



**MINUTES**  
of the  
**Property and Planning Committee**  
Of Council

Held Wednesday, August 6, 2008  
City Council Chambers 9:00 a.m.

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**PRESENT:** Councillor W. Cuthbert, Chair  
Bill Priesentanz, CAO  
Mayor L. Compton (Arrived at 9:05 a.m.)  
Councillor D. McCann  
Councillor R. McMillan  
Art Mior, PAC Chair  
Jeff Port  
Tara Rickaby

**PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 144-2007**

Take Notice that Council intends to approve the following at its next Meeting:

- A by-law to designate property at 210 Second Street South as a property of historical value or interest under Part IV of The Ontario Heritage Act
- A by-law to designate property at 1 Seventh Street South as a property of historical value or interest under Part IV of The Ontario Heritage Act
- A by-law to assume a portion of the Jones Road
- A by-law to authorize a lease between the City and 2539706 Manitoba Limited – Days Inn
- A by-law to transfer lands to A & P Benoit

**B. DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:**

- a) On today's agenda - Mayor Compton indicated that he would declare a conflict with an item on the agenda for the closed meeting.
- b) From a meeting at which a Member was not in attendance – None

**C. STANDING COMMITTEE DEPUTATIONS:** None

**D. ADDITION TO AGENDA:** Addition of "Location of Gus the Horse" as item 5 in the open meeting. The addition of three items to the closed meeting agenda.

**E. CONFIRMATION OF MINUTES**

**Moved by: Rory McMillan      Seconded by: Dave McCann      & Carried:**

THAT the Minutes from the last regular meeting of Committee held July 8, 2008 be confirmed as amended and filed.

The minutes of the July 8, 2008 were amended by correcting the name of the agency which Suzanne Broten represents to Kenora Municipal Non-profit Housing Corporation, in section C. Standing Committee Deputations.

**F. REPORTS:-**

1) Town Island – Final Report and Public Meeting

Jeff Port indicated that the final report will likely be delivered to the City at the end of next week. He reminded those present that the draft final report is available on the portal and comments are to be directed to Kelli Saunders. The recommendation for acceptance of the report, by Council, will come forward at the September meeting. Councillor Cuthbert commented that the public meeting, held July 21<sup>st</sup>, was once again attended by 26 interested parties and that it went well.

Jeff Port commended the consultants for a job well done and on budget.

**INFORMATION ONLY**

**2) Zoning By-Law Amendment: Z10/08 (Pollock) – Public meeting – August 11<sup>th</sup> at 4:40 p.m.**

Councillor Cuthbert reminded Council of the upcoming public hearing and indicated that a change to the zoning by-law would permit the development of a chiropractic practice and massage therapy clinic.

Jeff Port stated that there was at least one letter received which included some legitimate planning concerns.

The decision will not be made at the meeting on August 11<sup>th</sup>. The application will be forwarded to PAC for a recommendation.

**INFORMATION ONLY**

**PUBLIC MEETING AUGUST 11, 2008 AT 4:40 P.M.**

**3) Transfer of lands to City of Kenora – Jones Road**

The Kenora Planning Advisory Committee gave conditional approval for consent to Peter Therrien on August 21, 2007. One of the conditions of approval was:

*That the Applicant transfers a 20 metre road allowance for any portion of the Jones Road that crosses the subject property.*

The transfer of property described as Part 3 of Plan KR 472 has not been completed. The City of Kenora currently maintains the streets as part of its roads network.

Discussion took place with respect to a “natural” severance of lands which occurs as a result of the transfer of the road to the City.

**RECOMMENDATION:**

1. **THAT** the lands affected by the By-law be acquired by the City for the purposes of a highway.
2. **THAT** the Corporation of the City of Kenora shall acquire from Peter Therrien the lands described as part of Mining Loc. 555P west of Hilly Lake and North of Indian Reserve 38B, designated as Part 3, KR472, Jaffray, now City of Kenora, District of Kenora, as a highway for public/municipal purposes.
3. **THAT** the portion of road is hereby named Jones Road.
4. **THAT** the purchase price of the said property shall not exceed the sum of One Dollar (\$1.00).
5. **THAT** the Applicant has undertaken and agreed to pay all related costs including legal fees, survey fees (if required), and any other disbursements related to the transfer of the above-noted property.
6. **THAT** the Mayor and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.

**RECOMMENDATION TO COUNCIL**

**Clerk/  
Planning**

**4) Lease agreement - 2539706 Manitoba Limited – Days Inn - Sign**

For the last number of years, the owner of the Days Inn has had a lease with the Town/City for two municipal lots situated to the south/east of the hotel for the purpose for a “Days Inn” sign.

Recently the lease was assigned to the new owners, and the lease has subsequently expired as of this month. It would be in order to renew the lease and to prepare it under the name of the new Company that now owns the business.

I spoke with one of the owners, Guy Marion, and they would prefer a five (5) year lease arrangement, and they are in favour of continuing under the same terms and conditions as the previous lease, including the annual 2% escalation fee, for the following schedule of fees during the term:-

**2004 – 2005 = \$626.11 + 2%**  
**2005 – 2006 = \$638.63 “**  
**2006 – 2007 = \$651.40 “**  
**2007 – 2008 = \$664.42 “**  
**2008 – 2009 = \$677.70**

The lease also sets out the requirement for liability insurance to be provided (\$2 million), and that the lessee is responsible for payment of taxes for the property in question.

**RECOMMENDATION:**

THAT Council give three readings to a by-law to authorize a five year lease between the Corporation of the City of Kenora and 2539706 Manitoba Limited for the Days Inn Sign situated on Municipal Property, with a 3% escalation fee per annum.

**RECOMMENDATION TO COUNCIL**

**Clerk/  
Planning**

**5. Location of “Gus the Horse” – Carriage rides**

Bill Presentanz explained that the horse and carriage is currently located at the corner of 2<sup>nd</sup> Street South and Main; there have been complaints of odour and flies from nearby business owners.

The CAO will speak to owners of property on Water Street and the City Planner will speak to the horse and carriage business owners.

**CAO/  
Planner**

**Motion required adjourning to Closed Meeting:**

**Moved by: Rory McMillan      Seconded by: Charito Drinkwalter      and Carried:-**

THAT this meeting be now declared closed at 9:17 a.m.; and further

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

- Property Matters
- Personnel matters regarding an identifiable individual.

**Reconvene to Open Session**

**REPORTS FROM CLOSED SESSION:**

**1. Transfer of Road Allowance to M & L Development**

**THAT** Council of the City of Kenora declares surplus the property abutting property described on the draft plan of subdivision, with the exception of the lands abutting lots 1 & 2, and;

**THAT** Council of the City of Kenora declares lands abutting lots described as i) PT LOC D130 DES RP 23R9512;PART 1 PCL 41143; ii) PT LOC D130 DES RP 23R9512;PART 2 PCL 41144; iii) PT LOC D130 DES RP 23R9512;PART 3 PCL 41145; and iv) PT LOC D130 DES RP 23R9512;PART 4 PCL 41146;

THAT in accordance with the Notice By-law, 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 M & L Development or the current owner, as a lot addition (consolidation), at the appraised value as established by Century 21 –

**Clerk/  
Planning**

Reynard Real Estate, plus survey and all other associated costs; and  
THAT the Municipal Solicitor coordinates the transfers.

**RECOMMENDATION TO COUNCIL**

**Clerk  
Planning**

**2. Appointment to Snowmobile/ATV Advisory Committee**

**RECOMMENDATION:**

THAT the Council of the City of Kenora hereby appoints Michael Christensen to fill the vacancy on the Kenora Snowmobile/ATV Advisory Committee.

**RECOMMENDATION TO COUNCIL**

**Clerk  
Planning**

**3. Harbourtown Centre Committee Membership**

The Committee re-affirmed Bill Richards appointment to the Harbourtown Centre Committee, for the term of Council.

**ACTION ITEM ONLY**

**CAO**

**4. Amendment to Development Agreement – Twin Eleven**

**RECOMMENDATION:**

That the Council give three readings to a By-Law being a by law to amend a development agreement with Twin Eleven Investors Ltd., and amending By-Law No. 19-2005, for the purpose of permitting the development a generator building and deck on the subject property known as the Islandview Condominium, 5 Bay Road.

**RECOMMENDATION TO COUNCIL**

**Clerk  
Planning**

**Moved by: Dave McCann      Seconded by: Art Mior**

**THAT the August 6, 2008 meeting of the Property and Planning Committee be adjourned at 10:37 a.m.**