

NO: R173

COUNCIL DATE: **SEPTEMBER 9, 2013**

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **September 5, 2013**

FROM: **General Manager, Planning and Development** FILE: **6520-20 (Al Cleaver/Tom Hopkins)**

SUBJECT: **Al Cleaver Park & Tom Hopkins Ravine Park Neighbourhood**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize the extension of the period for withholding approval of building permit applications, which conflict with a rezoning proposal for the Al Cleaver/Tom Hopkins neighbourhood that is currently under consideration, for a further 60 days in accordance with Section 929 of the *Local Government Act*.

DISCUSSION

At its Regular Meeting on May 27, 2013, Council considered Corporate Report No. R101 titled "Al Cleaver Park & Tom Hopkins Ravine Park Neighbourhood – Request for Zoning Changes" and endorsed a neighbourhood consultation process (RES.R13-1044) to determine the level of support for a proposed down-zoning of the subject neighbourhood, from Single Family Zone (RF) to Comprehensive Development Zone (CD), to limit the size of homes that are constructed in the neighbourhood. A survey of all property owners in the area has been undertaken with a deadline of September 6, 2013 for receiving indications of support or opposition to the proposed neighbourhood-wide rezoning to the CD zone. During this process, a building permit application was received by the City that conflicts with the proposed CD zone.

Section 929 of the *Local Government Act*, authorizes the City to withhold the approval of building permits for a period of 30 days, beginning on the day an application for the permit was made, where there is a conflict between a development proposed in a building permit application and a plan (such as a rezoning) that is under consideration by the City. If a local government passes a second resolution, the building permit application may be withheld for a further 60 days while the rezoning by-law is being considered by Council.

As the planning process for the proposed down-zoning of the Al Cleaver Park/Tom Hopkins Ravine neighbourhood is in progress, it is appropriate for Council to adopt a resolution to extend the period of withholding building permit application approvals that conflict with the proposed rezoning for a further 60 days. The 60 day extension period will allow enough time to complete

the neighbourhood consultation process and prepare a report with recommendations for Council's consideration.

CONCLUSION

Based on the above discussion it is recommended that Council authorize the extension of the period for withholding approval of building permit applications, which conflict with a rezoning proposal under consideration by the City for the Al Cleaver Park/Tom Hopkins Ravine neighbourhood, for a further 60 days in accordance with Section 929 of the *Local Government Act*.

Original signed by
Jean Lamontagne
General Manager,
Planning and Development

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