

NO: R258

COUNCIL DATE: December 5, 2016

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **November 17, 2016**  
FROM: **General Manager, Parks, Recreation and Culture** FILE: **1850-01**  
SUBJECT: **Colour-Me Newton Mural**

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## RECOMMENDATION

The Parks, Recreation & Culture Department recommends that Council approve the Colour Me Newton Mural design proposed by the Newton Business Improvement Association (BIA).

## BACKGROUND

The Newton BIA has proposed a mural entitled “Colour Me Newton” to be located at 13625 - 72<sup>nd</sup> Avenue (a map of the mural location is attached to this report as Appendix “I”). The BIA has the support of Value Properties which owns the property located at this address.

Murals are covered under the City Signage By-law 13656 (amended 01/13/14) which states:

“5. (5) No owner of a lot or premises shall erect, allow or cause to be erected a mural unless such mural has received approval from Council or from any Committee appointed by Council to approve such mural.”

“Mural means any piece of artwork, including a painting, fresco, frieze, photograph, picture, image, illustration or graphic presentation, applied directly or by an electronic or digital means on and partially or fully covering a wall, ceiling or other permanent or non-permanent surface.”

The process for approval and management of murals is located in Appendix “II” in this report. As per the City process, the Executive Director of the Newton BIA brought forward the mural to the Public Art Advisory Committee (PAAC) on November 4, 2016. PAAC endorsed the Mural.

## DISCUSSION

The intent of the Colour Me Newton mural is to: revitalize the Newton area; enhance the alley alongside the building; showcase Newton in a positive light; deter graffiti; create an artistic vibe in the area; and bring more visitors to the town centre. The proposed artist is Danny Fernandez, a Canadian visual artist who has produced murals worldwide. The mural will be painted using professional spray paint and will take 5-7 days to complete.

The Committee noted the mural satisfies all of the Terms of Reference PAAC adopted for murals on private property including criteria for design. The BIA will be responsible for the installation of the mural, including the repair of any potential damage to the building during the installation process. Any concerns about the mural will be directed towards the PAAC. Should the mural need to be removed at any point, the BIA will be responsible for the removal process within two weeks of the request for it to be removed.

PAAC representatives provided comments including that they hope this initiative will encourage other BIAs to bring forward proposals for murals on private property that would contribute to community development and neighbourhood enhancement.

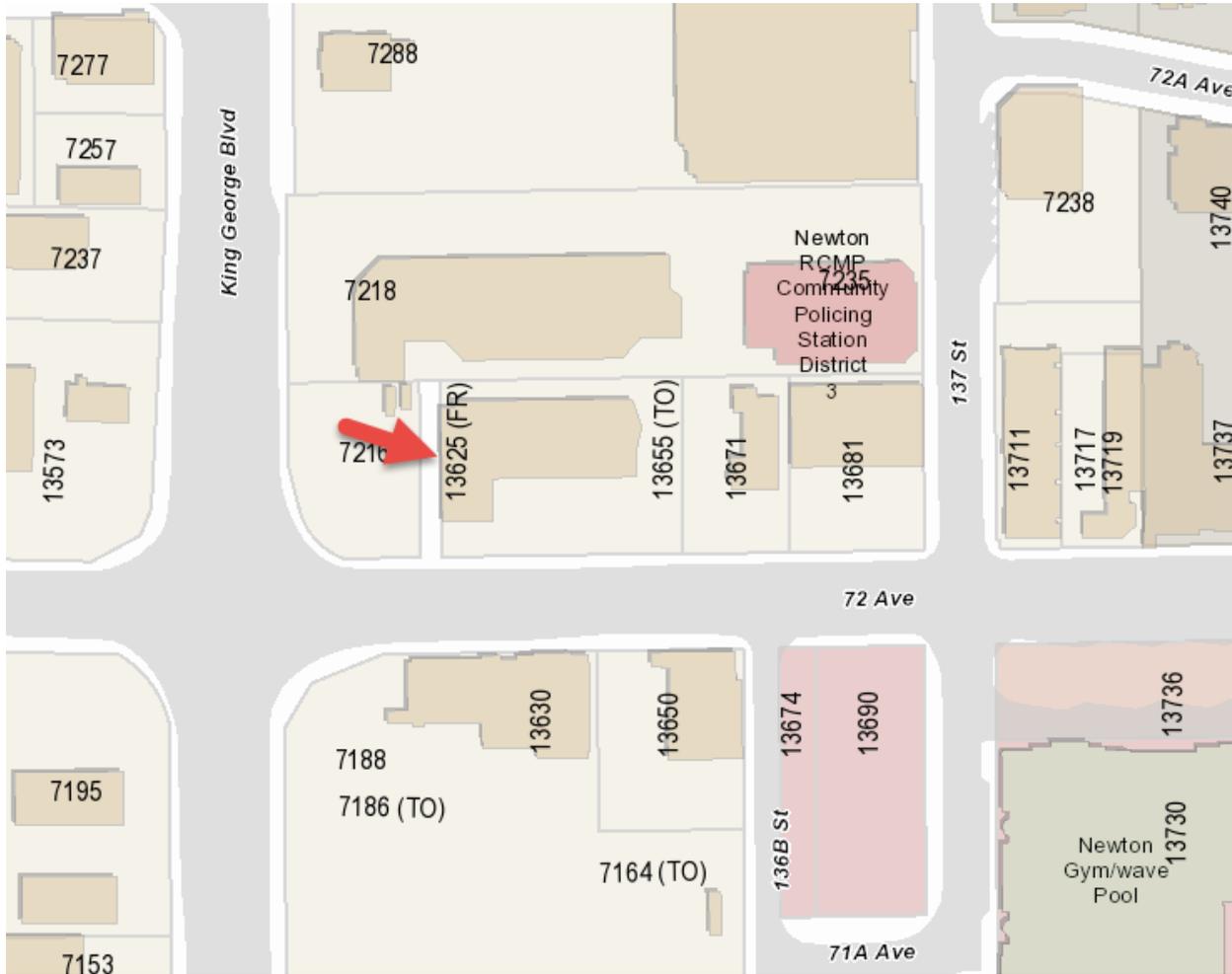
## CONCLUSION

Based on the above discussion and review by PAAC, it is recommended that Council approve the mural design for the Colour Me Newton Mural as shown in the report.

Laurie Cavan  
General Manager  
Parks, Recreation and Culture

Appendix "I" Project Details and Location  
Appendix II Mural Program Guidelines

**Project Details and Location**  
**72<sup>nd</sup> Avenue and King George Boulevard**



Mural Design to be painted by artist

## Mural Program Overview and Guidelines

### Permanent Murals

#### Process:

Permanent mural approval process for private and public buildings:

- 1) A concept sketch and application must be submitted to the City's Public Art Section. The application is then referred to the Visual and Community Art Manager, Area Planning and Neighbourhood Enhancement Planner.
- 2) All murals are reviewed for aesthetic comment by the Public Art Advisory Committee (PAAC) with recommendations provided to Council.
- 3) Council considers the recommendation from PAAC and makes the final decision where to approve the mural; a letter of agreement is then issued to the applicant by the Neighbourhood Team.
- 4) If approved, the mural must be maintained by the community group (on public or private buildings). A letter of agreement is required by the City from the group regarding maintenance.
- 5) An approval letter and maintenance agreement is sent to By-laws for their information if the mural is approved.
- 6) Murals will be reviewed every 3 years by a staff committee (Public Art and Neighbourhood Enhancement Planner) to ensure that the artwork is well maintained still appropriate for the local neighbourhood. If deemed by staff that the mural must be removed, it will be the responsibility of the property owner to remove the artwork.
- 7) Murals must:
  - a. Be developed and implemented by an artist and have a professional aesthetic quality; qualifications of the project manager or lead artist(s) must be provided to the City. Artist qualifications and proven capability to produce work of the highest quality;
  - b. Promote civic beautification;
  - c. Present simple, recognizable visuals that are easily interpreted and discernible from a distance;
  - d. Identify unifying element if more than one design and in particular, when more than one artist is involved;
  - e. Murals mounted on removable panels or added as a wrap are preferred. Murals painted directly on building exterior walls are discouraged.
  - f. The location, scale and content of a mural should enhance the building on which it is located. A mural cannot extend over the existing building height;
  - g. Murals may be located on the sides or back of the building, but not the front;
  - h. Murals must be compatible in colour, design and style with neighbouring buildings;
  - i. If the building on which the mural is painted is in a development permit area, a development permit is required;

- j. Colour should be consistent with the building. On historic buildings, heritage colours are encouraged. On non-heritage buildings, classic colours are encouraged;
- k. Material should be durable, graffiti resistant and weather resistant;
- l. No two murals, with or without signs in conjunction with either of them, should be located closer than 1,000 feet of one another when facing the same traffic direction unless their themes are directly related;
- m. A mural cannot cover windows or doors;
- n. A mural must be limited to one façade.

**Mural Content:**

- 1) Content will be non-partisan, non-racial, non-denominational, non-sexist, and non-political, and should be in keeping with Human Rights Act principles.
- 2) Murals may not be used for any form of commercial advertising or public information or solicitation of any kind.
- 3) Content should be appropriate for child audiences and if deemed sensitive is not permitted; (e.g. content depicting violence, alcohol, drugs or tobacco is not permitted).
- 4) If text is included in the design, it must be less than 20% of the total design and where possible form part of the established image.
- 5) Content should not include logos or organizational identities.
- 6) The theme of the mural should be respectful of the greater context of the community, including historic and socio-cultural contexts.