

Dear Mayor and Councillors,

Regarding the CALUC jurisdiction for the application for 700 Government Street, the following statement appears in the report to Council:

The CALUC indicated that they believe the application is outside of their jurisdiction. Staff confirmed that this application is in fact within their jurisdiction, however, the CALUC declined to comment.

Staff initially stated the DRA had jurisdiction for this application. We note that while the application parcel is adjacent to the CALUC boundaries for both Downtown and James Bay, the parcel falls completely outside the boundary of the DRA. Our position is that assuming responsibility for and conducting the CALUC process for a proposal outside our boundaries is contrary to the governing bylaw and our internal policy. While Staff state that they confirmed the DRA has jurisdiction (and I would also assume James Bay has equal jurisdiction) they have not shared any evidence from the bylaw that would confirm this assumption.

It was our suggestion from the beginning of this application many months ago that as this parcel technically does not fall within an existing CALUC boundary and the DRA has no authority to conduct or to waive a public meeting for properties outside our boundaries, that either Staff need to fulfill the obligation and host the public meeting prescribed in the bylaw themselves, or take this issue to Council to authorize the waiving of the public meeting.

Best regards,
Ian Sutherland
Co-Chair DRA Land Use Committee