

**PROPERTY & PLANNING  
STANDING COMMITTEE  
MINUTES**

**Held Wednesday, October 18<sup>th</sup>, 2006  
At 10:00 a.m. – City Council Chambers**

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PRESENT: Councillor Compton - Chair  
Councillor McMillan - Member  
Art Mior - Member  
Councillor Szajewski  
Councillor Poirier (left at 10:55 a.m.)  
Councillor Parkes (10:20 a.m.)  
Mayor Canfield (10:35 a.m.)  
Bill Preisentanz - CAO  
Jeff Port - City Planner  
Tara Rickaby - Planning Assistant  
Jennifer Rasmussen - EDO

Regrets: Councillor Wasacase

Councillor Compton called the meeting to order at 10:00 a.m.

**A. PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 14-2003**

None

**B. DECLARATION OF PECUNIARY INTEREST - NONE**

**C. CONFIRMATION OF MINUTES – 20 September, 2006**

**Moved by Art Mior, Seconded by Rory McMillan, and Carried:** - THAT the Minutes of 20 September 2006 be accepted.

**D. ADDITIONS TO AGENDA – None**

**E. DEPUTATION -**

(i) Mary Louise Price re. Application for Zoning By-law Amendment Z05/06 Otis – Ms. Price presented a prepared statement describing the subject property and problems with running a business from it. Ms. Price stated that her legal right to use her property is denied if the property is not rezoned to a residential use. Ms. Price closed by stating that Council should be progressive and flexible when considering the application. Councillor Compton thanked Ms. Price for her presentation.

(ii) Ken Bracken, on behalf of the Sunset Trail Riders re. Proposed realignment of snowmobile trails – Mr. Bracken introduced himself as the Vice President of the Club and stated that the Club is in support of the recommendation to realign the snowmobile trails. The Club is frustrated after having been a part of the public process to change the trails. He stated that the Club is made up of volunteers who have been diligent participants and worked towards resolution of the issue, and have worked with the residents to resolve their complaints, but the club will not compromise on trail safety. He went on to say that the closest residence to the proposed Keewatin trail is 100 feet away. Mr. Bracken referred to a partnership with

**ACTION**

the Kenora Trails group to develop a twinned trail for use by both hikers and snowmobilers. Mr. Bracken indicated that currently the area looks like a “dump” and that it isn’t safe for children as it is. He pointed out that snowmobiling is a winter sport and most people have their windows closed; that a train or motorcycle makes more noise. Mr. Bracken provided clarification with respect to trail permit fees and what the club’s position is on collection and distribution of monies from them. He closed by asking that the negativity and bickering come to an end. Councillor Compton thanked Mr. Bracken for the presentation.

(iii) Sharon Smith asked the Chair for latitude to provide her comments after the City Planner’s report and recommendation. Councillor Compton refused her request and asked her to proceed as each deputation must be given the same opportunities.

Ms. Smith said that everyone should educate themselves on what a wetland is and said that she has information she would be willing to share with those interested. Ms. Smith went on to say that all options have not been explored, including one where the trail would leave the ice at Clearwater Bay and come across land. She spoke to some comments made by the operator of the trail groomer at an earlier public meeting.

Ms. Smith referred to the City’s Official Plan in which the words Environmental Impact Study is mentioned six times. She commented that Bob Bernie, of the KPS stated, during another meeting, that enforcement on snowmobile trails is done on overtime and she wondered why scarce tax dollars would be used for enforcement of basically unenforceable by-laws. Ms. Smith went on to discuss a Snowmobile Position Paper re. Yellowstone National Park and comments made by the local MNR office stating that they have not been formally been asked to comment on the trail realignment. Ms. Smith disputed that noise is not an issue. She said that the recommendations of the Planning Department and EDO are ridiculous and suggested cuts to the department. Ms. Smith then commented that there was not adequate notice of the public meetings as neither the principal of Keewatin Public School, nor the Chair of the Parent Council were aware of the meetings. Ms. Smith said that she would be attending the Parent Council meeting that evening. Councillor Compton thanked Ms. Smith for her presentation.

(iv) Thelma Wilkins-Page presented a prepared statement indicating the Chamber of Commerce’s support for the trails realignment and a request for a decision on the matter as winter is here once again and that the Chamber recognizes the snowmobile riders as integral to winter business. Councillor Compton thanked Ms. Wilkins-Page for her presentation.

**1. Addition of property to Municipal Registry (of Properties of cultural heritage significance or interest)**

Jeff Port reviewed his report, pointing out that two of the property owners have requested this as a first step towards designation of their property under the *Heritage Act*. The Kenora Fire Hall is the third property proposed and it has both architectural and historical significance to the City of Kenora. Mr. Port reminded the Committee that there are no building restrictions attached to the property as a result of the listing on the registry.

**RECOMMENDATION:**

THAT Kenora City Council passes a By-law to enter property described as 350 Second Street South, PLAN 25 LOT 273 TO 274 and known as the City of Kenora Fire Hall, and RP KR1025 PART 2 PART 6 PCL;25415 & PART 6 WATER L, 1 Seventh Street South, known as the

Cameron House and PLAN 3 BLK 2 PARTS LOT 6,7,9;AND ALL LOT 8, 204 Second Street South, known as the Kenricia Hotel, into the municipal registry of properties of cultural heritage significance or interest.

**Tara/Paulette**

**Recommendation approved to go to Council**

**2. Snowmobile Trails – Report and recommendation**

Jeff Port presented the report based on information and data compiled from two public open houses as well as comments/information from various other agencies and individuals.

Discussion took place with respect to why the report has taken so long to come forward, and from what ad hoc Committee it is coming, who and what agencies were contacted and how, and the history behind the Keewatin trail specifically. Several other suggestions were made by Council with respect to alternate trails.

10:55 a.m. Councillor Poirier left the meeting.

The EDO was asked for her comments surrounding the impact of snowmobiling on winter tourism/business. Ms. Rasmussen indicated that resolution of the issue would be beneficial on several fronts: a) local issues would be resolved for local people; b) a move forward signals to visitors that the City is interested in having tourists during the winter months on both a snowmobile and another walking trail, and c) the City will be represented at the “Snow Show” in Winnipeg next month and it would be helpful to be able to present the snowmobile trails to prospective visitors. Ms. Rasmussen commented that the realignment seems to be a great compromise which can be used winter and summer.

Bill Preisenz suggested that the resolutions could be broken up in order that Council can vote on each one separately. He will prepare the resolutions.

**RECOMMENDATION:**

**1. Highway 17 East from Miikana Way to the Tourist Information Centre**

It is recommended that a sidewalk be constructed on the north side of Highway 17 East, from Excel Coach Lines to the Tourist information Centre. While not a perfect solution, this will significantly decrease potential conflicts between pedestrians and snowmobiles. It is estimated that a new sidewalk will cost approximately \$30,000, and should be included in the 2007 capital budget.

**2. Nineteenth Avenue North**

It is recommended to add trail option “B” to the snowmobile by-law in the Nineteenth St. North area. It is further recommended that once permission is secured from the landowners, and trail is constructed, that the trail located on the 19<sup>th</sup> St. North road allowance be deleted from the by-law.

**3. Keewatin Channel Bridge**

It is recommended that the trail be relocated to trail option “B” as indicated on the Keewatin map. All of the issues raised during the course of the public consultation process had been analyzed in detail, and appropriate mitigating measures have been put in place for the realignment of the trail.

It is further recommended that City staff supervise the proposed implementation of the companion trail for walking in the area during the winter months, and that the configuration of the Ottawa St. intersection at 90 degrees to ensure a safe road crossing.

It is recommended that the existing trail remain in force until such time as the new trail alignment is complete, and functioning to the satisfaction of the City.

That Trail Option “B” on Map #2, and Trail Option “B” of Map #3 of this report be added to the schedules of the City of Kenora Snowmobile By-Law No. and;

It is further recommended that \$30,000 be included in the 2007 capital budget for the construction of a new sidewalk on the north side of Highway 17 East from Excel Coach Lines to the Tourist Information Centre.

**Bill/Tara**

**Recommendation to go to Council**

**1. Transfer of Property from Campbell to City**

Jeff Port reminded the Committee that the City of Kenora entered into a subdivision agreement, for the construction of a municipal road with 1629700 Ontario Inc. The applicant and the City of Kenora had reached an agreement with Kathleen Campbell, for the transfer of a portion of property owned by her, over which the Duffus Road was re-located, to the City. The portion of the Duffus Road, which crossed her property further to the south, was closed and will be used solely as a private driveway for Mrs. Campbell.

The City of Kenora is prepared to accept Part 10 on Plan 23R-11291 into its road inventory.

**RECOMMENDATION:**

1. THAT lands affected by the conditions of a subdivision agreement were acquired by the City for the purposes of a highway and further
2. THAT the City of Kenora accepts and assumes property described as Part 10 on Plan 23R-11291 into the City's road inventory, per the recommendation of the Road Supervisor.
3. THAT the Corporation of the City of Kenora has acquired, from Kathleen Campbell, a part of property described as Part 10 on Plan 23R-11291, to be assumed as a highway for public/municipal purposes;
4. THAT the portion of the road is hereby named Duffus Road;
5. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

THAT this By-law shall take effect and come into force from and after the final passing thereof.

**Recommendation approved to go to Council**

**Tara/Paulette**

**2. Zoning By-law Amendment Z05/06 - Otis**

Jeff Port reviewed his planning report and conveyed that approval of the Zoning By-law Amendment application would contravene the Official Plan; that the Official Plan can be amended, however there is no corresponding application to change Council policy by changing the Official Plan. He went on to explain that Ms. Price, as well as other prospective purchasers at the time, had been forewarned that an application to rezone to residential would not be supported by the City Planner.

Discussion ensued surrounding typical model homes in other cities and the method of appeal of a decision by Council.

**RECOMMENDATION:**

As the application does not comply with the City of Kenora Official Plan, and the proposed amendment would be in contravention of the Planning Act, it is recommended that this application be refused.

**Recommendation to go to Council**

**Tara/Paulette**

**5. Motion required adjourning to closed meeting at 11:40 a.m.**

**Moved by Rory McMillan, Seconded by Igrid Parkes**

THAT this meeting now be declared closed at 11:40 a.m.; and further THAT Council adjourns to a Closed Meeting to discuss the following: Disposition of land

**Bill P/Bill S.**

**CARRIED**

**Action from closed meeting:**

**Tara**

**6) Coney Island**

**Moved by: David Canfield, Seconded by: Rory McMillan**

*THAT the Council authorizes Bill Scribilo, of Century 21 Reynard Real Estate to issue a counter offer to the highest bidder for property offered for sale on Coney Island; and further*

*THAT the counter offer will be valid until Friday, October 20<sup>th</sup>, 2006 at 12:00 p.m.*

**CARRIED**

**7. Request to purchase sand pit – McKenzie Portage Road**

The City received request is to purchase the City’s sand pit located off of the McKenzie Portage Road. The recommendation from Operations Manager and City Planner is not to sell. The City will not declare the property surplus at this time. A letter will go to the interested party to this effect.

**Tara/Paulette**

**8. Request to purchase municipal road allowance**

THAT the Council of the City of Kenora declares portion of the Beryl Winder road allowance property described on Plan M.134 and Lot 3, known as 384 Beryl Winder Road as surplus to the needs of the municipality; and

THAT the Council of the City of Kenora declares the road allowance abutting the Winnipeg River and 384 Beryl Winder Road, Lot 3, Plan M134 as surplus to the needs of the municipality; and

THAT in accordance with Notice By-law #14-2003, arrangements be made to advertise the sale of the subject lands for a three-week period; and further

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Lilly Haus, as a lot addition, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs;

THAT the Mayor and Clerk are authorized to enter into the agreement of purchase and sale of said property.

**9. Proposal for City to purchase vacant property abutting Garrow Park**

The City will not consider purchasing the property at this time.

**OTHER BUSINESS**

Moved by Rory McMillan

THAT the meeting be adjourned at 12:10 p.m.