

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

**Held Wednesday, September 18, 2007
At 9:00 a.m. – City Council Chambers**

PRESENT:

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Councillor W. Cuthbert	Chair
Councillor D. McCann	Council
Councillor R. McMillan	Council
Chris Van Walleghem	Council
Len Compton	Mayor
Bill Presentanz	CAO
Tara Rickaby	Planning Assistant
Jeff Port	City Planner
Heather Kasprick	Customer Services Coordinator
Nancy Tulloch	Tourism Marketing

Regrets: Jennifer Rasmussen, James Tkachyk, 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

A by-law to assume a part of Essex Road as a municipal highway

A by-law to assume Agur Street

A by-law to assume Mineault Drive

A by-law to adopt a Community Improvement Plan

B. DECLARATION OF PECUNIARY INTEREST - Mayor Compton declared interest in item no. 3 as his son signed a letter in support of the proposal.

C. CONFIRMATION OF MINUTES – September 5, 2007

Moved by: Rory McMillan Seconded by: Dave McCann

THAT the minutes of the regular meeting of Property and Planning Committee, September 5, 2007, be adopted as distributed.

CARRIED

D. ADDITION TO AGENDA - Councillor Cuthbert added one property issue to the in camera portion of the meeting.

E. DEPUTATION – None

- 1) **Application for Zoning By-law Amendment Z09/06 Beaucage** – Applicant’s lawyer indicates that interior work continues on fire separations. The furnace has been replaced. Another inspection by the Fire Department will take place this week.

INFORMATION ONLY

2) Community Improvement Plan – Reminder of public meeting Sept 24th at 4:30

The City Planner commented that because of the extensive public consultation process involved in developing this plan, and as long as there are no objections voiced at the public hearing on Monday, the Planning department recommends that the by-law be passed that night as there are businesses anxious to proceed.

INFORMATION ONLY/ BY-LAW

Planning
Clerk

3) Request for docking – Keewatin Highway 17 West businesses

Councillor Cuthbert indicated that because there had been no recent progress or correspondence from the proponents that the matter be removed from the agenda. If the proponent would like to bring the matter forward again they can contact the Planning

Department.

4) Black Sturgeon Lake Capacity Study – On hold pending final report

The final report will be reviewed by the Citizens' Advisory Committee. The public meeting, held on August 25th was well attended. The Advisory Committee has been asked, informally, if they would remain as a recommending body to prioritize the recommendations included in the report.

Discussion took place with respect to recouping of the cost of the study. The Planner recommends that there be an ongoing lot levy in order to be able to implement some of the recommendations such as water quality testing and septic field inspections.

INFORMATION ONLY

Planning

5) Branding Logo Policy

The Customer Service Coordinator reported that the policy has been reviewed, and that the recommendation is to review item #6 for functionality with respect to making budgetary decisions within the policy. In addition Ms. Kasprick questioned whether or not the revenues should go back into a marketing and promotion budget.

Discussion ensued; the budgeting process will be the Council review of what revenues offset expenses.

The marketing of the brand logo will be done by retailers, who were content with a 10% commission, to go back to the City, as long as it was allocated to marketing and promotion. If the City of Kenora is to distribute items with the brand logo, there will be a controlled inventory, run in conjunction with the inventory controls currently in place for distribution of items advertising the corporate logo.

RECOMMENDATION:

THAT the Council of the City of Kenora hereby approves the Branding Logo Policy, and further

THAT the Tourism Committee of the Lake of the Woods Development Commission is hereby authorized to make decisions with respect to exceptions to the Branding Logo Policy.

RECOMMENDATION TO COUNCIL

Planning/
Clerk

6) Snowmobile Committee

Councillor Cuthbert reported that in May of 2007, Council appointed a Snowmobile Advisory Committee. The mandate of the Committee is:

THAT Council of the City of Kenora hereby accepts the recommendation of the Property & Planning Committee with respect to promoting snowmobiling within the community by removing the trail permit requirement for the designated corridor within the City limits; and further

THAT once final direction on this matter is confirmed Council give three readings to a by-law to amend By-law # 154-2001 for this purpose.

The Committee has been meeting, on a weekly basis, since June 7th. The Committee's deliberations resulted in a decision not to have designated trails within City limits. Based on that premise, the Committee is now working towards provision of better enforcement of by-laws and the Highway Traffic Act and Motorized Snow Vehicles Act, within the City, as well as a public awareness of snowmobile etiquette and rules of the road.

The Committee is compiling information for the newsletter, as part of the public awareness campaign and has made a presentation to the Kenora Police Services Board with respect to higher levels of enforcement. The Committee sees enforcement as key to ensuring snowmobiling works for the rider and residents alike. The Committee has also asked the Sunset Trail Riders to continue to groom the trail from the southern boundary of the City to the shore of Lake of the Woods abutting Anicinabe Park.

The Snowmobile Advisory Committee is preparing more material for a report, which was due September 5th, however requires more time in which to produce the report. In addition, the Committee members have agreed to continue on to act as an oversight committee for snowmobiling issues which may come forward.

Discussion took place with respect to insurance and use of private property by snowmobilers. Councillor Cuthbert indicated that she has tried to get in touch with the insurer and that once he is back in his office he will be asked to attend a Snowmobile Advisory Committee meeting.

Bill Preisntanz indicated that, from experience, he foresees that if there are not groomed trails through the City, out of town snowmobilers will not come to the area.

RECOMMENDATION:

THAT the Snowmobile Advisory Committee be maintained in order to follow through on two goals: a) increased enforcement of by-laws and provincial legislation with respect to snow vehicles and; b) to provide opportunities for public awareness of issues surrounding snowmobiling within the City; and

Further that the mandate of the Snowmobile Advisory Committee be extended to include monitoring and responding to ongoing snowmobiling issues within the City.

INFORMATION ONLY

7) Agur Street Assumption

RECOMMENDATION:

THAT Council of the City of Kenora hereby approves assumption of Agur Street for highway purposes and directs the Municipal Solicitor to proceed with the necessary course of action to do so; and further

THAT in accordance with Notice By-law #14-2003, notice is hereby given that Council intends to adopt a by-law at its September 24 meeting for this purpose.

RECOMMENDATION TO COUNCIL

Planning/
Clerk

8) Essex Road – Assumption of a portion described as Part 1 on Plan 23R-11416

The City of Kenora Planning Advisory Committee gave provisional consent to Application B17/06 Hulmes on October 17 2006.

One of the conditions of approval was *“That the Applicant transfers a minimum 20 metre road allowance for any portion of the Essex Road that crosses the subject property be surveyed out and transferred to the City of Kenora”*

The Applicants have prepared a reference plan and the transfer documents required to effect the transfer of the property, known as the Essex Road, to the City.

RECOMMENDATION:

1. THAT the Council of the Corporation of the City of Kenora assumes a portion of the Essex Road;
2. THAT the Corporation of the City of Kenora assumes as a highway for public/municipal purposes lands acquired from George Ivor Hulmes particularly, part of property described as CON 8J S PT LOT 13 PCL7968;LESS PT 1 PLAN 23R7013 PCL;37222 PIN 42177-0192 (LT), designated as Part 1 on Plan 23R- 11416 now in the City of Kenora, District of Kenora;
3. THAT the portion of the road forms part of the Essex Road;
4. THAT the purchase price of the said road shall not exceed the sum of One Dollar (\$1.00);
5. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

RECOMMENDATION TO COUNCIL

Planning
Clerk

9) Mineault Drive- Assumption and Acceptance

The City of Kenora entered into a development agreement with Philip and Joycelyn Mineault on May 24, 2005, for the construction and two year maintenance period of Mineault Drive. The road was constructed as a condition of approval of consent.

After an initial inspection, and a requirement for the Developer to mitigate some issues which have become apparent in the two year maintenance period, on September 12, 2007, the Roads Supervisor recommended that Mineault Drive be assumed by the City of Kenora.

RECOMMENDATION:

THAT, by the passing of a by-law, the City of Kenora declares that the Owner is not in default of any of the provisions of the Agreement; and
THAT the City of Kenora accepts and assumes Mineault Drive as a public highway; and
THAT the City of Kenora, by passing of said by-law, releases the Owner from any further obligations associated with the Agreement.

RECOMMENDATION TO COUNCIL

Planning/
Clerk

Closed meeting adjourned at 9:40 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 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: Chris Van Walleghem Seconded by: Rory McMillan

THAT the closed meeting be adjourned at 10:05 a.m.

ACTION FROM CLOSED MEETING:

RECOMMENDATION:

THAT Council of the City of Kenora hereby declares a portion of the road allowance abutting Black Sturgeon Lake and property described as **CON 8J PT LOT 12;PLAN M718 LOT 4 PCL 32312** 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 Bruce Hosegood and Audrey Hosegood, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

RECOMMENDATION TO COUNCIL

Planning/
Clerk

RECOMMENDATION:

THAT Council of the City of Kenora hereby declares a portion of the road allowance abutting Black Sturgeon Lake and property described as 59 Eagle Crescent, PLAN 23M133 LOT 20 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 Robert Kroeger and Kathryn Kroeger at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

RECOMMENDATION TO COUNCIL

Planning
Clerk

Moved by: Dave McCann Seconded by: Rory McMillan

THAT this meeting be adjourned at 10: 06 a.m.