

## PUBLIC PARTICIPATION MEETING COMMENTS

8. Amendment to Zoning By-law Z.-1, Section 1.3 - Deemed Conformity of Uses and Compliance with Regulations (Z-8595)
  - Melissa Campbell, Zelinka Priamo Ltd. – indicating that they have been actively engaged with Development Services staff with regards to the application of Section 1.3 of the Zoning By-law and had requested notification of when a potential amending by-law would be coming forward; advising that they have had an opportunity to review the proposed amending by-law and with respect to the recommendation to delete deemed conforming provisions and replace with the proposed legal non-conforming provisions, they do have some concerns that the proposed amendments intended to provide for some additional clarity will actually create, in certain circumstances, some additional confusion, specifically, they are of the opinion that the changes may set up situations whereby some uses, buildings or structures that currently comply with the deemed conformity provisions will simply become legal non-conforming situations in the future; pointing out that this is a chicken and egg situation so she will try to explain this as clearly as possible because it is fairly technical; notwithstanding the proposed changes, because up until the passing of the amending by-law Z.-1 establishes that some uses or structures that meet the criteria for deemed conformity are considered to be lawful because it is established that they are lawful under this predecessor by-law; moving forward, these uses would actually be considered a legal non-conforming use and they are not sure that the clarity that staff is seeking has actually been achieved by the changes; asking for further direction from staff on how they are going to deal with that situation, an example might be where you are able to show through a current deemed conformity criteria that you would have a fourplex on a property and moving forward, does that become a legal non-conforming use through these changes.