

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, October 28, 2003.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, E.A. Horning and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S. Fleming; Director of Planning & Corporate Services, R.L. Mattiussi; and Manager of Development Services, A.V. Bruce; and I. Tilstra acting as Recording Secretary.

1. Mayor Gray called the Hearing to order at 6:03 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on October 10, 2003, and by being placed in the Kelowna Daily Courier issues of October 20 & 21, 2003, and in the Kelowna Capital News issue of October 19, 2003, and by sending out or otherwise delivering 509 letters to the owners and occupiers of surrounding properties between October 9-14, 2003.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

3. INDIVIDUAL BYLAW SUBMISSIONS

3.1 **3517 Lakeshore Road**

- 3.1 Bylaw No. 9099 (Z03-0036) – Royce and Leeann Dockrill – 3517 Lakeshore Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 134, ODYD, Plan 7981, located on Lakeshore Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

Staff:

- The subject property is in an area of predominantly single-family housing. The relevant planning documents support the rezoning change from single family to two-family housing.
- The APC reviewed the application and passed a motion in support of the rezoning.
- If the rezoning is successful, the applicant will be applying for a development variance permit to waive the lot width requirement for duplex housing.
- While staff are supportive of the rezoning application, there are concerns with the associated development variance permit. The applicant contravened the Zoning Bylaw on a past project; this form of housing may promote further uses in contravention of bylaws.

The Deputy City Clerk advised that no correspondence had been received relating to this application.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Royce Dockrill, applicant:

- Indicated that he had nothing further to add.

There were no further comments.

3.2 1856 Ambrosi Road

3.2 Bylaw No. 9100 (Z03-0041) – Mamre Holdings Inc. (Renee Wasylyk) – 1856 Ambrosi Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, Block 1, District Lot 129, ODYD Plan 5109, located on Ambrosi Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C5 – Transition Commercial zone.

Staff:

- The rezoning application is consistent with the OCP's future land use designation for the area. The Ambrosi area plan identifies the west side of Ambrosi as suitable for redevelopment as a C5 transitional commercial zone.
- The APC reviewed the application along with an associated development permit application, and passed a recommendation of support.
- There are several lots along the west side of Ambrosi that have been rezoned to C5; two immediately to the south have been rezoned and redeveloped, along with additional lots further towards Springfield.
- The applicant has been working with staff on the design of the building, and has arrived at an appropriate design which is transitional in nature, with commercial below and residential above.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- letter from the owner of an adjacent property, supporting the application subject to the building and maintenance of a two-metre high fence between the two lots and the neighbour receiving and approving a copy of the fence construction plans.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Renee Wasylyk, applicant:

– Indicated she had nothing to add but was available to respond to questions.

Council:

- Asked for and received confirmation from staff that a two-metre high fence was within approved limits.
- Asked for and received confirmation from the applicant that the fence would be included in the development.

There were no further comments.

3.3 200-210 Highway 33 West

- 3.3 Bylaw No. 9101 (Z03-0035) – Terry Gold Realty and Priest Enterprises Ltd. (Steve Berezan/Zodiac Pub Beer and Wine Store) – 200-210 Highway 33 West – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 26, Township 26, ODYD Plan 511, located on Highway 33 West, Kelowna, B.C. from the C4 – Town Centre Commercial zone to the C4rls – Town Centre Commercial (Retail Liquor Sales) zone.

Staff:

- The applicant is seeking approval from the province to relocate the existing Zodiac pub and beer store from its current location on Rutland Road South to a new location fronting on Highway 33.
- The applicant is planning to add additional development to already existing development in the proposed new location.
- The City owns the property immediately to the west of the proposed new location; this property is designated as a future parking facility and a potential transit hub.
- The City does intend to extend Roxby Road to the back of the property.
- The applicant has indicated that he would prefer to relocate only the liquor store if that should become possible under provincial government liquor regulations, and has indicated that he would be willing to pay cash in lieu for the shortfall in parking stalls, to be addressed through a development permit and a development variance permit.
- A development variance permit is needed to allow the retail liquor store to exceed the maximum size approved under liquor regulations.
- While there is a potential road link across the back of the property to Highway 33, the City's Transportation department has not indicated any desire for such a link. The applicant is willing to negotiate a reciprocal agreement through the centre of his property to allow cross access to development to the east if this becomes necessary.
- Regarding any impact on the recommendations of the Mayor's Entertainment District Task Force, the transfer of existing licenses to this location has no net impact. However, because the current location is presently zoned for a Liquor Primary (lp) and Retail Liquor Sales (rls) establishment, it is possible that application for an additional liquor license on that site could lead to a net increase of 'lp' establishments in the area, although the distance between the 'lp' establishments would mitigate the impact.

The City Clerk advised that the following correspondence and/or petitions had been received:

- The applicant submitted a copy of his presentation.
- Four letters in support of the application, three from employees of the Zodiac Pub who believe the current location is too small for present business volume; the new location would allow for better service to customers and the community as traffic issues will be addressed.
- A petition with 42 signatures from nearby residents who feel that the proposed new location would pose a danger to small children in the area and would negatively impact surrounding businesses.
- One letter asking if the new proposed location would be in the best interests of public safety and wondering if it would be possible to close off all traffic to Shepherd Road.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Steve Berezan, applicant:

- The petition was in protest against the pub moving, not the 'rls'.
- The current location is 1,500 sq. ft. in total, with 600 sq. ft. of retail space and the remainder cold storage.
- The Zodiac liquor store is significantly smaller than other liquor stores in the area, which means that there is very little room for stock. This affects the store's ability to be competitive with other stores that can carry a larger inventory.

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- In the plans for the proposed new location, retail square footage is 4,400 sq. ft., considerably smaller than the other liquor store in the area, as well as a newly approved store.
- The applicant would prefer to keep the pub in its present location. Under current provincial liquor regulations, an 'rls' associated with a 'lp' licence must remain on the same title.
- If only the liquor store was moved, there would be an opportunity to utilize the space in the current location, but there are no specific plans in place to do so.

Tony Markoff, representing the landowners of the Zodiac Pub Beer and Wine Store's current location:

- Referred to a letter that had been sent on July 22, 2003, expressing the owner's concerns; a copy of the letter was made available to the Deputy City Clerk.
- There is already a nightclub on the block face; adding an additional liquor store and pub will change the character of the neighbourhood.
- There is not as much parking at the proposed new location.
- The owners are concerned that it may be difficult for them to retain the current land use on their site, as any new application for a liquor licence would mean a total of four 'rls' in the area. If this application proceeds, there will be two large liquor stores in Rutland, concentrated on Highway 33.
- Being unable to continue with the current land use would impact the financial capability of the landowners to run the property.
- If Council approves the application, it will send a signal that there is an open market for liquor stores in the Rutland area.
- The landowners would like to retain the 'lp' and 'rls' designations in the current location, as this is an established land use, and a very successful establishment that has been a good neighbour.
- The landowners are not concerned about the loss of the tenant, as there is an extended lease in place. The transfer of the license is also not a concern, as long as the current land use opportunities remain in place for a new license application.
- It may be more appropriate to deal with this application once the provincial government has announced it's latest liquor-related land use regulations.

Staff:

- If there is no application for a new liquor license on the parent site within six months, the Planning department would suggest that Council consider passing a bylaw to remove the liquor designation from the property. Any decision would be left to Council's full discretion.
- The Mayor's Entertainment District Task Force recommended a 300-metre separation between liquor establishments, but does allow for a reduction down to 100 metres. Proximity would have to be considered, but would not necessarily lead to a negative recommendation.

Tom Smithrick, representing Mr. Fred Hamil, the owner of the retail liquor store in Willow Park Shopping Centre:

- Clarified that the retail liquor store (rls) in Willow Park Shopping Centre has not moved or changed size; rather, a small pub has been established two doors down from the 'rls'. This is acceptable to the province because the two establishments are on the same legal title.
- Mr. Hamil is concerned that fair competition be maintained; the variance in maximum size would put the stores on an unequal footing.
- Mr. Hamil is providing completely legal parking on his own property. The Zodiac Pub in its new location would not be required to provide an equivalent number of stalls, an unfair advantage.
- Extending the street to provide access to adjacent streets would eliminate some parking spots.

- Referred to Mayor's Entertainment District Task Force recommendations, paragraph 3.4: Council should have regard for the size of a 'lp' establishment, the nature of the clientele, and the number and proximity of other 'lp' licences in the area.
- Mr. Hamil had nothing to do with the petition received by Council. He simply wishes to operate on an equal basis with the competition.
- The rezoning as well as the requested size variance are the primary concerns.
- The public hearing should be adjourned until all the answers are known regarding liquor legislation and zoning issues.
- The size of the new establishment is connected to the parking issue, in that the size of the building takes up space that could be used for parking, while a reduced size would both free up space and lower the number of parking spaces required.

Mike Bradshaw, resident of Rutland, executive member of the BC Chamber of Commerce:

- In favour of new investment as long as it meets most of the conditions in a socially responsible manner.
- It is not always possible to have all the facts and the process has to move forward.
- Sees nothing but benefits coming from the proposal before Council; referred to Pandosy as a very successful example of the impact of redevelopment on an urban centre.
- Rutland's restructured town centre would serve the needs of a growing population; this project would provide a kick-start for redevelopment, acting as a symbol of progress.
- The Zodiac pub itself is the second busiest cold beer store in the province, but is one of the smallest in the province in terms of square footage.
- The size is not appropriate for the current volume; congestion in the area has greatly increased, and the current location is not easily accessed, something that redevelopment would not address.
- From an investment standpoint, encouraged Council to give some consideration to Rutland's redevelopment.
- There are no residences in that area, which is surrounded by vacant or commercial lots; there do not seem to be any children in the area.
- The question before Council is whether to approve new development in the Rutland town centre, not to assess the impact of 'lp' establishments being established in both the current and new locations.

Crystal Kenny, long-time resident of Rutland, employee of Zodiac Liquor Store:

- The Zodiac liquor store is a busy store, with a very well established customer service record.
- The establishment has outgrown its present location, and is unable to respond to customer requests for certain product lines due to lack of space. Storage of large quantities of product is an issue as well.
- The store is not universally accessible.
- The new location would bring more business to Plaza 33 and the Rutland area.
- The new location is close to a bus stop, allowing people dependent on bus service to come to Plaza 33 and do all their shopping in one location.
- Feels that it is only fair that Council grant the Zodiac the same square footage as the closest 'rls'.

Janet Barsell, past employee of the Zodiac Pub Beer and Wine Store:

- Does not feel that children in the area will be an issue in the late evening hours when there may be increased traffic to the pub in its new location.
- Drivers would likely go down Highway 33.

Jamie Bennett, Manager of the Zodiac Pub Beer and Wine Store:

- Has worked at the Zodiac for 23 years.
- The store has done very well, and has outgrown its location.
- Storage is a challenge, as well as the inaccessibility of the building.
- The new location would be an opportunity to educate people to spend their money in Rutland.
- It is difficult to respond to customer requests because of lack of space.
- Couldn't say if the success of the establishment was related to the connection between the pub and the 'rls'; customers do want a larger selection, which leads to unsafe storage conditions with skids stacked quite high.

Tony Markoff, representing the landowners of the Zodiac Pub Beer and Wine Store's current location:

- His clients have offered the applicant the option to purchase the property and expand the store in the same location, or to seek improvements as a tenant. They are prepared to sell, expand or explore other options to make the site more appealing, and would like to cooperate for success in that location.
- Between 4,000 and 6,000 sq. ft would be available gradually as existing leases expire.

Steve Berezan, Applicant, Zodiac Pub Beer and Wine Store:

- The tenants at the front of the building only occupy 900 sq. ft each; the only other available space on the ground floor is the hallway. The only way to build would be to go out into the parking lot, removing parking as a result.
- The current location has 54 stalls, shared with other tenants and their customers. The new location would have 174 parking spots on the City lot. If the pub does not relocate, then the parking is more than adequate.
- Zodiac staff have surveyed the parking lot for four days, and found that the highest number of cars at any one time over those four days was 32.
- Council has approved 5,600 sq. ft. of retail space for the Willow Park 'rls'; the Zodiac is only asking for 6,700 sq. ft. in total (4,400 sq. ft. retail, remainder storage). However, if only 2,000 sq. ft. is approved, the plan would still be to move.
- The lease at the current location is in place for the next four years regardless of what happens, so the landowners are protected.
- Redevelopment at the new location will improve the core of Rutland.
- The applicant opposed a prior application by Mr. Hamil due to the fact that the applicant paid \$4 million for his establishment on which he is now making payments, while Mr. Hamil did not incur any cost for his approval.
- As there is a property purchase agreement pending, on which several extensions have already been granted, the applicant would prefer that Council not defer a decision on the application until more information is forthcoming from the provincial government.

Staff:

- The rezoning application did not go to the APC. The development variance permit application was forwarded to the APC, where there was concern about sufficient parking on the site, and some design issues. In the end, the APC recommended against the application until some of their concerns were addressed.
- The rezoning application is requesting both an 'lp' and an 'rls' designation for the new site. If Council approves only the 'rls' designation, and the provincial regulations do not change, the applicant can still put in an 'lp' establishment of less than 100-seat capacity.

Council:

- The City-owned parking lot being referred to will become a bus terminal with a park-and-ride possibility within five years, and will therefore not be available to adjoining properties.

Steve Berezan, Applicant, Zodiac Pub Beer and Wine Store:

- Has entered into an agreement to purchase a one-acre property one door down from the proposed new site prior to the loss of parking in the City-owned site.

Council:

- Petition has been submitted in good faith and addresses the relocation of both the pub and the liquor store. Council has no way of knowing the views of the petitioners should the bylaw be altered to address only the liquor store.
- If the bylaw was altered, it would be to provide the applicant with less than requested, not more.
- The applicant needs a decision in order to move ahead with his property purchase agreement.

Staff:

- Technically, the document referred to is not a formal legal petition, but rather a letter with many signatures.
- It is up to each member of Council to determine how much weight to give any piece of correspondence, evidence or comment presented.
- Notification issues may have to be considered.
- Section 3.4 of the Mayor's Entertainment District Task Force is generally worded as a direction policy, stating that 'rls' establishments should be at least 300 metres apart as measured by the shortest travel distance. In this case, the two establishments are approximately 300 metres apart. The policy also says that reduced distance may be warranted in a city centre or highway centre location. The policy suggests Council should consider proximity. This case would meet the lesser of two tests. This would apply to an 'lp' establishment as well, depending on the scale (under 100 seats). The policy suggests 'lp' establishments should not be adjacent or abutting.
- The 'rls' designation could move to further readings without the 'lp' designation, and options would still be available to the applicant.
- Staff are not aware of any other liquor licence applications that would affect proximity considerations for the two sites addressed under this application.

There were no further comments.

3.4 1086 Raymer Avenue

- 3.4 Bylaw No. 9102 (Z03-0049) – Pierre & Amber Piche – 1086 Raymer Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 8, DL. 135, ODYD Plan 29776, located on Raymer Avenue, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone.

Staff:

- This application was initially considered on September 16, 2003.
- The applicant proposes to raise the existing building to create two storeys, with the basement level to act as a secondary suite.
- The floor plan has been modified to address concerns from the Inspection Services department that the suite was too large for the zoning bylaw.
- Staff have no concerns with the rezoning. The application addresses OCP objectives for densification while retaining the character of the neighbourhood.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- One letter submitted by the applicant in support of the proposal, signed by 17 residents of the immediate neighbourhood.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Pierre and Amber Piche, Applicants

- The secondary suite would provide mortgage support.
- As landlords, will be living on the site and readily available to deal with any noise or maintenance concerns.
- The suite will be legal; the applicants want to provide a safe and clean environment in accordance with City regulations.
- Ample parking will be provided.
- Neighbours within 100 metres have been notified and have supported the plan.
- This housing will provide benefits for the owners, the tenants, and the community.

There were no further comments.

3.5 124 Lake Avenue

- 3.5 Bylaw No. 9103 (Z03-0048) – Jan Dommasch (Peter Chataway) – 124 Lake Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, District Lot 14, ODYD Plan 6424, located on Lake Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

Staff:

- In addition to the rezoning application, there is application for a Heritage Alteration Permit (HAP) for proposed changes to the site.
- Current site development is a small single detached dwelling with a driveway off Lake Avenue. Should the rezoning be supported, the applicant is proposing to add a new dwelling towards the east side of the property, creating three parking stalls, and retaining the existing dwelling as a secondary suite and accessory building.
- Staff has no concerns with the proposed rezoning.
- The 15-metre setback currently required would make development on the site difficult; variance to 10 metres would be required.
- Staff feels that other development options that involve removing the existing house would have less impact on the street.
- The Community Heritage Commission reviewed the HAP application on September 9, 2003, and passed a recommendation in support of the HAP and rezoning, subject to the front shed dormers being replaced with gable dormers.

The City Clerk advised that the following correspondence and/or petitions had been received:

- 16 form letters stating that the undersigned has reviewed the blueprints and supports the application.
- One letter in support, subject to the actual building being an accurate reflection of the blueprints.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Peter Chataway, representing the Applicants:

- The applicant will be removing an existing storage shed that currently sits within the creek setback.
- The original owner of the existing house was an important figure in the history of Kelowna, and the applicants would like to preserve the building and install a plaque acknowledging Ms. Bent.
- This is a good example of adaptive reuse of a heritage building, with benefits to the community, the owner, the environment and the community.

- The dormers have been changed as requested by the Community Heritage Commission.
- Landscape plans have been prepared, with a wetland zone adjacent to the creek, a middle residential zone, and a perennial and cut flower garden immediately adjacent to the street, based on the historical gardens on the site.
- While the proposed landscaping does provide protection for the creek, there is an existing concrete wall that already provides good protection.
- The house is in good condition, with a lot of remaining usability and value. It would be environmentally detrimental to put it in the landfill.
- Expecting a letter from the Ministry of Water, Air and Land protection.
- KSAN has supported the project in a letter dated September 7, 2003, as the group feels that it adds density in the Heritage Conservation Area (HCA) while being sensitive to most established design guidelines. The design for a one-story accessory building is supported by their criteria.
- 18 of 19 residents surveyed supported the project.
- The project will add an extra set of eyes on the street, meeting the City's adopted crime prevention through design guidelines and providing more security, safety and crime prevention.
- Removing the existing building and replacing it would have a bigger impact on the environment and would result in the loss of many of the benefits attached to the proposed development.
- Lot coverage up to 40% is allowed; this project covers 24% of the lot.
- The suite would be 80 sq. metres of the allowed 90 sq. metres.
- The distance between the buildings is greater than the minimum required.
- The neighbours are pleased with improvements that have been done to date.
- The new house will be one and a half storeys high, with the second story inside the roofline.
- The carport will be attached to the existing buildings, allowing sight lines through to the creek. There will be two stalls in the open space between the buildings.
- The property has not been evaluated for the Heritage Register, as it is more of historical interest than architectural interest.
- Is not aware of any examples of this type of project within a HCA.
- This site is wider than it is deep. The bylaw addressing this situation allows for the development of a more narrow rear yard.
- This project is unique, and will not set a precedent.
- The material selected for the exterior of the new building will be "rock-dash" stucco to match the existing building and the heritage character of the area.
- Previous owners have found the site difficult to develop because of the 10-metre setback. The current owners' major objective has been to establish a secondary suite on the property while saving the original house.

Anne Laurie, Abbot Street/HCA resident

- Is opposed to the HAP and rezoning applications, as the carriage house bylaw states that the accessory building cannot be larger than 70% of the footprint of the original or main house.
- The applicant has twisted the bylaw around by calling the original house the carriage house, which is not the intent of the bylaw. The original house is the main house and should be treated accordingly.
- If this application proceeds, then every small house is at risk of having a huge main house built on its property.
- The 70% footprint requirement was meant to prevent the building of large carriage houses.
- If approved, the application will set a precedent, and create an increase in similar applications.
- A new house built to look like an old house is not a heritage house. A big house towering over a small house does nothing for the small house.

- Would support removal of the existing building and replacement with a single-family house.
- Carriage houses should fit the scale of the property and always maintain the character of the neighbourhood.
- Read and submitted a letter from Ms. Clark, another resident of the HCA that is opposed to the application because of the precedent in a heritage neighbourhood, absentee landlords, parking demand, and the rights of existing neighbours to peace and tranquillity. Removing the existing house and replacing it with a new single-family dwelling would be preferable.

Staff:

- If the existing house was to be removed, a HAP for any replacement building would have to be approved prior to the issuance of a demolition permit. The house does not have a protected heritage status.
- Staff does not feel that this application sets a precedent.
- The bylaw does not address the issue of which building existed first, but rather addresses the scale and proportion of the buildings to each other.
- A secondary suite designation cannot co-exist with a bed & breakfast license.

Marietta Lightbody resident of Abbot Street

- Does not want to see the heritage area eroded away.
- Concerned about the precedent.
- Ms. Bent was a significant person in Kelowna history.
- This proposal takes advantage of the idea of a carriage house.
- This is a very small property right on the creek more appropriately used as a park.
- There is already a lot of traffic on the street; the project will cause more congestion.

Paul Currie-Johnson, resident of the HCA, Secretary of FRAHCAS

- FRAHCAS strongly objects to this inappropriate use of suite and accessory building bylaws.
- The principle residence is the existing building. This application would open a door to the building of monster residences in the front and back yards of existing houses.
- No Councillors live in the HCA and therefore do not have the same personal interest that the residents of this unique area have in maintaining current conditions.
- Urged Council to consider the long-term risk and precedent-setting nature of this application.
- While FRAHCAS does not normally support the removal of heritage properties, in the interest of retaining the integrity of the area, it is suggested that the existing house be removed and a new single-family house that is consistent with the architectural style of the neighbourhood be built on the lot.
- The 's' zone designation would be appropriate if the lot is large enough.
- There are a number of houses in the area similar to the proposed new building. Parking, density and privacy issues are not of concern. The precedent set by this application is the major concern.

Valerie Hallford, President of FRAHCAS, resident of the HCA:

- Referred to Heritage Conservation Area guidelines, which are very specific in stating that carriage houses are to be subsidiary buildings to the existing principal residence.
- The information provided on the application does not make it clear that the project involves the addition of a new building on the site.
- Concerned about the variance required in relation to the stream and the encroachment of development on natural habitat.
- FRAHCAS is gradually changing its position on carriage houses as problems with existing carriage houses become more evident.
- Concerned about crowding in the area and parking volume on the streets, especially during the summer/special events. Increased density is inappropriate in that immediate area.

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Staff:

- The notification to the public states that the applicants wish to rezone the subject property to permit the creation of a secondary suite in the existing building, and provides information as to the date, time and location of the public hearing. Those interested in receiving more information are directed to the Clerk's office or the City website.
- The question tonight addresses the rezoning. Any variances will be dealt with through an upcoming HAP.

Peter Chataway, representing the Applicants:

- Signs on the property explain the issues more fully.
- The applicants no longer own the adjacent property. The previous owners, not the applicants, put the nonconforming construction in place.
- A large house cannot be built on the site as it is configured.
- Large, oversize buildings are not a good alternative to carriage houses.
- Two households would provide better security in the area, where there are serious street-level issues.
- The applicants would like the suite's tenant to care for the property during their absences, and would be unlikely to invest in redevelopment without that security feature.
- This project would restore, preserve and enhance the property and the street.
- There is no loss of privacy for neighbours.
- Old trees will be preserved, and other landscaping preserved and enhanced.
- There will be no shadows cast on adjacent properties.
- This project is appropriate infill for the area.
- Submitted written support from neighbours, who have seen the full plan.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 9:30 p.m.

Certified Correct:

Mayor

IT/SCF/am/blh

Deputy City Clerk