



MINUTES

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

**Held Wednesday, September 16, 2009
City Council Chambers 9 a.m.**

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PRESENT: Councillor W. Cuthbert, Chair
Bill Priesentanz, CAO
Mayor L. Compton (9:01 a.m.)
Councillor R. McMillan
Art Mior, Chair, PAC
Councillor Chris Van Wallegghem
Councillor D. McCann
Councillor Charito Drinkwalter
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 authorizing an amendment to a contract with Nelson Architecture
- A By-law authorizing the sale of lands described as Lot 7, Block 8, Plan 18
- A By-law authorizing the sale of lands described as *Lot 45 on Plan of Subdivision 23 M63*
- A *By-law authorizing an agreement between the City of Kenora and Northwoods Broadcasting o/a CJRL 89.5*
- A By-law authorizing the execution of a lease between the City of Kenora and Ontario Power Generation

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:

D. ADDITION TO AGENDA : One new item onto the agenda for the closed meeting.

E. CONFIRMATION OF MINUTES

Moved by: Rory McMillan Seconded by: Chris Van Wallegghem & Carried:

THAT the Minutes from the last regular meeting of Committee held August 5, 2009 be confirmed as distributed .

CARRIED

F. REPORTS:-

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

Discussion took place with respect to impact of the proposed by-law on various businesses. The definition of an awning will be refined. The by-law will go to the municipal solicitor, for review, and a public meeting will be held in order that the by-law can be vetted by a larger portion of the population.

HOLD

b) Themed signage – for municipal purposes

Staff is to develop a policy for signage indicating municipal trails, parks, buildings, points of interest etc. in order to ensure some continuity and brand recognition.

INFORMATION ONLY

c) Posters on municipal utility poles/light standards

The Downtown Revitalization technical team is awaiting a design and cost for an information kiosk which will provide an area for posters.

INFORMATION ONLY

**Planning/
M. Solicitor**

Planning

<p>2. Rest stop Staff to contact MTO Area Manager in Thunder Bay to discuss other possible locations for rest stop.</p> <p>3. Zoning By-law Amendment Z02/03 Queen Hold for technical report and plan.</p> <p>4. Changes in Latitude Marina/Parking On January 19, 2009, the City of Kenora entered into a Site Plan Agreement with Bruce Krawicki Limited for the development of a 38 stall parking lot on Lakeview Drive. The purpose of the parking lot is to service the new "Changes of Latitude" marina/docking facility. There is to be one parking stall for each docking space at the marina. The City of Kenora has a financial security to ensure the proposed development is built according to the provisions set out in the site plan agreement.</p> <p>Subsequent to the approval of the above noted site plan agreement, Mr. Krawicki made an application to the City of Kenora Planning Advisory Committee (PAC) for a variance to the parking stall size. The zoning by-law requires parking stall 6 metres long by 3 metres wide, with a 7.5 metre drive aisle. The PAC approved a parking stall variance that required a space to be 5.79 metres long by 2.89 metres wide, with a drive aisle width of 6.07 metres.</p> <p>In early August, Mr. Krawicki contacted Rick Perchuk, Operations Manager, requesting the release of the financial security. Mr. Perchuk indicated that a site inspection was required to ensure compliance before the security could be released. On August 13th, 2009, @ 4:00 p.m. Jeffrey Port, City Planner, inspected the subject property.</p> <p>The City Planner counted the number of parking stalls, and there are 33 located on the subject property. The agreement requires 38 parking stalls. Some additional parking may be available on the east side of the lot, however, one cannot adequately determine the exact number that could fit in the area. It was determined that none of the parking stalls are in compliance with all of the width, length and aisle width provision of the variance to the zoning by-law.</p> <p>Mr. Krawicki has a couple of alternatives in terms of bringing the development into compliance with the site plan agreement; (i) repainting the parking stalls to comply with the variance, and reducing the corresponding number of dock slips, (ii) repaint the parking stalls, and expand the parking area to include the remainder of the property to gain the 38 spaces.</p> <p>The City Planner will determine whether or not there has been a business license issued for the marina. He will also contact the MNR to apprise them of the situation.</p> <p>RECOMMENDATION: THAT a notice be delivered, by hand of the City of Kenora By-law Enforcement Officer, to the property owner of Changes in Latitudes Marina indicating that the parking lot/marina must be brought into compliance with the agreement between Bruce Krawicki Limited and the City of Kenora by Friday, October 9, 2009 or further action will be taken.</p> <p>5. Amendments to contract with Nelson Architecture The City Planner reported that on July 13, 2009, Council adopted By-law No. 109-2009, being a by-law to authorize the execution of a contract between the City and Nelson Architecture for the provision of professional architectural and landscape design services for the Lake of the Woods Discovery Centre. At the time, a decision was made not to award the portion of the contract which would design the interpretive component of the Centre.</p> <p>RECOMMENDATION: That the City of Kenora amends the contractual agreement with Nelson Architecture to by adding the following component to the scope of work: design of the interpretive programming elements of the for the LOW Discovery Centre at a maximum budget of \$50,000 (including GST); Further that the Clerk and Mayor be authorized to execute said agreement.</p> <p>6. Official Plan/Zoning By-law Review Process – Update The Planning Assistant reviewed the schedule of consultations to take place the week of September 21st with respect to the review of the Official Plan and Zoning By-law.</p>	<p>HOLD Planning</p> <p>HOLD</p> <p>ACTION ITEM Planning/ BL Enforcement</p> <p>RECOMMENDATION TO COUNCIL</p> <p>Planning/Clerk</p>
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There was a reminder of the Community Café, to be held to present the draft background report for the review, and to consult the public on several facets of Kenora's development, on Wednesday, September 23, 2009 at 7 p.m. at the Minis Hall.

INFORMATION ONLY

7. Heritage Kenora – Harbourtown Centre Committee

The Heritage Committee was established by the City of Kenora in 2005, and has the following mandate:

- o To advise and assist Council on all matters relating to designation under Part IV and Part V of the Ontario Heritage Act R.S.O. 1990, c.O.18.
- o To search out, assess, and recommend to Council for designation any real property, including built features, natural features, artifacts, and other, which, in the opinion of Heritage Kenora, is of historical and/or architectural merit, as established by the general criteria contained in the Ontario Heritage Act.
- o To advise and assist the citizens of the City of Kenora in the conservation of its cultural heritage resources, thereby contributing to the goals and objectives of the City's Official Plan.
- o To advise and assist Council on matters involving the protection of cultural and heritage values within the City of Kenora.
- o To provide advice and recommendations with respect to the development of cultural and heritage facilities and programs within the City of Kenora.

The representative from the Harbourtown Centre has recently resigned from the Heritage Committee, and a replacement member is required. The Harbourtown Centre Committee nominated Bill Richards as the new representative on the Heritage Committee at their regularly scheduled meeting on September 3, 2009.

RECOMMENDATION:

That the City of Kenora appoints Bill Richards to the Heritage Committee, as the Harbourtown Centre Committee representative, for a term concurrent with this term of Council.

**Planning/Clerk
M. Director**

RECOMMENDATION TO COUNCIL

Motion required adjourning to Closed Meeting: (9:40 a.m.)

Moved by: Chris Van Walleghem Seconded by: Charito Drinkwalter and Carried:-

THAT this meeting be now declared closed at 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 (11:09 a.m.)

RECOMMENDATIONS FROM CLOSED SESSION:

THAT the City of Kenora accepts the offer made by Robert Halverson, and presented by Century 21 Reynard Real Estate as an agreement of purchase and sale, in the amount of \$11,500.00 + GST, for the property described as Lot 7, Block 8, Plan 18.

RECOMMENDATION TO COUNCIL

**Clerk/M.
Solicitor
Planning**

*THAT Council of the City of Kenora hereby declares property described as Lot 45 on Plan of Subdivision 23 M63, as surplus to the needs of the municipality; and
THAT Lots 45 and 44 on Plan of Subdivision 23 M63 shall be deemed to not be lots on a plan of subdivision before transfer to the owner of Lot 44. Costs associated with this process to be paid for by the purchasers of the lands; and*

THAT in accordance with Notice By-law #14-2003, 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 CARVALHO HERMINIO & VIDALIA and MAREK CRAIG & JOANN at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

RECOMMENDATION TO COUNCIL

**Clerk/M.
Solicitor
Planning**

That the City of Kenora sell the Rabbit Lake shore allowance to abutting property owners, with the conditions that (i) there would be no negative impact to fish and wildlife values, (ii) there is no municipal interest in the property and (iii) best practices for shoreline stewardship are followed by the landowner.

RECOMMENDATION TO COUNCIL

Planning

That Council of the City of Kenora hereby give three readings to a bylaw ratifying an amending Agreement between the City of Kenora and Northwoods Broadcasting o/a CJRL 89.5 for lease of an equipment storage building adjacent to the Valley Drive communication tower.

RECOMMENDATION TO COUNCIL

Planning/Clerk/
CAO

That Council of the City of Kenora hereby give three readings to a bylaw ratifying a Lease Agreement between the City of Kenora and Ontario Power Generation for lease of office and parking space at the Operations Centre at 60 Fourteen Street North.

RECOMMENDATION TO COUNCIL

Planning/Clerk/
CAO

Moved by: Chris Van Wallegem Seconded by: Dave McCann
THAT the September 16, 2009 meeting of the Property and Planning Committee be adjourned at 11:13 a.m.