Report of the Standing Policy Committee on Property and Development dated May 27, 2002

Proposed Zoning Agreement Amendment - 70 and 80 Kirkbridge Drive at Hillmartin Drive
File ZAA 2/2002 [c/r DASZ 2/2001, DASSF 507/2002]

12. The Standing Policy Committee on Property and Development has been advised that an application has been received from D.W.E. Holdings Ltd. (Warren Earl), 85 Wiebe's Drive, Winnipeg, to amend the Zoning Agreement affecting the subject property by permitting the two proposed lots to have right-in and right-out access only, at the westerly limit of each lot.

The applicant proposes to subdivide the property (under File DASSF 507/2002) into two, close to equivalent lots and construct two single-family homes on the newly created lots. Each lot will have an independent approach to Kirkbridge Drive.

On April 22, 2002, the Riel Community Committee held a public hearing to consider the subject zoning agreement amendment application. Two people appeared in support of the application and one person appeared in opposition thereto.

The Riel Community Committee concurred in the recommendations contained in the report dated April 9, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative recommendations contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On May 27, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Agreement Amendment Report dated April 26, 2002, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DASZ 2/2001(By-law No. 3816/83) dated April 25, 2001, be amended as follows by:

   A. Permitting the two proposed lots to have individual right in and right out access only at the westerly limit of each lot.

   B. That the Developer shall, at no expense to the City, construct within the yards abutting the Lettelier Subdivision, a continuous uniform fence 2.0 metres in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the titles of each lot abutting CNR Lettelier Subdivision requiring the owners to maintain and/or repair or replace the fence as constructed, to the satisfaction of the Director of Public Works. Said fence is intended to ensure that "pedestrian trespass" to the tracks does not become a consequence of the subject land development, thereby jeopardizing existing and /or future anti-whistling regulations along the subject railway line.

II. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

III. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.