



FERNWOOD COMMUNITY ASSOCIATION

July 10, 2020

Mayor and Council, City of Victoria
Victoria, BC

Dear Mayor and Council,

This letter concerns the notices that will be mailed to residents of Fernwood regarding the date, time, and location of the Public Hearing for the development proposed on the lots behind Victoria High School (1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue).

It has come to our attention that the City's Land Use Procedures Bylaw (section 32) says letters about the Public Hearing will be mailed out to residents within 100 metres of the lots to be rezoned. The same Bylaw calls for letters about the Community Meeting hosted by Community Association Land Use Committees to be mailed to residents within 200 metres when it concerns amendments to the OCP; as is the case for this application.

The different notification distance for the Community Meeting and the Public Hearing is an inconsistency that is difficult to understand. The Local Government Act does not specify a distance and only requires the following: '(ii) to any tenants in occupation, as at the date of the mailing or delivery of the notice, of all parcels, any part of which is the subject of the bylaw alteration or is within a distance specified by bylaw from that part of the area that is subject to the bylaw alteration.' (Local Government Act, Part 14, Division 3, —Notice of public hearing, Section 466(4) (ii). Since the current bylaw specifies two different distances, we are concerned that this inconsistency will mean that some neighbours who were engaged through the Community Meeting will be excluded from the Public Hearing.

The future of these lots is of significant interest to many in the community and for this reason we are petitioning you to amend the process for this Public Hearing, and send letters to the same residents who received notification about the Community Meeting held in June 2019. While we encourage Council to consider why there is an inconsistency in the bylaw and whether the Public Hearing distance should be amended to match that of the Community Meeting, we are at this time most concerned about this specific development, and **want to ensure the Public Hearing letter will be sent to all residents within 200**

metres of the school property boundary, the same distance and measuring point used for the Community Meeting.

As Council is surely aware, this is a major development for Fernwood and there is a diversity of voices that need to be heard. Our wish is that our neighbours feel encouraged to participate in an open and authentic process. Extending the letters for the Public Hearing to all residents within 200 metres of the school property boundary will reassure them that community engagement is not just a “check-box” formality, but an authentic opportunity to hear and incorporate both positive comments and concerns. Without this change, the City risks appearing to attempt to restrict community input in a way that seems surreptitious and therefore suspicious.

We request that you provide an answer to this letter to the Fernwood Community Association through our Council representative, Councillor Sharmarke Dubow, by July 31st, 2020

Thank you for your attention to this matter.

Yours respectfully,


Kalen Harris, President
Fernwood Community Association