

ITEM 14

MANAGER'S REPORT NO. 21

COUNCIL MEETING Mar. 18/74

Re: Proposed High Rise Condominium Apartments
Sardis/Barker/Patterson/Grange
Rezoning Reference #78/72

The following is a report from the Director of Planning regarding Council's request for a report on whether another Public Hearing is required due to the interim retention of a single-family dwelling on the project site at 4112 Sardis Street:

"At the Council meeting of March 11, 1974, the Third Reading of the Rezoning Bylaw was tabled pending a report on whether another Public Hearing is required due to the interim retention of a single-family dwelling on the project site at 4112 Sardis Street which is owned by the developer, but subject to a life interest by its present occupant. The Planning Department would report that the retention of a single-family dwelling for an interim period of time until the expiration of the life interest, has resulted in no change to the overall suitable plan of development or disposition of the physical elements of this apartment proposal over the site as presented to the Public Hearing on December 18, 1973; and therefore an additional Public Hearing is not required.

The Planning Department requests that Council authority be granted to complete the legal agreement concerning the ultimate removal of the single-family dwelling and that this rezoning proposal continue to Third Reading of the amendment bylaw on March 18, 1974."

The Municipal Solicitor is of the opinion that a further Public Hearing is not necessary for the reason that the information supplied to the Council by the Planning Department prior to the Public Hearing refers specifically to the lot in question in this fashion "The applicant's site involves the ownership of the total block except for one lot in the northwest corner. The ownership of this corner lot is subject to life interest in favour of the present occupant and this will tend to complicate the physical development on the site. The applicant is endeavoring to obtain this lot and it is not yet clear if it can be acquired. If it cannot, a staged Comprehensive Development may have to be negotiated with the ultimate stage involving the inclusion of this lot for some form of development or possibly open space."

The Solicitor also advises that, in the bylaw as adopted, Council may grant the Comprehensive Development sought subject to whatever condition it wishes to impose concerning this particular lot and the house thereon.

RECOMMENDATIONS:

THAT authority be granted to complete the legal agreement concerning the ultimate removal of the single-family dwelling at 4112 Sardis Street; and

THAT the subject Rezoning Bylaw be advanced to Third Reading.