

# PROPERTY AND COMMUNITY PLANNING COMMITTEE

## MINUTES

**Thursday, April 7, 2005 10 a.m.  
Council Chambers**

Present: Len Compton, Jeff Port, Rory McMillan, , Tara Rickaby, Art Mior, Bill Preisenz, Colin Wasacase, Anneli Rosteski

Regrets: Ingrid Parkes

**DELEGATION:** John Monteith, Gunne Crescent Resident

Councillor Wasacase called the meeting to order at 10:01 a.m. and welcomed Ms. Anneli Rosteski as the new Executive Director of LOWBIC. Ms. Rosteski gave those present a brief summary of her previous work experience and her family.

Councillor Wasacase asked Mr. Monteith to proceed with his presentation at 10:10 a.m.

Mr. Monteith reminded the Committee that the original request from he and four neighbours was to purchase a portion of municipal property behind and abutting their respective properties. The Committee refused the request because of an access issue and because the Operations Department does not see the value of adding infrastructure to the road network. The neighbours approached the Kenora Catholic Separate School Board with respect to the possibility of obtaining an easement for access however the School Board would not consider the request unless the easement was in favour of the City. The City will not consider an easement for access because of maintenance/liability issues.

Mr. Monteith et al. now request that the Committee reconsider their original proposal.

After some discussion the Committee recommended to Mr. Monteith that he and his neighbours work out a private arrangement between themselves and the School Board and then to come back with an application to purchase municipal property.

Mr. Monteith left the meeting at 10:39

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

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

THAT the minutes of the March 17, 2005 minutes be adopted as distributed.

**CARRIED**

**2) Additions to the Agenda**

The Planning Department requested the addition of one in camera item.

### **3) Declaration of Pecuniary Interest**

None

### **4) Official Plan - Update**

Jeff Port reported that the Ministry of Municipal Affairs and Housing has provided additional modifications, in writing, which do not include the agreement reached between the Planning Department and the MNMD's Regional Land Use Geologist.

*Action required: Technical response will be drafted by City Planner, for signature by CAO, indicating that the City requests approval of the Official Plan without the following two issues: 1) access to Highway 17A and 2) area of high mineral potential.*

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

The policy is still with one law office with instruction to discuss with the Municipal Solicitor.

*Action required: Send draft policy to Municipal Solicitor.*

### **6) Parkland Dedication in Subdivisions**

*Action required: Discussion and recommendation from PAC and report and recommendation from City Planner.*

### **7) Appointment of LOWBIC representative to Committee**

Anneli Rosteski will be the LOWBIC representative.

### **8) Request to purchase property – 284 Villeneuve Road – Road allowance**

Jeff Port explained that the property owner has made application to purchase the road allowance between her property and the Winnipeg River. Internal and interagency comments have been received with no objections.

*Action required: Recommendation to COW.*

### **9) Amendments to Zoning By-law 160-2004 - Housekeeping**

Tara Rickaby presented a report indicating that the following issues have been identified through implementation of the by-law and that the Planning Department recommends that they be addressed.

- a. Addition of “transportation facility and bus depot” to both Highway Commercial and Light Industrial designations: Transportation facility is defined in the by-law but not permitted in any zone. Both HC and ML are appropriate zones for this use.
- b. Amendment to “RR” – Rural Residential respecting “Sleep Cabins” – to mirror requirements, as intended, of RU – Rural by adding “and shall not include kitchen facilities” to the statement #2 of the permitted uses.
- c. Addition of “HL” designation to property owned by Tetreault, M28 PT BLK F RP 23R-8805 PTS 1, 3, 5, 8, 9 & 10 PT RD ALLOW PT 16 PCL 40310, 25 Sweeney Road, to Schedule “A” to reflect intent of by-law.

- d. Addition of “group home” to the RR – Rural Residential Zone.
- e. Amendment to Section 5.14 Cash in lieu of parking spaces and amendment of Section 5.13 Parking requirements, in order to eliminate commercial parking requirements in the area designated as the Harbourtown Centre in the City of Kenora Official Plan.
- f. Remove wind generators from the height exemption in section 5.27 and change television and radio antennae to “non-commercial” television and radio antennae.

*Action required: Planning Department to process the amendments.*

**10) Private Roads Agreement – Condition of Approval of Consent No. B06/04 Lougheed**

Jeff Port commented that the report and agreement before Council was drafted from a generic agreement which has been reviewed by the Municipal Solicitor and the Applicants’ Solicitor. The agreement covenants the Owner of certain lands not to request municipal services nor tax relief because of the lack of municipal services, in order to be able to create a new lot on a private road. The agreement is registered on title and addresses future heirs and assigns and holds the City harmless.

*Action required: Item to proceed to COW.*

**11) Rippling Water Developments – Assumption of roads and declaration that Conditions of Approval are met**

The Developer has completed the tasks required by the Subdivision Agreement. The Manager of Operations has recommended that the roads be assumed.

*Action required: Municipal Engineer to process Certificate of Release; by-law required to assume roads.*

**12. Municipal Lands: Canada Law Book**

Planning Department recommends purchase of this loose-leaf publication. Committee concurs; final decision before 30 day review period.

*Action required: Planning Department to order; invoice will be given to CAO.*

**13. LOW Water Quality Workshop - Report**

Jeff Port reported on his attendance at the 2<sup>nd</sup> Annual conference. The City will receive a draft copy of the Environmental Impact Statement prepared for the Red River Valley area with respect to drawing water from Lake of the Woods as one of their options for water supply over the next fifty years. The City Planner suggested that Council may want to pass a resolution against such action after the report is reviewed.

**14. Business Enterprise Centre**

Tabled until next meeting.

**15. Report from LOWBIC**

Councillor Wasacase invited Ms. Rosteski to provide a short report on upcoming events.

Ms. Rosteski reminded the Committee of the “Value Added Wood Seminar” to be held in Kenora on April 19<sup>th</sup>. A discussion revolving around the seminar fees ensued.

**Motion required adjourning to Closed Meeting (11:15 am)**

**Moved by: Art Mior    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**

**THAT the closed meeting be adjourned at 11:45 a.m.**

**Next meeting, Thursday, April 21, 2005, 10 a.m., Council Chambers  
The meeting adjourned at 11:46 a.m.**