

# PROPERTY AND COMMUNITY PLANNING COMMITTEE

## MINUTES

**Thursday, March 3, 2005**                      **10 a.m.**  
**Council Chambers**

Present: Len Compton, Jeff Port, Grant Carlson, Rory McMillan, Colin Wasacase, Tara Rickaby

Regrets: Art Mior, Bill Preisenzanz

Councillor Wasacase called the meeting to order at 10:07 a.m.

**1) Adoption of Minutes** – February 17, 2005

**Moved by: Len Compton      Seconded by:      Rory McMillan**

THAT the minutes of the January 27, 2005 minutes be adopted as distributed.

**CARRIED**

**2) Declaration of Pecuniary Interest**

Grant Carlson declared a conflict, as an employee, with item number 13.

**3) Additions to the Agenda**

**Bring Item 8 (Rezoning Application) to Item 4 in order to allow Ms. Spicer to make her presentation and leave if she wishes.**

**Addition Item 12. Sign matter**

**4) Application for Zoning By-law Amendment No. Z04/05 Spicer**

Ms. Gayle Spicer and Mr. Cory Gabryluk were in attendance.

Jeff Port summarized the process to date, indicating that there are two key issues in this application: 1) Change of use from residential to commercial; and 2) Provision of on-site parking. This application has been reviewed by the Kenora Planning Advisory Committee, which recommended refusal for a number of reasons. This morning the Harbourtown Centre Committee indicated support for the application.

The City Planner's recommendation will be to approve the application, however he supports the Operations Department's recommendation that a cash-in-lieu of parking amount, at \$5,000 per parking spot for three spots, will be required. The By-law stipulates that when adequate parking cannot be provided on site, the cash-in-lieu provision is implemented.

Councillor McMillan suggested that the procedural by-law be followed and that the Planner's recommendation go to the next Committee of the Whole meeting for discussion and then on to Council.

Mr. Gabryluk requested that the City changes its notice process for such applications. Mr. Port stated that the issue will be discussed further at this Committee level.

Ms. Spicer stated that there is adequate room in front of the building and between the street to provide three parking spaces. Mr. Port reiterated that the Operations Manager has concern with the safety of people backing out onto First Avenue South; that there is not adequate room for three parking stalls and for vehicles to turn around on the property and come out onto First Avenue South. He indicated that part of the difficulty is that there is no site plan provided with this application.

Some discussion arose with respect to approval with two alternatives for parking arrangements.

The City Planner will provide a report and recommendation to Council by noon on Monday in order that the item may be discussed at the March 7<sup>th</sup> meeting.

#### **5) Private Roads Assumption Policy**

City Planner will meet with Solicitor next week and have a draft ready for the next meeting.

#### **6) Request for Use of City Road Allowance: Kenora Forest Products**

Kenora Forest Products has chosen to proceed with an application for a letter of comfort.

#### **7) Official Plan**

The Mayor was to have delivered a letter to the Minister of Municipal Affairs and Housing and Ontario Good Roads, however the Thunder Bay office staff contacted him and suggested flexibility in completing the modifications. Recent experience with the Thunder Bay office suggests that there has been no change. MTO has refused to modify its position on wording respecting access to/from Highway 17A and there has not been any change in the Ministry's position with respect to areas of high mineral potential.

The Mayor will be requested to write a letter to the Ministry indicating that neither provision is conducive to creating opportunities for the City and encouraging some flexibility.

#### **8) Rippling Waters Subdivision – Assumption of Roads**

The Operations Manager has prepared a report indicating the acceptance of the Rippling Waters Subdivision. Once the other requirements of the subdivision agreement have been met, the certificate of acceptance will be issued and the recommendation to assume the roads will come before this Committee.

#### **9) Parkland dedication in Subdivisions**

Past practice has been for the City to require a 5% cash in lieu of parkland for rural subdivisions and 5% land for parks and open space purposes in urban subdivision. There have been alternatives suggested and the City Planner is to provide a report and recommendation to this Committee.

#### **10) Provincial Policy Statements 2005 – The Northern Perspective**

Jeff Port reported that he was invited by the Ministry of Municipal Affairs and Housing, as a representative of the “north” and the Ontario Planners Institute, to provide a northern perspective of the new PPS.

Councillor Wasacase commented that it was good to see that the expertise of the City's staff is recognized throughout the province.

**11) Transfer and assumption of a portion of Carlton Road**

This item is a result of a condition of approval for an application for validation of title; a correction of past contraventions of the Planning Act. The property owner will be transferring a portion of the Carlton Road to the City.

**12. Signage Matter – “Kenora” Sign on Highway 17 W**

The Planning Department will investigate whether or not MTO is the approval authority for this sign. A recent addition to the sign, for publicity purposes, has raised questions from a ratepayer as to what action the City will be taking.

**13. LOWBIC – Delivery of Economic/Tourism Services**

Councillor McMillan updated the Committee, indicating that the City remains in support of the finding of the recent organizational review and that service delivery will be monitored through the service agreement. The City Planner indicated disappointment that the CAO did not have the opportunity to discuss his report in person.

Councillor Compton stated that he supports the Economic Development position coming over to the City, rather than have the service delivered by LOWBIC, however Council, as a majority, has spoken.

**Motion required adjourning to Closed Meeting (11:30 am)**

**Moved by: Rory McMillan    Seconded by: Len Compton**

**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**

**Moved by: Rory McMillan    Seconded by: Len Compton**

**THAT the closed meeting be adjourned at 11:36 a.m.**

**Action from closed meeting:**

**14. Easement for Access on Poirier Drive**

The Committee reviewed letters from property owners along Gunne Crescent requesting to purchase a portion of municipal property behind their homes in order to access properties from the rear.

Internal review revealed that Poirier Drive is a private driveway. The City will not entertain an easement for access. The residents will be apprised in writing.

**Next meeting, Thursday, March 17, 2005, 10 a.m., Council Chambers**

**The meeting adjourned at 11:43 a.m.**