

Christine Havelka

From: webforms@victoria.ca
Sent: Wednesday, November 25, 2015 10:52 AM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Wayne Hollohan

Date: November 25, 2015

Address: 15 Cook Street

I wish to appear at the following Council meeting: November 26, 2015

I represent: Fairfield Gonzales Planning and Zoning Committee

Topic: Land Use; By-Law and Policy

Action you wish Council to take:

Investigate and Rectify

CONTACT INFO:

Contact Name: Wayne Hollohan

Contact Address: 15 Cook Street

Contact Phone Number: [REDACTED]

Contact Email: [REDACTED]

Hi Wayne,

Thank you for your email earlier this week. I thought I would clarify a couple of points based on our conversation. Please see my comments in blue below.

Kind regards,
Charlotte

19/10/15

To; Mayor and Council

There may have been an oversight made in changes at the planning department that I would like to bring to your attention. It raises a very serious concern to the communities of Victoria. Should there be changes to the by-laws considered, I respectfully request that the communities be properly consulted.

The planning department has already gone ahead with changes not to count, elevator/stair enclosures and or maintenance rooms in their height and story calculations. In the proposal for Cook and Oliphant it shows on the website that is now a five story building, despite no changes to elevator/stair enclosures or maintenance rooms. In a conversation with the department this may have happen with other development proposal as well.

In our conversation did concur with your interpretation of the definition of "storeys" and agreed that until the definition is corrected, the proposal would be classed as a 6 storey building, but with the height calculation excluding the stair access. It is the City's intention to amend the definition of storeys to exclude any mechanical, stair access or non-habitable space, regardless of whether they have a roof.

This would likely be done through the normal house-keeping amendments to the Zoning Regulation Bylaw. I also noted that while there may be a technical discrepancy between the architectural plans referencing a 5 storey building, and the staff report noting a 6 storey building, the architectural plans would be corrected in due course. Other development applications will be dealt with consistently until the definitions are amended, i.e. mechanical penthouse/stair access not included in height calculation, but included in number of storeys.

Although the definition of HEIGHT in schedule (A) allows this, the definition of STORY does not. According to a conversation I had with your city solicitor last week. Every definition in schedule (A) is a by-law and only council can make changes to by-laws, the actions of the planning to already implement these changes may need to be reviewed.

"Storey" means the space between two floors or between any floor and the roof next above, but does not include a basement or a crawlspace. This is not open to such a broad interpretation.

Where it has a profound effect on the community, is under the OCP designation of Urban Villages. As it current stands, a Large Urban Village allows up to six (6) stories. With the understanding five (5) of those stories could be living space and the (6) story would likely be, elevator/stair enclosures and or maintenance room.

If the Planning Department is permitted to go ahead with these changes and exclude elevator/stair enclosures and or maintenance room from height or story calculations.

THE LARGE UNBAN VILLAGE DESIGNATION WILL UP TO SIX (6) OF LIVING SPACE plus the elevator/stair enclosures and or maintenance room, which are no longer counted in calculating height or stories.

Such a simple change that can have drastic consequences to a community. I am **100% confident** the reason for this change are well intended.

Should there be a need to inquire further, please consider Core Values for the Practice of Public Participation adopted by the city.

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

Wayne Hollohan
15 Cook Street