

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

**Held Wednesday, March 21, 2007
At 10:00 a.m. – City Council Chambers**

PRESENT:

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Councillor W. Cuthbert	Chair
Councillor C. Drinkwalter	Council
Councillor D. McCann	Council
Bill Preisntanz	CAO
Rick Perchuk	Operations Manager
Councillor R. McMillan	Council
Councillor Chris Van Walleghem	Council
James Tkachyk	PAC Chair
Len Compton	Mayor
Tara Rickaby	Planning Assistant

Regrets: None
Guests: None

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 **Monday, March 26, 2007 Meeting:-**

A By-law to transfer property described as Parts 1, 2 and 3 on Plan 23R-11371 from City of Kenora to Lily Haus

A By-law to transfer property described as Part 1, 23R-11380 from City of Kenora to James Ambts

A By-law to amend zoning by-law 160-2004, specifically at property described as 118 Brown Road, CON 6J PT LOT 1 DES RP 23R88;78 PART 3 PCL 40212 from TC – Tourist Commercial to RR – Rural Residential

A By-law to stop up, close and sell that Part of Lot 11, Concession 2, Melick, designated as Part 1, 23R11363 and Part 2, KR8506, Melick

A By-law to extend a lease agreement with Bob Bell & Son (Mrs. D's Chips)

B. DECLARATION OF PECUNIARY INTEREST - None

C. CONFIRMATION OF MINUTES – 7 March, 2007

Moved by: Chris Van Walleghem Seconded by: Charito Drinkwalter

THAT the minutes of the regular meeting of Property and Planning Committee, March 7, 2007, be adopted as distributed.

CARRIED

D. ADDITION TO AGENDA

E. DEPUTATION – None

1) By-law Enforcement

Bill Preisntanz indicated that he has met, on two occasions, with staff and both police forces. Both police forces have agreed to have an officer meet with whatever department requires enforcement of a by-law in order to put a plan together to collect evidence and follow the process to enforce a by-law. The following matrix was also confirmed for responsibilities:

City of Kenora - Bylaw Enforcement Mar07/07

No.	By-Law/ Policy	Ref No.	ACO	CBO	Fire Dept	KPS/ OPP	Opn Dept	Planning Dept	Private Contract	Engineer Dept	Dept Heads
1	Alcohol Policy	Policy#				X					
2	Animal Control	#20-2001	X								
3	Boat Docking/Harbour.	#60-2001							X		
4	Boat Docking-Other	Keew							X		
5	Building Code	#100-2005		X							
6	Burning/Fire	#44-2003			X						
7	Dogs Swimming	#20-2001	X								
8	Drainage - Private Land	#160-2000								X	
9	Encroachments							X			
10	Entrances	#47-2000								X	
11	Extension Cords	#6-2006								X	
12	Fences & Hedges	#94-2006		X							
13	Firearm Discharge	#41-2001				X					
14	Garbage Infractions	#145-2000	X								
15	Jake Brakes	#116-2001				X					
16	Noise	#27-2007				X					
17	Outdoor Wood Stoves	#118-2004		X							
18	Parking - Overnight	#127-2001				X					
19	Parking - Snow Clearing	#127-2001				X					
20	Parking - 48 hour	#127-2001				X					
21	Parking - Other	#66-2006				X					
22	Parking Lot	#18-2002				X					
23	Poop & Scoop	#20-2001	X								
24	Property Standards	#160-2000		X							
25	Roads - Half Loading	#57-2003				X					
26	Roads - Snow Piling	Hwy Traffic					X				
27	Rural Addressing	#100-2002		X							
28	Sewer & Water	#168-2004					X				
29	Signs	#50-2004						X			
30	Smoking	#39-2001									X
31	Snow Vehicles	#154-2001				X					
32	Street Vendors	#80-2006				X					
33	Taxi	#94-2001				X					
34	Tidy Yard Bylaw	#76-2005					X				
35	Weed Control	#32-2002	X								
36	Zoning	#160-2004						X			

Councillor McCann asked how to proceed if a councilor receives a complaint. The process is to contact the CAO who will then forward the complaint to the appropriate police force.

Mayor Compton asked if the Chief Building Official can also perform by-law enforcement duties.

Mr. Preisntanz indicated that currently, the Roads Supervisor is performing the tidy yard by-law enforcement with success but that the CBO can also action items.

There was discussion with respect to ensuring that departments are enforcing by-laws; most enforcement issues come forward as a complaint. If the complaint is not followed up then Council and the CAO generally are contacted by the complainant.

The Mayor commented that, in some cases, it is understandable that a neighbour will not complain about an untidy yard and that all municipal staff should be encouraged to report yards which are eyesores because of debris, garbage etc. to their supervisor for action. He said that it is

important that the City, as a whole, looks well cared for. The CAO reminded those present that complainant names are never divulged. The CAO also commented that it will be helpful to have either police force help with an investigation of a possible zoning infraction. In addition, the fee structure for existing by-laws is being reviewed.

2) Snowmobile Trail System

Bill Preisentanz referred to his report and explained that he took all of the current information and consolidated it, as well as contacting several other municipalities. Terrace Bay, as an example, has a 1 km long trail which, the local snowmobile club maintains but does not require an OFSC permit on. This is in order to allow sleds into town to gas up etc. The advantage is that the club maintains the 1 km trail as part of their system. Kenora has a much larger trail system through town. The CAO cautioned Council that if the OFSC trail was removed, there would be many trespass issues as snowmobilers try to make their way through the City.

Councillor McMillan would like to see a costing associated with the advantages/disadvantages of the snowmobile club vs city vs no maintenance of trails. Bill Preisentanz indicated that, as far as liability insurance is concerned, the Sunset Trail Riders currently provide the first \$5 million for liability, however this would be removed and the issues would be dealt with under the City's umbrella.

Councillor McCann asked what the status of the 19th Ave. corridor would be. Mr. Preisentanz indicated that the Sunset Trail Riders may be considering diverting the trail through the "Bell's Ranch" property. Further discussion ensued.

Councillor McMillan suggested that a committee be struck to analyze the issue, with a short time frame for a report and recommendation. Both Councillors McCann and Cuthbert expressed an interest in sitting on such a committee.

Bill Preisentanz reminded Council of the success of the partnership between the City, the Sunset Trail Riders and the residents in the Highway 17 East area and stated again that removal of the corridor will mean that there will be trespass issues.

Mayor Compton suggested that the matter be discussed further at the Council meeting on Monday March 26th.

FOR DISCUSSION AT COUNCIL MEETING

3) Application for Zoning By-law Amendment Z09/06 Beaucage – Update

A letter has gone out giving a deadline of March 30th for response from the applicant.

INFORMATION ONLY

4) Application for Zoning By-law Amendment Z02/07 Victory

Councillor Cuthbert indicated that the issue of the legal description had been sorted out and that the new notice of meeting will be advertised in the paper on Thursday, March 22nd. The public meeting will be held on Monday, April 23rd at 4:30 p.m.

INFORMATION ONLY

5) Property transfer to Lily Haus

Councillor Cuthbert reminded the Committee that Council has already approved the sale of this property and that a by-law will be coming forward on Monday, March 26th.

BY-LAW

T.Rickaby
Clerk

6) Property transfer to Ambs

Councillor Cuthbert indicated that Council approved this property for sale and that the by-law will come forward on Monday, March 26th.

7) Application for Zoning By-law Amendment Z03/07 Sas

Tara Rickaby reported that this application is to "down zone" a property from TC – Tourist Commercial to RR – Rural Residential. It is called "down zoning" because the new zone will have less impact on the area, as a whole, than the current zone. Discussion ensued with respect to the Ministry of Transportation control area. The Kenora Planning Advisory Committee recommends approval of the application.

BY-LAW

T.Rickaby
Clerk

8) NWORDA Report and Recommendation

Bill Preisentanz presented his report and indicated that while the NWORDA report captures many of the economic issues and pressures currently facing communities in Northwestern Ontario, it appears to jump too readily to the conclusion that a new organizational structure will be the solution to the problem. The report also fails to identify the present “policy vacuum” that exists at the senior levels of government with respect to the economic health of northern communities. These governments need to be held accountable in terms of the development of policy development and the creation of a plan for the future growth, development and prosperity of the north. He further indicated that unfortunately, this report falls far short in the regard. However, it is a good start, and the combined efforts of the municipalities that comprise NOMA should continue working on all fronts to press the senior levels of government for change.

RECOMMENDATION:

Whereas NOMA at its AGM in April 2006 unanimously agreed to strike a Regional Recovery Program (RRP) Committee to develop a plan to chart a course for economic recovery for the Northwestern Ontario Region; and

Whereas the complex decisions affecting the Northwest are best understood and made by those who live here and by speaking with one voice; and

Whereas the Report “Forging the Future ... an economic vision for Northwestern Ontario” dated January 2007, authored by the NOMA led RRP Committee, identified critical issues facing the municipalities in Northwestern Ontario, and;

Whereas NOMA must continue to press the senior levels of government for the tools to effectively address economic crisis faced by northern communities, and;

Whereas NOMA is now requesting municipal support in principle for the Report and the concept of the creation of NWORDA;

Now Therefore Be It Resolved that the City of Kenora acknowledges the issues identified in the Report, and the ongoing efforts of the RPP to develop a pan-Northern growth and development plan and associated policy changes by senior levels of government that in turn support the implementation of the plan, recognizing that there still needs to be recognition and inclusion of strategic First Nation partnerships in an economic vision of Northwestern Ontario development; and

That the creation of a new organizational body from Northwestern Ontario to act as one voice in addressing the economic issues of the region deflects from the underlying reality that the present level of senior governments have created the present ‘policy vacuum’ and need to be pressured into creation of a plan for the future growth, development and prosperity of the North Now; and

That the City of Kenora not support the concept of the creation of NWORDA; and further

That NOMA and the municipalities within the NOMA District be advised of the City of Kenora position.

RECOMMENDATION TO COUNCIL

9) Community Improvement Plan

Councillor Cuthbert indicated that the Ministry of Municipal Affairs manual was distributed to all of Council for reference. Mayor Compton stated that he is concerned that there is no long term plan for the waterfront, throughout the City. He does not want this Council to be remembered for not having preserved the integrity of the waterfront. The Mayor indicated that he is not against any recently proposed development, but that it has acted as a catalyst for a comprehensive planning review and plan.

ONGOING

10) Lease of Greenspace to Bob Bell & Son (Mrs. D’s Chips)

Tara Rickaby reported that the City Planner has followed up with Bob Bell & Sons and that the company is interested in extending the lease to December 31, 2007 and understands that it is on a year-to-year basis because of the possible impact of

**Bill P.
Clerk**

Planning

construction associated with downtown revitalization.

RECOMMENDATION TO COUNCIL/BY-LAW

T.Rickaby
Clerk

11) Closed meeting adjourned at 11:05 a.m.

Motion required adjourning to Closed Meeting:

**Moved by: Rory McMillan Seconded by: Charito Drinkwalter and Carried:-
THAT this meeting be now declared closed at 11:05 a.m.; and further
THAT Committee adjourns to a Closed Meeting to discuss the following:
Disposition of Land and an item of potential litigation**

**Moved by: Dave McCann Seconded by: Rory McMillan
THAT the closed meeting be adjourned at 11:46 a.m.
Meeting adjourned at 11:47 a.m.**