



Committee of the Whole Report

For the Meeting of July 13, 2023

To: Committee of the Whole **Date:** June 23, 2023
From: Kerri Moore, Director of Business and Community Relations
Subject: Mural License Agreements

RECOMMENDATION

That Council:

1. Authorize a new agreement for a 10-year period with a renewal option of five years, between the City of Victoria and the Yen Wo Society for a new public art mural to be commissioned by the City on the building facade at 1713 Government Street on terms to the satisfaction of the Director of Business and Community Relations and in a form to the satisfaction of the City Solicitor and subject to the owner obtaining all necessary permits and approvals for the mural installation.
2. Authorize licence agreement renewal for a five-year period with a second renewal option of five years for 16 public art murals that were created as part of the Concrete Canvas project in 2018, at private properties in the Rock Bay area, on terms to the satisfaction of the Director of Business and Community Relations and in a form to the satisfaction of the City Solicitor.
3. Direct the City Solicitor to prepare the necessary bylaw to delegate to the Director of Business & Community Relations the authority to negotiate and enter into agreements between the City and property owners for temporary public art installations on private property.
4. Forward the above two motions to the daytime meeting of July 13, 2023, for ratification.

EXECUTIVE SUMMARY

The Yen Wo Society, a not-for-profit society, has approached the City to create a new mural that celebrates Chinatown and the unique cultural heritage of their building, which houses the oldest Chinese temple in Canada. In 2008 the 'Dragon Dance' mural was created by artist Robert Amos on the south façade of the Yen Wo Society's building at 1713 Government Street, with funding from the City. After 15 years, the Dragon Dance artwork has reached the end of its life due to exposure to the elements. This artwork is set to be decommissioned as per the City's Art in Public Places policy.

The Yen Wo Society has indicated support for entering into a 10-year license agreement with the City to commission and maintain an artwork on their building. The City will provide funding through the Downtown Revitalization Program.

In August 2018, the City commissioned 16 new murals on privately owned buildings across the Rock Bay area in the Burnside Gorge neighbourhood. The City secured license agreements from the property owners to retain the murals for a five-year term that expires on August 30, 2023. The murals have been well received by the community and property owners and have remained in good condition since they were created. Staff are in discussions with property owners to renew the license agreements for another five-year term.

Council authorization is required to enter into a license agreement to maintain public art on private property.

PURPOSE

The purpose of this report is to seek Council approval to authorize the City to enter into a new license agreement for a 10-year term with a renewal option of 5 years, with the Yen Wo Society for a new public art mural to be commissioned on the Yen Wo Society's property at 1713 Government Street; and to seek Council approval to authorize the City to enter into up to 16 license agreement renewals for a five year term with a renewal option of five years with various private property owners for murals located in the Rock Bay area; and to seek Council approval to introduce a bylaw to authorize the Director of Business and Community Relations to enter into future agreements with private property owners' on similar terms and conditions.

BACKGROUND

Yen Wu Society Mural

The *Dragon Dance* artwork was created by local artist Robert Amos in 2008 to celebrate the 150th anniversary of Victoria's Chinatown. Attached as Appendix A is an image of the Dragon Dance artwork and the property. The City of Victoria provided funding to commission this artwork. This artwork is located on the south facing exterior wall of the building at 1713 Government Street. The building and property are owned by the Yen Wo Society. The Yen Wo Society, a dialect association which was founded by Hakka speakers in Victoria in 1905, is the custodian of the Tam Kung Temple, one of the oldest Chinese temples in Canada, that is open and free to access by the public. The Dragon Dance mural has degraded and reached the end of its life after 15 years due to exposure to UV light and rain. Staff are in the process of decommissioning the artwork.

The Yen Wo Society would like to create a new mural for the site to celebrate Chinatown and share their unique cultural heritage, identity and bring awareness to the Tam Kung Temple. City staff are working in collaboration with the Society to commission a new mural to replace the existing Dragon Dance mural. The new artwork will be created in accordance with the City's Art in Public Place Policy and Guidelines. Funding for this new mural will be provided from the Downtown Revitalization program. The City would accept the new artwork into its public art collection and will be responsible for maintenance during the period of the license agreement. The mural would be treated with an anti-graffiti and UV coating to reduce the maintenance requirements and increase the longevity of the mural.

Concrete Canvas Murals

In 2018, 16 murals were created on private property throughout the Rock Bay area in the Burnside Gorge neighbourhood organized by the City. The Concrete Canvas mural project was developed to support policy directions outlined in the Official Community Plan, the Burnside Gorge Neighbourhood Plan and the Art in Public Places Policy.

The murals were funded by the City and the City entered into license agreements with the property owners to ensure that the artworks would remain on display for a period of five-years from August 30, 2018, until August 30, 2023.

ISSUES & ANALYSIS

The Yen Wo Society have expressed their support to enter into a license agreement with the City to provide access to their property and the building's south façade for the purposes of creating and maintaining a mural for a period of 10-years. Attached as Appendix B is a letter of support from the Yen Wo Society. Council approval is required to authorize the Mayor and City Clerk to enter into a license agreement with the Yen Wo Society.

The mural license agreements for the Concrete Canvas project are expiring at the end of August and Council approval is required for the City to enter into license agreements with the property owners. The City will maintain the murals for the duration of the license agreements.

OPTIONS & IMPACTS

Option 1: Authorize the City to enter into a new agreement for a 10-year term, including a five year option to renew, with the Yen Wo Society for a new mural to be commissioned on the Yen Wo Society's property at 1713 Government Street; and to seek Council approval to authorize the City to enter into up to 16 license agreement renewals for a five year term with a renewal option of five years with various private property owners for the Concrete Canvas murals located in the Rock Bay area; and to direct the City Solicitor to prepare a necessary bylaw to authorize the Director of Business and Community Relations to enter into future license agreements with private property owners' on similar terms and conditions. (Recommended)

Option 2: Provide alternative direction to staff.

Accessibility Impact Statement

This report aligns with the City's Accessibility Framework (2020) focus areas including Built Environment, Governance and Services and Capacity and Collaboration.

The new mural will be created by an artist of Chinese descent in collaboration with members from Chinatown to increase representation and visibility for their unique cultural heritage and identity.

2023 - 2026 Strategic Plan

Arts, Culture, Music, Sport and Entertainment: Funding artists and creating public art to support cultural visibility and representation and to support tourism and increased vitality in the Downtown core. This project is aligned with goals of the Create Victoria Arts and Culture Master Plan.

Impacts to Financial Plan

No impacts to the 2023 Financial Plan.

Official Community Plan Consistency Statement

This program is consistent with and supports the following Official Community Plan directions:

16.9: Provide direction for cultural planning through the development and regular update of a Cultural Plan, that:

- 16.9.2 Seeks opportunities for partnership with the public, private and non-profit sectors;
- 16.9.3 Maintains, develops, and enhances the delivery of City arts and culture programs;
- 16.9.4 Enhances support to local, non-profit groups engaged in arts or culture programs.

Creative City Objectives

- 16.6 Encourage broad access to arts and culture facilities, events, and activities for people of all ages, incomes, backgrounds, and lifestyles.

Respectfully submitted,

Ammar Mahimwalla
Senior Cultural Planner

Nichola Reddington
Manager, Arts, Culture and Events

Kerri Moore
Director of Business and Community Relations

Report accepted and recommended by the City Manager.

List of Attachments

Appendix A: Dragon Dance mural artwork at 1713 Government Street property photo
Appendix B: Letter of support from the Yen Wo Society to commission a new mural public art