



MURALS

on Private Property
Guidelines



Murals on Private Property Guidelines

The City of Kingston supports the commissioning of murals on private property through a new, streamlined application process. This process supports projects led by artists, property owners, business owners, and community organizations and groups.

Murals on private property are considered temporary and approved applicants must maintain the mural for a minimum of two years.

Applications must be submitted and approved by the City of Kingston before murals can be installed on private property. If an application is approved and sanctioned, the mural is included in Section 6, Exemptions in the Signs Bylaw 2009-140 and will not require a Signs permit. It will also be exempt from Section 4.17 Graffiti in the Property Standards Bylaw 2005-100.

Important: If the proposed site for a mural involves a designated heritage property under the Ontario Heritage Act – Part IV and Part V and/or is included in the City of Kingston Heritage Registrar, property owners will be required to seek a heritage permit through the Kingston Heritage Properties Committee. Approval is not guaranteed. If the proposed site is a listed heritage property under Section 27 of the Ontario Heritage Act, you must reach out to the Heritage Planning staff to review, although a permit may not be required (HeritagePlanning@CityofKingston.ca).

It is important to review and understand these requirements as they may impact proposed project designs and timelines.

Also note: Additional permits may be required. For example, an Encroachment Permit may be necessary if installing a mural on private property requires accessing public property. The need for additional permits will be identified through the application process and support and guidance will be provided.

Street Art

Murals represent an important type of temporary public art, known as “street art”, created on walls, sidewalks and roadways when sanctioned and permitted.

Street art and murals are distinct from graffiti, which is not sanctioned or permitted and is a form of vandalism. Murals are an accessible art form and reflection of artistic expression; they can be embedded within communities to add vibrancy and celebrate a sense of identity and place.

Murals are identified in the City of Kingston's Public Art Policy that was developed as an outcome of the Public Art Master Plan approved in 2014 and provides the framework needed to guide the administration of the City of Kingston's Public Art Program. The Policy provides Council, staff, the arts community and residents with a mechanism through which the City of Kingston assesses, acquires and manages public art works that are municipally owned through purchases, loans, commissions and/or donations.

The Public Art Policy has been updated to include murals on private property.

Definition

A mural means a design or work of art applied directly to a wall either on affixed panels or painted for the purpose of artistic expression, decoration, and public art.

Please note: Any murals in the Lower Princess Heritage Character Area that are approved to be installed on a surface with brick or limestone must be attached to the mortar and on a panel that is separated from the brick or limestone with a space. Information on this Character Area can be found on the City of Kingston website or by contacting (HeritagePlanning@CityofKingston.ca).

Goals

- Offering low barrier opportunities to produce murals by:
 - prioritizing and expediting mural applications;
 - providing guidance and support to applicants; and
 - exempting certain bureaucratic processes for the applicants.
- Improving the public realm by supporting the creation of murals as public art.
- Supporting community organizations and groups creating murals in their neighbourhoods.



Artist: Peru Dyer Jalea/ Peru 143
Title: Kingston: A Moment in the City
Photography: Chris Miner

Eligible Applicants

Artists, private property owners, businesses renting or leasing private property, community organizations and groups in the City of Kingston are all eligible to submit an application to commission a mural on private property. **Any applicant who does not own the private property that is included in the application must prove they have permission to apply a mural.** Proof must include a signed letter from the property owner or property management company, including contact information. City staff will contact the property owner to confirm that they have granted permission.

Murals must be:

- an artistically driven project led by an artist, property owner, business, or community organization and group;
- an original design and artwork;
- appropriate to the scale of the building and the site, up to 100% of the surface area of the designated wall for the mural; and
- fully visible and/or accessible from public space.

Not Eligible

- Content deemed offensive to community standards:
 - May incite hatred or violence against any person or identifiable group of persons;
 - May promote stereotypes or negative attitudes about any person or identifiable group of persons on a ground protected by the Ontario Human Rights Code;
 - Contains profane, vulgar, or offensive language,
 - Depicts violence or explicit sexual content, and/or
 - Is criminal or gang related.
- Elements of advertising, promotion, signage, branding, or product placement for a business (Note: This would be considered a sign and would require a permit through the Signs Bylaw 2009-140);
- Copyrighted material without permission for use; and
- Designs that impact and/or distract drivers traveling along adjacent roadways.

Site and Design Considerations

Location and size of the mural

- Determine where on the building's structure the mural will be installed and how large the mural can be; look for easy access points for installation.
- Murals do not need to take up an entire wall to be impactful.

Type of wall surface

- Smooth surfaces such as concrete or plaster work best.
- If there are mixed surfaces on a wall (i.e. brick and concrete), this should be considered in the design.
- Depending on the condition of the mural surface, it may be best to install the mural on a sign board or treated plywood and install it on the wall so that it can be removed and more easily maintained.

Mural Design and Materials

- The mural should be composed of a colour palette that compliments the colours, aesthetic or architecture found within its location.
- Primer is recommended for murals to ensure an even application of paint for the mural design, and to help with especially porous surfaces.
- If painting the mural, high-grade exterior aerosol paint or exterior grade acrylic-based paint is recommended. An exterior grade, UV proof and anti-graffiti coated vinyl could also be considered (Note: lead and/or oil-based paints are prohibited, and no sculptural elements may be affixed to a wall as part of a mural).
- Artist names, property owner names, funder names and sponsor names may be incorporated but should not exceed 5% of the design.
- The paints and materials used should not chemically corrode nor compromise the integrity of the building's exterior or structure.
- Reflective, neon and fluorescent paints should not be used.

Installation

When planning to install an exterior mural, it is recommended that the following considerations be taken into account: site and safety, weather and climate, and site prep.

Artist Agreement

It is recommended that the artist enter into a written agreement with the lead applicant to ensure that all expectations are clearly established.

Budget

A high-level budget should be submitted with the application so that City staff can offer guidance and feedback. Please use the provided budget template included in the application.

Maintenance

The property owner is responsible for all maintenance or repairs to the mural after its installed, which would include a repair of material failure and removing vandalism or graffiti as per the Property Standards Bylaw 2005-100. Murals on private property are considered temporary and will be required to be maintained for a minimum of two years.

For more information, contact: PublicArt@CityofKingston.ca.



**art in
public
places**

