

April 28, 2010

Mayor and Council
City of Victoria

Thanks for supporting the city mailout for the community meeting regarding the Development Permit Application for 325 Cook Street. Over 70 people attended the meeting, and it was very informative for all those present.

Almost everybody who attended except for the operators of the existing food court and a few others, support the concept of food/commercial kiosks, but expressed some apprehension about the proponent and this particular proposal. They were also opposed to any application where the design of these kiosks is up to the imagination of the owners without any input from the community or requirements from the city. Some questioned why, when it seems the location was important enough to make into a Development Permit area, have its own guidelines and be included into the Official Community Plan for the city, none of which this application seems to comply with. This was further brought to light when the proponent for 355 Cook, who just completed a development permit request in the Cook Street Village said that every single detail of the design of his proposal had to be in writing, he said, "you could build his project from the detail he had to provide," even claimed he had to bring a brick sample to city hall.

There was some confusion when the proponent gave his presentation. On the top of his display was the very original proposal which is completely different from what is in the application. On the bottom was the aerial drawing of the current application. The proponent was asked to repeat his remarks to ensure we understood him correctly. The changes and detail, he now proposes are completely different and totally absent in his DP application, "WHY?". **According to the proponent, none of the kiosks that are on the property now or in the past will be permitted in the future.**

- There will be no carts with wheels, they will be newly built structures bolted to the ground made from cedar or recycled metal.
- All kiosks with any kind of cooking grill will require fire suppression and extraction fans as you would see in a restaurant and this would be regulated by the fire department.
- All food storage and preparation will be regulated by the VIHA.
- Hours and days of operation and the times entertainment could be provided.
- 11 kiosks of varying sizes, public washroom, seating for 25 and a gate at the front.

I spoke with the city planner for Fairfield the morning before the meeting to ensure my information about the application was current, so that any details I passed on to the audience were accurate. At the meeting I reconfirmed with the proponent the details of his current application, which is limited to the general placement of the 11 kiosks varying in sizes, a gate, hours and days of operation, and a single public washroom. That there has been no amendment

to his application, which includes the changes or details he has provided in his presentation. Why hasn't he included these changes in the application if they are indeed his intentions?

Although parking is always an issue in almost every development application I will simply say it was mentioned by a number of people and that the owner of the Beagle Pub claims there has been an increase in people using his parking lot who are not patrons of the pub.

As previously stated, most people supported the idea of what was being proposed, for the social aspect, small scale business opportunity, and the products offered. It has been the normal practice of the committee in letters of this nature to provide an over view of the meeting, clarify any issues and present the concerns raised.

Community Comments

- There were supporters of the proponent present at the meeting, who stated simply their support for the proponent and or the project as well as the social atmosphere it brought to the village.
- One local merchant was very surprised stating, "Considering past and current development application in the Cook Street Village why should such drastic change from the normal development in the village be so unregulated? When I applied to install an awning there was no end to the detail and description I had to provide before the city would even accept my DP application."
- "I have an obligation to the community to have my business open at specific times, days and year round. It's not much of a commitment to the community if the individual kiosks can open or close, whenever the operator chooses as we have, and are, experiencing."
- Several merchants expressed concern over the lack of a proper grey water disposal, stating that vendors have been using the city drains and their business washrooms as waste dumps, unlike other kiosks in the city where at the end of the day they pack everything that belongs to them and take it home. Here there is no provision for the dumping of any waste, old grease, cooking oil, waste, or garbage. Will it end up being dumped into other businesses or city receptacles as it has in the past? We love the idea, but it has to be much more than an open ended idea.
- A number of people stated that "one washroom stall for what is being proposed and what will be the reality, it's not enough".
- "The proponent's application consists of a street sketch and a sketch of the approximate location of the 11 kiosks. I needed to provide the city far more for a simple home building permit."
- "I operate a business year round and on nice days it's healthy to open my doors and allow the fresh air in my establishment. The odours from on controlled open grills of the neighbouring kiosks has forced me to keep my doors closed. Opposed to the proposal unless it is better regulated."

- “How will the foods be delivered to the site and are coolers a proper form of refrigeration.”
- “We are one of several tenants who have operated a business in the neighbouring food court for many years. The proponent was the owner and the landlord and it is our experience that promises need to be in writing. The property was allowed to deteriorate despite our repeated requests.”
- There were two completely different views express by immediate neighbouring home owners. “Strong supporter of this project for CSV. A rich village life needed in CSV, it adds vitality.” “The site is best described as a “gypsy encampment,” the past operation and the present operation, with old tarps and ropes securing the kiosks, should be a strong indicator of what we can expect should this get approval. There absolutely nothing in writing to indicate otherwise.”
- “There is a for sale sign on the building, which doesn’t say much about the proponents commitment to this project. Is the current situation a reflection of the future? Other than what is in the application, any new owner is free to do what he or she likes.”
- “The aesthetics must be firmed up in writing before approval is given by City. Food smells problem must be resolved.”
- A notice of the meeting was posted on one of the kiosk on the property. Nobody identifying themselves as an owner of a kiosk spoke to the application.
- This concept is very vague compared to the information regular developers have to provide through the Development Permit process. The CSV guidelines were put in place for a reason.

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Planning and Zoning Committee