



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

**Held Tuesday, April 7, 2009
City Council Chambers 9 a.m.**

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PRESENT: Councillor W. Cuthbert, Chair
Bill Priesentanz, CAO
Mayor L. Compton
Councillor R. McMillan
Councillor D. McCann
Councillor Chris Van Wallegghem
Councillor Charito Drinkwalter (9:04)
Art Mior, Chair, PAC
Jeff Port, City Planner
Tara Rickaby, Planning Assistant
Nancy Tulloch TDO

REGRETS:

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 transfer lands to Schadek-Parsons and Hoyland
- A By-law to accept and assume Darlington Trail
- A By-law to amend the Official Plan with respect to Black Sturgeon Lake
- A By-law to amend the Zoning By-law with respect to Black Sturgeon Lake
- A By-law to extend an agreement with the Ministry of Northern Development and Mines for provision of services related to the Northwest Business Centre
- A By-law to amend a subdivision agreement with 1703591 Ontario Inc.
- A By-law to enter into an agreement with a real estate firm

B. DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:

- a) On today's agenda - Mayor Compton declared a conflict with item #5 as the property landlord of one of the respondents to the request for proposals
- b) From a meeting at which a Member was not in attendance - None

C. STANDING COMMITTEE DEPUTATIONS: Gerry Cariou, Ontario Sunset County

Mr. Cariou described the area served by Sunset Country Tourism Association and its target market/customer base. He explained the differences between the market catchment area in Northwestern Ontario as compared to both Thunder Bay and Sault Ste. Marie. Mr. Cariou expressed the concern that the Sunset Country brand, built up over 35 years, will not be as effective or used to its maximum potential. He encouraged Council to attend a meeting hosted by the Province, which will be held in late April in Kenora to encourage public input into the proposed changes to the tourism regions in Ontario. Mr. Cariou thanked the Committee for their time and asked Council to consider forwarding a resolution supporting the maintenance of the Sunset Country tourism region to senior levels of government. Staff will provide Mr. Cariou with a draft of the resolution for his comments before it goes to the Council meeting. Mr. Cariou left the meeting at 9:13.

D. ADDITION TO AGENDA : Norman Park presentation

E. CONFIRMATION OF MINUTES

Moved by: Chris Van Wallegghem **Seconded by:** Charito Drinkwalter **& Carried:**
THAT the Minutes from the last regular meeting of Committee held March 3, 2009 be confirmed as distributed .

CARRIED

F. REPORTS:-

The City Planner provided details on a conceptual plan for Norman Park, including how the plan evolved. The concept includes a visitor information/interpretive centre for Tunnel Island, a transportation museum/display, a water feature which can be used during the winter as a skating rink and summer as a picnic area, an improved parking/access to the existing railway museum and some improvements to the beach area.

Discussion took place with respect to participation in the project and when experts should be recruited to offer advice. Staff was directed to include interested parties from the aviation and marine communities at the next meeting.

Councillor Van Wallegghem informed the committee that Godbout's Towing moved the 1959 Bombardier twice, without charge and that Syntac did the concrete work for the pad upon which the machine sits, also as a donation to the community.

Planning

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

Councillor Cuthbert indicated that the TODS representative was contacted by staff. TODS signs are available to the City, as they are to any other business or agency. There is a cost for this service, and a contract to be signed. Staff will contact TODS to ask for a proposal for signage along Highway 17A (the by-pass).

The design etc. of the wayfinding and municipal promotional signage will be considered as part of the sign committee's mandate in order to ensure consistency.

Planning

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

Councillor Cuthbert stated that she met with the City Planner and that she is recommending that this item be put on hold until the next meeting. The current sign by-law is out of date and an entirely new by-law is being drafted for consideration.

HOLD

Nancy Tulloch left the meeting at 9:36 a.m.

b) Keewatin Signage

Councillor Cuthbert explained that the Keewatin BIZ took on the task of inventorying signage in the Keewatin neighbourhood, and offering suggestions for improvement for tourist way-finding signage in the future. She expressed, on behalf of Council, appreciation for the work, to date. There is also a request for consideration of an access to the water for dogs.

The Committee discussed the merits of considering the sign information/requests as part of the overall review of municipal signage, in order to maintain consistency. The issue of identifying, or maintaining individual "neighbourhoods" will be discussed.

The issue of access to the water for dogs was discussed. There is concern respecting the issue of people and animal interaction, in addition to animal waste. The Committee will not recommend that an area designated for dogs be established.

The Committee discussed signage indicating public access to the lake/river. This issue will be on the agenda for review by the Sign Committee in order to maintain consistency.

HOLD

Mayor Compton left the meeting at 9:47 a.m.

3) Rest stop

Councillor Cuthbert reviewed the history of this matter and suggested that the City could increase the pressure on the Ministries of Tourism, Economic Development, Northern Development and Mines and Transportation, to address the location and operation of a rest stop, or await the results of the study by the Ministry of Transportation which will recommend a location for a rest stop. Discussion took place of the rash of traffic accidents in the last few weeks. Councillor Van Wallegghem will hand deliver a letter to Minister Gravelle at NOMA, and the OPP Community Policing Committee will be asked to draft a letter of support.

Planning

Planning/Clerk

4) Official Plan Amendment No. 2/Implementing Zoning By-law Amendment - Reminder

The OPA No. 2 and implementing zoning by-law amendment are on Council's agenda for adoption at the April 14th Council meeting.

INFORMATION ONLY

5) RFP for Real Estate Services

The City of Kenora has contracted out various aspects of real estate services to a local real estate company over the past several years. This past contract has expired, and the City recently conducted a "Request for Proposals" (RFP) for a continuation of real estate services for the City. The RFP was sent to all of the local real estate firms, and two submitted proposals. They are:

- Kenora Home and Cottage Realty Inc.
- Century 21 Reynard Real Estate Ltd.

City staff have evaluated the two proposals according to experience/qualifications, staffing complement, marketing plan, commissions/fees and sales volumes. The following is a summary of the evaluation of the two proposals. The scoring is established on a scale of 1 – 5, with 5 being the highest and 1 the lowest.

Firm	Experience/Qualifications	Staffing	Marketing	Commissions/Fees	Sales Volume	Total
Century 21	5	5	5	4	5	24
Kenora Home & Cottage	4	5	4	4	4	21

RECOMMENDATION:

THAT the contact for Real estate Services for the City of Kenora be awarded to Century 21 Reynard Real Estate Ltd. For a period of three (3) years.

RECOMMENDATION TO COUNCIL

Planning/Clerk

6) Acceptance and Assumption of Darlington Trail

The City of Kenora entered into a subdivision agreement with 1629700 Ontario Inc. on October 24th, 2005, for the construction and two year maintenance period of an extension of Duffus Road and Darlington Trail. The road was constructed as a condition of approval of a plan of subdivision.

The maintenance period ended in August of 2007, however the road has not yet been assumed, for highway purposes, by by-law

RECOMMENDATION:

THAT, by the passing of a by-law, the City of Kenora accepts and assumes both Duffus Road, and Darlington Trail, as laid out on plan of subdivision 23M945, as public highways, for municipal purposes.

RECOMMENDATION TO COUNCIL

Planning/M. Solicitor/Clerk

7) Transfer of property to Schadek- Parson and to Hoyland

The City of Kenora received an application, from both Michael and Patti Schadek-Parson and neighbours Sheri and Lee Hoyland, for the purchase of a portion of municipal road (shore) allowance property abutting each of their properties and Hilly Lake.

In June and September of 2008, respectively, Council passed a resolution to declare the lands surplus to the needs of the municipality.

A by-law is now required to enter into the agreement of purchase and sale.

RECOMMENDATION:

THAT the Council of the City of Kenora gives three readings to a by-law to authorize the sale of the land described as Part 1 on Plan 23R-11669 to Michael and Patti Schadek-Parson, and land described as Part 2 on Plan 23R-11669 to Sheri and Lee Hoyland, 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

Planning/M. Solicitor/Clerk

8) Northwest Business Centre – 2009/10 Business Plan

For the past seven years, the City of Kenora has supported the Business Centre (NWBC), in partnership with the Ministry of Northern Development and Mines. This program provides business

research, marketing and counseling services to residents of Kenora and across Northwestern Ontario. The program also provides outreach services to youth, First Nations and women's groups in starting and/or expanding a business.

The service has been expanded over the years with assistance from the Ministry of Northern Development and Mines. The NWBC received additional project funding, as well as private sector sponsorships in the amount of \$12,500 per year. An additional \$21,000 has also been made available to the NBC for 2009/10.

The program is presently co-located in the Business Development Centre, on Second Street South. It complements other BDC programs such as their investment programs. The NWBC represents an enhanced level of business development service for the City, and reaffirms the partnership in economic development services with the Ministry of Northern Development and Mines. It also reflects the prime goals of the City of Kenora Economic Development Plan, and is a key component of the Lake of the Woods Development Commission.

The Ministry of Northern Development and Mines has reviewed the business plan and is recommending approval.

Councillor McMillan commented on the success of the ARTpreneur program recently delivered by the Northwest Business Centre.

RECOMMENDATION:

THAT the City of Kenora approve the attached NBC Business Plan, and further THAT the Mayor and Clerk be authorized to execute an agreement to extend the agreement with the Ministry of Northern Development and Mines for the delivery of the Business Enterprise Centre program for the 2009/10 fiscal year.

RECOMMENDATION TO COUNCIL

Planning/Clerk

9) LOWDC Board Appointments

The Lake of the Woods Development Commission delivers economic development, tourism and project planning services on behalf of the City of Kenora. The Board of Directors of the Commission is comprised of; five (5) business/industry representatives, three (3) member of Kenora City Council, one (1) member of the Township of Sioux Narrows-Nestor Falls Township, one (1) member of the Chamber of Commerce, one (1) member of the Kenora District Labour Council and one (1) member of Treaty #3.

The three agency appointments – Chamber of Commerce, Labour Council and Treaty #3 – are all annual appointments, while all others are concurrent with the term of Council. The Chamber of Commerce has nominated Dwayne Yaremko to be their representative on the Board, and the Labour Council put forward the name of Glenn Morrison. The Treaty #3 appointment remains vacant at this time.

At the April 3, 2009 meeting of the LOWDC Board of Directors, the following motion was passed:

Moved by: Geordie McEwen

Seconded by: Randy Nickle

THAT the LOWDC recommends to the Council of the City of Kenora approves the appointment of Dwayne Yaremko of the Chamber of Commerce, and Glenn Morrison of the Kenora District Labour Council, to the LOWDC Board of Directors for the 2009 calendar year."

RECOMMENDATION

THAT the Corporation of the City of Kenora approves the appointment of Dwayne Yaremko of the Chamber of Commerce, and Glenn Morrison of the Kenora District Labour Council, to the Lake of the Woods Development Corporation for the 2009 calendar year

RECOMMENDATION TO COUNCIL

Planning

Mayor Compton re-joined the meeting at 10:00 a.m.

10) Amendment to Subdivision Agreement with 1703591 Ontario Inc.

In December 2007, the City of Kenora Planning Advisory Committee granted draft approval to a 19 lot plan of subdivision on Black Sturgeon Lake (S01/07 1703591 Ontario Inc.). Subsequently, the City of Kenora entered into a subdivision agreement with 1703591 Ontario Inc. for the construction of all associated subdivision infrastructure and drainage works. This subdivision

agreement has since been amended to include site plan control for the placement of docks on Lots 1, 7 and 9 of the subdivision.

ISSUE:

Mr. Scurfield is requesting that the subdivision agreement be further amended to permit the City to sign off on the Plan of Subdivision before the road and drainage works are complete. The roadway is presently cleared, and completed to "rough grade". In order for City Council to consider this request, the subdivision agreement would have to be amended by inserting a "performance guarantee" provision. This would require that the developer lodge a 115% security, in the form of cash or a Letter of Credit, for the completion of the road and drainage works. Should the developer be unable to complete the road – after the plan is registered and lots are sold – then the City would have a full security in place for the completion of the works.

ALTERNATIVES:

1. Addendum No. 2 - City Council can agree to amend the Subdivision Agreement by way of Addendum No. 2, and insert a provision for a performance guarantee for the remainder of the roadway & drainage works. The amount of the performance guarantee must be satisfactory to the Municipal Engineer, and conditional upon review of Addendum No. 2 by the Municipal Solicitor.
2. Status Quo – City Council can direct the developer to complete the roadway & drainage work per the existing subdivision agreement. All works must be completed to the satisfaction of the Municipal Engineer before the Plan can be registered, and lots sold.

Discussion took place with respect to setting of precedent, financial security and safety of the travelling public. There will be a clause added to ensure that signage is erected advising that the road is not owned by the municipality and that travelers are using it at their own risk.

RECOMMENDATION

*THAT addendum no. 2, as amended, to the subdivision agreement with 1703591 Ontario Inc., be approved by Council; and
THAT the Municipal Solicitor will co-ordinate the matter.*

RECOMMENDATION TO COUNCIL

**Planning/Clerk
M. Solicitor**

11) Boat Launch – Bay Road

A letter, received from Marcel Caron, a resident who uses the boat launch facility at Bay Road, was read out.
Staff was directed to reply to Mr. Caron, indicating that there are no plans to remove access to this boat launch.

12) Removal of local land use planning controls for renewable energy facilities

The Municipality of Grey Highlands has Council to support a resolution to the Province which requests that the Province of Ontario undertakes a comprehensive review of potential health and land use impacts associated with the location of renewable energy facilities.

RECOMMENDATION:

THAT the City of Kenora endorses the following resolution of the municipality of Grey Highlands by passing the following resolution:

*THAT the City of Kenora requests that the Province undertakes a comprehensive review of the potential health and land use impacts (including property values), to the general public, associated with **all** renewable energy facilities; and further*

THAT the Province reviews the proposal in Bill 150, to remove local land use planning controls associated with any application made under the Planning Act, for the location of such renewable energy facilities,

RECOMMENDATION TO COUNCIL

Planning/Clerk

13) Ontario Ministry of Tourism Competitiveness Study – Resolution supporting retention of tourism area known as “Sunset Country Travel Area”

Discussion took place and a recommendation made that Treaty #3 be added to the list for circulation of the resolution.

RECOMMENDATION:

THAT the Council of the City of Kenora endorses the following resolution:

WHEREAS, in February of 2009, the Province of Ontario released The Sorbara Report – Discovering Ontario; A Report on the Future of Tourism, with four broad strategic proposals and 20 specific recommendations to revitalize and grow tourism in the Province;

WHEREAS, if the Province follows through on these recommendations, the investments in both the south and north of the Province, will benefit tourism; *and*

WHEREAS, the recommendation to eliminate and amalgamate the Sunset Country Travel region, leaving only one large organization to include Sauff Ste. Marie to the Manitoba border, is an error; and

WHEREAS the visitor spending in the Sunset Country Travel region is vastly different than the two regions with which the Province proposes amalgamation; *and*

WHEREAS 43% of the tourism income in Northern Ontario is generated in Northwestern Ontario, with 66% generated in Sunset Country; *and*

WHEREAS given the difference in customer bases, there will not be effective marketing of Sunset Country within the new proposed regional structure; *and*

WHEREAS within the Kenora and Rainy River Districts, which are currently defined as the Sunset Country Travel Region, tourism supported directly, and indirectly, 12,235 full-year jobs, \$451 million in economic activity; wages and salaries in excess of \$393 million, and \$185 million in Federal, Provincial and Municipal taxes ;*and*

WHEREAS the destination brand "Sunset Country" has excellent equity and reputation within the region itself, and in markets built over 35 years of marketing; *and*

WHEREAS the Ontario's Sunset Country Travel Association is recognized as the lead tourism marketing organization in Northwestern Ontario with effective marketing programs and established, successful marketing partnerships; *and*

THEREFORE BE IT RESOLVED the Province and municipal associations be lobbied to support the addition of a twelfth region, or the Sunset Country Travel region retained, as a tourism area and that Sunset Country Travel Association is designated by the Province as the lead organization within the twelfth region once it is established.

Clerk

RECOMMENDATION TO COUNCIL

Motion required adjourning to Closed Meeting: (10:19 a.m.)

Moved by: Seconded by: 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 (10:59 a.m.)

RECOMMENDATIONS FROM CLOSED SESSION:

Application to purchase municipal property - Cianci

THAT Council of the City of Kenora hereby declares property described on the application to purchase, abutting Lots 23, 24 and 25 on Plan M33 (907/909/911 First Street S) and Laurenson Creek, and approximately .0844 ha in size, as surplus to the needs of the municipality; *and*

THAT the City of Kenora will maintain an easement 1.5 metres north of the centre of the sewer main line and 2.5 metres south of the centre of the sewer main line, and that the survey of the easement will be paid for by Vincenzo and Filomena Cianci; *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 Vincenzo and Filomena Cianci at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

RECOMMENDATION TO COUNCIL

Lease Renewal – Loaf 'n Jug Food Mart Ltd.

THAT the City of Kenora gives three readings to a By-law to enter into a lease agreement, for a three (3) year period ending May 31, 2012. with Keith & Louise Myshkowsky of Loaf 'N Jug Food Mart Ltd. for the purpose of erecting a deck on a portion of municipal property adjacent to 1132 Ninth Street North, in the City of Kenora, being a strip of seven (7) feet wide along the northerly side of the road allowance of Ninth Street North starting at a point five (5) feet west of the south-east corner of Parcel 16048 and then proceeding west twenty-four (24) feet along the lot line of said parcel and then south seven (7) feet into the road allowance and then east twenty two (22) feet parallel to the south lot line of said parcel and the north seven (7) feet to the starting point and forming an area of one hundred and fifty four square (154) feet; and further

THAT the Mayor and Clerk be authorized to enter into such agreement on behalf of the City of Kenora.

Clerk/Facilities

RECOMMENDATION TO COUNCIL

Lease Renewal – E. Whiting

THAT the City of Kenora gives three readings to a By-law to enter into a lease agreement, for a one (1) year period ending November 30, 2010 with Ernest John Whiting for use of a water lot designated as Part 1 on Plan 23R-6877.

Clerk/Facilities

RECOMMENDATION TO COUNCIL

Moved by: David McCann Seconded by: Rory McMillan

THAT the April 7, 2009 meeting of the Property and Planning Committee be adjourned at 11:01 a.m.