gallery Courtyard	Key Civic Sites, Gateways and Heritage	A sculptural work commissioned in partnership with Varley Art Gallery			X		
6	Across-Ward Walking Routes	Streetscapes and Transit	Art Mentorship Program to promote 2-3 walking routes, biannually			X	X	X
7	Rouge River Trails, Markham Centre	Parks and Trails	A possible combination of longer term and seasonal artwork			X	X	X

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The Implementation plan provides a roadmap for Markham to achieve a visionary and innovative Public Art Program and Collection.

**Conclusion**

Approval of Making Our Markham: Markham's Public Art Master Plan 2020-24 will support a renewed Vision for a thriving and vibrant City. Public Art will highlight the city's unique characteristics and create new experiences through which local residents and visitors can engage with each other and the rich surroundings in Markham. The plan will enable the City of Markham to realize exciting public art projects that will: inspire people to live in, visit and invest in Markham; celebrate the diverse cultures and heritage in Markham from multiple points of view; and connect residents to Markham's built and natural environment.

**FINANCIAL CONSIDERATIONS**

Through the development process \$2.47 million has been accumulated to date for the Public Art Acquisitions Reserve. It is appropriate to mobilize these funds for the purpose for which accumulated. In so doing, the Markham Public Art program will encourage further leveraging of private partnerships and donations. In order to proceed the Public Art Program requires annual funding in the amount of \$250,000 per annum as per Recommendation 4.c of the Master Plan. Beginning in 2020 this will be an increase of \$105,000 over the program's 2019 funding of \$145,000. The \$250,000 will cover the proposed increase in the Public Art Coordinator's remuneration of \$20,800 (from \$41,600 to \$62,400), the program administration, promotion and public education costs, along with the realization of temporary and seasonal projects as outlined in the Public Art Program Implementation Plan.

**HUMAN RESOURCES CONSIDERATIONS**

The Public Art Coordinator position should remain on a contract, part time basis. However, implementation of the Master Plan will require an increase in time from 20 to 25 hours per week and an increase of pay from \$40 to \$48 per hour, an increase of \$20,800 per annum for a total impact of \$62,400, as outlined above. Apart from that, no further increase is required as it is intended that the plan will be executed by drawing on the time and expertise of existing City staff from within the Economic Growth, Culture and Entrepreneurship Department and in consultation with staff across the City on a project-by-project basis. The report also recommends that the title "Public Art Coordinator" be changed to "Public Art Curator" in order to reflect the actual background, expertise and skill set required of the position.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Endorsement of the Making Our Markham: Public Art Master Plan 2020-24 is in alignment with the City's Integrated Leisure Master Plan (2010, updated 2019), Culture Plan (2012) Action 24 and 34, Public Realm Strategy (2014) Goal 5 – Creating Gateways

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and Destinations and Action 5.1 and 5.3, and the City's Official Plan (2014) Section 6.1.7. The City's Official Plan, being updated in 2019, includes under its Goal 2 the following action item: "Implement the Public Art Master Plan". The Public Art Master Plan will also intersect with and support the following plans in progress: the Public Realm Gateway Plan, the Cornell Rouge National Urban Park Gateway Study and Destination Markham.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Development Services Commission: Economic Growth, Culture & Entrepreneurship, Engineering, Urban Planning and Design.

Community and Fire Services Commission: Operations (Parks & Forestry Division, Public Realm), Recreation Services.

Corporate Services Commission: Corporate Communications, Finance, Legal Services

**RECOMMENDED BY:**

Stephen Chait  
Director, Economic Growth  
Culture and Entrepreneurship

Arvin Prasad  
Commissioner,  
Development Services

**ATTACHMENTS:**

*One: Making Our Markham: Public Art Master Plan, 2020-24*

*Two: Markham Public Art Implementation Plan 2020-24*

*Three: Public Art Policy – Markham Municipal Projects*

*Four: Public Art Policy – Private Sector*



# MAKING OUR MARKHAM

## PUBLIC ART MASTER PLAN 2020-2024



Top Garden conceptual image by GUILD



#MarkhamPublicArt  
[markham.ca/publicart](http://markham.ca/publicart)

PREPARED FOR  
THE CITY OF MARKHAM  
BY

**WORKSHOP**  
architecture

FINAL DRAFT SEPT 2019





# **MAKING OUR MARKHAM**

## **PUBLIC ART MASTER PLAN 2020-2024**

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## EXECUTIVE SUMMARY

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

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

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

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

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

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

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

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

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

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

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

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

## FINDINGS SUMMARY

### WHAT WE HEARD

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

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

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

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

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

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

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



## CITY OF MARKHAM PUBLIC ART WORKSHOP



## BACKGROUND DOCUMENT REVIEW

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

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

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

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

## PLANS IN PROGRESS

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



## 1. PUBLIC ART VISION

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

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

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

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

### VISION

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

### OBJECTIVES

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

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

### GUIDING PRINCIPLES

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

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



## PUBLIC ART EXAMPLES: VISION AND OBJECTIVES



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

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



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

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



**CONNECT** residents to Markham's built and natural environment.

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



## CASE STUDY

### MÜNSTER SCULPTURE PROJECTS

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

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

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

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



## 2. DEFINING PUBLIC ART

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

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

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

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

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

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

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

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

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

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

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



## PUBLIC ART EXAMPLES: DEFINITIONS



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



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



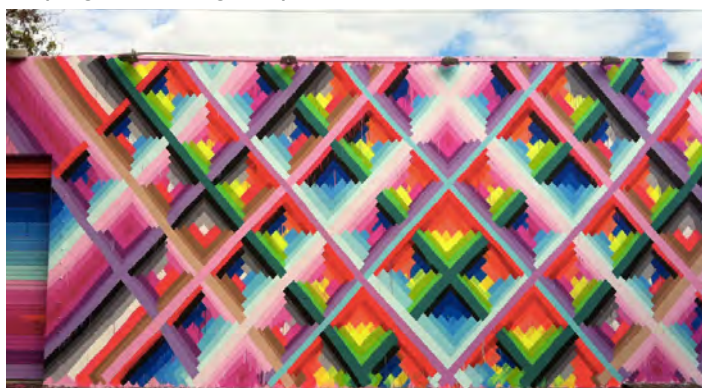
A **Commemoration** is a work that is designed to honour a particular idea, individual or to commemorate a particular event. If a Commemoration is created by a Professional Artist and sited or staged in public space, it will also be a work of Public Art. Image: Salvadore Allende Monument, Michel de Broin,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



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



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



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

### 3. DEVELOPMENT AND PUBLIC ART

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

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

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

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

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

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

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

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

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

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



## CASE STUDY

### PUBLIC ART AT SQUARE ONE

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

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

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

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

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



## 4. INVESTING IN PUBLIC ART

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

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

### PERCENT FOR ART POLICIES (a and b):

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

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

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

### ANNUAL MUNICIPAL FUNDING (c):

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

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

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

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

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

#### **DESTINATION MARKHAM VISION:**

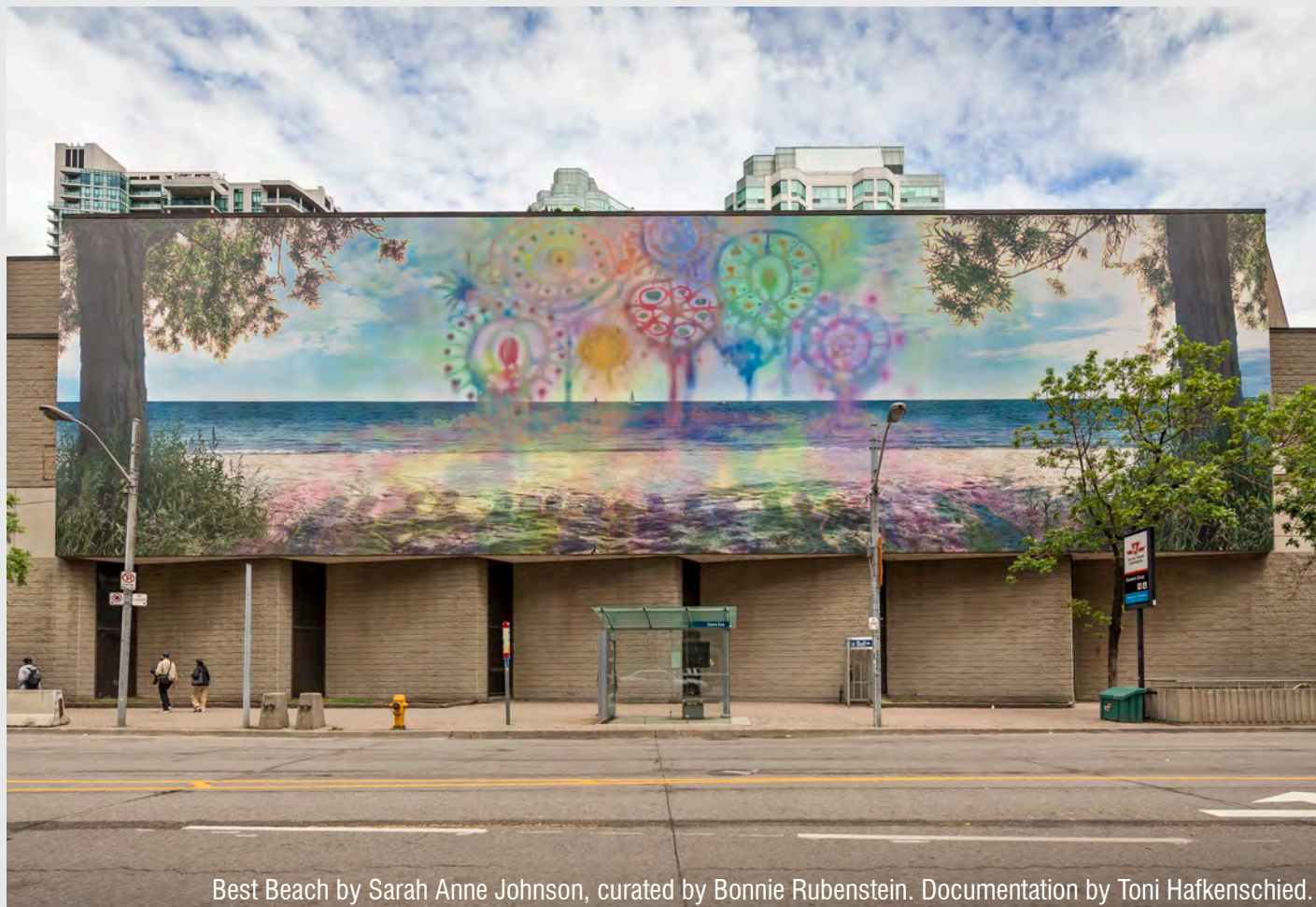
Markham will be among the top places in Canada to live, work, play and do business. Markham will be regarded as a highly desirable, welcoming place with distinctive, high quality attractions and exceptional amenities for residents, visitors, talent and business. Together with its stakeholders and the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

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



## CASE STUDY

## BEST BEACH BY SARAH ANNE JOHNSON



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

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

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

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

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

## 5. PUBLIC ART SITE SELECTION

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

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

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

### PUBLIC ART SITE SELECTION CRITERIA

### SITE CATEGORIES AND PRIORITIES

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

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

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

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

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

### Site Category 2. Facilities Projects

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

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

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

### Site Category 3. Parks and Trails

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

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

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

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

### Site Category 4. Streetscape and Transit

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

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

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

### Site Category 5. Major Urban Developments

**Resources:** Developer funding to Public Art Reserve.

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

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



## CASE STUDY

### UC SAN DIEGO STUART COLLECTION

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

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

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

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



## 6. PUBLIC ART PROGRAM PROCESSES

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

### DETAILED PROCEDURES

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

### DONATIONS POLICY

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

### ACQUISITIONS METHOD

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

### COMMUNITY ENGAGEMENT STRATEGY

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

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

#### Education

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

#### Information and Engagement

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

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

## MAINTENANCE AND CONSERVATION

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

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

## STAFF SKILLS AND RESPONSIBILITIES

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

### Manager, Varley Gallery

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

### Public Art Curator (0.6 FTE)

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

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

### Project Management Coordinator (0.4 FTE)

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

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



## Administration

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

## Interdepartmental Public Art Working Group Members

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

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

## MPAAC TERMS OF REFERENCE

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

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

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

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

## CASE STUDY

### SURREY PUBLIC ART PROGRAM

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

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

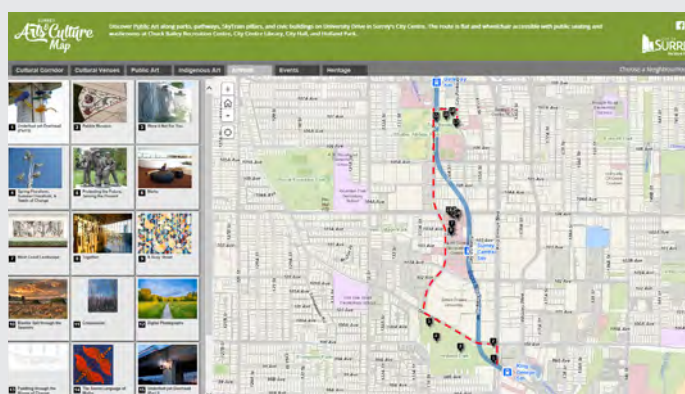
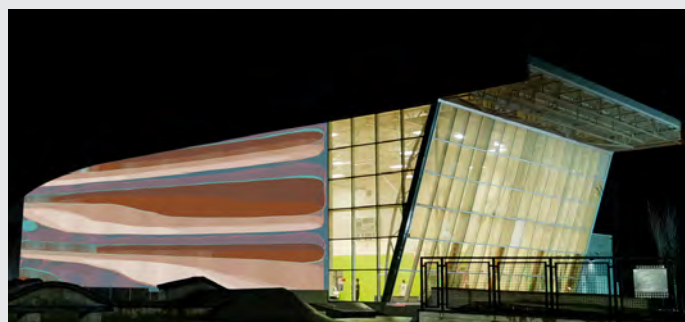
**CIVIC FUNDING:** The City contributes 1.25% of new Civic construction projects to fund the Surrey Public Art Collection. The funds could be used for art in the new facility, or it may be pooled for use on other sites, with 10% of the budget set aside for future maintenance.

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

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

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

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



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



## 7. PUBLIC ART PROGRAM GOVERNANCE

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

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

### RECOMMENDED ROLES

#### Markham Council

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

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

#### Public Art/Culture Staff

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

#### Interdepartmental Public Art Working Group

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

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

#### Planning and Urban Design Department

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

#### Public Realm, Community Services

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

#### Markham Public Art Advisory Committee (MPAAC)

Committee of citizen representatives

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

#### Art Acquisition Committee

A committee of the Varley McKay Art Foundation:

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

#### Art Selection Panels

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

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

## CASE STUDY

### VANCOUVER ARTIST-INITIATED CALL

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

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

#### ARTIST-INITIATED CALL GOALS:

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

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

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

Artist selection criteria for the first stage:

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



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

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

## APPENDIX A: PUBLIC ART DEFINITIONS

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

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

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

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

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

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

## CATEGORIES

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

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

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

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

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

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

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

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

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

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

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

## ACQUISITION TERMS

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

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

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

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

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

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

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

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



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

Examples of violation of Moral Rights may include:

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

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

## ACQUISITION METHODS

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

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

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

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

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

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

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

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

## APPENDIX B: COMPARISON OF MUNICIPAL PUBLIC ART FUNDING

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

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

## MUNICIPAL PUBLIC ART FUNDING IN OTHER PROVINCES

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

Note:

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

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

### site type description

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

### approach

Iconic artworks that build on Markham's identity.

### suggested budget range: large

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

### art acquisition method(s)

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

### sites may include:

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

### example site

#### PANAM CENTRE PLAZA

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



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



## SITE CATEGORY 2 | FACILITIES PROJECTS

### site type description

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

### approach

Artwork integrated into capital construction project.

### suggested budget range: medium

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

### art acquisition method(s)

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

### sites may include:

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

### example site

#### ANGUS GLEN COMMUNITY CENTRE

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



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



## SITE CATEGORY 3 | PARKS AND TRAILS

### site type description

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

### approach

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

### suggested budget range: medium

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

### art acquisition method(s)

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

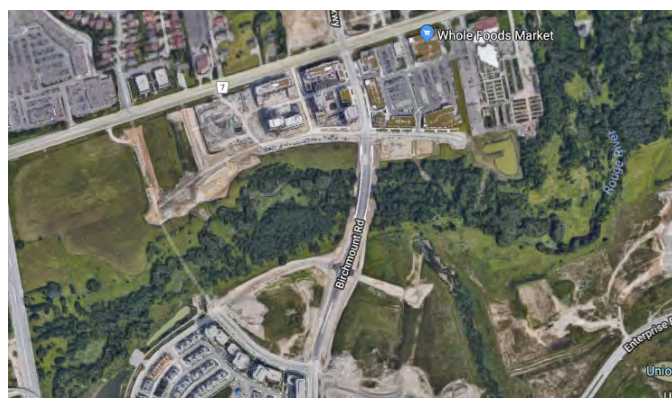
### sites may include:

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

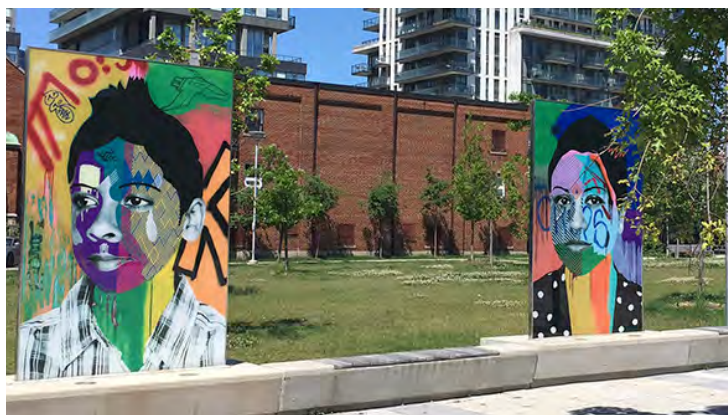
### example site

#### ROUGE RIVER TRAILS MARKHAM CENTRE

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



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





## SITE CATEGORY 4 | STREETSCAPES AND TRANSIT

### site type description

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

### approach

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

### suggested budget range:

#### small to medium

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

### art acquisition method(s)

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

### sites may include:

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

### example site

#### TRANSIT STOP AT MARKHAM CIVIC CENTRE

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



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

## SITE CATEGORY 5 | MAJOR URBAN DEVELOPMENTS

### site type description

Private development sites over 100,000 square metres.

### approach

Focus on iconic and digital or high-technology artforms

### suggested budget range: large

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

### art acquisition method(s)

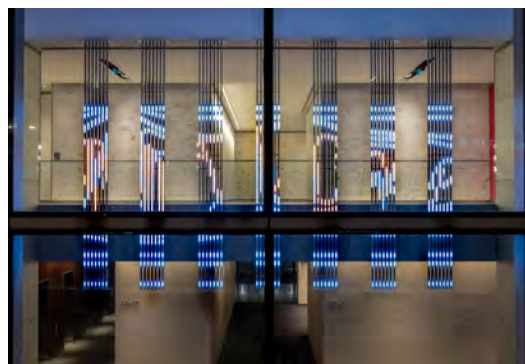
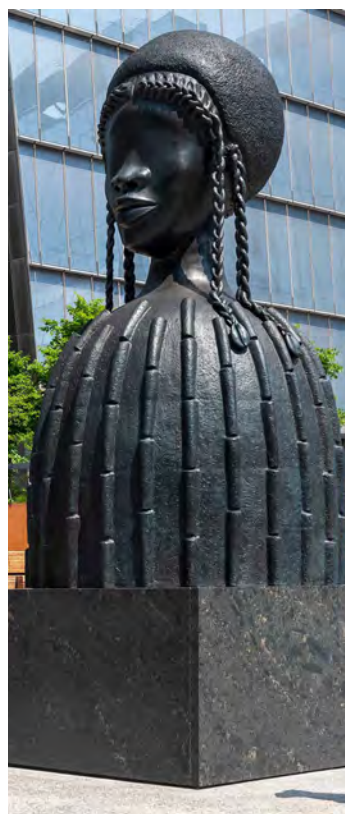
Selected by an approved curator or through a proposal call with a City-approved process and jury of art professionals

### sites may include:

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

### example site LANGSTAFF GATEWAY DEVELOPMENT

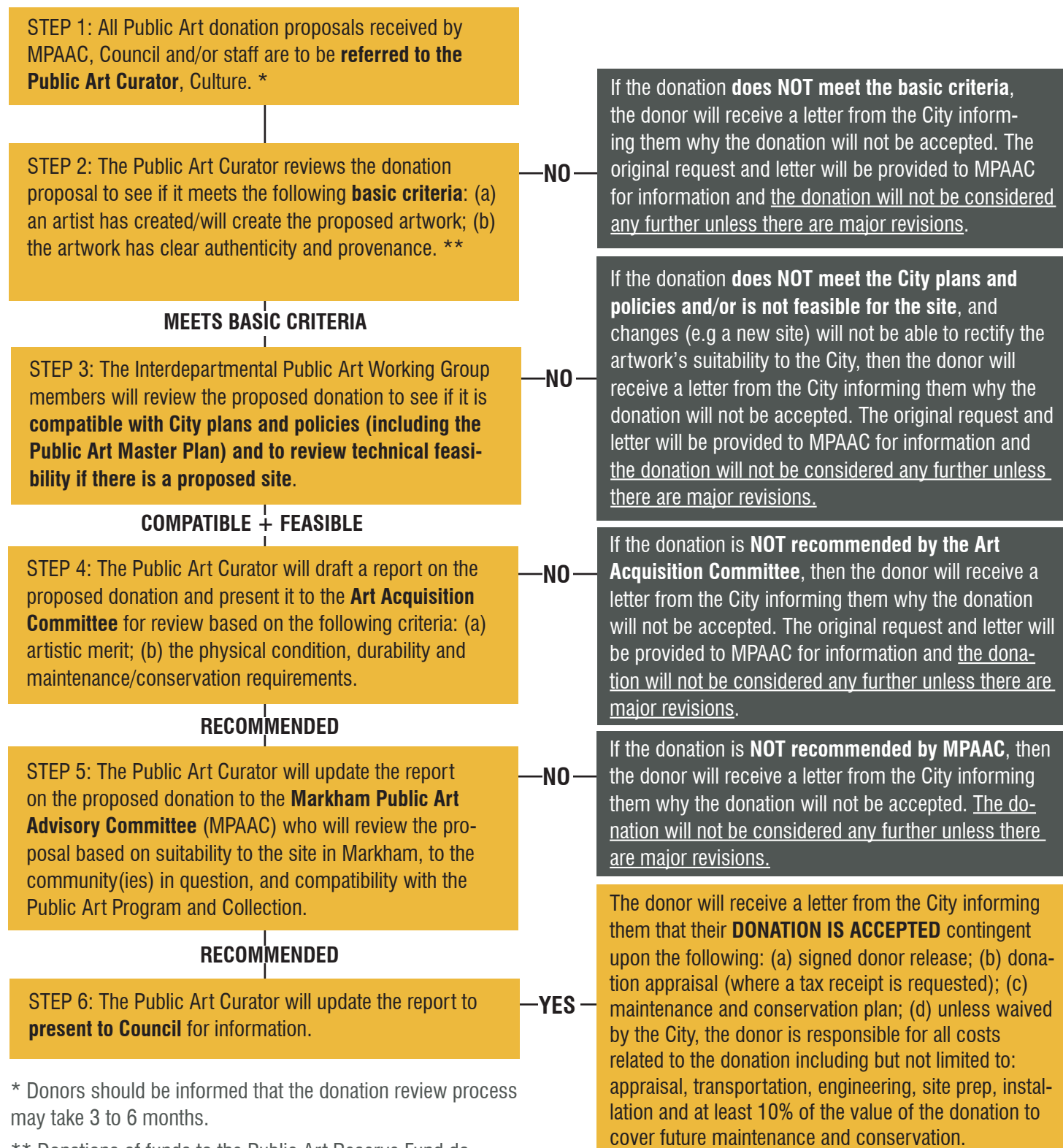
An iconic digital/high-tech artwork could be a marker for the community within the site and also be seen from highway 407. The artwork could be located in one of the park nodes, such as Cedar Park, so that it is on publicly-accessible space or it could be on the side of a building. Either way, the art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



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



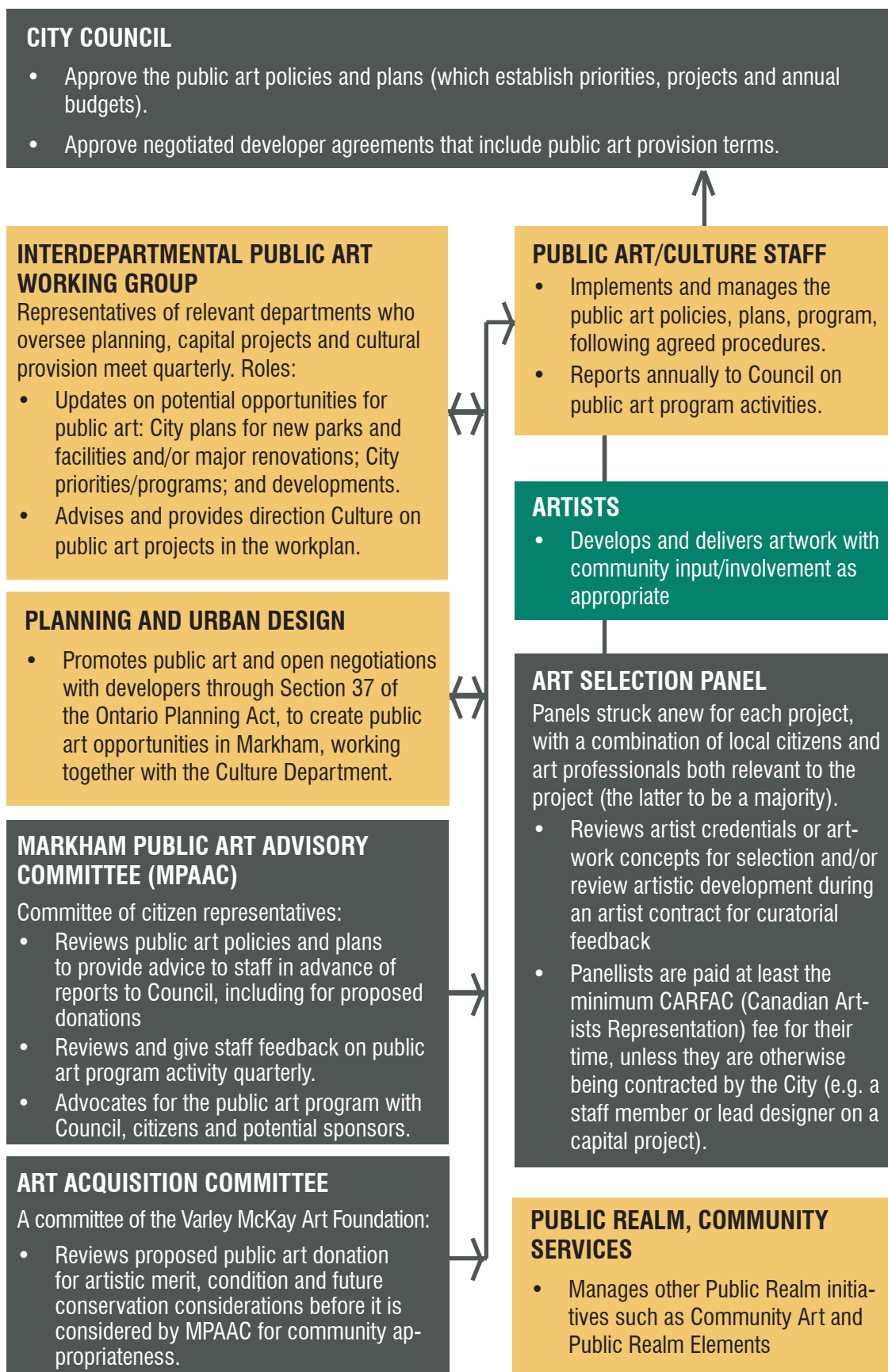
## APPENDIX D: DONATIONS PROCESS FOR WORKS OF PUBLIC ART



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

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

## APPENDIX E: GOVERNANCE OVERVIEW



PUBLIC ART PROJECTS AND BUDGETS

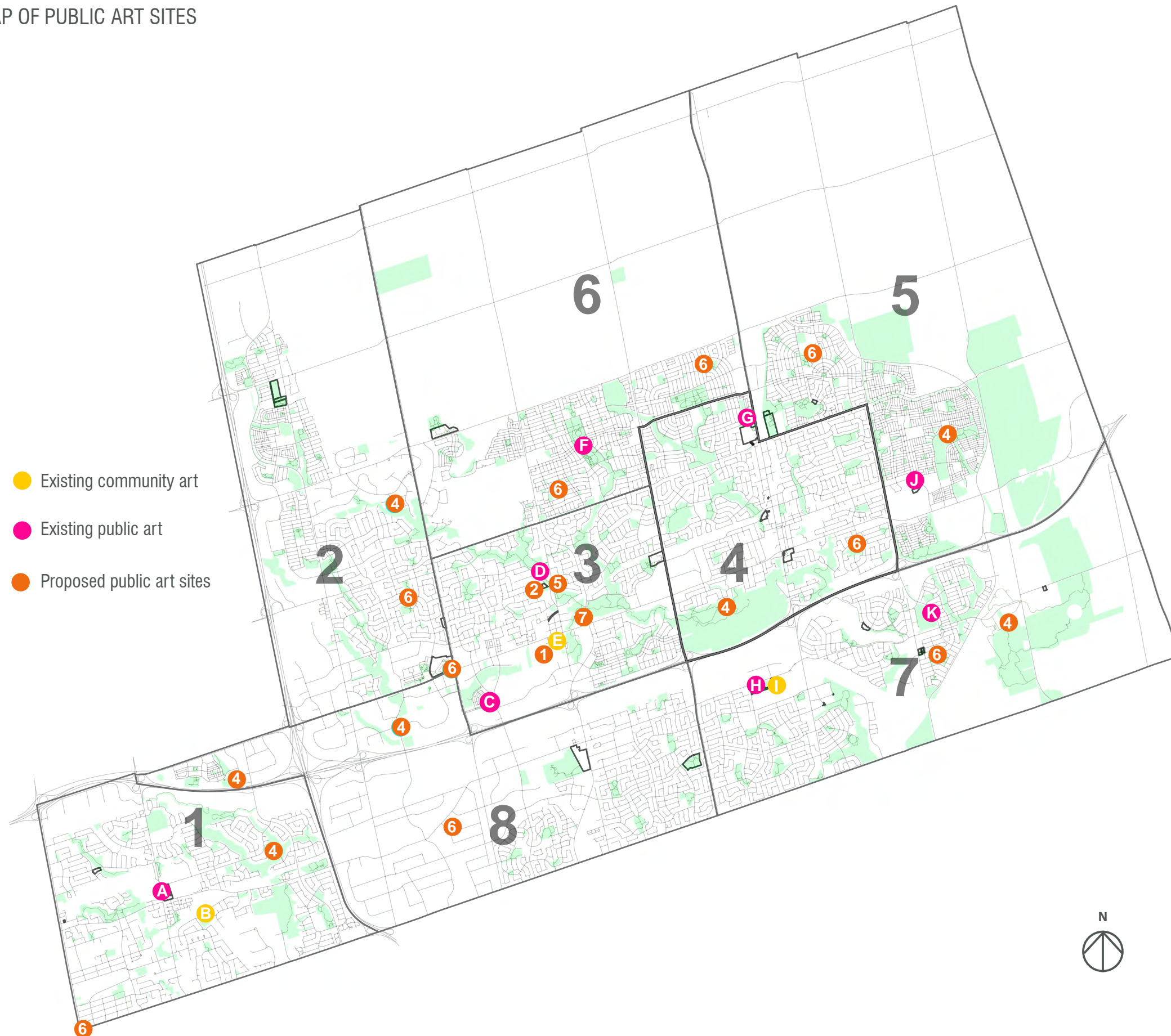
		SITE CATEGORY *	PROJECT START DATE AND BUDGET					PROJECT DESCRIPTION
			2020	2021	2022	2023	2024	
1	PanAm Centre Plaza Public Art Project	1. Key Civic Sites, Gateways and Heritage	\$850,000 Reserve					A visually prominent, large-scale artwork that may have multiple components and be seen from a distance as an icon of Markham, as well as to assist in making the PanAm Plaza more inviting. Community members will be engaged in the development of the artist brief in order to determine priorities and parameters for the site.
2	Main Street Unionville Streetscape	4. Streetscapes and Transit	\$150,000 Operating	\$200,000 Reserve				One or more artists to work with City staff, community members and the streetscape design team to integrate art within the streetscape project, in collaboration with Public Realm. \$200,000 of the budget will come from the Public Art Acquisition Reserve (for capital works) and \$150,000 will come from the Public Art Annual Operating Budget (which may include integrated work, pilot projects and other programming).
3	Digital Art Platform, site(s) to be determined	1. Key Civic Sites, Gateways and Heritage			\$700,000 Reserve			A site (or sites) is yet to be determined. The purpose of this project is to have a platform for changing digital art commissions that can help to identify Markham's role as the High Tech Capital of Canada, and for the artwork to become a gateway marker for the City, either on or near a major transportation corridor.
4	Seasonal Artwork in Trails and Parks	3. Parks and Trails		\$150,000 Operating		\$150,000 Operating		Seasonal art projects programmed for one or two trails and/or parks every second year. Sites will be identified across Wards and ensure prioritization of Wards 2 and 8 that do not have existing public art investment. Suggested initial sites may include: Rouge National Park trails, Uptown Markham Rouge River Trails, Milne Dam Conservation Park, Stiver Mill Garden, Leitchcroft Park and/or Cochrane Pond Park.
5	Varley Art Gallery Courtyard Sculpture	1. Key Civic Sites, Gateways and Heritage			\$200,000 Reserve			A sculptural work to be commissioned for the Varley Art Gallery courtyard, in partnership with the Varley Art Gallery and their curators, and with potential for further fundraising through a combination of private and corporate partnerships, sponsorships and grants.
6	Walking Routes Art Mentorship Program	4. Streetscapes and Transit			\$75,000 Operating	\$150,000 Reserve	\$75,000 Operating	Two or three projects identified to promote walking routes in Markham neighbourhoods and to provide local artists with mentorship opportunities to increase their skills and experience. Sites to be identified every second year starting with Wards 2 and 8 that do not yet have public art investment. Locations will be selected together with the Ward Councillor, City staff, community members, MPAAC, and artists. For example, a site may include connecting between the VIVA corridor and the Civic Centre, high school, theatre and rink.
7	Rouge River Trails Markham Centre	3. Parks and Trails			\$75,000 Operating	\$350,000 Capital	\$75,000 Operating	The artwork may be a combination of longer term and seasonal artwork. It may have an environmental and/or educational focus. There may be opportunities to develop the project(s) and its parameters through an artist residency and in partnership with local community members.
from Public Art Acquisition Reserve Fund			\$850,000	\$200,000	\$900,000	\$150,000	\$0	\$2,100,000
from Annual Public Art Operating Budget			\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000
from City Capital Budget			\$0	\$0	\$0	\$350,000	\$0	\$350,000
Public Art Program Management Budget** subtotal			\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000
Contingency (from Public Art Acquisition Reserve Fund)								\$250,000
Public Art Program Budget total 2020-2024								\$3,950,000

\* Site Categories 2 (Facilities Projects) and 5 (Major Urban Development) from the Markham Public Art Master Plan will be identified and budgeted separately as projects arise.

\*\* From Annual Public Art Operating Budget, includes staffing, administrative costs, marketing material and events.



MAP OF PUBLIC ART SITES



EXISTING CITY-OWNED PUBLIC ART


- A. Monument to Benjamin Thorne by Les Drysdale
- B. Henderson Bridge Murals \*
- C. Living Light by Jill Anholt (in progress)
- D. Quarry by Mary Ann Barkhouse
- E. Pan Am Community Art Projects \*
- F. Monument to William Berczy by Marlene Hilton Moore
- G. Gambrel Journey by kipjones
- H. Top Garden by GUILD (in progress)
- I. 7 Grandfather Teachings led by Tessa Shanks \*
- J. Cloudflower by Douglas Walker
- K. Dr. Joze Rizal Monument
- \* Existing community art projects

PROPOSED PUBLIC ART SITES 2020-25

- 1. PanAm Centre Plaza
- 2. Main Street Unionville Streetscape
- 3. Digital Art Platform (site(s) to be determined)
- 4. Seasonal Arwork in Trails and Parks (sites to be determined)
- 5. Varley Art Gallery Courtyard
- 6. Walking Routes Art Mentorships (sites to be determined)
- 7. Rouge River Trails Markham Centre



## Appendix A

	<b>Public Art Policy –Markham Municipal Projects</b>	
	Policy Category: <i>Public Realm Related</i>	
	Policy No.: 2012 CFS 02	Implementing Procedure No.:
<b>Approving Authority:</b> Markham Council		<b>Effective Date:</b>
<b>Approved or Last Reviewed Date:</b>		<b>Next Review Year:</b> 2015
<b>Area(s) this policy applies to:</b> All		<b>Owner Department:</b> Culture
<b>Related Policy(ies):</b> <ul style="list-style-type: none"> <li>Federal copyright legislation and applicable construction legislation and applicable Markham bylaws per project e.g. Heritage districts; <i>Varley Art Gallery Collection Policy and Procedures</i>.</li> </ul>		

Note: Questions about this policy should be directed to the Owner Department.

### 1. Purpose Statement

This policy is established to direct the integration of public art into *public places* in Markham through a well-administered and appropriately funded public art program. Public art is considered to be a key component to the uniqueness and identity of a municipality.

A strong policy designed specifically for Markham will ensure a valuable public art program that integrates with our environment and is relevant to Markham.

### 2. Applicability and Scope Statement (*Who and what this policy applies to and/or affects*)

This policy applies to the procurement and management of Public Art for municipal facilities and public right-of-ways, parks and other municipally owned properties, which constitute part of the *public realm*. It includes publicly-owned, operated or managed municipal buildings and parks/open spaces. Eligible projects include new construction, major renovations in excess of one million dollars and all park and open space projects. Markham will commission public art in a variety of public spaces such as: boulevards, sidewalks/streetscapes, esplanades, promenades, squares, parks, urban forests, bridges, walls, pathways and so on.



### 3. Background *(Indicate any reasons, history, and intent that led to the creation of the policy)*

A Public Art Policy Framework was previously approved by Council. The main outcomes of the Public Art Policy Framework were to direct staff to define a Public Art Policy, to develop a municipal public art plan and to develop funding mechanism to support a public art program. Council has established the Markham Public Art Advisory Committee that has organized several pilot projects. This policy implements the approved framework.

### 4. Definitions

- A. **Accession/ Acquisition:** The procedure of acquiring and recording a public artwork as part of the public art collection.
- B. **Art Acquisition Committee:** refers to the designated committee as defined by Markham Collection Policies. Its role is to evaluate the relevance of an art work for its inclusion into a collection.
- C. **De-accession:** The procedure of removing a public artwork from its site and from the public art collection.
- D. **Maintenance Plan:** A plan to assess public works of art and issue conservation and maintenance recommendations along with a maintenance assessment report and maintenance duty schedules.
- E. **Public:** The general population which encounters a public artwork over the course of its lifetime, including both residents and visitors.
- F. **Public Art:** An original artwork which is accessible to the general public and has aesthetic qualities. Typically creation of public art takes into consideration site and context as part of its process; the artwork can be permanent, transitory, functional, integrated or discreet to its site, community based, immaterial (example sound or light art, performance) or virtual.
- G. **Public Art Plan:** A three year plan that identifies possible sites and recommended priorities where public art projects could be developed. The plan defines scope of each project, its terms of reference and conditions and budget. It will establish the terms and conditions the objectives and outcomes of the public art program.
- H. **Public Art Program:** The public art program refers to the process through which public art is planned, produced, maintained, documented and inventoried.
- I. **Public Art Gift/Donation:** At any time, a gift of a public artwork, statue or monument, to the municipality. Gifts of art or statues to Markham may be accepted where in compliance with the Varley Art Gallery Collection Policy and Procedures and recommended by the Varley Art Gallery Art Acquisition Committee.
- J. **Public Places:** Refers to places that are accessible to the public, and where the public meets to exchange ideas, products or services. Usually owned by the municipality for the benefit of the community.



## Public Art Policy – Markham Municipal Projects

Policy No.: 2012 CFS 02

Implementing Procedure No.:

- K. **Public Realm:** All privately or publicly owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can act as a social space, a forum for discussion, a place to reach consensus.
- L. **Selection Panel:** Refers to a group of people composed of art professionals and members of the community selected to serve as members of a jury to select an artwork in the context of a public art program for a specific location.
- M. **Varley Art Gallery Collection Policy and Procedures:** provides the ethical guidelines and procedures for acquisition and de-accession of artworks to meet museum standards for Markham.

### 5. Policy Statements

The Public Art Policy serves as a basis for the acquisition, installation, maintenance, management and programming of public art in Markham. This policy and supporting management framework will apply to all public art under the stewardship of Markham.

#### Vision for Public Art in Markham

*Public Art brings value to Markham, provides a unique perspective to its site and acts as a constant delight to residents and visitors to Markham. Public art contributes to our economic vibrancy. Public art impacts many aspects of community living. Public art enriches daily life through experiences and attracts people to share and shape their identity. Public art allows for the making of a culture.*

#### 1. Funding:

- a. Markham will establish a Public Art Acquisitions Reserve Fund to receive cash contributions from both public and private entities. The fund will be utilized to acquire public art in accordance with the eligibility criteria and for specific contributions for maintenance and conservation as determined at time of contribution.
- b. Council will allocate **up to one percent of Markham capital projects** for Markham public art program as follows: -all new building construction projects, renovations over one million dollars, all -parks and open spaces projects, -major street reconstruction projects, major waterworks projects that impact the public, major bridge replacements.
- c. Existing municipal sites for possible public art projects will be identified in a rolling three year plan. The related administration, production, maintenance and conservation will be funded through the annual capital budget allocation process.
- d. Operational aspects of the public art program for management and maintenance will be based on the recommendations in the three year public art plan and be brought forward annually through the capital budget process.
- e. Additional funds will be sought through donations, donations in-kind, private contributions, financial assistance from foundations and Markham capital budget.
- f. Allocations of more than one percent of a capital project budget for public art acquisition may be approved for major projects subject to Council approval.



## 2. Eligibility Criteria for Municipal Projects

This Policy identifies eligibility criteria and principles to guide the selection and the management of projects. Council will allocate up to one percent of construction cost of new municipal construction budgets and municipal renovation projects over one million dollars for the purpose of public art; it includes

- all new building construction projects
- renovations over one million dollars
- all parks and open spaces projects
- major street reconstruction/streetscape projects
- New or major upgrades to bridges, fences, walls and barriers

Below ground services and paving projects are not eligible for contribution under these public art policies. However, Markham should assess the opportunity to commission a public art work when a community is inconvenienced by a major infrastructure project such as waterworks projects.

### **Placement of Municipal Projects:**

The public art project should be publicly accessible and consideration given to locate projects in high traffic and high profile sites including:

All major municipal buildings and sites, e.g. civic centre

- Parks and open spaces
- Streetscapes, right of ways
- New or major upgrades to bridges, fences, walls and barriers
- Gateways/municipal entrances

## 3. Policy Administration:

- a. The Culture Department is responsible for the administration of the public art program and contributes to the overall development and priorities determined by Council.
- b. The Public Art Policy Framework approved by Council acts as a guideline for the implementation and administration of the Public Art Policy.
- c. The practices, standards, administrative processes and outcome measures of the Public Art Policy will be developed with a best practices approach by the Culture Department.



#### 4. Key steps of the Process for the Public Art Program:

- a. Markham's strategic planning documents will incorporate public art as an integral part of their plan.
- b. The Culture Department prepares and submits a three-year public art plan to Council.
- c. The Culture Department establishes guidelines and procedures for the administration of public art projects.
- d. The Culture Department constitutes a *Selection Panel* for the evaluation of public art proposals on a project by project basis. The Selection Panel membership will be for a period of one to three years.
- e. The Selection Panel will choose a public art proposal through the defined process and will give its recommendation to the Culture Department.
- f. The Markham Public Art Advisory Committee will review the recommendations of the Selection Panel and advises the Culture Department and Council according to their terms of reference.
- g. Key departments bring their expertise to the public art program: Operations, Financial Services, Planning and Urban Design, Asset Management, Recreation, Communications and Community Relations, Legal and others as required.

#### 5. Public Art Collection Management:

##### **Acquisition & Management**

1. Original works of public art be shall be accessioned, de-accessioned and managed according to *Varley Art Gallery Collection Policy and Procedures*.
2. Gifts of art or statues to Markham may be accepted where in compliance with the Public Art Accession and Gift Policy and recommended by the Varley Art Gallery Art Acquisition Committee.
3. Commissioned public art are recommended through the Selection Panel.

##### **A) Public Art Ownership**

1. Ownership of artwork shall be transferred by the artist to Markham upon its final installation.
2. In accepting ownership of public art, Markham accepts responsibility for its maintenance, insurance and for upholding contractual agreements made with the artist.
3. Copyright privileges, in accordance with the Canadian Copyright Act shall remain with the artist.

##### **B) Insurance and Liability**

1. The artist in charge of the public art project provides and maintains insurance coverage for the duration of the creation, fabrication and installation of the artwork.
2. Upon completion and installation at the prescribed site, the finished artwork be insured by Markham until such time as it is de-accessioned from the public art collection inventory.

##### **C) Documentation**

1. All public artworks shall be documented according to Varley Art Gallery Collection Policy and Procedures standards.
2. All public art works shall be included a Public Art Inventory maintained at the Varley Art Gallery



## Public Art Policy – Markham Municipal Projects

Policy No.: 2012 CFS 02

Implementing Procedure No.:

### D) Maintenance and Conservation

1. During the artwork and site selection process, due consideration is given to maintenance requirements including structural and surface soundness, inherent resistance to theft, vandalism and weathering as well as to the cost and amount of on-going maintenance and/or repair anticipated.
2. The artist is responsible for providing any and all requested information regarding maintenance requirements that are unique to a particular public art project.
3. Maintenance and conservation for public art will be funded through the annual capital allocation process to ensure preservation of the public art collection.

### E) Donations and Gifts

1. Under exceptional circumstances, and as recommended by the Varley Art Acquisition Committee, donations and gifts of artworks may be accepted into the public art program.
2. Markham retains the right to accept or decline donations and gifts of other artworks.
3. When possible, a financial contribution for conservation and maintenance will be obtained from the donor.
4. Charitable tax receipts, when applicable and permitted by law be issued in accordance with Markham policy.

### 6. Guiding Principles:

Markham supports the acquisition, installation and management of public art through adherence to the

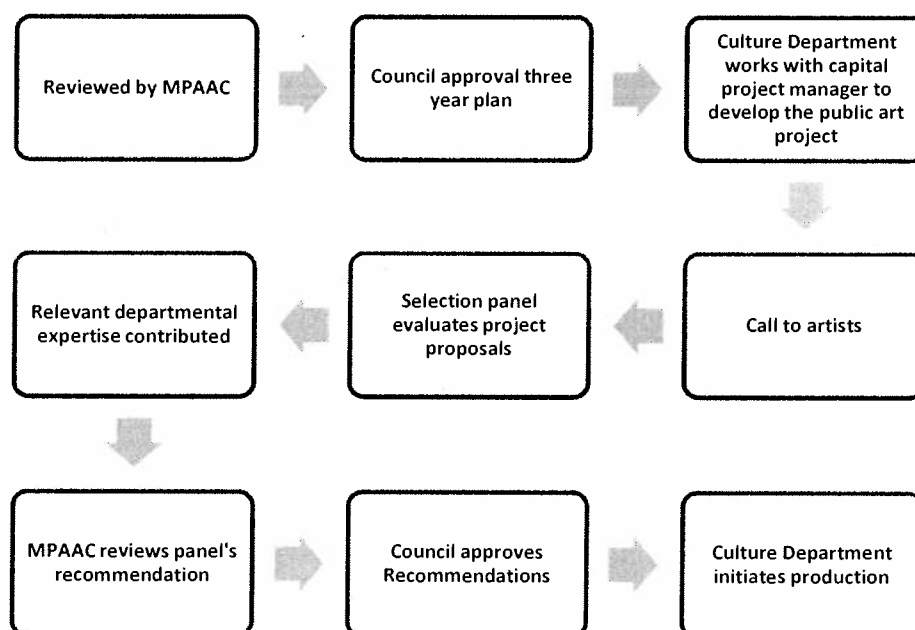
Guiding Principles:

1. **Collaboration** – The program will encourage joint participation by artists and the community in projects that meet specific community needs and aspirations. The public art program will encourage participation from other levels of government and the private sector
2. **Accessibility** -- The Public Art Policy and supporting management framework strives to provide visual art opportunities and initiatives that are accessible to all in Markham regardless of their geographic location, affiliation and demographic. Public Art projects will be publicly accessible: a) for above ground buildings including all major municipal buildings; b) for parks; c) for industrial parks; d) for new or major upgrades to bridges; e) for neighbourhood place making and community identification
3. **Sustainability and Responsibility** – A successful and enduring public art presence in Markham relies on sustainable funding, responsible management, strategic planning, and appropriate maintenance and conservation. Council delegates the responsibility and authority to lead all public art matters, including development and implementation of the management framework, to staff
4. **Open and Transparent Processes** -- The Public Art Policy and supporting management framework will rely on open and transparent processes to ensure equitable and respectful practices for all involved parties
5. **Fairness/Equity** – Public art projects shall be chosen by the Selection Panel in a fair and equitable manner,
6. **Artistic Merit** – The Public Art Program shall strive for high artistic standards and public art projects shall be chosen on the basis of artistic merit
7. **Professionalism** – Individuals engaged in the management and implementation of the public art program shall exhibit the highest degree of dedication and competence in the execution of their assigned duties
8. **Community Input and Engagement** -- The Public Art Policy and supporting management framework values community engagement and will create a variety of opportunities for public input and involvement through public programs and activities



9. **Outreach** – The Public Art Program will endeavour to stimulate individual artist creativity at the local and national level through the provision of educational and public awareness opportunities for learning, participation, and experimentation in arts and culture
10. **Diversity** – Diversity will be incorporated into the public art program including artist and committee member selection, site selection, media, scale and style of artwork, through experimentation with new art forms as well as traditional forms, and through the work of emerging as well as established artists
11. **Innovation** – The public art program shall enable participation by professional artists throughout the design process of public art projects.
12. **Acquisition and De-accession of Public Art** – Markham's criteria for the acquisition and the de-accession of public art is defined in the Varley Collection Policy approved by Council and available to the general public.
13. **Copyright** - In accordance with the Copyright Act, Markham acknowledges the artist as full owner of copyright including moral rights and will negotiate the transfer of certain rights through individual artist contracts.

#### 7. Flow Chart:







## **8. Guidelines and Process for the Selection of Public Art:**

### **Purpose and Applicability:**

The intent of the guidelines is to ensure art is selected through by a publicly accountable process combining expert evaluation and community input. The Guidelines describe the process for developing public art at new and existing civic capital projects, and set out the roles of City Council, staff, the Markham Public Art Advisory Committee and the Selection Panel.

### **1. THE PUBLIC ART PLAN**

The Culture Department will prepare a Public Art Plan for consideration by the Markham Public Art Advisory Committee (MPAAC). The Plan sets out the budget, artist participation, selection process, community process, and other matters as appropriate. The Markham Public Art Advisory Committee (MPAAC) reviews and recommends the Plan to Council for budget approval and for the authority to initiate projects.

### **2. SELECTION METHODS**

Artists or artist proposals are generally selected by a Selection Panel, and members of the Selection Panel are contracted by the Culture Department. The intent is to ensure artists are selected on merit by a process informed by expertise and community input. Proposals by artists are generally solicited through open competition, through invited submission, or through a curatorial process leading to direct commission.

### **3. SELECTION PANEL COMPOSITION**

- a) Selection panels consist of 3 to 5 voting members and also non-voting advisors as needed to supply technical information or community advice. The panel process allows for neighbourhood input or representation. Members of the Selection Panel should reflect community diversity.
- b) A typical panel might consist of the following:
  - project engineers, architects or project representatives
  - artists
  - curators or other visual arts professionals
  - community representatives
- c) Typical panel advisors might be:
  - project staff
  - technical staff

### **4. SELECTION PANEL TERMS OF REFERENCE**

The terms of reference for the Selection Panel are set at the project development stage by the Staff.



## 5. SELECTION CRITERIA

- a) Artists are chosen by majority vote on the basis of their qualifications and previous work, their experience with projects at similar scale, their capacity to work in demanding environments with communities or other design professionals, and their record of success.
- b) Proposals are selected by majority vote for their artistic merit, response to project terms of reference, capacity to advance public art program goals, responsiveness to the site and community, technical feasibility, and their probability of success.
- c) The Selection Panel and its technical advisors will consider the proposal's materials, construction and durability, maintenance, public access, and safety.
- d) Selection panels may make no selection, in which case the selection process may be re-opened at a later date.

## 6. PANEL REMUNERATION

Members of the Selection Panel who are asked to provide an expert evaluation of proposals are paid honoraria.

## 7. PROPOSAL REVIEW

The Culture Department will ensure all proposals are reviewed prior to final selection for safety and liability, compliance with by-laws and requirements, technical feasibility, cost, and other aspects as needed. No final selection will be made or announced until any question on these issues is resolved. Culture Department will confer with other affected departments prior to finalization.

## 8. COMMISSION PROCESS

Artists are contracted as needed to provide proposals, small scale models (maquettes) and commissions.

## 9. PROJECT DOCUMENTATION & REGISTRATION

Project documentation, which includes project maintenance and conservation information, is registered in the public art inventory



## 6. Roles and Responsibilities

### 6.1 Markham Council:

- a) Approves the policy
- b) Approves terms of reference and appointments to the Markham Public Art Advisory Committee.
- c) Approves the three year public art plan, establishes priorities, and approves the annual budget for the public art program.
- d) Receives and approves the recommendations issued by the Selection Panel and reviewed by the MPAAC

### 6.2 Culture Department:

- a) Implements and manages the Public Art Policy and program, and each year, oversees the plan and budget
- b) Is responsible for the development and the implementation of operational procedures in the matter of public art, selection, funding, conservation and maintenance.
- c) Advises Council on the management of the public art collection and the use of gifts and expenditures of donated funds to the Reserve Fund for public art projects.
- d) Reports annually to Council on activities within the Public Art Acquisitions Fund.
- e) Supervises the projects through the year and oversees the status of the public art collection and the archival material.
- a) Receives suggestions, recommends and contracts members of the Selection Panel

### 6.4 Markham Public Art Advisory Committee (MPAAC):

- Is comprised of, but not limited to, such individuals as visual artists, curators, architects, landscape architects, art historians, civil engineers and business representatives.
- Assists in setting a vision and objectives for the public art program.
- Advises Markham on the following:
  - Helps Markham enliven its city spaces and public parks with public art
  - Ensures that Markham's diverse communities are involved and engaged
  - Anticipates and influences policy, actions and approaches for the placement of public art on public lands
  - Advises Council on Staff and Selection Panel' recommendations
  - Reviews the public art plan before Council approves it.

### 6.5 Selection Panel:

- a) Members of the Selection Panel are contracted by the Culture Department
- b) Members choose the successful public art proposal
- c) Membership of the Selection Panel shall vary between three to five people depending on the scope of the project
- d) The majority of the members shall be artists and arts professionals, and include representation from the



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community in which the project will be sited.

- e) Members serving on a Selection Panel are paid an honorarium based on current practice -- to be determined by the Director of Culture
- f) Members of the Selection Panel may serve for a period of one to three years on more than one project

**6.6 Markham Expertise:**

Many Departments will provide their expertise in the review of the approved public art project and in the production-construction-installation of specific public art projects. Subject to scope of the project and not limited to this list: Planning and Urban Design, Operations and Asset Management, Recreation, Finance and Legal, for contracts, will normally be reviewing projects.


**6.7 Conflict of Interest:**

Staff and all members of the Markham Public Art Advisory Committee, and members of the Selection Panel shall declare a conflict of interest, pecuniary or any other interest, and remove themselves in all cases from a juried selection process where a project comes before the committee in which he or she is involved either directly or indirectly.

Prepared April 23, 2012



## Appendix B

	<b>Public Art Policy – Private Sector</b>	
	<b>Policy Category:</b>	
	<b>Policy No.:</b> 2012 CFS 03	<b>Implementing Procedure No.:</b>
<b>Approving Authority:</b> Town Council	<b>Effective Date:</b>	
<b>Approved or Last Reviewed Date:</b>	<b>Next Review Year:</b> 2015	
<b>Area(s) this policy applies to:</b> Private sector	<b>Owner Department:</b> Culture	
<b>Related Policy(ies):</b> <ul style="list-style-type: none"> <li>Federal copyright legislation and applicable construction legislation and applicable Markham bylaws per project e.g. Heritage districts; <i>Ontario Planning Act; Public Art Policy – Markham, Varley Art Gallery Collection Policy and Procedures.</i></li> </ul>		

Note: Questions about this policy should be directed to the Owner Department.

### 1. Purpose Statement

This policy is established to direct the integration of public art into privately owned *public places* in Markham. Public art is considered to be a key component to the uniqueness and identity of a municipality.

A strong policy designed specifically for Markham will ensure a public art program that integrates with our environment and is relevant to Markham.

### 2. Applicability and Scope Statement

This policy applies to the procurement and management of Public Art for privately owned spaces and public places, which constitutes the *public realm*. These public owned spaces may be - roads, sidewalks, esplanades, promenades, squares, parks, urban forests, pathways and so on. Private spaces are those that remain in private ownership such as entrances, building facades, private open spaces and other privately own properties.

### 3. Background

The intent of the Public Art Policy – Private Sector is to allow for the integration of art works in visible places and spaces to create a sense of place for the community. The intent is to encourage financial participation by the private sector in public art procurement with balanced and equitable contributions that reflect a percentage of the value of the development according to an estimate of hard construction costs.





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### 4. Definitions /

- A. **Accession/ Acquisition:** The procedure of acquiring and recording a public artwork.
- B. **Maintenance Plan:** The assessment of a public artwork and plan that meets the prescribed conservation and maintenance recommendations, including a maintenance assessment report, and maintenance duty schedules.
- C. **Public:** The general population which encounters a public artwork over the course of its lifetime, including both residents and visitors.
- D. **Public Art:** An original artwork which is accessible to the general public and has aesthetic qualities. Typically creation of public art takes into consideration site and context as part of its process; the artwork can be permanent, transitory, functional, integrated or discreet to its site, community based, immaterial (example sound or light art, performance) or virtual.
- E. **Public Places:** Refers to places that are accessible to the public, places where the public meets to exchange ideas, products or services.
- F. **Public Realm:** All privately or publicly owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can act as a social space, a forum for discussion, a place to reach consensus.
- G. **Selection Panel:** Refers to a group of people composed of art professionals and members of the community selected to serve as members of a jury to select an artwork in the context of a public art program for a specific location.

### 5. Policy Statements

#### Vision for Public Art in Markham

*Public Art brings value to the Town, provides unique perspective to the site and acts as a constant delight to residents and visitors to Markham. Public art participates to our economic vibrancy. Public art impacts many aspects of community living. Public art enriches daily life through experiences and attracts people to share and shape their identity. Public art allows for the making of a culture.*

Markham greatly values the working relationship with the private sector that aims to forge a successful community. Markham has a vision for the establishment of a robust public art program that creates value for its communities. A partnership between the public and private sector will achieve this vision. Working together on creating public art will give Markham a strong identity and sense of place that will translate into economic benefits. Public art has the potential benefit to increase the economic value of a developer's building project through site enhancement that makes the project more attractive and generates interest by the public that has been proven to increase the value of the property in cities across North America



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Markham created a Public Art Policy that defines its own commitment to Public Art in the public realm. The Public Art Policy – Private Sector encourages the acquisition, installation, maintenance, management and programming of public art in Markham on private property.

This policy creates a canvas for the negotiations of public art projects within the private sector.

The policy's goal is to obtain a contribution from the project owners *up to one percent (1%) of construction cost*, excluding land and servicing cost, as determined at the time of Building Permit issuance for public art projects. This policy is not a mandatory requirement, it does, however, establish the importance Markham places on public art in development projects in Markham.

The Public Art Policy - Private sector provides five options for the participation of the Private sector to the voluntary public art program.

### **Five Available Options for the Private Sector for Markham's Public Art Program:**

Notes:

- All contributors will be acknowledged on the site of the public art project.
- Contribution surpluses shall be administered through the Public Art Acquisitions Reserve Fund.

#### **Option A: *On-site contribution - Private Property***

The applicant makes a financial contribution to Markham in trust for the commissioning of public art located on the site of the private property of the development project. The applicant uses the expertise of Markham to produce the work through the public art policy process. On-site public artworks remain in the ownership of the development, thus bringing direct benefits to that development. The maintenance and conservation costs of the art work remain with the owner.

The placement of the public art that is on private property would be controlled in the site plan. The Culture Department would be responsible for managing the production on behalf of the developer following the Markham policy. If the public art is situated within the development area on the public right of way, the ownership, operating and maintenance obligations will be negotiated.

#### **Option B: *On-site contribution - Private Property***

If a developer wants to undertake its own public art project on private property and not follow Markham's Public Art Policy; then the project would require the input and agreement of the Culture Department for it to be considered a public art project for negotiated benefits. Public Art will be encouraged and the Culture Department will work cooperatively with the property owner to achieve mutual benefits.

#### **Option C: *Off-site contribution- Public Property***

The applicant makes a financial contribution to the Markham Public Art Acquisition Reserve Fund. The resulting off-site public art project becomes municipal property and the project would be undertaken by Markham following the Public Art Policy. The acknowledgement of the contributors of the public artwork installed on the location will bring those benefits. The funds could be earmarked for a specific project in a specific location such as the Pan Am site or could be placed in the reserve for the undertaking of a major public art project. Site location is negotiated with Markham having final approval.



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### Option D: *Combination On/Off-site contribution- Combination Private and Public Property*

The applicant makes a financial contribution to Markham in trust for the commissioning of public art works to be located both on site and off site. Markham will execute the project.

Agreement with the Developer, Planning Department and the Culture Department would occur on the placement of the public art which would be documented in their site plan application. The nature of the art work may require an operating or maintenance agreement to be negotiated.

### Option E: *Donations of Artwork – Public Property*

Gifts of art to Markham can be accepted in compliance with the Public Art Policy – Municipal Projects as follows:

1. That under exceptional circumstances, donations and gifts of artworks may be accepted into the public art program only if recommended by the Varley Art Gallery's Art Acquisition Committee.
2. That when possible, the donor will make a financial contribution to cover the costs of conservation and maintenance of the work
3. That charitable tax receipts issued under federal law, may be issued, when applicable, in accordance with Markham policy.

## 2. Policy Administration:

All public art on Markham's property, regardless of the funding source, must follow the Public Art Policy. The public art program is managed by the Culture Department. The Culture Department brings years of professional experience in art knowledge and expertise in the acquisition, the installation and the preservation of works of art.

When the Culture Department manages the public art project under one of the five options, the Department will apply its expertise in determining the goals with the Developer and oversee the processes for the call for artists, establishment of an arm's length Selection Committee and the production of the public artwork. Open communication will be maintained throughout the process.

The financial contribution for Public Art from the Private sector will be negotiated through Markham's Planning and Urban Design Department in consultation with the Culture Department. The negotiation process will be fair and equitable in its application and based on best practice. Developer's benefits may include incentives as part of the negotiated process with Markham.

## 3. Guiding Principles:

### Markham's Guiding Principles for Public Art Projects

Markham supports the acquisition, installation and management of public art through adherence to the Guiding Principles:

1. **Collaboration** – The program will encourage joint participation by artists and the community in projects that meet specific community needs and aspirations. The public art program will encourage participation from other levels of government and the private sector.
2. **Accessibility** -- The Public Art Policy and supporting management framework strives to provide visual art opportunities and initiatives that are accessible to all in Markham regardless of their geographic location, affiliation and demographic. Public art projects should be publicly accessible; these are high pedestrian and vehicle traffic locations, including but not limited to: above ground buildings including all major municipal



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- buildings; parks; industrial parks; new or major upgrades to bridges; and neighbourhood place making.
3. **Sustainability and Responsibility** – A successful and enduring public art presence in Markham relies on sustainable funding, responsible management, strategic planning, and appropriate maintenance and conservation. Council delegates the responsibility and authority to lead all public art matters, including development and implementation of the management framework, to staff.
4. **Open and Transparent Processes** -- The Public Art Policy and supporting management framework will rely on open and transparent processes to ensure equitable and respectful practices for all involved parties.
5. **Fairness/Equity** – Public art projects shall be chosen by the Selection Panel or acquired through the Varley Art Gallery Collection Policy and Procedures for donations in a fair and equitable manner.
6. **Artistic Merit** – The Public Art Program shall strive for high artistic standards and public art projects shall be chosen on the basis of artistic merit.
7. **Professionalism** – Individuals engaged in the management and implementation of the Public Art Program shall exhibit the highest degree of dedication and competence in the execution of their assigned duties.
8. **Community Input and Engagement** -- The Public Art Policy and supporting management framework values community engagement and will create a variety of opportunities for public input and involvement through programming initiatives.
9. **Outreach** – The Public Art Program will endeavour to stimulate individual artist creativity at the local and national level through the provision of educational and public awareness opportunities for learning, participation, and experimentation in arts and culture.
10. **Diversity** – Diversity will be incorporated into the public art program including artist and committee member selection, site selection, media, scale and style of artwork, through experimentation with new art forms as well as traditional forms, and through the work of emerging as well as established artists.
11. **Innovation** – The public art program shall enable participation by professional artists throughout the design process of public art projects.
12. **Acquisition and De-accession of Public Art** -- Markham will establish criteria for the acquisition and the de-accession of public art that will be clearly defined in the management framework and available to the general public.
13. **Copyright** -- In accordance with the Copyright Act, Markham acknowledges the artist as full owner of copyright including moral rights and will negotiate the transfer of certain rights through individual artist contracts.

### 6. Roles and Responsibilities *(Outline roles and responsibilities of those involved in the implementation of the policy)*

**6.1 Council** approves the public art policies and is Markham's primary advocate for public art. For municipal projects, Council approves the three year plan for priorities, sites, project scope and budget. Council approves the final recommendations and budgets for municipal projects. At various stages of approval of private sector developments, Council approves negotiated agreements that may contain sections related to the achievement of public art.

**6.2 Culture Department** is responsible for the development and management of all public art projects in Markham. The Culture Department constitutes a *Selection Panel* for the evaluation of public art proposals on a project by project basis. The Selection Panel membership will be for a period of one to three years. The Culture Department with its expertise and experience oversees the maintenance and conservation of the public art collection for the enjoyment of all. The department is responsible for the inventory of the public art collection based on the Varley



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Art Gallery's collection management professional standards. Culture Department will prepare a 3 year rolling plan and will develop annual capital budgets following consultation with municipal departments.

6.3 The **Selection Panel** is responsible for the selection of the successful proposals for public art projects. The members of the Selection Panel bring an expertise in public art. Culture Department would convene the Selection Committee based on specific expertise required.

6.4 **Planning and Urban Design Department** promote public art and opens negotiations to create public art opportunities in Markham. Works directly with Culture Department.

6.5 Markham's **Art Acquisition Committee** is a committee of the Varley McKay Art Foundation. The Art Acquisition Committee is led by the staff of the Varley Art Gallery of Markham and composed of experts in art. The collection policy provides the framework for the acquisitions of art through purchases and donations.

6.6 The **Markham Public Art Advisory Committee** oversees processes, and provides community input into the plan and stages of approval of public art projects. In the case of private sector projects, the role of Markham Public Art Advisory Committee will be to provide advice and feedback in discussing the recommended artworks that reflect high artistic standards.

6.7 Markham Expertise from **various Markham departments** may provide their technical expertise in the review of public art projects. Culture Department will work with departments involved in projects that have public art application, including: Asset Management, Recreation, Operations, Engineering, Urban Design – Parks & Open Space Planning, and Public Realm Committee.

Prepared April 19, 2012