



Mayor Helps and Council
City of Victoria
No. 1 Centennial Square
Victoria, BC, V8W 1P6

October 10th, 2019

Re: Gateway Green – Temporary Use Permit for 1620 Blanshard Street

Dear Mayor Helps and Council,

The DRA LUC reviewed the proposal for a Temporary Use Permit (TUP) at 1620 Blanshard Street. Based on the information provided by City Staff, our enquiries, and historical records, we understand the following:

Overview of the proposal:

- The two-storey commercial building occupied by the 1620 Gallery and Frank White's Dive Store on the ground floor will be demolished and replaced with 62 parking spaces and some landscaping.
- Travis Lee, Tri-Eagle's president, states in an interview published online August 16, 2018, "The building is at its life's end and with the demand for parking in downtown Victoria as high as it is, we're pursuing a temporary use permit ahead of a future redevelopment of the site".
- The Dive Store has confirmed with us that they were given adequate notice about the plan to demolish the building and have found a new location. A representative from the 1620 Gallery confirmed that notice was provided and discussions continue in the context of the uncertainty regarding the future of the building.

Some history on this property and other considerations:

- The rezoning and initial development permit (DP) were approved in 2007 for a 15-storey, 145,000 sqft office tower, "Gateway Green".
- Two subsequent DPs were issued in 2010 and 2012. These permits proposed the same design approved in the 2007 application but were required after both the first and second DPs expired.
- Nothing has happened with the site over the past 12 years.
- With the initial rezoning, a Master Development Agreement (MDA) was created and registered on the property titles. The MDA lays out the terms of what can be built there and is specific to the development permit. This agreement did not anticipate a temporary surface parking lot and therefore must also be amended to allow for this temporary use.
- Travis Lee said in the above referenced interview published online August 16, 2018, "He anticipates demand for the tower to materialize within several years at which point the upcoming surface parking lot will make way for construction".
- With the approval of Council, a TUP is valid for 3 years.
- The Local Government Act allows an applicant to apply for one extension of the TUP for an additional 3 years, with the approval of Council. At the end of the 6 years, the temporary use must cease.
- It is unknown what would happen at the end of the 6 years if the development does not take place.

Comments and concerns raised by Land Use Committee members are as follows:

- Surface parking lots are not an approved use in the downtown.
- Demolishing a building in order to facilitate the development of a surface parking lot, even on a temporary basis, should not be considered.
- The proposal to demolish an existing commercial building, which already provides surface parking, to create a parking lot, does not constitute any public benefit to the downtown community.
- Recent and proposed development in the downtown is replacing auto oriented properties, such as the parking lots on Johnson that served the funeral home, the proposed redevelopments of the car dealerships on Cook, the transformation of the north end of downtown from parking lots, car repair and other motor vehicle oriented uses to residential mixed use. Any proposal that seeks a return to surface parking lots is not progress but a regression.
- Since it was first approved in 2007, the proposed development has not been initiated in any way during the past 12 years. If the TUP is approved, what certainty does the community have that this project won't sit idle for another 6 years? And once the 6 years have passed, what becomes of the property?
- Mr. Lee's comment from the letter to Mayor and Council, dated July 23, 2018 "From our point of view we see this as a Phase 1 step forward to the completing the project once the office market is ready for our building" is problematic. It seems that the developer is looking to side step their commitments under the Master Development Agreement. There are simply no provisions for altering the use outside those specified in the MDA. The MDA is not a trivial document and

constituents a contract; is Mr. Lee suggesting that the MDA be opened for re-negotiation?

- The presence of an MDA enshrines the commitments associated with a proposal approved by Council and provides protection not only to the City, but also to the community.

Based on the input provided by LUC members, this application appears to lack a compelling rationale for approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a stylized, cursive script.

Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

cc COV Planning