

MINUTES

of the

Property and Planning Committee

of Council

Held Tuesday, July, 2009 City Council Chambers 9 a.m.

PRESENT: Councillor W. Cuthbert, Chair

Bill Priesentanz, CAO (9:19 a.m.)

Mayor L. Compton Councillor R. McMillan

Councillor Chris Van Walleghem

Art Mior, Chair, PAC Councillor D. McCann

Councillor Charito Drinkwalter (left meeting at 10:30 a.m.)

Tara Rickaby, Planning Assistant

Jeff Port, City Planner

A. 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 authorize a contract between the City and the Northern Ontario Heritage Fund
- A By-law to amend City Policy P1-1 Tower Policy
- A By-law to enter into an agreement with Nelson Architecture
- A By-law to enter into an agreement with Qualico Headwaters (Ontario) Inc.

B. DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:

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

C. STANDING COMMITTEE DEPUTATIONS: Presentation re. Downtown Revitalization Plan – Phase II - The City Planner presented the proposed designs for the LOW Plaza and several stages to the Harbourfront, Phase II, re-development. The Committee discussed design elements, the footbridge and possible re-location of the Thistle Pavillion. A public meeting will be arranged in the very near future, as well as consultation with the Harbourtown Centre and Kenora BIZ.

Planning

D. ADDITION TO AGENDA: #8. LOW Discovery Centre Design Contract

E. CONFIRMATION OF MINUTES

Moved by: Chris Van Walleghem **Seconded by:** Charito Drinkwalter & Carried: THAT the Minutes from the last regular meeting of Committee held June 9, 2009 be confirmed as distributed.

CARRIED

F. REPORTS:-

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

Minister Gravelle replied, indicating that the City's concerns would be addressed by the Minister of Transportation.

HOLD

2. Signage – a) Amendments to Sign By-Law

Councillor Cuthbert reviewed the draft document. There are three proposed changes to be considered: (i) Requirement to have commercial signage only on the property upon which the commercial venture is located; (ii) limitations to signage permitted in the Harbourtown Centre area; and (iii) Proposed removal of billboards as permitted signs in the City. Staff was directed to research other municipalities' policies in this regard. The document was reviewed, in general and enforcement, portable signs and aesthetics were items discussed. The document will be sent to the Municipal Solicitor, in addition to Heritage Kenora, Harbourtown Centre and Kenora BIZ for review.

Planning/M. Solicitor

HOLD

3. Rest stop

The 2009 AMO package is to include updated information on the City's request for a rest stop, with access from Highway 17A.

Planning/ Mgr. Finance & Admin

4. Amendment to Tower Policy

In October of 2003, the City of Kenora adopted a policy to ensure public consultation by proponents of commercial communications towers within the City of Kenora. The policy has been an excellent tool to ensure that the public is aware when a tower is proposed.

Planning staff recently met with the regional coordinator for communications towers issues, from Industry Canada. That agency has high praise for the City's policy, however has made a suggestion to add two sections of the Industry Canada procedure policy. The addition of these two sections addresses exclusions to the Industry Canada requirements, as well as the general requirements. Any proponents excluded from the requirement to consult with the public must still fulfill the general requirements.

The addition of these two sections is a housekeeping amendment and will bring the City's policy into alignment with the requirements of Industry Canada.

RECOMMENDATION:

THAT the City of Kenora amends Tower Policy PP1-1 to include Sections 6 – Exclusions and 7 – General Requirements of the Industry Canada CPC-2-0-03 - Radiocommunication and Broadcasting Antenna Systems (effective January 1, 2008).

RECOMMENDATION TO COUNCIL

Planning/Clerk

5. Sign Variance Application – CJ Edwards & Son

CJ Edwards & Son has made an application to the City of Kenora for a sign license. The business is located on Highway 17 East, on the south side of the highway. The property is zoned HC – Highway Commercial and the business is a contractor service which is a permitted use in the Zoning By-law.

This is a re-submission of a previous application. The original application proposed to construct a two-sided sign on the north side of the highway, opposite the existing business. This application was not in compliance with the City of Kenora By-law as it (i) was too close to the "Travelodge" sign, to the west; (ii) was too close to the edge of the travelled portion of the road; and (iii) was a two-sided sign.

The current application proposed to re-locate the sign to the south side of the highway and will have the appropriate set-back from the highway. It will also not conflict with the "Travelodge" sign, to the west. The only variance required is for a two-sided sign, which is not permitted in the By-law, for Class "A" signs. The Operations Department has reviewed the application, for a two-sided sign in this location, and has no objections.

RECOMMENDATION:

THAT the Property and Planning Committee approves the request, by CJ Edwards & Son, for a variance to the City's Sign By-law, and thereby permit the erection of a two-sided sign on property described as Part of Lot 6 Concession 1 of Jaffray Designated as Reference Plan 23R7987 Part 1 Parcel 38629 – 2041 Highway 17 East.

RECOMMENDATION TO COUNCIL

Planning/Clerk

6. Award of Contract – Review of Official Plan and Zoning By-law

Jeff Port stated that the City of Kenora adopted its current Official Plan on March 8, 2004, and the Comprehensive Zoning By-law on December 13, 2004. The Official Plan has had two amendments adopted since that time, and there have been numerous amendments to the Zoning By-law over the past five years. He referred to the section of the *Planning Act* which applies and explained that there are several reasons for the need for the review; it is particularly timely with respect to the changes to the *Planning Act*, and requirement for a five year review. Additionally, with the demolition of the former Abitibi-Consolidated newsprint mill almost complete, there will likely be significant changes to land use in the core of the City. In addition, the amendments made to the Zoning By-law over the past five years should be consolidated into the document.

A request for proposals was issued to three companies on June 5, 2009 and the competition closed on June 26, 2009. Three proposals were received:

Edward Hoshizaki Development Consulting \$41,200.00 Fotenn Consultants Inc. \$40,120.00 Meridian Planning Consultants Inc. \$44,212.00

Recommendation:

THAT the City of Kenora accepts the proposal of Fotenn Consultants Inc. at \$40,120.00 excluding GST; and

THAT the Mayor and Clerk be authorized to enter into an agreement with Fotenn Consultants Inc. to complete a review and update the City of Kenora's Official Plan, and the Comprehensive Zoning By-law No. 160-2004.

RECOMMENDATION TO COUNCIL

Planning/Clerk

7. Authorization to enter into a contract with NOHFC

The City of Kenora recently applied to both levels of government for funding of the:

- Redevelopment of the existing harbourfront to include expanded seasonal and day use marine docking facilities, landscaping, boardwalks, trails, parking and refurbishment of aging public wharves at Matheson St. and Main St. South.
- Development of venue for special events and Bernier roadway linkages, public amenity space, and refurbishment of Thistle Pavilion as new year round Visitor Information Centre.

The NOHFC approved funding, in the amount of \$2,000,000. The City is now required to enter into an agreement with the NOHFC.

RECOMMENDATION:

THAT the City of Kenora authorizes the Mayor and Clerk to enter into an agreement, on behalf of the City, with the Northern Ontario Heritage Fund Corporation, with respect to NOHFC Project No. 950397 Port Kenora Tourism Attraction.

RECOMMENDATION TO COUNCIL

Planning/Clerk

8. LOW Discovery Centre – Design Contract

The City of Kenora has been approved by the "Build Canada – Communities Component Fund" for the Lake of the Woods Discovery Centre to be located in Norman Park. The LOW Discovery Centre will function both as a travel information centre, and interpretive centre for the Tunnel Island/Common Ground project.

The purpose of the request for proposals is to select a qualified professional design consultant to prepare the construction drawings, and tender documents for the project. A condition of project approval was that it is "shovel ready", and work must proceed as soon as possible. The City invited three qualified design firms to bid the work. They were; (i) SRQ/Trow, (ii) Nelson Architecture and (iii) Hilderman, Thomas, Frank and Cram. The following bids were received:

Nelson Architecture - \$159,490 (plus GST)

It is recommended to award the contract to Nelson Architecture, as they are the only bidder, the proposed cost is within the project budget. It should be noted that Nelson Architecture will be using both TROW and HTFC as sub-consultants on the project.

RECOMMENDATION:

That the City of Kenora enter into a contractual agreement with Nelson Architecture to complete the design, tendering and contract administration for the LOW Discovery Centre at \$159,490 (plus GST) as set out in the proposal dated July 3, 2009; and Further that the Clerk and Mayor be authorized to execute said agreement.

RECOMMENDATION TO COUNCIL

Planning/Clerk

9. Street signs – Harbourtown Centre

The Committee reviewed two alternatives for street signs; the decision is to proceed with the light lettering on black background. Planning will advise the consultant and Operations.

Planning

Motion required adjourning to Closed Meeting: (10:30 a.m.)

Moved by: David McCann Seconded by: Chris Van Walleghem and Carried:-

THAT this meeting be now declared closed at 10:30 a.m.; and further THAT Council adjourns to a Closed Meeting to discuss the following:

 Disposition and Security of Property Matters, Personal Matter about an Identifiable Individual

Reconvene to Open Session (11:35 a.m.)

RECOMMENDATIONS FROM CLOSED SESSION:

THAT the Council of the City of Kenora gives three readings to a by-law to authorize the sale of approximately 60 square metres of land, being part of PLAN 3 Block 3 Part of LOT 62 and Part of LOT 63 to Toni Margeurite Smith, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs; and

THAT the Mayor and Clerk be authorized to enter into the agreement of purchase and sale.

RECOMMENDATION TO COUNCIL

THAT the Council of the City of Kenora gives three readings to a by-law to authorize the entering into a development agreement with Qualico Headwaters (Ontario) Inc. for works associated with a condominium development on property described as Part of Tunnel Island designated as Registered Plan 23R11404 PART 1.

RECOMMENDATION TO COUNCIL

CAO/Clerk

Clerk/Planning

David McCann Moved by: Rory McMillan Seconded by: THAT the July 7, 2009 meeting of the Property and Planning Committee be adjourned at 11:36 a.m.

Clerk/Planning