

PROPERTY AND COMMUNITY PLANNING COMMITTEE

MINUTES

Thursday, October 28, 2004 9 a.m.
Council Chambers

Present: Len Compton, Jeff Port, Bill Preisentanz, , Tara Rickaby, Grant Carlson, Art Mior, Ingrid Parkes

Regrets: Rory McMillan, Colin Wasacase

Counillor Compton called the meeting to order at 9: 00 a.m.

1. **Adoption of Minutes** – July 22,, 2004
 Moved by: Grant Carlson Seconded by: Ingrid Parkes
 THAT the minutes of the July 22, 2004 minutes be adopted as distributed, and further that the record of meeting on August 19, 2004 be filed.

CARRIED

2. **Declaration of Pecuniary Interest**
 Councillor Compton declared a conflict of pecuniary interest with item 5 Gordon Subdivision, as a former solicitor.

3. **Additions to the Agenda**
 - Schedule of meetings for November; Committee will meet on November 18, 2004 at 10:00 a.m. in the Council Chambers.
 - Municipal property sale – In camera item

INVITED GUEST: Bill Scribilo, Century 21, Reynard Real Estate

Jeff Port explained that Mr. Scribilo was invited today in order to brief the Committee on the challenge of appraising road allowances in front of private property and abutting navigable waterways. The City of Kenora changed its policy to mirror that of the Province last year, and now requires that the property be sold for “market value”.

Mr. Scribilo went on to explain the theory of a sale on the open market being between a willing seller and a willing purchaser. He pointed out that the property itself cannot be purchased by anyone other than the owner of the property abutting the road allowance. He further commented that the appraisal currently required by the City as part of the disposition policy, is beyond his capabilities. Market value is based on the price paid for property and, historically, the only price paid has been the administration fee of the day.

Mr. Scribilo recommends that the administration fee + \$1000 be implemented again, as policy.

Councillor Compton thanked Mr. Scribilo for his explanation and asked that he monitor the situation and keep the Committee updated of any changes.

Mr. Scribilo left the meeting at 9:15 a.m.

4. Zoning By-law/Official Plan – Date for next meeting and report

Jeff Port reported that the modifications provided by the Ministry of Municipal Affairs are generally acceptable, however there are two areas of concern: (i) the request for the City to include a “no access” corridor along Highway 17A (by-pass) and (ii) Municipal Affairs’ request to include mapping of all areas of high mineral potential; the Planning Department received notes directly from the Ministry of Northern Development stating that only unpatented land would require this designation.

There will be a recommendation ready for the next meeting, including all of the modifications, in order to bring the modifications to Council for a resolution approving them, to forward to the Minister for approval.

The public meeting to be held under section 34 of the Planning Act, to adopt the new zoning by-law, will be held on November 22, 2004 at 4:30 p.m. The Planning Department recommends that, in order to address any concerns which may be identified at the November 22nd meeting, the adopting by-law not go through until the December 14th meeting.

5. Gordon Subdivision

Councillor Compton gave the Chair to Councillor Parkes and left the room.

The item will be removed from the agenda.

6. Lafreniere Subdivision

Deficiencies have been identified and requires a final inspection before City will assume Woods Drive, Woodfield Drive, Silverstone, Pine Ridge and South Park Drives. Councillor Compton asked that a sinkhole in front of 5 Woodfield Drive be fixed before assumption.

There was a meeting, earlier this week, between the Developer and all utilities involved, to ensure that some decisions being made in the field are consistent with the plans. Some problems, due to topography, are being addressed.

7. Batigelli Consent

Jeff Port reviewed the file with the Committee, indicating that draft approval had been appealed by some neighbours and had been upheld by the OMB. There were two appeals forwarded to the OMB this summer, citing errors in law, which have been reviewed by the OMB. That agency found that the City of Kenora complied with the Planning Act and have closed the file.

8. Request to the City to assume Sutherland Road

The City has been approached by a property owner on Sutherland Road, to have the road assumed by the City.

The Planning Department will draft a “private roads policy” to bring back for consideration. In the meantime, the City will not be considering assumption of private roads.

9. Planning and Property Land Disposition Policy

Mr. Port apologized for not having the report ready; the road allowance issue is a key component of the policy and will now be incorporated into the new document.

10. World Town Planning Day – November 8, 2004

Jeff Port explained that the Canadian Institute of Planners is encouraging its members to make the public aware of “town planning”. Councillor Wasacase announced and explained World Town Planning Day at the Council meeting this week.

11. Sale of municipal property to McCallister

The Committee approved this sale in April of this year. Once the legal description is available, the recommendation and by-law will go to Council.

Motion required adjourning to Closed Meeting (10:15 am)

Moved by: Ingrid Parkes Seconded by: Grant Carlson

THAT this meeting now be declared closed; and further

**THAT this Committee adjourns to a Closed Meeting to discuss the following:
matters of security of municipal property and acquisition of land.**

Next meeting, Thursday, November 18th, 2004, 10 a.m., Council Chambers

The meeting adjourned at 11:03 a.m.