

**PROPERTY & PLANNING  
STANDING COMMITTEE  
M I N U T E S**

**Held Tuesday, November 6, 2007  
At 9:00 a.m. – City Council Chambers**

**PRESENT:**

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<b>Councillor W. Cuthbert</b>	<b>Chair</b>
<b>Councillor D. McCann</b>	<b>Council</b>
<b>Councillor R. McMillan</b>	<b>Council</b>
<b>Councillor C. Walleghem</b>	<b>Council</b>
<b>Len Compton</b>	<b>Mayor</b>
<b>Bill Preisentanz</b>	<b>CAO</b>
<b>Jeff Port</b>	<b>City Planner</b>
<b>Tara Rickaby</b>	<b>Planning Assistant</b>
<b>James Tkachyk</b>	<b>PAC Chair</b>

**Regrets:** Councillor C. Drinkwalter  
Councillor Cuthbert called the meeting to order at 9:00 a.m.

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

Take Notice that as required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-law at its next meeting, November 13, 2007:

A By-law to enter into a subdivision agreement with KB Contractors

A By-law to enter into a subdivision agreement with Moncrief Construction Limited (Bruckenberg Rd).

A By-law to amend the terms of reference for Heritage Kenora. **HOLD**

**B. DECLARATION OF PECUNIARY INTEREST** - Councillor Cuthbert declared pecuniary interest for item #10 (in camera). The item will be moved to the end of the agenda in order that Councillor Cuthbert can leave the meeting.

**C. CONFIRMATION OF MINUTES – October 16 , 2007**

**Moved by: Rory McMillan      Seconded by: Chris Van Walleghem**

THAT the minutes of the regular meeting of Property and Planning Committee, October 16, 2007, be adopted as distributed.

**CARRIED**

**D. ADDITION TO AGENDA** - None

**E. DEPUTATION** – None

1) **Application for Zoning By-law Amendment Z09/06 Beaucage** – Building permit has been issued; joint inspection by Fire and Building is being arranged.

**INFORMATION ONLY**

Planning

**2) Black Sturgeon Lake Capacity Study – Final Report.**

The City Planner indicated that the consultants did an excellent job on this study, both technically and with respect to public consultation. The recommendation is to keep the Citizens' Advisory Committee together to review the recommendations to determine implementation. Discussion took place with respect to impact on the budget. In addition, cost recovery will begin with the conditional approval of the first application for land division at the rate of \$500 per lot. This should be reflected in the tariff of fees.

**RECOMMENDATION:**

*That City Council receives the Black Sturgeon Lake Management Plan Final Report as submitted by*

*Kelli Saunders/Gartner Lee, and further ;*

*That the Planning & Development Department continue to work closely with the Local Advisory Committee on the implementation of the recommendations set out in the study as resources permit.*

**Planning Clerk**

**RECOMMENDATION TO COUNCIL**

- 3) Meridian Proposal** – Meeting arranged for November 13<sup>th</sup> at 3 p.m. with the consultant. This will be a public meeting, with the agenda to reflect a motion to go “in camera” should the need arise. The lands to be included in the study area will be determined by Council, with the aid of the consultant.

**CAO Clerk**

**INFORMATION ONLY**

**4) Subdivision Agreement – KB Contractors**

The lands associated with a subdivision agreement, entered into by Council in 2006, have been transferred. The Municipal Solicitor recommends that a new agreement be signed between the City and the new ownership. The road, Barkman Close, has been inspected and will be accepted with a one year maintenance guarantee. All financial requirements have been met.

**RECOMMENDATION:**

*That Council give three readings to a by-law to enter into a subdivision agreement with KB Contractors Ltd., new owners of lands for which draft approval and a subdivision agreement are in force under separate ownership, for the purpose of meeting one of the conditions of draft approval for the development of a fourteen (14) lot subdivision on Barkman Close; and further THAT the Mayor and Clerk be authorized to enter into the agreement on behalf of the City of Kenora.*

**RECOMMENDATION TO COUNCIL**

**Planning Clerk**

**5) Subdivision Agreement – Moncrief Construction Limited (Bruckenberg)**

Discussion arose with respect to timing of subdivision agreements with respect to works being carried out on the subject property which will eventually be transferred to the City. The subdivision agreement includes financial requirements which include bonding and maintenance guarantees. The Planning Department will arrange to have the Municipal Solicitor meet with staff and Council with respect to subdivision agreements.

**Planning**

**RECOMMENDATION:**

*That Council give three readings a by-law to enter into a subdivision agreement with Moncrief Construction Limited for the purpose of meeting one of the conditions of draft approval for the development of a sixteen (16) lot subdivision on Bruckenberg Road ; and further THAT the Mayor and Clerk be authorized to enter into the agreement on behalf of the City of Kenora.*

**RECOMMENDATION TO COUNCIL**

**Planning Clerk**

**6) Purchase of municipal property by Cyr et. al – Zoning By-law Amendment**

The wording of the recommendation has been amended in order to ensure proper title, per the Municipal Solicitor.

The Committee discussed rezoning the municipal property located above the well head to EP- environmental protection. The Planning Department will proceed.

**Planning**

**RECOMMENDATION:**

**THAT** *Council of the City of Kenora hereby declares a portion of the road allowance fronting property described CON 7J N PT LOT 3;RP KR687 PART 1 PCL 28112;RP KR1425 PART 1 and CON 7J N PT LOT 3;RP KR1425 PART 1 PCL 29192 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 Dennis Bretel, Thelma Bretel, Dwayne Cyr, Colleen Poschner, Nancy Goodridge, Doris Horne and Charles Reiach, as 1/7 tenants in common interest, subject to the restriction that the 1/7 interest is to be tied to each owner's property, which has a dwelling upon it, pursuant to section 118 of the Land Titles Act, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs and  
**THAT** the Municipal Solicitor be directed to include a waiver of liability within the agreement of purchase and sale.

Planning/  
Clerk  
M. Solicitor

#### **RECOMMENDATION TO COUNCIL**

#### **7) Heritage Kenora – Amendment to Terms of Reference**

A brief discussion took place with respect to a quorum reduction and community-at-large members.

The matter is tabled until the next meeting, on November 20<sup>th</sup>, at which time Lori Nelson will also be invited to attend.

#### **RECOMMENDATION:**

*That the Terms of Reference for Heritage Kenora be amended to reflect an increase in the "Community-at-Large" representation from 3 to 5 members, and a corresponding reduction of staff and committee representation by 2 members, and further;*

*That the quorum for a meeting be modified from 6 members to 4 members.*

**HOLD UNTIL NOVEMBER 20, 2007**

Hold for  
next  
meeting

Closed meeting adjourned at 9:32 a.m.

Motion required adjourning to Closed Meeting:

**Moved by:** Rory McMillan      **Seconded by:** Chris Van Walleghem      and Carried:-

THAT this meeting be now declared closed at 9:32 a.m.; and further

THAT Committee adjourns to a Closed Meeting to discuss the following:

Disposition of Land, a personnel issue and an item of potential litigation;

**Moved by: Dave McCann    Seconded by: Len Compton**

THAT the closed meeting be adjourned at 9:59 am.

#### **ACTION FROM CLOSED MEETING:**

#### **Application to purchase municipal property – Man-Ont Developments Ltd.**

#### **RECOMMENDATION:**

**THAT** Council of the City of Kenora hereby declares a portion of the road allowance fronting property described Street B on Plan M31 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 the interested party(ies) at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

#### **Lease agreement with Bob Bell & Sons Ltd. – Mrs. D's Chips.**

#### **RECOMMENDATION:**

**THAT** the Council of the Corporation of the City of Kenora directs staff to advise the Lessee, in writing, that the lease will not be renewed for 2008.

**RECOMMENDATION TO COUNCIL**

The November 6, 2007 meeting of the Property and Planning Committee adjourned at 10:00 a.m.

Jeff