



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

February 4th, 2020

Re: Chard Developments/University of Victoria – Rezoning for 1306-1424 Broad Street and 615-625 Johnson Street – The Duck’s Block

Dear Mayor Helps and Council,

Further to our letter of July 30th, 2019 the DRA LUC has reviewed the amended drawings dated January 23rd 2020 for the above-mentioned application.

This application falls within the OCP Urban Place Designation “Core Historic” which permits “Buildings up to approximately five storeys” and “Total floor space ratios ranging up to approximately 3:1”. This application seeks a relaxation in height from the OCP/DCAP maximum to allow an additional sixth storey and a Floor Space Ratio 33% higher than OCP maximums. It is noted that the current plans provide incremental reductions in the proposed top floor area from previous plans. The proposed Floor Space Ratio still remains at 4:1 or 33% above the OCP maximum for Old Town.

Staff has relieved this application from the requirement for an OCP amendment citing that “*OCP policies may be varied to achieve heritage conservation objectives where alternate guidelines are established for a heritage property or properties within a Heritage Conservation Area*”. Staff also states that this application “*is generally consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada*”.

Comments and concerns raised by the Land Use Committee review are as follows;

- The Heritage Conservation strategy for this application is based solely on the retention of the front and rear facades and some token materials recovered from the interior of the Duck Building. Contrary to the Staff assertion that this proposal is “*generally consistent*” with the Standards and Guidelines for the Conservation of Historic Places in Canada, the guidelines specifically state that “demolishing the building structure and retaining only the street façade(s)” is “not

recommended” (Pg 132). The façadism proposed for this application is not recognized as an acceptable heritage conservation strategy by the National Standards or by most heritage professionals and experts.

- The project engineer has provided a rationale that current code and life safety concerns can only be achieved by just retaining the Duck Building facades. This strategy represents the applicant’s interest to insert a large new building with an underground parking garage within and under a significant heritage building. As such, façadism is by far the most cost effective solution. A less invasive strategy that prioritizes heritage conservation may prove less lucrative but also less destructive. It would also provide opportunities for a different engineering approach that could completely retain the Duck Building and comply with the National Standards.
- The increase in density supported by staff above OCP maximums for a heritage conservation strategy (which is not supported by the national standards) appears overgenerous to say the least. On one hand, the applicant is offering the cheapest, easiest and unrecognized form of heritage retention while being rewarded with a very significant density bump. Approval of this type of application would set a precedent that density can be maximized with a token investment in conservation. Approval of this project as proposed will create expectations for similar treatment for all projects involving heritage buildings from this point forward not only in our world recognized Old Town but citywide.
- The Standards and Guidelines for the Conservation of Historic Places in Canada (referenced in the Old Town Design Guidelines) clearly require that any addition to a historic building be “subordinate” to the historic building. The proposed additions on each side of the Duck Building are clearly not subordinate and overwhelm the heritage building. A small height protrusion at the rear of the Duck Building (the Ballroom) has been used as a rationale to justify height in excess of OCP maximums for all proposed additions. Additional stories remain clearly visible from Johnson Street. The Duck Building should remain the dominant façade on this block of Broad St.
- The proposal requires the demolition of the Canada Hotel building, which is a registered heritage building. This building, while not in pristine condition, could be rehabilitated. Demolition of a heritage registry building has not taken place in Old Town since the highly controversial Eaton Centre mall construction in the early 1980’s and would set a notable precedent; no doubt to be followed by others.
- The destruction of the Canada Hotel will remove 8 affordable rental units. The offer of \$80,000.00 to the Housing Reserve Fund as compensation, while recognized, will not replace even one of these lost units.
- As this project proposes the destruction of the majority of one heritage building and the total demolition of a second heritage building, it would be appropriate that Council deem this project ineligible for any heritage grants and the 10-year Tax Incentive Program if it were to proceed as proposed.

It has been previously pointed out that the partner in this project, UVIC, received the majority of the property at no cost, as a gift of the Michael Williams’ estate. While minor amendments for density may be supportable to assist in the rehabilitation of heritage buildings, this particular application continues to propose the demolition of an existing listed heritage building and an extremely aggressive ask in terms of density that appears unjustified either through economics or interpretation of City planning bylaws or the National Standards for Heritage Conservation.

The OCP intentionally provides protection to the Old Town heritage conservation area through the prescribed density maximum of 3:1 FSR and maximum height of 15 meters. These numbers were not arrived at under arbitrary circumstances but were determined after a lengthy assessment and agreement of property owners, residents, the development industry and the City. This applicant seeks a significant reward in density well above the OCP maximums for a Heritage conservation strategy not recognized by our country's national standards that will provide the maximum private gain for the developer and the minimum in public benefit.

Much like the business community, the DRA fully supports the construction of additional hotel rooms within the Old Town neighbourhood, which will no doubt enhance hospitality and retail business opportunities in the immediate area. The DRA would be happy to support an application on this property that truly respects the requirements of our National Heritage preservation standards and the OCP and does not set dangerous precedents that would further encourage both the destruction of heritage registry buildings and the undermining of the character defining density of Old Town.

Sincerely,

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

Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

cc COV Planning