intercom that looped and regulated sound over the miles of tunnel (Smith, 2016). Toronto's Nuit Blanche festival has supported projects of this scale over its ten years of existence. Its contemporary examples of artworks span a wide range of media, from the sculptural to the digital. The archive of monumental and temporary works from Nuit Blanche can be accessed here (Nuit Blanche Toronto) and here (Scotiabank Nuit Blanche: Toronto, Canada, 2006–2015).

Figure 5. Kelly Richardson, *Mariner 9*, 2012.[2] Photo credit: Colin Davison.

Ambitious large-scale projects are highly complex and can attract enthusiastic general audiences. Cher Krause Knight (2011) argues that popular culture and successful monumental projects mutually support one another. An example of this is a giant inflatable rubber duck: the *Rubber Duck* by Florentijn Hofman has berthed in Sydney, Taiwan, and many other harbours since its 2013 inception to the present.[3] Monumental works such as Clemence Eliard and Elise Morin's *Waste Landscape* (Victionary, 2013) or Kurt Perschke's *RedBall* (Victionary,

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[2] Three-channel HD video installation with 5.1 audio, 43′ x 9′ (variable). Originally commissioned by Tyneside Cinema, UK.
[3] A replica created by events producer Craig Samborski was a recent and controversial visitor to the Toronto waterfront.

2013) can overcome and reframe architectural space. Many writers demonstrate links between ambitious projects and private capital or philanthropic investment. Outstanding examples include Millennium Park in Chicago; the California Scenario, a one-and-a-half acre sculpture garden between two towers in Costa Mesa commissioned by the Segerstrom family of Orange County (Basa, 2008); the Brazilian art and ecology park of Inhotim; the High Line in New York City; and the Drive Line in Chicago.

In synthesizing these sources, we find consensus that the definition of public art should be wide and inclusive, encouraging work across scales, durations, and media. This consensus informs our recommendation for Toronto's revised definition of public art.

Definition and impacts: Urbanism

As public art has taken its place as a centrepiece of urban cultural policy, a wide-ranging discussion of its impact on contemporary urbanism has ensued. Urbanists Hall and Robertson (2010) note that many have proposed that public art can promote a range of virtues, such as helping residents develop a sense of personal and/or civic identity and a sense of place; addressing community needs; tackling social exclusion; serving up educational value; and promoting social change. They also call for a deep examination of these claims. Jane Jacobs and Robert Venturi supported the integration of public art as a means to reintroduce complexity and contradiction within urbanism, in contrast to modernism's stark and people-less world view (Finkelpearl, 2000). Urbanists and cultural critics have become increasingly alarmed as public art projects become a means of gentrification. They highlight how public art can lead to "the transformation of unpopular and stigmatized urban neighbourhoods and the renewal of urban housing markets," (Cameron & Coaffee, 2005). Concerns about the relative power of artists as opposed to planners, developers, and architects figure in this dialogue (Miles, 1997).

Other authors discuss the possible impacts of public art in the developing world. According to the recent UNESCO report *Culture, Urban, Future: Global Report for Sustainable Urban Development*, public art has a role to play in enhancing the quality of the built environment and in building a sustainable urban ecology. The report stresses how this impact depends on a more holistic planning, that is, "place-making for sensory experience, for sight, sound, smell, touch and taste must be drive by art and culture that collectively and powerfully reinforce sense of place," (UNESCO, 2016). In Dakar, the annual Festigraff Festival celebrates the core of young graffiti artists who are part of a social movement to make Dakar an open and accessible city (UNESCO, 2016). Sao Paolo boasts an extensive mural program.

Infrastructure

As public art has been integrated into many cities' policy frameworks, it has become more deeply intertwined with their overall city-building agendas. Infrastructure projects (bridges, transportation systems, airports, waterways, waste and power stations) have been core targets. Public art increasingly plays a role in improving the design accessibility and public acceptance of infrastructure projects, and in underscoring the presence and importance of transportation systems (Finkelpearl, 2000; Singer et al., 2007; Doherty, 2015). Canada has a long history of public art playing a role in its airports, ostensibly celebrating Canadian and regional identities, and inevitably engendering controversy about audiences for such work and popular understandings of local identity (Flaman, 2009).

Significant infrastructure projects continue to this day, whether it is the extensive art presentations at Pearson Airport curated by No. 9 (Davies, 2015), the permanent installations commissioned by the Greater Toronto Airport Authority, or the ambitious plans for Metrolinx in the Greater Toronto Area. In 2012, Jennifer Marman and Daniel Borins colourfully wrapped a GO train in the moving performance *Art Train Conductor No. 9* (Davies, 2015). Infrastructure projects can take an experimental and performance-based approach. Mierle Laderman Ukeles's *Maintenance and Sanitation Art* has placed the artist as the official artist-in-residence at New York City's Department of Sanitation (DSNY) since 1977, based on her *Manifesto! Maintenance Art*, 1969 (Finkelpearl, 2000; Scott, 2016).

The powerful nature of these works has inspired our recommendation for deeply embedding public art in Toronto's infrastructure projects, for making the city's currently voluntary program mandatory, and for including a set-aside for public art in provincial and federal building projects in our city.

Outside of the city

While much of the conversation has concerned the expanding role of public art in cities, public art also occurs outside of urban contexts. Artists' projects include well-publicized non-urban activities, such as Futurefarmers' creation of the *Bakehouse* in Loallmenningen, an intervention regarding food policies and rural farming networks, and Blast Theory's repositioning of an abandoned boat which referenced the loss of the fishing industry and growth of human trafficking and migration (Doherty, 2015). Some art that contemplates Indigenous rights and territory, such as Partners in Art's LandMarks2017, and other contemporary issues, are sited outside of cities.

Impacts: Social change and public art

One of the most significant questions in both public art practice and discourse has been the relationship between public art and social change. A number of volumes focus on and argue for accentuating this relationship, often in opposition to a permanent, sculptural, or aesthetic function for public art (Helguera, 2011; Lacy, 1994). Discourse regarding public art is now centered in debates about its potential within urban life and culture to "treat public art works not just as aesthetic installations, but as agents that participate in the social and cultural evolution of cities," (Radice & Boudreault-Fournier, 2017). This thinking rejects the notion of place-making altogether, preferring "artistic strategies of unsettling notions of place, rather than those of place-making, and a belief in the important role that art can play in social justice," (Doherty, 2015). Julie Boivin (2009) suggests that while there are heightened expectations that artists will capture and express context and identity, "it is an extremely delicate matter to structure spaces to correspond to a predetermined or overdetermined identity."

One goal of these projects is to bring artists into direct engagement with audiences to deal with compelling issues of our times (Lacy, 1994). Hence community interaction in the development of public art projects receives consideration, with care taken by artists and project organizers to support community-driven projects when appropriate and to permit artists to also work in dialogue with communities — but not at their behest (Doherty, 2015). Doherty offers a wide variety of critical methodologies for artists' engagement: "displacement, intervention, disorientation, occupation, perpetuation," (Doherty, 2015). For example, Sydney uses public art in Chinatown as a means to "address the social and cultural aspects of the area and tell the stories of the contributions of Asian-Australians to communities like Sydney," (UNESCO, 2016).

Education and educational institutions

Colleges and universities have acted as collecting agencies and collaborators, as well as educators for the next generation of artists, conservators, curators, architects and developers, with specific public art programs, streams, or minors that are found in faculties of fine art, architecture, planning, or public policy. Concordia University has a large and diverse collection, as does York University, the University of California, Los Angeles, and Carnegie Mellon University. These institutions illustrate the value of robust public art policies, and, optimally, the integration of public art into the institution's master plan "by building and enhancing physical environments in which experience, investigation, analysis, and dialogue about the human experience — past and present — can flourish…where community can learn, live, and dialogue with an experience rich in meaning," (Grenier, 2009). Most famously, the Stuart Collection at the University of California, San Diego, is a multi-year collaboration between the university and the Stuart Foundation (with investment by the National

Endowment for the Arts and other donors) that began in 1982 and has integrated public art into building infrastructure and throughout the campus.

Universities such as York University have spurred dialogue regarding best practices in public art through conferences such as the "Public Art: New Ways of Thinking and Working" conference organized by public art consultant Ciara McKeown and Brendon Vickers, Chair of the Department of Visual Art and Art History at York University.

Educational value extends beyond campuses. Other post-secondary institutions (such as OCAD University's Art and Social Change Program) have created outreach programs in which public art practices occur within neighbourhoods and communities, allowing public school students' work to be exhibited side by side with that of professional artists. Andrew Davies, who leads No. 9 (an arts organization that uses art and design to bring awareness to environmental concerns), emphasizes the potential for educating youth to be the next generation of sustainable planners and public artists. An illustrative project is *Imagining My Sustainable City*, exhibited at Toronto's Evergreen Brickworks in 2014. This project was produced with the Toronto District School Board, in collaboration with one grade 7-8 class from each city ward. Students and artists participated in a four-day sustainable urban planning and design program featuring "civic engagement, governance, and living a sustainable lifestyle," (Davies, 2015).

Public art selection processes

The inherent dynamism and complexity that exists within the multi-stakeholder public art process has been identified to be at tension with the "desire for linear decision-making processes [within public agencies]," (Lidman & Bisesi, 2005; DeShazo & Smith, 2014). As such, there has been growing debate around the need for public agency leaders to "rethink…long-established rational decision-making processes," (Lidman & Bisesi 2005) and consider changes that allow for more collaborative approaches to the administration of public art programs.

A number of writers and anthologies (Krause Knight & Senie, 2016; Basa, 2008; Goldstein, 2005) discuss, critique, and propose changes in the process of choosing public artworks. Basa (2008) describes and evaluates the use of slide or image registries, open calls, and invitational calls from a pre-qualified slide library; direct purchases and rentals; RFQs in which artists submit evidence of qualifications based on past work; and RFPs where artists submit ideas in the form of concepts, sketches, and narratives, and which require an understanding of site and context in order to succeed.

Other writers trace the history of efforts to engage artists early in the process of site and project planning. Some feel that the community consultative role that artists once played has been normalized by city planning norms, while others continue to argue and demonstrate that the best projects engage artists at the inception, and that artists have a critical role to play in imagining urban parks, waterfronts, districts, and major infrastructure (R.E. Millward, 2017; UNESCO, 2016). There are also those who claim that it is the role of public agencies to support artists by actively seeking citizen engagement (DeShazo & Smith, 2014). The Winnipeg Arts Council provides a prime example of a practice common to many cities, as its staff begins community consultation even before a public art call is drafted, so that contacts are already set up for artists once they are selected (Cwynar et al., 2017).

The reception of public art

Other writers tackle the issue of the critical rejection of public art projects, with in-depth studies of controversies in Montreal, such as the case of Glibert Boyer's *Memoire ardente* (Rodriguez, 2009) or, most famously, Richard Serra's *Tilted Arc* in New York City's Federal Plaza (Cartiere & Willis, 2008; Mitchell, 1992). In both instances, the artist's work was eventually removed. These controversies are seen in their best light as a means to engage citizens in discourse, or the "heart of cosmopolitan democratism that intrinsically offers room for potential conflict and open, ardent dialogues between ambivalent vistas (Zebracki, 2016).

Reception has become a growing component of public art analysis, drawing from sociology, actor network theory, and psychology, rather than looking at the city planners', architect's, artist's, or program's intentions (Lossau & Stevens, 2015; Radice & Boudreault-Fournier, 2017; Vernet, 2017). Topics include the ergonomics of public art experience for viewers; environmental (that is, flora and fauna) uses of public artworks in the context of human use; or the appropriation, misuse, and counter-use of artworks. Some theorists are interested not only in the time and space relationships of public art but the ways that these works structure flow and movement within urban spaces (Bringham-Hall, 2016).

These dialogues regarding public art practice and policy provided valuable consideration for our recommendations.

Chapter 3: Public Art Policy in the Context of Toronto's Evolution as a Global City

This section reviews Toronto's main public art policies, highlighting their significant features, overall results, and how the City has changed since their initial formulation. The message of the chapter is that while Toronto's public art policies have borne significant impacts, they fall short of their full potential.

Several features of how public art policy in Toronto has been formulated and interpreted produce unfortunate consequences, such as:

- public art "deserts" (areas of the city bereft of formal arts and culture in the public realm)
- maintenance challenges
- a narrow range of styles and media
- gender inequity
- decreasing shares of work held in public trust and sited with a view to the widest public impact

Toronto has grown and changed in numerous ways that demand a more comprehensive, vigorous, and creative approach to public art. It has been the home of major commissions, such as the first Anish Kapoor public art work in North America (1995), located on the perimeter of the CBC building. Not only is Toronto big, dense, diverse, economically and politically divided, it also has a robust arts sector and a strong cultural and public art policy capacity both within and outside the City.

The cumulative effect of these changes is to place Toronto at a significant crossroads. Public art can hold the city back, entrench its divisions, and symbolize its unwillingness to experiment — or public art can push us forward, connect our communities, and catalyze our collective creativity. The good news is that the very same processes and penchant for creativity that have brought us to this juncture make it increasingly likely that Toronto can seize the moment and realize the full capacity of public art to enhance its urban environment.

Public art policy in Toronto: Historical background

While Toronto has a legacy of public art going back at least to the nineteenth century, the first formal municipal policies emerged in the mid-1980s. These policies were formulated in part out of a sense at the time that public art was being commissioned through "ad hoc, one off deals with politicians, private citizens, and philanthropic partners," (Biggar, 2016).

Over time, the City of Toronto developed more formal procedures, led by advocates from diverse sectors spanning business, the arts, planning, policy, and

more. These policies co-existed with a number of parallel policies emerging across the Toronto metropolitan area, in Scarborough, North York, Etobicoke, East York, and York, as well as the Municipality of Metropolitan Toronto.
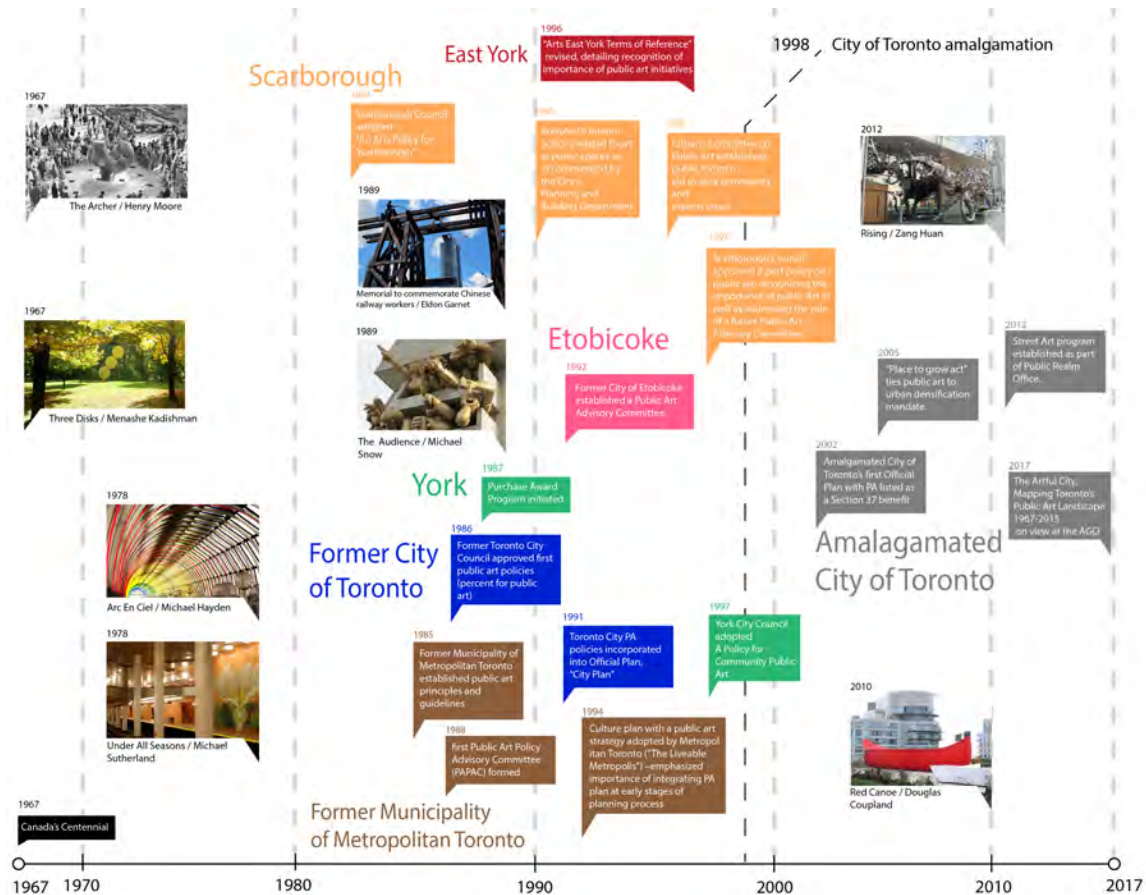

Figure 6. Timeline of public art policy in Toronto.

Public art policy in pre-amalgamation Toronto was a highly complex affair with multiple overlapping agencies. Some key features include:

- In 1991, Toronto became the first city in Canada to incorporate public art into its Official Plan, joining other cities in seeking a "per cent for art" from large private development projects, typically around one per cent of qualified construction costs.[1]

- In the early incarnations of the Percent for Public Art program, the City mandated public art contributions on many private developments, generally through requirements on rezoning and Official Plan amendments.

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[1] Montreal's per cent for art policy began in 1961, but this was a provincial ordinance.

- This requirement was challenged, and City Council clarified that public art contributions were voluntary, not mandatory. The policy has remained voluntary ever since.

- Pre-amalgamation Toronto had a budget for temporary projects, but this was not carried forward after amalgamation.

1998 saw the legal creation of the amalgamated City of Toronto, but it took several years for the new City to harmonize the policies from the former municipalities. This was a very difficult process, the scope and challenge of which is important to appreciate. Staff from multiple agencies with different levels of experience had to be coordinated. Common ground across distinct political cultures had to be found. All of this played out with the recent memory of a 1990s recession in the background and significant uncertainty around what the future version of Toronto would be like. While we may be in a position to judge the resulting policies with the benefit of hindsight, it is likely that anything produced from out of such a chaotic moment would require rethinking nearly two decades later.

Figure 7. Cover of *Public Art in Private Development: Policy Recommendations* (2001). Image courtesy of Sterling Finlayson Architects.

The newly amalgamated City did undertake a deliberate planning process to consider options for its new public art policy. The Planning and Culture Divisions commissioned a report by Sterling Finlayson Architects (SFA), which appeared in 2001. SFA made three major recommendations:

1. The City of Toronto must renew its commitment to the creation of public art through its capital budget citywide through the Official Plan.
2. The development community, as good corporate citizens, must continue to voluntarily support the creation of public art in private developments within a comprehensive planning framework.
3. A public art trust fund be established that advocates for public art and solicits donations from businesses, corporations and citizens who believe in the value of public art (SFA, 2001).

SFA noted that these three recommendations were meant to work in tandem, and that relying primarily on voluntary private contributions would be less effective. The third recommendation was not implemented; a public art trust fund was never established.

SFA's first recommendation was only partially and somewhat tepidly met. The City encouraged its agencies to set aside one per cent of capital costs for its major projects. However, the policy is not mandatory, is unevenly applied, and the Public Art Office is understaffed. Nor is there a clear definition of what constitutes a "major project."

It was the second recommendation that became the centrepiece of the post-amalgamation approach to public art. As SFA recommended, Section 37 of the Ontario Planning Act became its linchpin. Section 37 allows the City to exchange zoning exceptions (for height and density) for "community benefits."

In the 2002 Official Plan, public art was officially made an eligible community benefit. It is an attractive one to many in the developer community, in that public art directly enhances the value of a development, and a developer may choose to retain ownership over the work. This was an innovative use of Section 37, one that has generated a great deal of high-quality public art, and Toronto remains one of the few cities in Ontario to recognize public art as an eligible benefit. However, public art is only one among several worthy eligible benefits, and it must compete with them in negotiations among developers, city councillors, planners, and community groups. The result is that one per cent is more of an aspiration than a mandate.

SFA made some additional recommendations that are worth highlighting, as they remain relevant today. They recommended that the City diversify the process and structure the Percent for Public Art program so that it could support:

• new media and temporary artworks

- artists on the design team as early-stage collaborators with architects, engineers, and landscape architects
- special competitions by invitation for emerging artists on smaller-scale projects
- a mentoring system whereby emerging artists could intern on projects with established artists
- pooling public and private funds in public art grants targeting underserved areas
- awards
- catalogues, maps, and tours
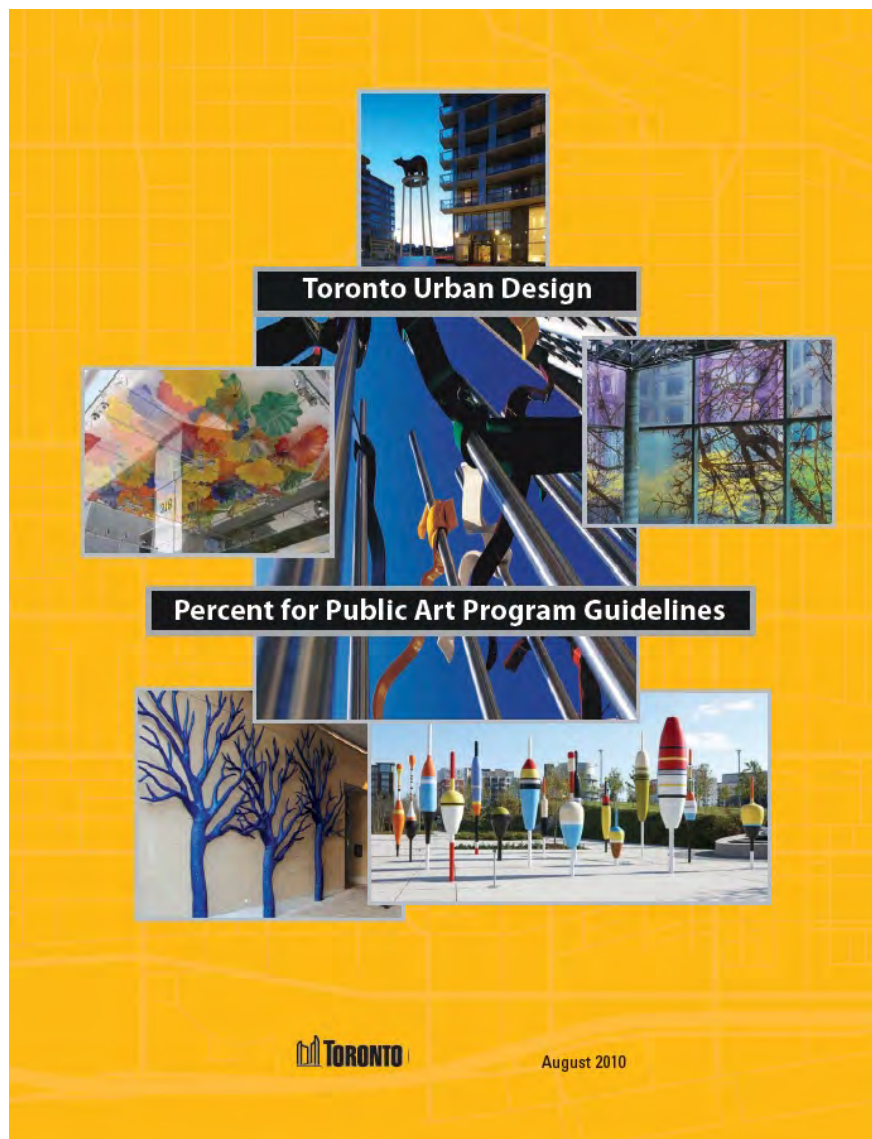- educational programs

Figure 8. Cover of Toronto Urban Design, *Percent for Public Art Program Guidelines* (2010). Image courtesy of Toronto City Planning, Urban Design.

Very few of these recommendations have been implemented, and some have been formally discouraged. For instance, the official guidelines for Toronto City Planning's Percent for Public Art program state, "Typically, public artists produce site-specific sculptures and prominent installations," (2010). As the implementation of Section 37 benefits tend to be guided by related Official Plan policies, this statement has tended to encourage a less diversified collection than SFA's recommendations envisioned, despite some notable exceptions.

On a positive note, the Toronto Sculpture Garden (TSG) continued to operate during this period, as it had since 1981. It provided a venue for innovative, temporary, contemporary sculpture, and a training ground for emerging public artists to hone their skills. However, the exhibition program that sustained it was terminated in 2014. While it has since languished for lack of funding, with support from public and private donors, it could once again play a valuable role.

Overall, the opportunity that opened up at the time of amalgamation to build a more sustainable and robust policy framework was missed. The critical inflection point the city currently finds itself in grew directly out of the partial measures taken at that time. They led to an explosion of mostly traditional public art in a few areas, without strong policy mechanisms to compensate and adapt to the challenges of a rapidly changing city.

Main elements of Toronto public art policy after 2002

From out of the ferment of amalgamation, the main elements of Toronto's public art policy framework congealed into a form that has largely remained unchanged since. The Percent for Public Art program is overseen by Urban Design (which is part of the Planning department) and operates in collaboration with what is now Economic Development and Culture, in which the Public Art Office is housed. Section 37 remains the primary policy tool used to generate funds for public art.

Projects that choose to use their Section 37 benefits for public art have two options, on-site and off-site (or a combination thereof).

STEP 1: Applicant provides an estimate of development's gross construction costs (GCC).

STEP 2: City Planning staff verifies GCC with Building staff.

STEP 3: City Planning staff and Applicant review public art opportunities and discuss contribution.

STEP 4: Public art contribution secured (on-site, off-site or combination). Planner forwards copy of signed agreement to Public Art Coordinator.

STEP 5: Applicant prepares draft Public Art Plan for City Planning staff to review.

STEP 5: Contribution held in pooled, ward-based fund. Designated district urban designer monitors fund and informs Public Art Coordinator when sufficient amount is accumulated for public art project.

STEP 6: Applicant presents draft Public Art Plan to Toronto Public Art Commission for review and recommendations.

STEP 6: City Planning staff identifies existing plans and City-owned properties where public art funds may be directed.

STEP 7: City Planning staff reports final Public Art Plan to City Council via Community Council for approval.

STEP 7: When sufficient funds are pooled, City Planning transfers funds to Culture. City Planning and Culture staff (other City staff may be consulted) determine best strategy for use of funds.

STEP 8: Applicant implements Public Art Plan in accordance with development agreement.

STEP 8: Culture staff report to City Council requesting that pooled funds be directed towards selected City project/City-owned lands.

STEPS 9-11: Culture coordinates the administration and implementation of the public art project(s) financed from the pooled funds. City Planning monitors the process, and provides advice and technical assistance.

STEP 12: Completed public art project added to the City's public art collection.
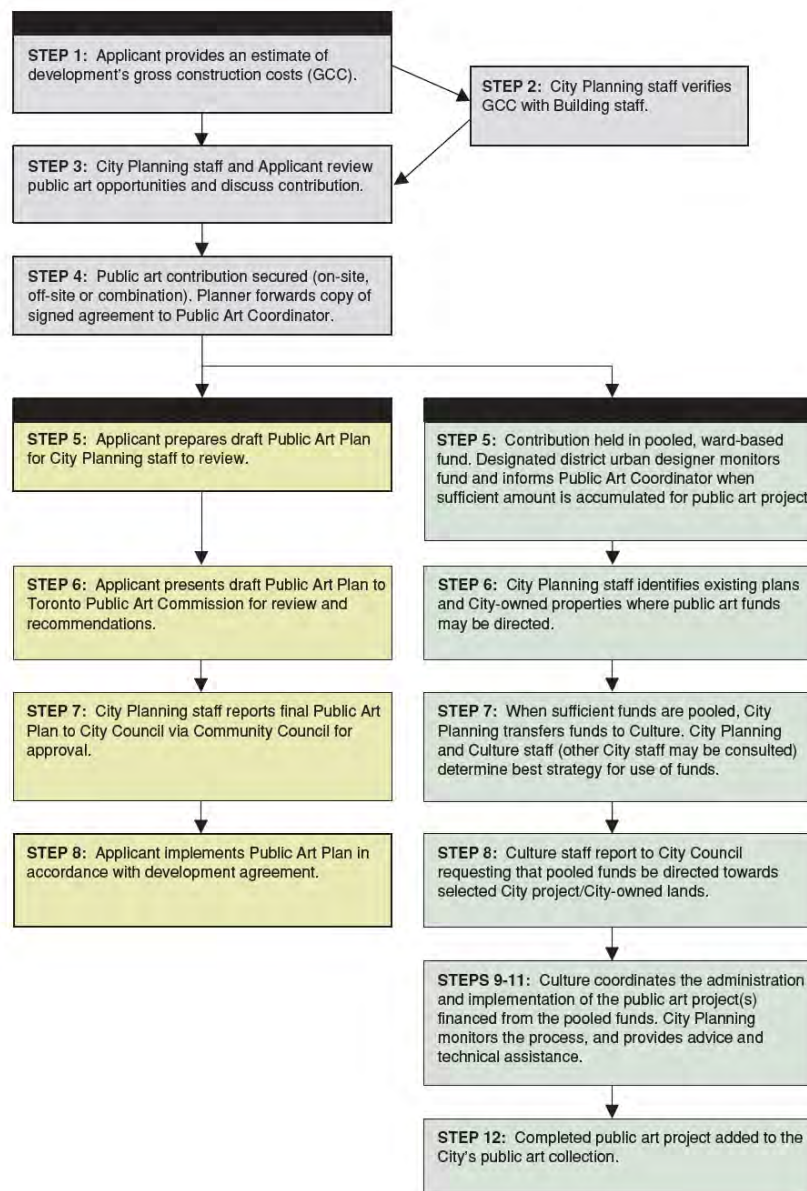
Figure 9. Steps for securing public art from Toronto Urban Design, *Percent for Public Art Program Guidelines* (2010). Image courtesy of Toronto City Planning, Urban Design.

On-site contributions produce work directly connected to the development. Developers must produce a public art plan that outlines their vision for public art and the method by which public art will be commissioned. While there are some requirements — for instance, juries must have a majority of members with professional art experience — developers retain considerable leeway in selecting artists and juries, and are encouraged to be on the jury themselves. Public art plans must be approved by the City's Public Art Commission, which is a panel of citizen volunteers providing peer review and advice. Since 2002, the on-site program has generated about 110 works.

Figure 10. Public Studio, *We Are All Animals*, 2015.[2] Image courtesy of Public Studio.

Off-site contributions may be directed to the City's Public Art Reserve Fund. These funds may be pooled towards use on city-owned lands in the political ward in which the development is located. Artist selection is run by Cultural Services, and tends to follow somewhat more formal guidelines for transparent open call competitions.

Detailed information about the total financial contributions to public art were not available at the time of this report, nor is it possible at this point to reliably estimate the economic impacts of public art.

While fairly complex even on paper, the neat flow chart (**Figure 9**) masks a highly involved, labor-intensive process of negotiation. Local city councillors play a key role. Councillors who are active public art enthusiasts can encourage a developer to use Section 37 funds for public art, to engage artists early in the design process, and to formulate a public art plan that permits wide-ranging

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[2] **With** Lili Huston-Herterich, Program Design by Josh Schonblum with the assistance of Yifat Shaik, Brandy Yang, Christopher Jadoo, and OCAD Digital Futures Initiative students. **Three-piece permanent Toronto public art installation, commissioned by Daniels Corporation (In partnership with WJ Properties).**

forms and media. They can also pool multiple projects and funding sources together in creative ways.

Together with dedicated city staff and creative business entrepreneurs, this can yield notable results. For example:

- Waterfront Toronto has made public art central to its vision, in accordance with city planning requirements, by aggregating funds from multiple nearby developments and deploying them to heighten the impact on the district as a whole. Though in general current policies make this kind of concentration difficult, it was possible for Waterfront Toronto because so much development was happening simultaneously in one area.

- In its High Park condominiums development, Daniels Corporation commissioned Elle Flanders and Tamira Sawatzky of Public Studio to create a piece of public artwork. Along with a group of OCAD University students, they produced *We Are All Animals*, a multimedia work that combines screen-based art and digitally modeled carved stone sculpture.

- Westbank Corporation contributed more than was required under the Percent for Public Art program towards Zhang Huan's iconic *Rising* at the Shangri-La Hotel (**Figure 11**).

Figure 11. Zhang Huan, *Rising*, 2010–2012.[3] Image courtesy of Westbank.

- Early incorporation of artists into a pedestrian bridge linking Concord CityPlace to Front Street West allowed Chilean artist Francisco Gazitua to

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[3] Stainless steel, 865 x 780 x 189 inches (2198 x 1980 x 480 cm). Permanent sculpture at the Shangri-La Hotel, Toronto.

create *Puente de Luz*, which Adam Vaughan describes as, "Actually an experience, which a lot of people don't get into galleries … When you walk through that bridge, the artist has created an environment that actually changes the way you feel about the city."

- In Toronto's East End "The Beaches" neighbourhood, multiple organizations have collaborated to produce the seasonal public art exhibition *Winter Stations*, which integrates intriguing designs into lifeguard stations and draws visitors to Toronto's lakeshore during the cold winter months. Sponsors span the City, the local BIA, developers, local civic associations, and more.

- The Toronto Art Foundation has worked with City of Toronto's Parks, Forestry and Recreation division to create a robust [Arts in the Parks program](#) that crosses all media, including performance art.

- The Bentway project has placed a premium on public art and could represent a new amalgam of private/public funding for major works ([The Bentway](#), 2016; Bozikovic, 2017), drawing on an approach similar to New York City's Friends of the High Line.

By the same token, when councillors and developers happen to be less personally committed to or experienced with public art, or have other priorities, the results tend to be correspondingly meager. Much of the process, in other words, depends not on regularized formal procedures but on the vagaries of the unique talents and interests of individual people and communities.

Off-site contributions are also complex. Developers choose to make an off-site contribution for various reasons. For instance, they may not have a suitable site on their property, but city lands nearby may be available; they may also simply wish to avoid the onerous process of producing and implementing a public art plan.

Off-site contributions occur relatively infrequently. Since 2002, only about 20 works have been funded in this way. This indicates that the major policy tool under current planning guidelines for pooling resources and heightening impact is not utilized to its fullest potential. Some of our interview respondents suggested that city officials do not actively encourage off-site contributions, and even discourage them. Hence, one of our recommendations is for the City to take a more proactive stance in promoting off-site contributions in order to maximize the value added by public art, even under the limitations imposed by current interpretations of the Ontario Planning Act.
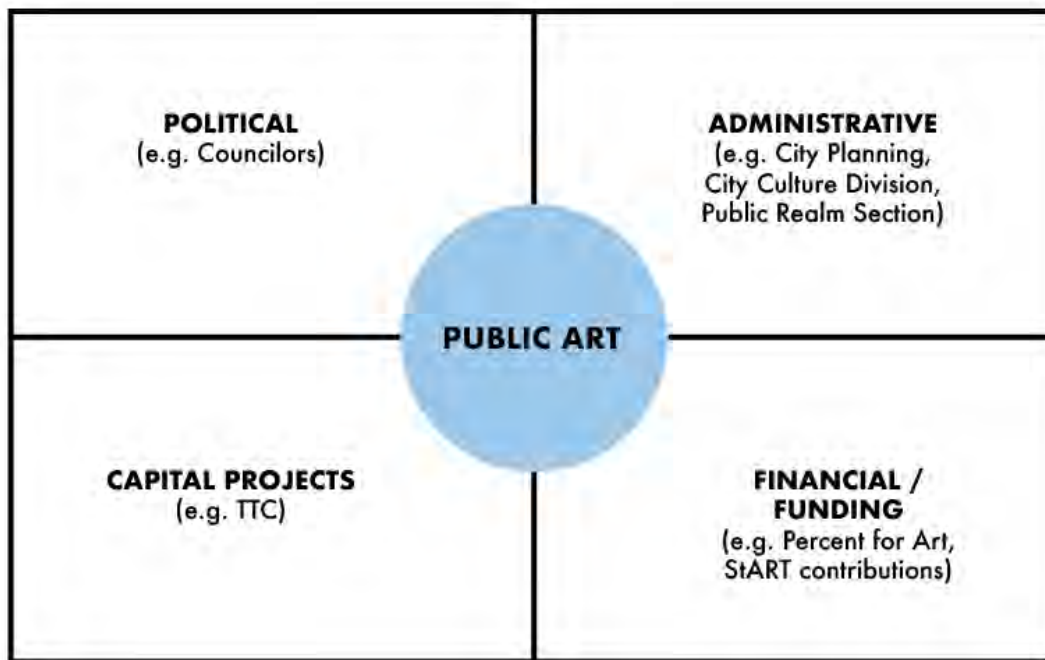
Figure 12. City involvement in public art.

Whatever the reason, some portion of off-site contributions — funds collected through Section 37 and managed by the Public Art Office in Cultural Services — are simply never spent. The precise amount and reasons vary, but in large measure have to do with "red tape." While formally city officials are free to pool the money and use it on public lands in the local ward, re-designating funds for new purposes is in fact difficult. Moreover, the requirement to use funds with the local ward creates its own challenges, especially since it prohibits funds generated from various parts of the City from being directed to a place where professionals might deem it to have the most impact.

The City continues to encourage its own agencies to contribute one per cent of budgets from their own capital projects towards public art. But again, this is a complex process. It is not compulsory; hence, there is no across-the-board mandate. In some cases, an agency may contact staff in the Public Art Office, who can use their experience and expertise to manage the process. In others, an agency may commission public art independently, or they may not commission public art at all.

Here again, much depends on personal relationships, experience, and individual initiative, rather than regular, predictable, formal procedures. Since 2002, the most significant addition to the City's policy portfolio has been the StreetARToronto Program, founded in 2012. Housed in Transportation Services,

this initiative works with local communities to create murals and street art. It also funds artists to paint traffic control boxes. Nearly 320 works have been produced through the program, about 45 per cent of all public art in Toronto documented in *The Artful City*'s database.

While the City is the central actor in the Toronto public art ecosystem, it is not alone. Since amalgamation, major festivals such as Nuit Blanche and Luminato have brought temporary and diverse forms of public art to a large public, and smaller festivals such as The Art of the Danforth have used public art to animate neighbourhoods outside the core. Non-profit foundations such as Evergreen Brick Works seek to couple public art, ecological awareness, and sustainability. Public art is central to Waterfront Toronto's vision. Metrolinx has an ambitious new plan for integrating public art into its infrastructure projects, and Toronto's universities continue to host and collect public art.
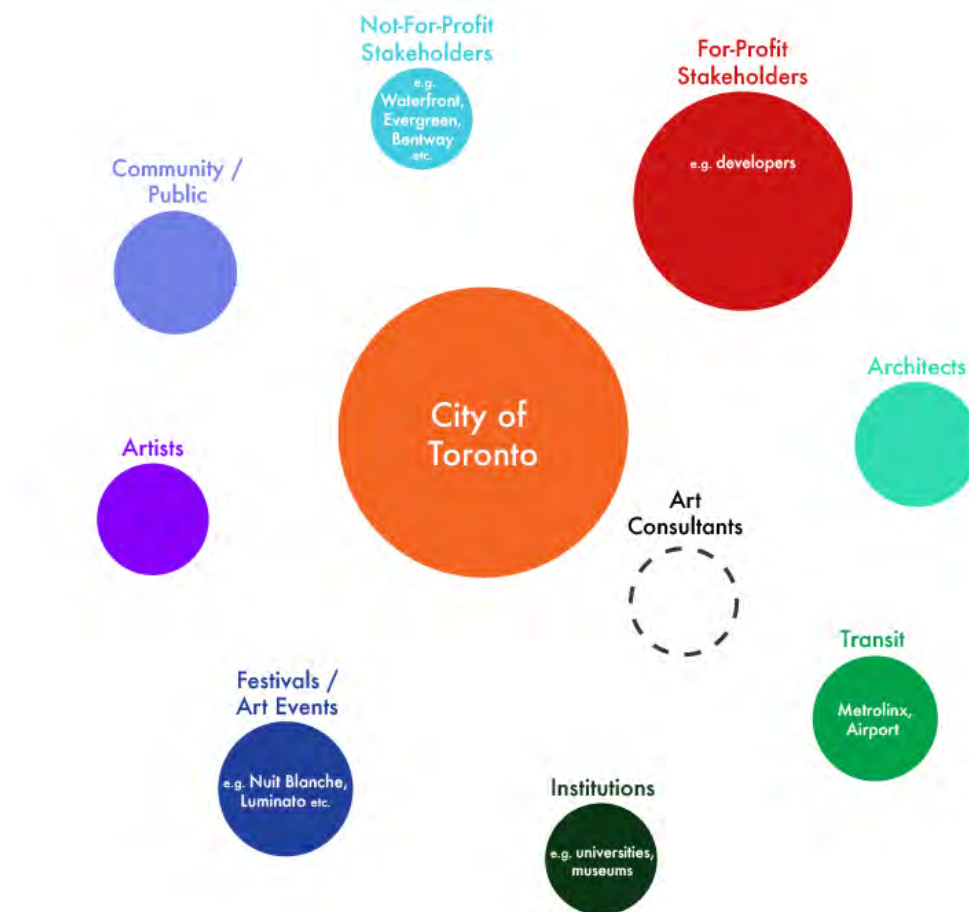

Figure 13: The Toronto public art ecosystem.

Figure 14. Brendan Fernandes, *Night Shift*, 2013.[4] Photo credit: Toni Hafkenscheid.

These various efforts complement and enhance the City's major programs, but Toronto lacks the sort of large and dynamic philanthropic foundations found in cities such as Chicago or New York. Here, the City remains the central player most capable of intervening in public space to deepen and enliven the urban experience — or not.

Consequences of Toronto's public art policy

Toronto's current public art policy regime has been in effect since 2002 and has remained largely unchanged. With over 15 years since its implementation, we are in a better position to observe and evaluate some of the policy regime's consequences, intended or not.

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[4] Performance, duration 13 hours. Original costumes by Vanessa Fischer; original score by Thomas Ian Campbell.

"*A Heyday for Public Art.*" The first and most apparent consequence of the post-amalgamation policy framework is that it has been able to turn Toronto's ongoing construction boom into a substantial number of public artworks. As *The Artful City* puts it, "The city is in its hey-day for public art, despite a rich history of civic support and government legacy projects of Canada's 1967 centennial. In fact, 64% of works commissioned in the last 50 years appeared after 2005," (Biggar & Altman, 2017).
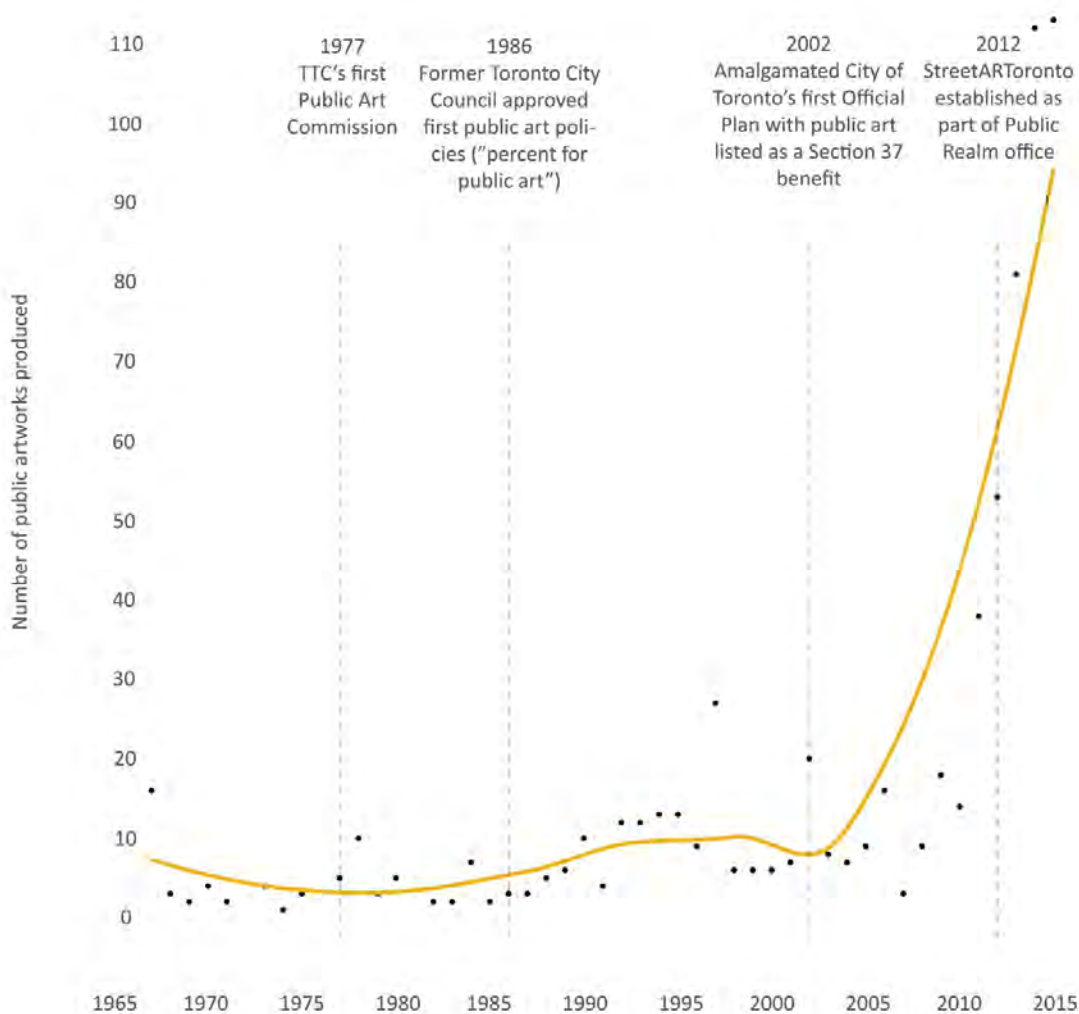

Figure 15. Overall trends in public art in Toronto, 1965─2015. Each dot shows the number of public artworks generated by all programs in that year. The line (a LOESS curve) seeks to capture the best fitting trend through the points. In this case, it captures the uptick in public art following the classification of public art as a Section 37 benefit, and then more dramatically with the introduction of the StreetARToronto program. Data for figure sourced from *The Artful City* project.

The impact of the StreetARToronto Program is particularly striking, as it injected hundreds of small but highly visible colorful murals and paintings throughout the city. Much of the dramatic uptick in recent work comes from this program. Even so, taken as a whole, the other main city initiatives have generally expanded over time.
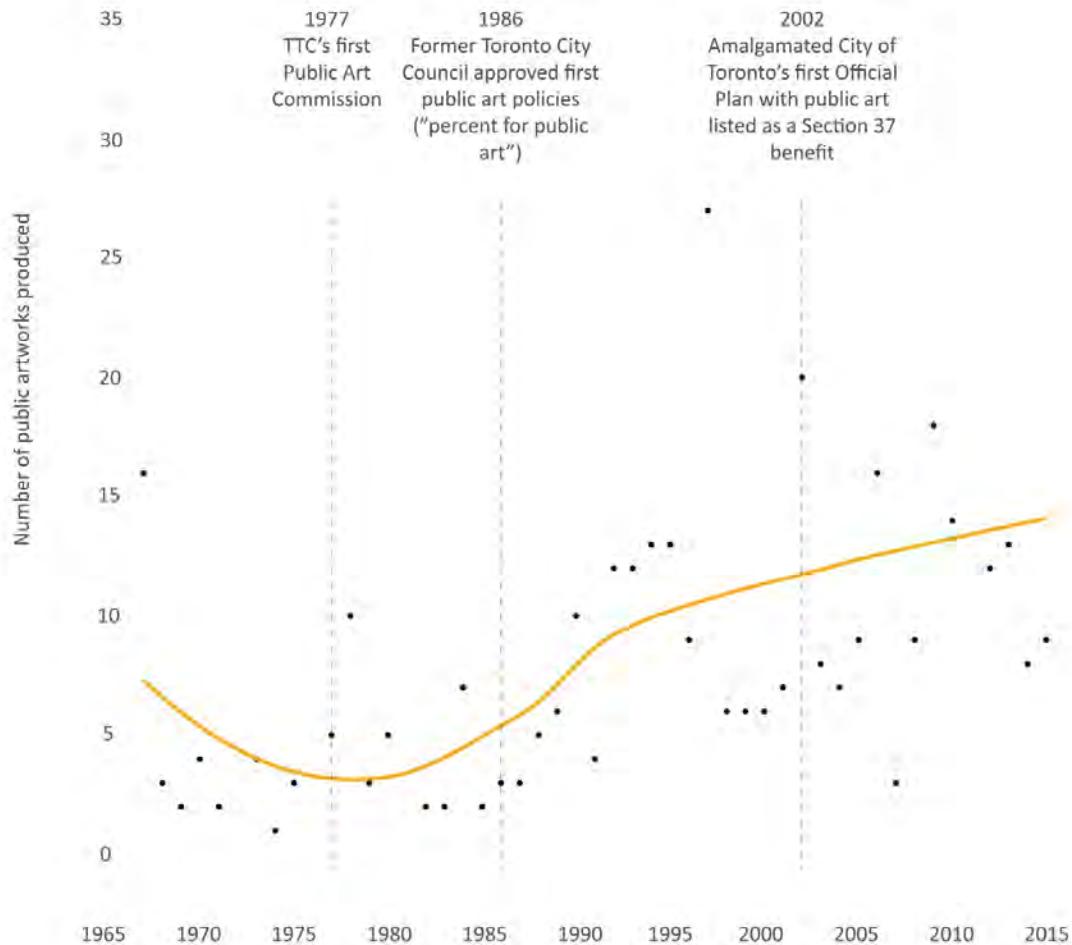

Figure 16. Trends in public artworks produced in Toronto outside of StreetARToronto. Image by authors. Data sourced from *The Artful City* project.

Stagnating city collection. Yet while the construction boom has quite visibly kept the Percent for Public Art program growing through Section 37 contributions, other consequences of the policy framework have become more apparent over time.

In the years running up to amalgamation, the City itself was commissioning more works. But without a strong and mandatory commitment to public art as part of the capital budget, city commissioning has stagnated (see the declining olive line in **Figure 17** below).

The TTC (represented by the red line in **Figure 17**) has been the most active city agency, especially with its series of works along the St. Clair streetcar line appearing in 2011. The City has, however, commissioned increasing numbers of works funded through the developer Percent for Art Program, as more developers have over time opted for the off-site option (see the purple line in **Figure 17**). Still, the absolute number remains small, and has not reached pre-amalgamation levels of City-initiated commissions.
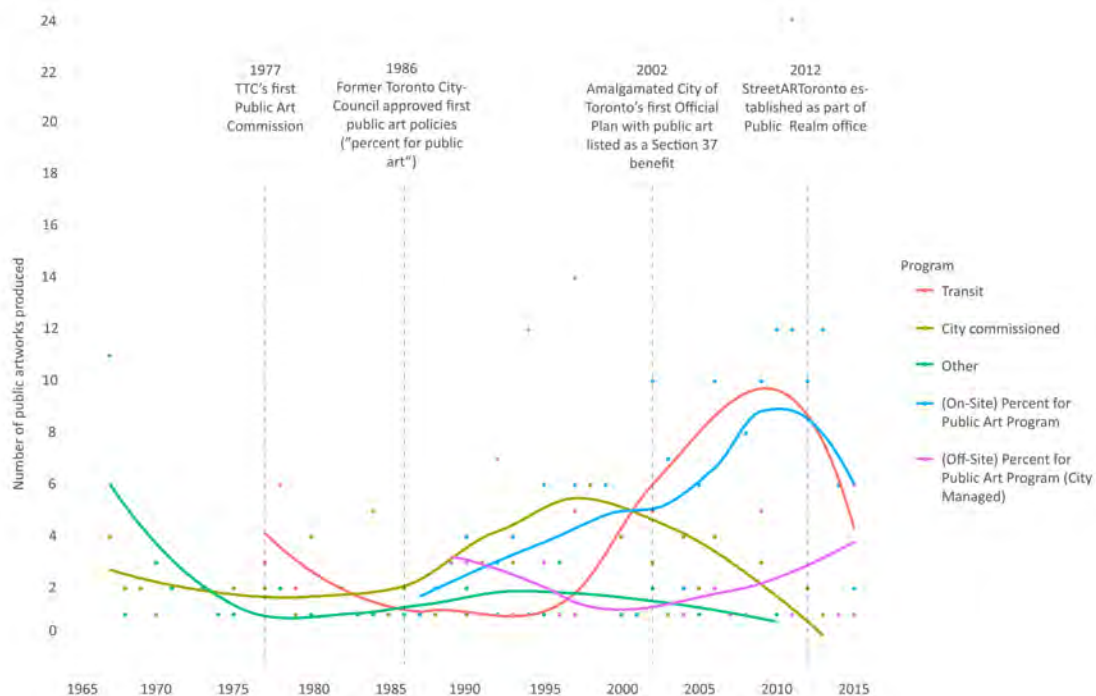

Figure 17. Trends in public art in Toronto by major program. This figure shows how in recent years Transit and the (on-site) developer Percent for Public Art Program have been the major sources of public art in Toronto. At the same time, it shows how the City's collection has stagnated since the introduction of public art as a Section 37 benefit. Data sourced from *The Artful City* project.

Concentration near development. The bulk of major new public artworks are generated through the Percent for Public Art program. Because this program (as currently practiced) generally requires works to be on or near new developments, the vast majority of the work generated in the past decades has been concentrated in development areas. Without a corresponding City commitment to