



MINUTES

of the Property and Planning Committee Of Council

Held February 12, 2008
City Council Chambers 9:00 a.m.

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PRESENT: Mayor Compton
Councillor W. Cuthbert, Chair
Councillor C. Drinkwalter
Councillor C. Van Wallegghem
Councillor D. McCann
Art Mior, PAC Chair
Jeff Port, City Planner
Tara Rickaby, Planning Assistant

Reminder of Public Meetings: Public meetings, under *The Planning Act* will be held on Tuesday, February 19th at 4:40 pm for Zoning By-law Amendment Z02/08 LOW Electric and at 4:50 pm for Zoning By-law Amendment Z03/08 Kardal.

There will be a meeting between Council and Meridian Planning Consultants on February 19th, 2008 at 3 p.m. with respect to Waterfront Development Guidelines.

A. PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 144-2007

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

- To amend Zoning By-law No. 160-2004 on a specific property to add “drive through facility” to the HC – Highway Commercial designation;
- To amend Zoning By-law No. 160-2004 on a specific property to add “single family residence” as a permitted use to the ML – Light Industrial designation;
- To amend Zoning By-law No. 160-2004 on a specific property by changing the designation from RU – Rural to RR – Rural Residential
- A by-law to authorize the assumption of a highway – Pearson Street
- A by-law to assume Robertson Street, Guelph Street, Street (No Name-now Ninth Street S), Lottie Street, and parts of Julia Street
- A by-law to enter into an agreement with FedNor for a Youth Internship
- A by-law to amend a site plan agreement on property occupied by St. Thomas Aquinas High School

B. DECLARATION OF PECUNIARY INTEREST

- a) On today's agenda - None
b) From a meeting at which a Member was not in attendance - None

C. CONFIRMATION OF MINUTES

Moved by: Chris Van Wallegghem **Seconded by:** Charito Drinkwalter & **Carried:**
THAT the Minutes from the last regular meeting of Committee held January 8, 2008 be confirmed as written and filed.

D. **ADDITION TO AGENDA: #11 – Z07/07 Jarne!**

#2 – Closed meeting – Property issue

E. **STANDING COMMITTEE DEPUTATIONS:-** Mr. Poirier called to indicate that he would be late. The Committee agreed to suspend the item until Mr. Poirier arrived.

E. **REPORTS:-**

1) **Application for Zoning By-law Amendment Z09/06 Beaucage –**

This matter was referred to the Kenora Planning Advisory Committee for review and recommendation. In the interim, the Planning Department received a letter from the Chief of Fire and Emergency Services indicating progress on the renovation. The Kenora Planning Advisory Committee made the following recommendation at their January meeting:

THAT Council require the Applicant to provide proof, by way of copy of Electrical Safety Authority order that property has been inspected; and

THAT a deadline of 30 days be given, from the date of the Council meeting, for the Applicant to provide proof of the works being completed to the satisfaction of the Electrical Safety Authority, the Chief Building Official and the Manager of Emergency Services; and

THAT if such deadline is not met, the Application be refused.

The Committee directed staff to advise the applicant of the deadline.

2) **Amendment to Zoning By-law No. 160-2004 – Animal shelters and small animal boarding –**

The City Planner reviewed discussions at the last two meetings of the Planning Advisory Committee with respect to this issue. The following recommendation was made by that Committee:

THAT Council considers amending Zoning By-law No. 160-2004 as follows: Remove “ Small animal breeding and boarding establishment” from the RR – Rural Residential Zone; and 2) Remove “Animal shelter and veterinary service” from HC – Highway Commercial Zone and ML – Light Industrial Zone and permit them in MH – Heavy Industrial and RU – Rural, with 500 metre buffer zone, measured between the exact location of the facility, in a concentric circle, between the facility and any residence; and

THAT the City of Kenora Animal Control By-law be amended to be in harmony with the Zoning By-law.

The Committee discussed the 500 metre buffer zone and requested that more information be provided in the planning report which will come forward as part of the rezoning. Staff was directed to proceed.

9:20 a.m. Mr. Poirier arrived.

Deputation: Andrew Poirier, Kenora Catholic Separate School Board.

Mr. Poirier briefed Council on the plans for a partnership between the Board and Confederation College, with funding also from the Northern Ontario Heritage Fund for the construction and operation of a skills training centre on the property is the current site of St. Thomas Aquinas High School. In 1992 the Ontario Municipal Board ordered site plan control on the property. In order to be able to build this new building, as well as an addition to the school itself, a site plan amendment is required. Council requires that the School Board give notice to neighbours in the form of a “sign back” letter, or a similar means of indicating that they have no objection to the proposed change.

RECOMMENDATION:

THAT City Council approves the amendment of a site plan agreement for property described as CON 6J LOT 6 S PT DES PTS 1&2 23R-2494 PCLS 29166 & PTS1;2&3 PCL 39956, locally known as the St. Thomas Aquinas High School to include an area of plantings, to the south of the training centre

This recommendation will go forward upon evidence being provided indicating that

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neighbours have no objection to the proposed development.

RECOMMENDATION TO COUNCIL

**M. Solicitor/
Clerk**

9:50 a.m. Art Mior left the meeting

3) Zoning By-law Amendment Z02/08 LOW Electric – Condition of approval of consent under the Planning Act

The City of Kenora Planning Advisory Committee gave approval to a consent for one new lot on April 17, 2007. In order to bring the subject properties into compliance with the Zoning By-law, the property must be rezoned to permit a single family dwelling to be added as a use on a portion of the property and to rezone another piece of property as ML – Light Industrial.

In order to ensure separate access for both uses, a portion of property, formerly owned by the Crown and abutting both the highway road allowance and the subject property, has been purchased by Lake of the Woods Electric.

The portion of the property which is currently a residential use, will be separated from the Light Industrial use on the east side. Because of the character of the area, the PAC is recommending that the residential use be added to the Light Industrial designation. This would permit a light industrial use to be established on the property rather than the residential use, if that opportunity arises in the future.

RECOMMENDATION:

THAT the Council of the Corporation of the City of Kenora approves an amendment to Zoning By-law No. 160-2004 on a specific portion of property described as 2378 Highway 17 East CON 2J PT LOT 10 DESGN;RP 23R4125 PART 1 PCL 31991 be rezoned to add a single family dwelling as a permitted use and Part 1 on Plan 11503 be rezoned from RU to ML – Light Industrial.

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RECOMMENDATION TO COUNCIL

4) Zoning By-law Amendment Z03/08 Kardal – Condition of approval of consent under the Planning Act

The City of Kenora Planning Advisory Committee gave approval to a consent for a lot addition on December 18, 2007. In order to bring the subject properties into compliance with the Zoning By-law, the property must be rezoned from RU – Rural to RR – Rural Residential. This is a condition of approval of the PAC.

The subject property is located on Wyder Road.

Because the application is for a lot addition, there are no planning issues other than the reduction of the size of the property. Because it is currently zoned Rural, the reduction to a little over .8 hectares, which is smaller than the 2 ha required in the Rural zone, the property must be rezoned to be in compliance with the Zoning By-law. The Kenora Planning Advisory Committee has given conditional approval to the consent; the rezoning being one condition.

RECOMMENDATION:

THAT the Council of the Corporation of the City of Kenora approves an amendment to Zoning By-law No. 160-2004 on a specific property described as 34 Wyder Road, CON 2M PT LOT 6 BEING RP;23R7681 PT 1 PCL 37980, from RU – Rural to RR – Rural Residential.

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RECOMMENDATION TO COUNCIL

5) Zoning By-law Amendment – Amend zoning on two properties from RR and ML to EP – Environmental Protection

In 2005, the Kenora Planning Advisory Committee approved the creation of two new rural residential lots on Black Sturgeon. One of the conditions of approval of B17/05 Neniska was *That the portion of property indicated on Schedule A as .54 ha be transferred to the City of Kenora for future EP – Environmental purposes.* This

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Clerk**

transfer ensures the protection of an area for northern pike spawning and nursery. The MNR was consulted at the time and was more than satisfied with this solution.

In 2007, the City of Kenora received an application, to purchase a portion of municipal property, from a group of property owners which uses a community well which was established over 20 years ago on property located off of the Johnson Landing Road. At the time they also requested that the City rezones property which is located above the subject property and also owned by the City. The rezoning of the property to EP – Environmental Protection, would help to ensure that there would not be a run off into the well from another use.

RECOMMENDATION:

THAT Council of the City of Kenora directs the Planning Department to proceed with the steps necessary to amend Zoning By-law No. 160-2004 as follows: Property indicated on Plan 23R-11246 less Parts 1-5 and Part of Part 6 and property described as 46 Johnsons Landing Road CON 7J N PT LOT 3;RP KR687 PART 1 PCL 28112;RP KR1425 PART 1 from RR- Rural Residential to EP – Environmental Protection.

6) Dedication of a Highway – Pearson Street – Part 1 Plan 23R 10013

As a result of a title search, the Municipal Solicitor found that Pearson Street has been surveyed and conveyed to the City, but not dedicated as a highway. In order for the City to proceed to dedicate Pearson Street, notice must be given and a by-law passed.

The City of Kenora currently maintains Pearson Street as part of its roads network.

RECOMMENDATION:

THAT the Corporation of the City of Kenora passes a by-law to dedicate the lands described as part of Cameron & Kennedy’s Mill Location Kenora being that part of Mill Reserve situate at Norman, Town of Kenora, now City of Kenora, District of Kenora, designated as Part 1, Plan 23R10013, as a highway for public\municipal purposes and named Pearson Street.

THAT the Mayor and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.

RECOMMENDATION TO COUNCIL

7) Assumption of Streets in Lakeside Neighbourhood

As a result of a title search, the Municipal Solicitor discovered that Robertson Street, Guelph street, Street(no name-now Ninth Street S.), Lottie Street, Julia Street (except pt 3, KR1196), lane abutting Lots 35 & 36, lane abutting lots 1-5, PLAN M108 has been surveyed but not assumed by the municipality. In order for the City to proceed to assume said streets, notice must be given and a by-law passed.

The City of Kenora currently maintains the streets as part of its roads network.

RECOMMENDATION:

THAT the Corporation of the City of Kenora passes a by-law to assume Robertson Street, Plan M108; Guelph Street, Plan M108; Street(No Name-now Ninth Street S), Plan M108; Lottie Street, Plan M108; Julia Street, Plan M108 except Part 3, KR1196; Lane abutting Lots 35 & 36, Plan M108; Lane Abutting Lots 1-5, Plan M108.

THAT the Mayor and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.

RECOMMENDATION TO COUNCIL

8) Regional Outreach Coordinator – FedNor Funding for NW Business Centre

The Northwest Business Centre applied, in August of 2007, for funding for a youth internship to coordinate regional outreach for the Centre.

Youth Internships are designed to provide meaningful full-time work experience for recent post secondary school graduates. The attached work plan is the basis for the

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application to FedNor.

The City of Kenora is the applicant as the sponsor for the Northwest Business Centre. Advertising for this position took place in December of 2007, with one applicant. The applicant was interviewed in January, according to City policy.

RECOMMENDATION:

THAT City Council approve the entering into an agreement with FedNor for funding of an intern in the position of Regional Outreach Coordinator; and
THAT the Mayor and Clerk be authorized to enter into the agreement on behalf of the City; and
THAT Aynsley Weatherall be offered the position.

RECOMMENDATION TO COUNCIL

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9) Amendment to Site Plan – Kenora Catholic District School Board

See Deputation above

10) Town Island – Status

Planning Department proceeding with rfp for fishery and archeological assessments. Results will come back to this committee for recommendation.

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11) Zoning By-law Amendment Z07/07 Jarnel

Jeff Port reviewed the application and the issues identified as a result of it. The Kenora Planning Advisory Committee passed the following recommendation at a special meeting on February 11, 2008:

RECOMMENDATION:

THAT the site specific application Z07/07 Jarnel to add a “drive through facility” as a use to property described as 714 Lakeview Drive, PART OF BULMER'S MILL LOC;RP 23R4575 PART 1, PCL 33315 be approved conditional upon the Developer and the City of Kenora reaching an agreement on cost sharing and a traffic plan.

RECOMMENDATION TO COUNCIL

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Motion required adjourning to Closed Meeting:

Moved by: Charito Drinkwalter Seconded by: Dave McCann and Carried:-

THAT this meeting be now declared closed at 10:23 a.m.; and further

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

- Property Matters

Reconvene to Open Session

Moved by: Chris Van Wallegghem

THAT the February 12, 2008 meeting of the Property and Planning Committee be adjourned at 10:43 a.m.