



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

Held Wednesday, October 15, 2008
City Council Chambers 9:00 a.m.

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PRESENT: Councillor W. Cuthbert, Chair
Bill Priesentanz, CAO
Councillor D. McCann
Councillor R. McMillan
Councillor C. Van Wallegghem
Councillor C. Drinkwalter (arrived at 9:11 a.m.)
Jeff Port, City Planner
Tara Rickaby, Planning Assistant
REGRETS: Mayor L. Compton

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 transfer municipal property to Sean Michael Rose
- A by-law to designate property known as the Kenora Fire Hall as a property of historical value or interest under Part IV of The Ontario Heritage Act
- A by-law to assume parts of the Anderson Road
- A by-law to deem certain lots not to be lots within a registered plan of subdivision
- A by-law to amend the Snowmobile By-law
- A by-law consolidate the ATV By-law

B. DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:

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

C. STANDING COMMITTEE DEPUTATIONS: None

D. ADDITION TO AGENDA: None

E. CONFIRMATION OF MINUTES

Moved by: C. Van Wallegghem Seconded by: D. McCann & Carried:

THAT the Minutes from the last regular meeting of Committee held September 9, 2008 be confirmed as distributed and filed.

F. REPORTS:-

1) Directional (highway) and way finding signage on Highway 17 and 17A

Councillor Cuthbert explained that the OPP Community Policing Committee is concerned that there are no rest areas in the Kenora area. The Committee, as an alternative, would like to have directional signage, indicating food/lodging/gas facilities, at each of the six entrances from Highway 17/17A to Kenora. There may be some funding available for such signage. Councillor Cuthbert will follow up for examples of the signage proposed.

RECOMMENDATION: HOLD FOR MORE INFORMATION AT NEXT PROPERTY AND PLANNING MEETING

W. Cuthbert

2) Assumption of parts of Anderson Road transferred as condition of consent

The Kenora Planning Advisory Committee gave conditional approval to a consent in October of 2007. One of the conditions was that any portion of the travelled area of Anderson Road be transferred to the City. The property has been transferred and needs to be assumed as a highway.

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 has acquired from the owners, the lands designated as Parts 10, 11, 12, 13 and 14 of 23R-11541, now City of Kenora, District of Kenora, as a highway for public\municipal purposes.
3. **THAT** the portion of road is hereby named Anderson 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

Planning/Clerk
M. Solicitor

3) Accept the final report for the "Environmental Inventory and Impact Assessment for Town Island"

The Committee members commented that the report was well done and provided important information and interesting history of Town Island. Jeff Port will send the report out electronically. Interested members of the public will have access to the electronic version after the Council meeting on the 20th.

RECOMMENDATION:

That City Council accepts the *Environmental Inventory and Impact Assessment for Town Island* Final Report as submitted by Kelli Saunders and Ryan Haines.

RECOMMENDATION TO COUNCIL

Planning/Clerk
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4) Amendment to agreement with Industry Canada/FedNor – Regional Outreach Coordinator

The Northwest Business Centre applied, in August of 2007, for funding for a youth internship to coordinate regional outreach for the Centre. Advertising for this position took place in December of 2007, with one applicant. The Applicant resigned the position to pursue further post-secondary education. The NW Business Centre is now re-advertising to fill the position, and the agreement with FedNor has been amended to reflect the new timeframes for the position.

RECOMMENDATION:

THAT City Council approve the amending of the 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 Staff be directed to advertise the position according the City's hiring policy.

RECOMMENDATION TO COUNCIL

Planning/Clerk

5) Request to deem lots 115 and 116 on Plan M.39 not to be within a registered plan of subdivision

In March of 2008, Council declared Lot 117 on Plan M39 surplus to its needs, and agreed to sell it to Jamie Minor, with the condition that Lots 115 and 116 be consolidated with Lot 117 and re-aligned to run lengthwise from north to south (rather than east to west). In order to accomplish this, Lots 115 and 116 are required to be deemed not to be lots within a plan of subdivision.

Once the deeming by-law is passed and registered on title, Mr. Minor will apply for consent on the property which was Lots 115 and 116, to reconfigure the lots. One condition of approval for this consent will be that Lot 117 be split in half and consolidated with each of the other two parts.

RECOMMENDATION:

THAT :

1. All the lands contained within the boundaries of Lots 115 and 116, on Registered Plan of Subdivision M. 39, Block L, Loc. X 21, in the City of Kenora, formerly the Town of Keewatin, in the District of Kenora are hereby deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, RSO 1990.

2. In accordance with the provisions of the Planning Act, this by-law shall come into force and take effect on the final passing thereof by the Council of the Corporation of the City of Kenora and upon registration of this by-law in the Land Titles office for the District of Kenora.
3. THAT the Applicant shall be responsible for all costs associated with such registration.
4. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

RECOMMENDATION TO COUNCIL

**Clerk/
Planning/
M. Solicitor**

6) Amendments Snowmobile by-law – addition of time restriction to certain areas of the City

Councillor Cuthbert explained that, in order to be able to control noise of snowmobiles within certain areas of the City, the Snowmobile/ATV Committee is recommending a restriction to operation of a snowmobile between 11 pm and 7 am in certain residential areas of the City. The Municipal Solicitor has provided wording.

Discussion took place respecting the differences, for enforcement purposes, between ATVs and snowmobiles. The time restriction should address the noise issues brought forward by residents.

RECOMMENDATION:

THAT By-law No. 149-2007, being the Snowmobile By-law, be further amended by adding thereto the following provision: 2.1 – Areas Restricted by Time: No person shall operate a motorized snow vehicle at any time between 11:00 p.m. in the evening and 7:00 a.m., the following morning, within the area set out in Schedule “B” attached hereto and forming part of this By-law; and

THAT the By-law be amended by adding thereto Schedule “B”;

RECOMMENDATION TO COUNCIL

**Planning/
Clerk/
M. Solicitor**

7) Amendments to ATV by-law - addition of Anicinabe Park as restricted area and reduction of part of Lakeview Drive from restricted area

Councillor Cuthbert explained that the addition of Anicinabe Park (with the exception of City/Park Staff) as a restricted area between May 1st and October 31st because the park is occupied by campers during those times. Other parks have not been an issue.

The Snowmobile/ATV Committee is recommending that ATVs be permitted along Lakeview Drive, from the hospital bridge, to the roundabout and north onto Veterans Drive. The Committee recommends against the same for snowmobiles as steering is difficult on ice/concrete.

RECOMMENDATION:

THAT a By-law be passed, to be the ATV By-law, which will regulate and control the operation of all terrain vehicles within the boundaries of the City of Kenora;

THAT the ATV By-law be consolidated incorporating the current by-law and the proposed changes to the restricted areas; and

THAT By-law No. 115-2008 be repealed; and

THAT the Municipal Solicitor be directed to propose short form wordings, for enforcement of the by-law, and submit them to the appropriate agency for review

RECOMMENDATION TO COUNCIL

**Planning/
Clerk/
M. Solicitor**

Motion required adjourning to Closed Meeting:

Moved by: C. Van Walleghem Seconded by: D. McCann and Carried:-

THAT this meeting be now declared closed 9:21 a.m.; and further
THAT Council adjourns to a Closed Meeting to discuss the following:

- Disposition and Security of Property Matters

Reconvene to Open Session (10:29 a.m.)

REPORTS FROM CLOSED SESSION:

1. Application for Purchase of Municipal Property – Second Street South – Laurensen Creek - Tella

THAT the Council of the City of Kenora declares the property described as Block 5, West of East part of Lot 5 as surplus to the needs of the municipality, and;

THAT the City of Kenora retain property from 3 metres west of the centre of the municipal storm drain on the property to ensure future access and maintenance for a municipal storm drain located on said lands, and;

THAT Council give three readings to a by-law to authorize the sale of a portion of property to within 3 metres west of the centre of the municipal storm system to Ida Tella as a lot addition (consolidation), at the market value, as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs.

THAT the easterly half of the subject property located in front of property described as Part of Block 5, extreme east end 2nd St. S Part 19 (831 Second St. S.) be offered to the owner of the same property as a lot addition (consolidation) at market value, as established by Century 21 – Reynard Real Estate, plus all associated costs.

RECOMMENDATION TO COUNCIL

**Planning/
Clerk/
M. Solicitor**

2. RFP – Advertising/Wayfinding Signage – Snowmobile/ATV Routes

THAT the Council of the City of Kenora approves the release of a request for proposals from local businesses to provide advertising/wayfinding signage, on municipal property, for snowmobile/ATV users; and

THAT the rfp be distributed through the Economic Development/Tourism Officers.

RECOMMENDATION TO COUNCIL

**Planning/
Clerk**

Moved by: A. Mior Seconded by: C. Van Wallegem

THAT the October 15th, 2008 meeting of the Property and Planning Committee be adjourned at 10:30 a.m.