



FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
the place to connect

July 29, 2015

Dear Mayor and Councillors,

Re: Art Gallery of Victoria Renewal

I am writing on behalf of the Board of Directors of the FGCA to support the building renewal of the Art Gallery on their current site. We are immediate neighbours of the Art Gallery's Rockland location and have many cross connections with the Art Gallery.

I want to favourably comment on their community engagement strategy which has kept our community aware of their plans and ongoing consultations. They have up to date information on their web page and they have endeavored to keep all informed of their process. They have included their redesign of the buildings, how they are preserving the heritage house and how they will be renewing and adding on to the current footprint. They have provided detail drawings of what it will look like from all perspectives. There is even a detailed tree inventory and have identified which trees will have to be removed and which trees are damaged. They have addressed the never ending parking concerns and put together a plan to address overflow issues and have shown a willingness to hear individual residents concerns and work to ameliorate them.

Many of the Art Gallery community programs like Family Sunday, pay-by-donation day, featuring emerging artists in the Massey gallery, and many educational programs for kids. These align with the FGCA mandate to involve our residents in community life. We are thrilled that they will have more opportunities to continue and enhance this kind of programming.

As well there are compelling arguments for an expansion of gallery spaces as detailed from their web site: "Today, only 5% of our vast collection can be displayed. This is due simply to a lack of space and represents significant, **unrealized potential for public enjoyment of the collection.** Further, and most pressing, our collection is at risk because we **do not have the storage capacity, nor the environmental technology and conditions to protect it adequately** for future generations. Finally, we lack the spaces and technologies to mount the kinds of highly interactive art exhibitions that are popular today."



1330 FAIRFIELD RD. VICTORIA, BC V8S 5J1

Tel. 250.382.4604 Fax 250.382.4613

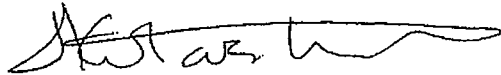
www.fairfieldcommunity.ca

place@fairfieldcommunity.ca

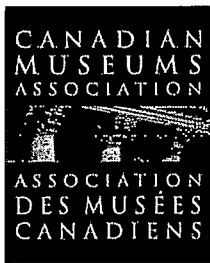
So the proposed scope of art gallery enhancements are supported and important to the community because it will realize an increased "potential for public enjoyment of the collection" (5,000 square feet more exhibit space) and more importantly it will provide "the storage capacity" (an additional 2,000 square feet), —"environmental technology and conditions to protect" over \$160 million dollars worth of community art of which we currently only see 5%.

The FGCA is pleased to be a supporter of the Art Gallery of Victoria's renewal plan.

Yours truly,



Joan Kotarski
Executive Director
On behalf of the FGCA Board of Directors



July 29, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

To the Mayor and Council:

Re: Art Gallery of Greater Victoria Renewal Plans

This is a letter in support of the Art Gallery of Greater Victoria's project to renew its facilities in Victoria, BC.

The Canadian Museums Association represents over 2,500 museums in Canada and we take great interest in the health of each individual organization. From coast to coast to coast each of these memory institutions plays an important role in building a nation with more informed and engaged citizens.

I have visited the AGGV many times and have a reasonably good knowledge of its history and activities. For over 60 years it has been a beacon of culture on Canada's most western coast. It has built an important collection that places it among the top art museums in Canada. In particular it houses a collection of very important Asian art, which gives evidence to Canada's important role in the Pacific Rim.

One of the things I have noticed with some concern is the current condition of the facilities. It has long outgrown its current physical space and is in critical need of refurbishment and upgrading. I am aware that the Gallery has had several thwarted plans to move into the downtown core of Victoria, however it has become clear that it would be impossible to consider this in the current economic climate. I am also aware that the jurisdictional realities Capital Regional District has placed the Gallery, and similar cultural organizations, in a very difficult position. Typically municipalities are the single largest public sector contributors to cultural infrastructure projects.

I would strongly urge the Council to help the Art Gallery of Greater Victoria achieve its goal of refurbishing and expanding its facilities. This would include the rezoning but I would also hope it would help with the capital campaign as well.

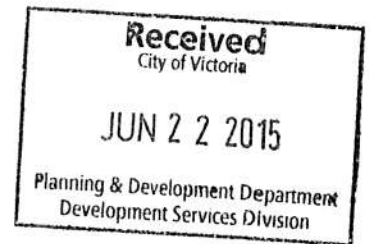
Cordially,

A handwritten signature in black ink, appearing to read 'John G. McAvity', with a stylized, elongated final stroke.

John G. McAvity, C.M., D.Litt.
Executive Director and CEO

June 22, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6



To Mayor and Council:

Re: Art Gallery of Greater Victoria Renewal Plans

I'm writing in support of the Art Gallery of Greater Victoria's Moss street expansion projects.

Victoria is uniquely fortunate to have an art scene that has a vibrancy and sophistication commensurate with strong artistic communities much larger than our city. This is a great benefit to the people of Victoria, not only because it contributes greatly to the quality of our lives but also to our economy.

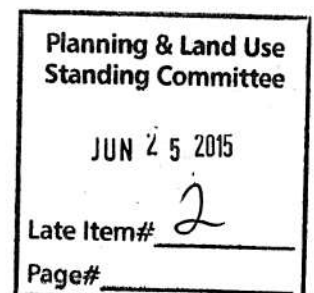
The AGGV has been a leading contributor to our vibrant arts sector for generations. I believe, both as a citizen and as a member of the cultural community in the City of Victoria, that the proposed expansion plans are critical to the institution's future sustainability, and for meeting the growing demands of being Victoria preeminent public art gallery.

Regional growth forecasts indicate a significant increase in population over the next ten years, and a major component and pillar of the health of the community is a strong and vibrant art gallery. This new facility will add an important resource to arts and cultural organizations in this community.

I greatly encourage the approval of this plan by City Council to achieve AGGV's vision for the visual arts in Victoria.

Gratefully for your consideration,

Patrick Corrigan
Executive Director



June 23, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6



To Mayor and Council:

Re: Art Gallery of Greater Victoria Renewal Plans

We are writing to you in support for the Art Gallery of Greater Victoria's efforts to renew their Moss Street building.

As a member of the cultural community in the City of Victoria and surrounding region and, more specifically, of the area east of downtown encompassing the Art Gallery of Greater Victoria and the Craigdarroch Castle Historical Museum, we strongly support the Gallery's plans for their facility renewal. Strong and vibrant cultural institutions are a crucial component of the health of the community.

The Gallery is one of the most important cultural institutions in Victoria. In order to continue developing and further enhance services to our community and visitors, the Gallery needs to improve its facilities on Moss Street. This new facility will become an important additional resource to arts and cultural organizations.

We hope you will join us in the support of the Gallery's plans and ensure that Victoria receives this new centre for presentation and promotion of visual arts, so much needed by this community.

Thank you for your consideration.

Best regards,

Stefan and Magda Opalski

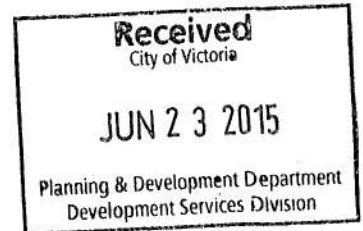
Pacific North-West Heritage Homes Foundation - Wentworth Villa
Trustees
1156 Fort St.
Victoria, BC
V8V 3K8

**LANGHAM
★ COURT ★
THEATRE**

**Victoria Theatre Guild &
Dramatic School**
805 Langham Crt,
Victoria, BC V8V 4J3
Box Office/Admin (250) 384-2142
www.langhamtheatre.ca

June 23, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6



Dear Mayor and Council:

Re: Art Gallery of Greater Victoria Renewal Plans

Dear Mayor and Council,

Please accept this letter as support for the Art Gallery of Greater Victoria's application for rezoning. We feel that the Gallery is an essential cultural institution in our city and we support its efforts to remain relevant to a growing and changing population.

Langham understands the challenges of being accessible to the public while respecting the needs of neighbours to quietly enjoy their residences. In our experience, the Gallery has accomplished this balancing act extremely well and we hope the City will look favourably upon its plans.

Best Regards,

A handwritten signature in black ink, appearing to read "L. Krayenhoff". The signature is fluid and cursive, written over a faint, circular stamp.

Luke Krayenhoff
President
Langham Court Theatre

VICTORIA  SYMPHONY

Tania Miller, Music Director

June 22, 2015

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

To Mayor and Council:
Re: Art Gallery of Greater Victoria Renewal Plans

Please regard this as our letter of support for the Art Gallery of Greater Victoria's efforts to renew their Moss Street building.

As a member of the cultural community in the City of Victoria and surrounding region, we strongly support the Gallery's plans for their facility renewal. Regional growth forecasts indicate a significant increase in population over the next ten years, and a major component and pillar of the health of the community is a strong and vibrant cultural precinct.

The Gallery is a significant component in the cultural fabric of our community and we believe strongly and passionately in its decision to evolve and improve its facilities on Moss Street. This new facility will add an important resource to arts and cultural organizations in this community.

We urge you to stand with us to ensure Victoria receives this centre for the celebration of visual art; the community the Gallery serves has waited many years for this to happen.

Thank you for your consideration.

Best regards,



Mitchell Krieger, Executive Director
Victoria Symphony
620 View Street, Victoria V8W 1J6

Janet Hawkins

To: Janet Hawkins (jhawkins@victoria.ca)
Subject: FW: AGGV rezoning

From: Jim Fields [REDACTED]
Sent: Monday, Jun 8, 2015 11:54 AM

To: Helen Cain; Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)

Subject: AGGV rezoning

Good morning Mayor, Council and Helen.

I wanted to touch base with a few more considerations with regards to the art gallery rezoning issue. One concern is what level of credence is given to the studies that were supplied by independent firms on behalf of the AGGV. I know they have indicated in their proposal that parking is not an issue but I maintain it is an issue now and will only get worse should a new facility be built. I have attached two photos that were taken Monday, May 11th at approximately 11 a.m. and show that the gallery parking lot was full so the overflow went immediately to an area that is residential only.

Also, the graphic representations of what the new gallery will look like from different angles are subliminally different in favour of the gallery. In the attached Moss View the perspective has been changed so that the new building looks roughly the same size as the existing building which it won't of course. The Willsperencer view has had the top cropped off so you don't get a sense of the enormity of the new addition. In the Pentrelew View they have altered the angle so that the one with the new building in it includes more of the Spencer Mansion which again mitigates the impact of the addition. And in all the views the tones and colours of the new building have been muted to reduce the visual impact of a building that does not suit the character of the Rockland neighbourhood.

Despite repeated requests to the gallery to be considerate of the noise levels they had an event on May 27th. The noise level was again far in excess of what our area bylaws allow. As a quiet zone we are supposed to be below 55 decibels during the day up to 10 p.m. and 45 decibels after that. I've attached a recording made just before 11 p.m. and my phone's decibel reading was between 60 and 65. It was recorded from the side of my house that faces the gallery's courtyard but I was standing in room with the window open. As with the parking, the AGGV says they will ensure this will not be problem going forward but why would they not be doing anything about these problems now?

Lastly, I made up some posters to place on telephone poles in our neighbourhood (attached) and I was approached by several people who also feel strongly that the gallery should not be enlarged. One of them lives directly across from the gallery on Willsperencer and is tired of the parking and noise issues and apparently finding bottles on her lawn. She indicated that she had approached the AGGV but said that it was like the people at the gallery don't care about the neighbours. I think that speaks volumes.

Thanks as always for your time and considerations.

Jim Fields
1035 Pentrelew Place

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|---|
| Planning & Land Use Standing Committee |
| JUN 25 2015 |
| Late Item# <u>2</u> |
| Page# _____ |

Janet Hawkins

Subject: FW: Public Feedback - 1040 Moss
Attachments: Lot Plan.pdf; Feb 27 Recording.m4a; AGGV Land Contract.pdf; Pentrelew View.pdf; Moss View.pdf; Willspencer View.pdf

From: Jim Fields <mailto:jimfield@shaw.ca>

Sent: Monday, April 20, 2015 2:09 PM

To: Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)

Cc: 'Janet Simpson'; donaldhamilton@shaw.ca

Subject: Rezoning application for the Art Gallery of Greater Victoria

Dear Mayor and Council

Firstly, thank you all so much for taking the time to read and hopefully respond this email. While it may represent a mere drop in the bucket of your daily emails it is of huge importance to myself and my neighbourhood so I respectfully ask that you give it due consideration.

As some of you already know, I own the property at 1035 Pentrelew Place and as you can see from the attached lot view, I would definitely be one of, if not the most affected by the AGGV rezoning should it proceed. I want to not only express my concerns but as well, hopefully try to understand the rezoning process from your viewpoint in terms of what weight you give to those most directly affected. My concern to be honest is that the decision to rezone may be swayed by gallery supporters who are not affected by being in close proximity. I want to be very clear, I support art in the community and I have supported the AGGV with donations since moving here in 2000. The unfortunate situation is that the AGGV is already an issue for local residents in terms of parking and noise issues so any increase in size and scope would only compound this situation.

Parking. The AGGV has spent considerable time and money during the planning stages to give the appearance that they are concerned about parking but they have not really addressed the actual issues. It is irresponsible to suggest the impact on our area will not worsen with a larger gallery. Currently, during daytime events, the parking requirements exceed the AGGV's current venue and therefore populates the surrounding areas. This is not including the many special evening events where surrounding streets are choked with cars and traffic. Despite the AGGV's planners suggesting alternative parking will be promoted, patrons of the gallery will continue to squeeze in as close to the entrance as possible as it's human nature. I've previously had to ask for cars to be ticketed as they park with a distinct lack of care and have blocked my driveway. And this is without a theatre night at Langham Court. The area is simply not meant to handle the kind of traffic generated by the gallery which can only escalate with an expansion.

Noise. This may not be as much of a concern for others in the area but it is a major problem for my home. I've spent a considerable amount of time and money creating a relaxing environment in my back yard, especially in the evenings. I've installed a hot tub under a gazebo which is situated about 6 feet from the south east corner of the gallery courtyard. During the many functions that the gallery has, the attendees utilize the courtyard. This has two effects, one is that they have the doors open to the courtyard and the music is so loud it's easy to hear inside my home with the windows closed. The second is that more often than not, there is alcohol served to patrons which results in loud intoxicated behaviour. I have attached a sound file which I recorded February 27th between 9 and 10 p.m. with my phone (not a sophisticated recording device!). I also

checked the db level and it was definitely above bylaw limits. This was while in my hot tub even though it sounds like I'm at the event. Sadly one of the patrons felt the need to urinate in this corner which was just adding insult to injury. Now consider that all this happened after I had met with Jon Tupper and expressed my frustration with the noise and rowdiness. Definitely not what I would consider a good neighbour and again, it's not unreasonable to expect this to increase with larger gallery functions. As well there are plans for a roof top lounge which will also be a factor.

Height. The 50 year land contract between the City and the AGGV which does not expire until 2026 is very clear that with the exception of minor variations, the height of the building must stay within the confines of the contract. Adding another large storey onto the building will quite simply dwarf my home. I've attached a page from the AGGV renewal document (Pentrelew View) which gives some idea of the change in height although they chose not to use the same photo angle for their rendering which mitigates the height impact. Sadly the amount of visible blue sky from my property will be diminished.

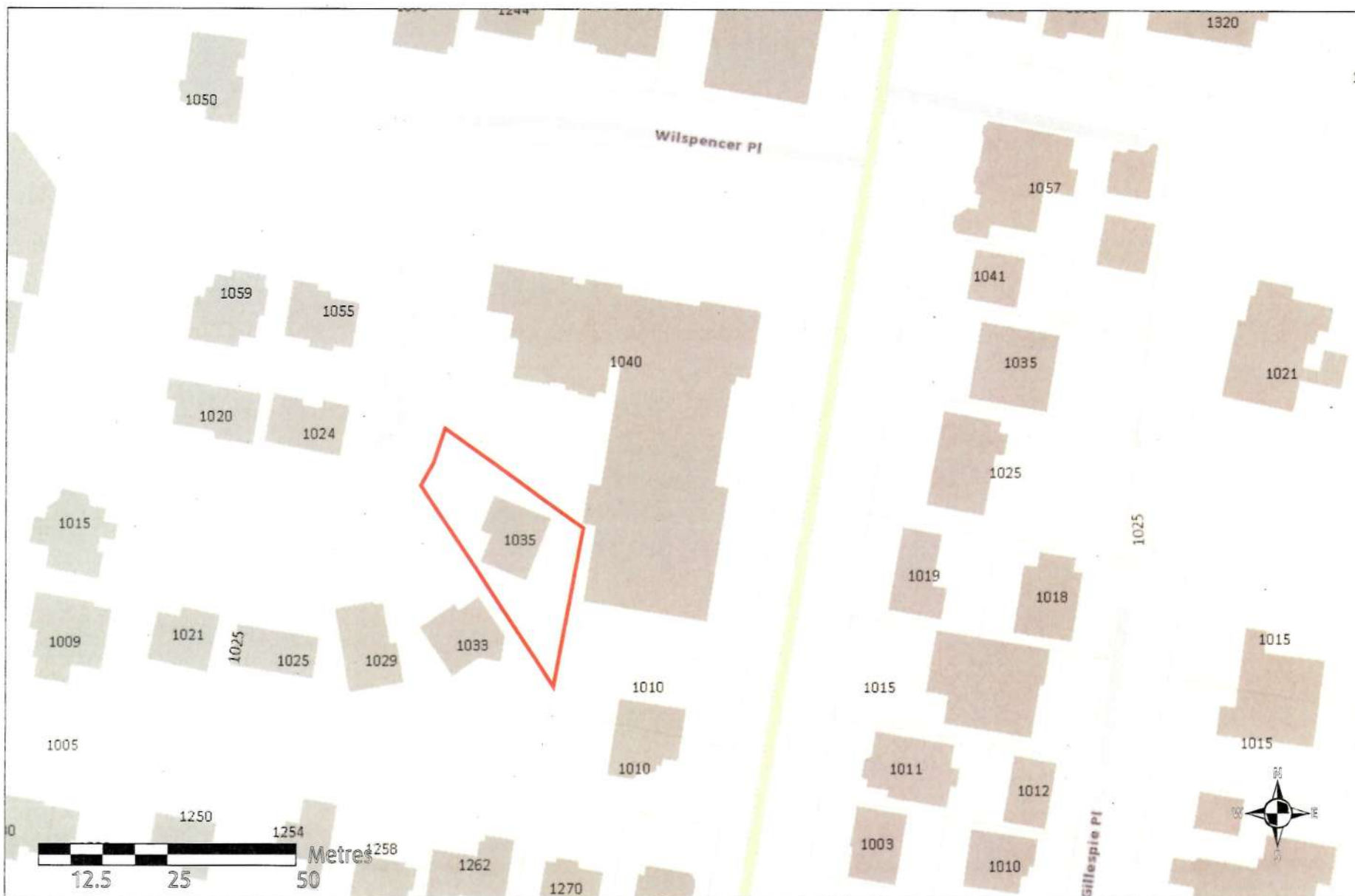
Design. If you consider what the Rockland neighbourhood signifies, which to me is the original character of an early Victoria, then the proposed design of the gallery expansion is simply outlandish and ill conceived. Rockland consists of mostly stately residences of varying sizes that represent some of the most prominent architects of Victoria. When the AGGV was created, the newer building was designed and constructed to be an understated element in order to highlight Spencer Mansion and to blend into the surrounding neighbourhood behind it's abundant tree camouflage. When viewed from every angle, the historic Spencer building is what stands out. Should this rezoning proceed then the character and elegance of this building will be lost. It's like playing Mozart and heavy metal at the same time, one will definitely drown out the other. If you view the attachments (Moss View and Wils Spencer View), hopefully you will see what I see. A garish modern building that is extremely out of place given the character that Rockland exudes. Oddly enough they planner has used a cropped photo in the Wils Spencer View page so as to hide the impact of the height of the building.

In closing, I hope I have been able to present my thoughts in a manner that will resonate with you all should this come to a vote. If the gallery wants to expand then they should be committed to a highly visible and accessible location conducive to increased traffic like most galleries in the world.

I am considering starting a petition so could you please let me know if this is an acceptable vehicle for representing neighbourhood views? Feel free to contact me and if any of you would like to visit my property and walk the area I'd appreciate it very much and thanks to Pam Madoff for already visiting. Thanks again for your considerations.

Yours sincerely,

Jim Fields
1035 Pentrelew Place



Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Printed Mon, Apr 20, 2015

Regional Community Atlas

Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>

CRD
Capital Regional District

NO. 6883

A B Y - L A W

To authorize execution of
a Land Use Contract between
The Corporation of the City
of Victoria and Art Gallery
of Greater Victoria

E38871

The Municipal Council of the Corporation of
the City of Victoria enacts as follows:

1. This by-law may be cited as the "Art Gallery
of Greater Victoria Land Use Contract Authorization
By-law, 1975".

2. A Land Use Contract shall be entered into with
Art Gallery of Greater Victoria in respect of lands
in the City of Victoria in the Province of British
Columbia described as, First:

Lots 33, 34 and Lot A,
(D. D. 272472-1),
Fairfield Farm Estate,
Victoria City,
Plan 3866

and Secondly:

Lot 19,
Fairfield Farm Estate,
Victoria City,
Plan 3866

3. The said Contract shall be in the form of a
draft thereof, filed with and initialed by the City
Clerk.

4. The execution of the said Contract on behalf of
the City is hereby authorized.

Passed by the Municipal Council the 13th day of
November , A. D., 1975.

Reconsidered, adopted and finally passed by an
affirmative vote of at least two-thirds of all the
members of the Municipal Council the 11th day of
December , A. D., 1975 after a Public Hearing
duly executed, notified and held.

"F.M. WALLER"

"G.P.A. POLLEN"

CITY CLERK

MAYOR (L.S.)

2

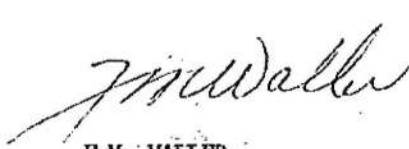
COPY OF RESOLUTION PASSED BY THE VICTORIA CITY
COUNCIL AT ITS MEETING HELD ON 26TH FEBRUARY, 1976

E38871

RE EXTENSION OF TIME FOR REGISTRATION OF LAND USE CONTRACT -
ART GALLERY OF GREATER VICTORIA.

THAT, pursuant to the provisions of paragraph 12 of the Land
Use Contract with the Art Gallery of Greater Victoria dated
12th December, 1975, the period of days stipulated by the con-
tract for its registration in the Land Registry be extended by
a further period of 60 days.

I HEREBY CERTIFY that the above is a true copy.


F.M. WALLER,
CITY CLERK,
VICTORIA, B.C.

3
E38871

THIS LAND USE CONTRACT made in triplicate
the 12 day of December A.D. 1975.

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA,
a municipality constituted under the laws
of the Province of British Columbia

(hereinafter called "the City")

OF THE ONE PART

AND:

ART GALLERY OF GREATER VICTORIA,
a society duly incorporated under the
provisions of The Societies Act having
an office at 1040 Moss Street, Victoria,
British Columbia

(hereinafter called "the Owner")

OF THE OTHER PART

WHEREAS:

APR-76 695008 LsD 3

A. It is provided by Subsection (2) of Section 702A
of the Municipal Act, as amended, that a municipal council
may by by-law amend a zoning by-law to designate areas of
land within a zone as development areas;

B. The lands hereafter described are lying within
a zone as defined and delineated by By-law Number 4382,
being a by-law of the City cited as the "Zoning By-law,
1956", as amended, and the Municipal Council of the City
has by a by-law Number 6844, cited as the "Zoning By-law,
1956, Amendment By-law (No.431), 1975" amended the said
By-law Number 4382 to designate the said lands within the
said zone as a development area;

C. It is provided by Subsection (3) of the aforesaid
Section 702A of the Municipal Act that upon the application
of the owner of land in a development area or his agent the
Municipal Council may by by-law, notwithstanding any by-law of the
Municipality or Sections 712 or 713 of the Municipal Act enter

1976
NATURE OF INTEREST Land Use Contract
DECLARED VALUE
DISPOSITION OF C.T.
PLEASE MERCE

APPLICANT

AS SOLICITOR/AGENT FOR
THE CORPORATION OF THE
CITY OF VICTORIA,
1 CENTENNIAL SQUARE,
VICTORIA, B.C. V8V 1P6
PHONE 385-5711

From reg. Land Registry Act (S. 50)
18 day of April 1976
received at the time
of registration on the register
H. T. Macdonald, Registrar of the
Land Registry Office

checked by G. W. W. & O.K.

- 2 -

4

into a land use contract containing such terms and conditions for the use and development of the land as may be mutually agreed upon and that thereafter the use and development of the land shall notwithstanding any by-law of the Municipality or the said Sections 712 or 713 be in accordance with the land use contract;

D. The Owner is the registered owner of an estate in fee simple absolute in possession in and to the said lands.

E. An application has been made on behalf of the owner of the lands, as defined in the Municipal Act, to the Municipal Council of the City for this land use contract;

F. It is provided by Subsection (4) of said Section 702A of the Municipal Act that a land use contract entered into as aforesaid shall have the force and effect of a restrictive covenant running with the land and shall be registered in the Land Registry Office by the Municipality;

G. It is provided by Subsection (6) of the said Section 702A of the Municipal Act that a municipal council shall not enter into a land use contract until it has held a public hearing, notice of which shall have been published in the manner prescribed in Section 703 of the Municipal Act and except upon the affirmative vote of at least two-thirds of all members of the council;

H. The Municipal Council of the City has held a public hearing with respect to the matter of this land use contract, notice of which was duly published in the manner prescribed;

I. This land use contract and the entering into of the same by the City have been duly authorized by By-law No. 6883 cited as the "Art Gallery of Greater Victoria Land Use Contract Authorization By-law, 1975", which by-law was adopted by an affirmative vote of at least two-thirds of all the members of the Municipal Council of the City at the time and

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- 3 -

in the manner prescribed by the Municipal Act.

NOW THEREFORE in consideration of the mutual covenants herein contained the parties hereto covenant and agree with each other as follows:

1. The lands hereinafter described shall not for a period of fifty (50) years next ensuing after the date of execution hereof be used otherwise than in accordance with the following provisions, that is to say:

(i) Lots 33, 34 and Lot "A" (D.D.272472-I)

Fairfield Farm Estate, Victoria City, Plan
3866; to be consolidated into one parcel
pursuant to the provisions of this contract,
shall not be used except

(a) for the construction, reconstruction, erection and maintenance thereon of the building and for the landscaping and other improvements all as shown on and to be in accordance with the drawings annexed hereto and marked Schedule "A" (hereinafter collectively referred to as "the drawings").

(b) for the use and enjoyment of the said building as a public Art Gallery and Art Centre and purposes commonly incidental thereto and associated therewith and without restricting the generality of the foregoing provisions the said building shall not be constructed, reconstructed, erected or maintained except in the positions and in the manner shown on or indicated by the drawings nor shall the said lands be used without provision for and maintenance of

2751216
2774721
2c

- 4 -

thirty-four (34) surface parking spaces.

- 3816815
22
- (ii) Lot 19, Fairfield Farm Estate, Victoria City,
Plan 3866 shall not be used except for retention of the existing residence thereon as a single family dwelling until such time as in the opinion of the City Council the prevailing traffic conditions warrant use of the said lot for the provision of additional parking and upon Council so resolving the Owner shall at its expense within ninety days of such resolution demolish or remove the existing residence thereon and construct thirteen (13) automobile parking spaces as designated in the site plan of the drawings under the notation "future parking" and from the date of demolition or removal of the said residence the said lot shall not be used except for parking and uses incidental thereto.

2. Before and during the course of construction the Owner may apply for minor modifications to the said drawings, not having the effect of increasing or reducing the number of storeys of the proposed building or of changing the essential nature, appearance or character of the building or the uses thereof, if such application is necessary in order to comply with generally accepted engineering or safety standards and practices or to comply with building or fire prevention regulations.

3. An application pursuant to paragraph 2 may be granted in writing by the Director of Community Development, in his discretion, or may be referred by him to the City's Municipal Council for its decision in its discretion, and he shall in any event refer to the Council any application for permission to increase the height or density of any part of the building.

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4. If, due to technological evolution or other reasons, automobiles are no longer in general use, or cannot gain access to the said lands the City Council may, by a vote of at least two-thirds of all its members and from time to time, permit the areas reserved for automobile parking to be put to other uses, ancillary to the principal use of the said Art Gallery building.

5. If there is any inconsistency between the wording of this land use contract and the description on the said drawings of the uses and enjoyment of the said lands and building then the wording used in the land use contract shall prevail.

6. The Owner prior to registration of this contract will at its expense consolidate by Subdivision Plan Lots 33, 34 and Lot A (D.D.272472-1) Fairfield Farm Estate, Victoria City, Plan 3866 into one parcel and no part of the lands mentioned in this contract shall after its execution be subdivided without the prior consent in writing of the City.

7. The covenants on the part of the Owner herein shall be binding upon and run with the said lands and every part thereof, and shall enure to the benefit of and be enforceable by and against the City, the Owner and their respective successors and assigns.

8. The Owner acknowledges that it has not been induced to enter into this contract with the City by any representation of fact or law made by or on behalf of the City.

9. At the expiration of the period of fifty (50) years referred to in paragraph 1 hereof the use of the said lands shall be controlled by the provisions of the Zoning By-law of the City in force in respect of the zone comprising the said lands at that time, and, in default of such Zoning By-law, shall be governed by the provisions of this land use contract until a

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Zoning By-law applicable to these lands is enacted. If the use of these lands pursuant to the terms of this contract is in conflict with the provisions of the Zoning By-law in force at the expiration of the period of fifty years as aforesaid then such use shall be deemed to be a lawful non-conforming use.

10. The City covenants and agrees with the Owner that notwithstanding anything to the contrary contained in the aforesaid "Zoning By-law, 1956" or any amendment thereto or any by-law or by-laws that may hereafter be adopted in substitution for or in place thereof but subject always to this land use contract and to any other applicable by-law or by-laws of the City for the time being in force and to any and all statutes, regulations, rules and orders affecting the said lands or the use thereof for the construction, reconstruction or maintenance of the said building or the use thereof the Owner may lawfully undertake and carry to completion the work of constructing the said building on the said lands and may thereafter use the said building and the said lands in the manner and for the purpose hereinbefore set forth until this land use contract expires at the end of fifty years, PROVIDED ALWAYS that any zoning or other by-law now or hereafter in force in respect of the said lands or any zone or area comprising the said lands shall, to the extent that it is consistent with the previous provisions of this land use contract, apply to and govern the use of the said lands.

11. This land use contract shall be null and void ab initio notwithstanding the execution thereof unless within ninety (90) days after the execution hereof by the City it has been registered in the Land Registry Office in the City of Victoria as a first charge against the said lands of which Lots 33, 34 and Lot "A" (D.D.272472-1) Fairfield Farm Estate, Victoria City, Plan 3866 shall have been first consolidated into one parcel, having priority over any and all other restrictive

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covenants and any and all liens, entries, judgments, mortgages, agreements, leases or other encumbrances or charges of whatsoever kind or description save and except that certain restrictive covenant registered under No.232986-G, Right of Way registered under No.406043-G and Crown reservation No.92441-G; PROVIDED that if the City shall not within the period of fifteen (15) days after the execution hereof apply to register this land use contract as aforesaid the Owner may and is hereby irrevocably authorized to apply to register the same as the agent of the City and the City shall for that purpose deliver to the Owner a fully executed copy of this land use contract duly attested and in all respects in registerable form together with a true copy of the by-law authorizing execution of the same by the City, certified as such by the City Clerk.

12. The City may, before the expiration of the period of ninety days mentioned in the preceding paragraph extend in writing such period of ninety days, and may further in writing extend such period during any extension or extensions thereof.

13. The Owner shall not be entitled to compensation from the City for any easement reasonably expropriated by the City for public utilities except to the extent that the expropriation causes or results in structural or material changes, affecting any building or structure on the said lands.

14. The Owner may grant any easement or charge required by any government or local authority having the power to demand or expropriate such easement or charge, anything to the contrary herein contained notwithstanding.

15. Time shall be of the essence of this land use contract.

IN WITNESS WHEREOF the corporate seals of the City

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and the Owner have been hereunto affixed in the presence of
their proper officers duly authorized in that behalf, the day
and year first above written.

The Corporate Seal of THE CORPORATION
OF THE CITY OF VICTORIA was hereunto
affixed in the presence of:

J. M. Walsh
CITY CLERK

Peter Haller
MAYOR

The Corporate Seal of ART GALLERY
OF GREATER VICTORIA was hereunto
affixed in the presence of:

A. M. (on) PRESIDENT
Virginia H. H. H. HON. SECRETARY

Status: Registered

Doc #: E38871

RCVD: 1976-04-07 RQST: 2

Form No. 55.

38871
Victoria Book & Stationary Co. Ltd.

Land Registry Act

FORM Q. (Section 59).

For the Secretary (or other Officer) of a Corporation

I HEREBY CERTIFY that, on the 12th day of December, 19 75
at Victoria, in the Province of British Columbia

FREDERICK MORRAN WALLER [whose identity

has been proved by the evidence on oath of

who is] personally known to me, appeared before me and acknowledged to me that he is the CITY CLERK

of THE CORPORATION OF THE CITY OF VICTORIA, and that he is the person

who subscribed his name to the annexed instrument as CITY CLERK of the said CORPORATION

and affixed the seal of the said CORPORATION
to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said
seal to the said instrument and that such Corporation is legally entitled to hold and dispose of land in the
Province of British Columbia.

IN TESTIMONY whereof I have hereto set my hand and Seal of Office at

Victoria, this 12th day of
December, in the year of our Lord one thousand nine hundred
and seventy-five

Law Bolton
A. Henry-Parker is and for the Province of British Columbia
A Commissioner for taking affidavits for British Columbia.

NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

Status: Registered

Form No. 35.

Doc #: E38871

RCVD: 1976-04-07 RQST: 2

Victoria Book & Stationery Co. Ltd.

Land Registry Act

FORM Q. (Section 59).

For the Secretary (or other Officer) of a Corporation

I HEREBY CERTIFY that, on the 5th day of November, 1975.
at Victoria, in the Province of British Columbia

DONALD McMILLAN COX [whose identity

has been proved by the evidence on oath of

who is] personally known to me, appeared before me and acknowledged to me that he is the

President of ART GALLERY OF GREATER VICTORIA, and that he is the person

who subscribed his name to the annexed instrument as President of the said ART GALLERY OF GREATER VICTORIA

and affixed the seal of the ART GALLERY OF GREATER VICTORIA
to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument and that such Corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereto set my hand and Seal of Office at

Victoria, this 5th day of
November, in the year of our Lord one thousand nine hundred
and seventy-five

Don Brown
A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits for British Columbia.

NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

PLAN # E38871

Too LARGE To FILM

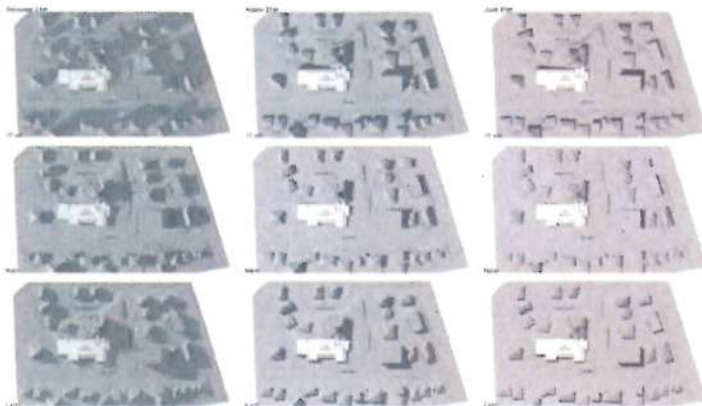
VIEWS + SUN/SHADOW STUDIES



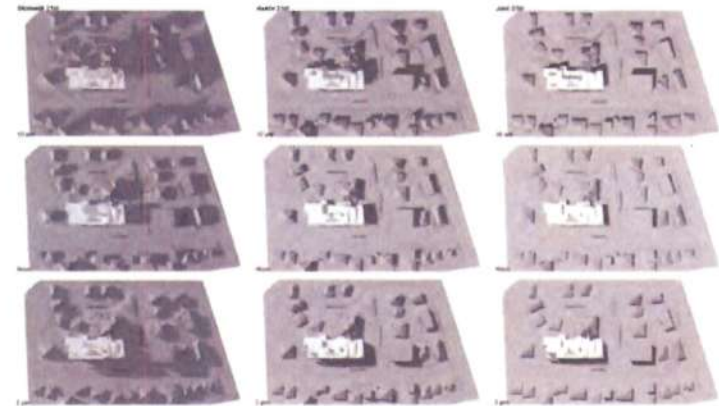
EXISTING VIEW FROM PENTRELEW



PROPOSED VIEW FROM PENTRELEW



SHADOW STUDIES OF EXISTING



SHADOW STUDIES OF PROPOSED

VIEWS



EXISTING VIEW FROM MOSS ST



PROPOSED VIEW FROM MOSS ST

RENEWAL

ART GALLERY OF GREATER VICTORIA

VIEWS



EXISTING VIEW FROM WILSPENCER



PROPOSED VIEW FROM WILSPENCER

Janet Hawkins

Subject: FW: Proposed AGGV rezoning

From: Helen Cain
Sent: Monday, February 23, 2015 9:41 AM
To: Monica Dhawan; Janice Appleby
Cc: Jim Fields [mailto:jimfields@shaw.ca]
Subject: FW: Proposed AGGV rezoning

Hi Monica and Janice,

I have spoken to Mr. Fields, and he wishes to have this correspondence provided to Mayor and Council.

Best,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: Jim Fields [mailto:jimfields@shaw.ca]
Sent: Friday, Feb 20, 2015 8:41 PM
To: Helen Cain
Cc: vice-president@rockland.bc.ca; president@rockland.bc.ca
Subject: Proposed AGGV rezoning

Hi Helen. I felt it necessary to contact you and to add some further input regarding the letter you received from the Rockland Neighbourhood Association (attached). I'd like to address my concerns with this rezoning that are not covered in the letter. For the record my home at 1035 Pentrelew Place would be impacted most should this rezoning be allowed.

The first item is that it is inaccurate to suggest the Gallery is not expecting increases. They are hoping to increase square footage in order to display more art. There are also new areas that would be a draw such as a larger coffee shop and a roof top lounge. Just the very presence of a larger, newer art gallery would also surely be a factor in drawing larger crowds. I have already been dealing with noise issues with the AGGV and with the additions they plan I can only see this getting worse, especially with an outside lounge right above my back yard.

There are many of us in the area that are simply not happy about the parking as it exists now never mind after a renovation. During the meeting it was suggested that steps could be taken to introduce more bicycle parking and offsite parking areas. Sadly the simple truth is that the vast majority of art gallery patrons arrive by car and as most drivers are apt to do, they find the closest parking regardless of whether it's blocking residents driveways. The gallery also suggests that this doesn't happen very often but in fact it occurs quite regularly that our streets are plugged.

The letter also suggests that little concern was expressed about the proposed height of the building. Unfortunately I was not in a position to speak out about the height as I was relegated to the outer room due to a lack of seating. I have expressed my concerns about the proposed height previously by email to the RNA and as well I've had Pamela Madoff visit my home to view how the proposed changes would be a major impact on my residence. There is precious little light coming into my back yard area now and increasing the gallery by another floor or more would severely mitigate this as well as dramatically increase the institutional feel that should simply not exist in a residential neighbourhood. I have also spoken with my elderly neighbour at 1033 Pentrelew and while they are not able to attend meetings they are definitely not in favour of the rezoning and expansion either.

Please advise me of what course I need to take to ensure that my position is understood by planners, council and the Mayor. As the most affected resident in the area around the AGGV it is of paramount importance that this rezoning not be allowed to proceed. Surely those most affected should have the lion's share of the ability to deter this business from expanding in our quiet residential area.

Thank you for your time. I would welcome an opportunity to speak to you in person at your earliest convenience.

Yours sincerely,

Jim Fields
1035 Pentrelew Place
Victoria, BC, V8V 4J5



510 FORT STREET, 2ND FLOOR
VICTORIA, BC V8W 1E6
250.383.8833
openspace@openspace.ca
www.openspace.ca
Charitable #11906 8815 RR 0001

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

June 25, 2015

To Mayor and Council:

Re: Art Gallery of Greater Victoria Renewal Plans

Open Space Arts Society writes in support for the Art Gallery of Greater Victoria's efforts to renew their Moss Street building.

As a member of the cultural community in the City of Victoria and surrounding region, we strongly support the Gallery's plans for their facility renewal. Regional growth forecasts indicate a significant increase in population over the next ten years, and a major component of the health of the community is a strong and vibrant cultural precinct.

The Gallery is a significant component in the cultural fabric of our community and we believe strongly and passionately in its decision to evolve and improve its facilities on Moss Street. This new facility will contribute important arts and cultural infrastructure in this community. As the major public gallery in the provincial capital, the AGGV's facility upgrade is overdue. Its programs and collections have outgrown the current facility.

We urge you to stand with us to ensure Victoria receives this centre for the celebration of visual art; the communities served by the Gallery have waited years for this renewal.

Thank you for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Helen Marzolf".

Helen Marzolf
Executive Director
Open Space Arts Society
510 Fort Street
Victoria BC V8W 1E6