



MINUTES
of the
Property and Planning Committee
Of Council

Held Tuesday, September 9, 2008
City Council Chambers 9:05 a.m.

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PRESENT: Councillor W. Cuthbert, Chair
Bill Priesentanz, CAO
Mayor L. Compton
Councillor D. McCann
Councillor R. McMillan
Councillor C. Van Walleghem
Rick Perchuk, Operations Manager
Tara Rickaby, Planning Assistant
GUEST: Lori Nelson, Chair of Heritage Kenora

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 amend Zoning By-law No. 160-2004 at 215 First Street South
- A by-law to transfer certain lands to and from the City of Kenora, in the "A" Street area
- A by-law to transfer certain lands to M & L Development Ltd – Per report and recommendation August 2008
- A by-law to transfer certain lands to Bergman and to Loewen – Per report and recommendation March, 2008
- A by-law to amend Schedule "A" to By-law 116-2008 to amend a development agreement with Twin Eleven Investors Ltd.
- A by-law to authorize the purchase of certain lands at the corner of Second and Matheson Streets South

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: Chris Van Walleghem Seconded by: David McCann & Carried:
THAT the Minutes from the last regular meeting of Committee held August 6, 2008 be confirmed as distributed and filed.

F. REPORTS:-

- 1) Designate property at 350 Second Street, locally known as the 1912 Kenora Fire Hall structure, as a property of historical value or interest under Part IV of the Ontario Heritage Act

Lori Nelson explained the design, heritage and contextual values of the Kenora Fire Hall.

Discussion took place with respect to what guidelines prospective purchasers would have to follow when renovating, as well as whether or not the building could ever be demolished if it were designated under the Heritage Act. Ms. Nelson indicated that many developers look for heritage buildings as a backdrop for their businesses and value the aspects of the building which need to be preserved. If demolition of the building is proposed, there is a protocol, under the Act, for review of the file and decision-making.

Ms. Nelson left the meeting at 9:18.

RECOMMENDATION:

WHEREAS the property at 350 Second Street South, known as *Kenora Fire Hall*, meets the criteria prescribed by the Province for designation under the *Ontario Heritage Act*; and

WHEREAS Heritage Kenora considered a staff report recommending designation of this property at its meeting of August 21, 2008 and recommended that the property be designated under the Ontario Heritage Act; and

WHEREAS these actions of the City of Kenora Council fulfill the requirement of the Ontario Heritage Act that Council consult with the Board before giving notice of its intention to designate a property; and

WHEREAS the staff report advises that the building meets the criteria for historical designation under the Act; and

WHEREAS extensive community consultation has made very clear the significance of the building as a historical, cultural and architectural anchor, helping to define the historical character of the neighbourhood; and

WHEREAS acting now to designate the property under the Ontario Heritage Act will protect the heritage of the downtown area and City of Kenora skyline;

NOW THEREFORE BE IT RESOLVED THAT Council of the City of Kenora gives notice of its intention to designate the a portion of the property at 350 Second Street South, known as the *Kenora Fire Hall*, legally described as Plan 25, Blk 2, Lots 273 & 274, under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest;

AND THAT the Planning Department be authorized and directed to take the necessary action to give effect thereto.

RECOMMENDATION TO COUNCIL

Planning/Clerk

2) OMB Response – Appeal of no decision Z04/08 Animal Shelters

Councillor Cuthbert read a letter from the OMB to Mr. Alex Clarke which indicates that the OMB will not conduct a hearing based on his appeal to them, citing no decision being made on the animal shelter issue.

INFORMATION ONLY

3) Transfer of property to and from the City of Kenora – “A” Street

Staff explained the various transfers of Parts on Plan 23R-11606, which will result in a better alignment of Street A.

Discussion took place of other improvements to take place in the area, with respect to the development of the new Tim Hortons restaurant.

RECOMMENDATION:

THAT the Council of the City of Kenora declares surplus the property described as Parts 2, 4 (may require easement in favour of Union Gas), 5 and 6 on Plan 23R11606, and;

THAT in accordance with the Notice By-law, arrangements be made to advertise the sale of the subject lands, in accordance with the Notice By-law; 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 1651056 ONTARIO INC., as a lot addition (consolidation) to property described as PT BULMER'S MILL LOC;DESN AS RP 23R8032 PARTS 1,2;3 PCL 38627, in exchange for lands described as Part 7 on Plan 23R11606; and

THAT the City of Kenora accepts transfer of Part 8 on Plan 23R11606; and

THAT Parts 7 and 8 on Plan 23R11606 be dedicated and assumed as municipal road allowance;

THAT the Municipal Solicitor coordinates the transfers.

RECOMMENDATION TO COUNCIL

Clerk/
Planning/
M. Solicitor

4) Transfer of Old Fort Island to City – Authorize an undertaking to provide easement to OPG

One of the conditions of the transfer of Old Fort Island, to the City, is that the City undertakes to provide Ontario Power Generation with a flooding easement over part of the subject land.

RECOMMENDATION:

That Council of the Corporation of the City of Kenora authorizes the Mayor and Clerk to

undertake, on behalf of the City of Kenora, to provide easements for the purposes of flooding and existing transmission lines over the lands known as Old Fort Island (Parcel 16); and That the City of Kenora will not be responsible for any costs associated with such easements.

RECOMMENDATION TO COUNCIL

**Clerk/
M. Solicitor**

5) Application to amend Zoning By-law No. Z10/08 Pollock – Status

Councillor Cuthbert reported that the prospective purchaser has indicated, in writing, that he is withdrawing his interest in the property and the application to rezone it. Correspondence has been sent to the property owner/applicant to provide a written withdrawal of the application by September 11th. If such notice is not received, the file will be closed based on the notice of withdrawal given by the people who had considered purchasing the property.

INFORMATION ONLY

6) Application to amend Zoning By-law No. Z11/08 KC – Reminder of public meeting – September 15th, 2008 at 4:30 p.m.

The Planning Assistant explained that a church, which has been operating from the Knights of Columbus Hall for the past 5 years has applied, as a condition of purchase and sale, to add a place of worship as a use to the current zoning. Internal circulation of the application indicates no objections. The Planning Advisory Committee has been asked for an opinion and four members have responded (by email) that they have no objections. The recommendation of the Planning Department is to pass the by-law on the same evening as the public hearing if there are no objections brought forward.

INFORMATION ONLY – PUBLIC HEARING AND BY-LAW SEPT 15, 2008

**Planning/
Clerk**

7) Purchase of property at corner of Second Street South and Matheson Street South

The CAO reported that the Municipal Solicitor has the release from the property owners and that the reference plan has been registered.

RECOMMENDATION:

That Council of the Corporation of the City of Kenora authorizes Mayor and Clerk to enter into an agreement of purchase and sale for 29 square metres of land located on the northeast corner of Second and Matheson Streets South (legal description pending deposit of reference plan at Land Titles; and

That the negotiated purchase price for said lands is \$15,000 + applicable taxes and a maximum of \$2,500 for landscaping improvements, upon presentation of receipts for payment for such works.

RECOMMENDATION TO COUNCIL

**Clerk/
M. Solicitor**

8) Amendment to Schedule A to By-law 116-2008 being a by-law to amend a development agreement with Twin Eleven Investors Ltd. - HOLD

For more information from the Developer.

HOLD

Motion required adjourning to Closed Meeting:

Moved by: Rory McMillan Seconded by: Chris Van Walleghem and Carried:-

THAT this meeting be now declared closed 9:35 a.m.; and further THAT Council adjourns to a Closed Meeting to discuss the following:

- Property Matters

Reconvene to Open Session

REPORTS FROM CLOSED SESSION:

1. Application to purchase municipal property - CON 3J PT ML 285P PCL 15122 - Hilly Lake Road - Hoyland

RECOMMENDATION:

THAT Council of the City of Kenora hereby declares property abutting property described as CON 3J PT ML 285P PCL 15122 and Hilly Lake as surplus to the needs of the municipality; and THAT in accordance with the City of Kenora 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 and surveying process has been completed, Council give

Clerk

three readings to a by-law to authorize the sale of land to the interested parties , at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs

Planning

RECOMMENDATION TO COUNCIL

Moved by: David McCann

Seconded by: Rory McMillan

THAT the September 9, 2008 meeting of the Property and Planning Committee be adjourned at 10:11 a.m.