



# Minutes

Of the  
Property and Planning Committee of Council  
Held Tuesday, April 13, 2010  
City Council Chambers  
9:00 a.m.

Action

**Present:** Councillor W. Cuthbert, Chair  
Mayor L. Compton  
Councillor R. McMillan  
Councillor J. Parson  
Councillor D. McCann  
Councillor C. Van Walleghem  
James Tkachyk, PAC Chair  
Rick Perchuk, Operations Manager  
Bill Preisenzanz, CAO  
Karen Brown, Finance & Administration Manager  
Warren Brinkman, Fire & Emergency Services Manager  
Joanne L. McMillin, City Clerk

## A. Public Information Notices:-

**Take Notice that Council intends to approve the following by-law(s) at its April 19, 2010 Meeting:**

- *Transfer of lands to Vincenzo and Filomena Cianci*
- *Accept and assume a portion of Peterson Drive and to release and discharge obligation of M & L Development;*
  - *Designate the whole of the City of Kenora as a site plan control area;*
  - *Authorize a policy document with respect to site plan control in the City of Kenora.*

## B. Declaration Of Pecuniary Interest And The General Nature Thereof:

- a) On today's agenda
- b) From a meeting at which a Member was not in attendance

**There were none declared.**

## C. Addition(s) to Agenda:

**N/A**

## D. Confirmation of Minutes Resolution:

**Moved by J. Parson, Seconded by C. Van Walleghem & Carried:**

That the Minutes of the last open meeting March 9, 2010, be confirmed as written and ordered filed.

## E. Standing Committee Deputations:

**Randall Seller – Land Ambulance Update**

Mr. Seller, along with Peter Marshall, attended on behalf of the Kenora District

Services Board to update Committee on information regarding the proposed site for the land ambulance base location and proposed re-zoning of lands.

Mr. Seller summarized the following issues remaining to be addressed:-

1. **Noise and vibration study** (to be completed next week)
2. **TSSA concerns** (obligation is with Superior Propane to ensure safety to adjoining property owners)
3. **Dangerous goods corridor concerns.**

Mr. Marshall referred to a response received from Dale Smyk of Emergency Management Ontario regarding the proximity of the CP main line and the propane bulk plant to the proposed location and noting the City's concerns in the event the base would be impacted by a disaster and had to evacuate. It was explained that Mr. Smyk advises that an ambulance based emergency response plan could mitigate the impacts of such scenarios on the delivery of effective services.

In the event of an emergency, EMS is notified immediately, as was evident during the mock disaster in that area.

Response time was also discussed for the proposed location and Mr. Marshall reiterated to Committee that response time was absolutely vital in considering a location for the base.

The bulk fuel depot on Railway Street was referred to however it was noted the depot is further away from the subject lands than Superior Propane.

The gentlemen were thanked for attending and along with Chief Brinkman, left the meeting at 9:20 a.m.

## **F. Reports:**

### **1. Signage – Amendments to Sign By-law – Update**

No action required at this time, the by-law will likely be adopted at the May meeting. The Law Office is currently reviewing the Set Fines.

Reference was made to outdated/non-applicable signage being advertised, i.e. Kenwood Steak House for example. It was explained there is provision in the by-law to address these types of signs, while some are legal non-conforming.

#### **1a. Themed signage for municipal purposes.**

It was explained that themed signage will be established throughout the municipality, i.e. accessible customer service signage, and such signage will be unique and consistent, including the use of Braille.

### **2. Rest Stop**

**This item remains on Hold**

### **3. Official Plan/Zoning By-law Review Process**

**Information only.**

Rick Perchuk indicated the documentation is available for viewing on the Portal and hard copies are also available to view; at this time copies will not be sold.

The Statutory public meeting will be conducted by the Property & Planning Committee on Tuesday, May 4 in Council Chambers at 10:00 a.m., followed by a

public consultation session to receive comments from the public that evening between 7:00 p.m. and 9:00 p.m. at the Operations Centre. The public will have until May 14 to submit comments on the documents.

#### **4. Transfer of lands to Cianci**

##### **Recommendation:**

That Council of the City Kenora of give three readings to a by-law to authorize the sale of land described as Parts 3 to 8 on 23R- 23R-11826 and subject to easements in favour of the City of Kenora described as Parts 5 & 6 on 23R- 11826, to Vincenzo and Filomena Cianci at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs; and

That in accordance with Notice By-law #14-2003, arrangements have been made to advertise the sale of the subject lands for a three-week period; and further

That the Mayor and Clerk are authorized to enter into the agreement of purchase/sale.

**Recommendation approved** (resolution and by-law).

Councillor Parson observed that in the above recommendation a physical street address/location was not identified and that it would help him to better visualize where the property is situated rather than a legal description. Councillor Cuthbert advised that in the original report for this item a map accompanied the report and typically the Planning Office does identify the location either with a reference plan or a street description as it does assist Council, other staff and the public.

#### **5. Site Plan Control By-law**

##### **Recommendation:**

That Council give three readings to a by-law to establish site plan control areas, adopt certain procedures for the processing of site plan control applications and to exempt certain classes of development from approval of plans and drawings; and further

That By-law Number 5-2003 be and is hereby repealed.

**Recommendation approved** (resolution and by-law).

It was noted changes were made to the by-law following a review by the City Solicitor.

#### **6. Site Plan Control Policy**

##### **Recommendation:**

That Council hereby authorizes a City Site Plan Control Policy #PP-5-1; and further

That the appropriate by-law be adopted for this purpose.

**Recommendation approved** (resolution and by-law).

#### **7. KPDSB Transfer of Land for Trail Purposes**

##### **Recommendation:**

That the Council of the City of Kenora hereby accepts transfer of a 30 metre strip of

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JMcMillin**

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land, for the purposes of an urban trail, along Laurenson Creek for \$1.00; and

That the City of Kenora will assume responsibility for survey, legal and transfer costs associated with the transfer; and further

That should the City not proceed with the trail project, the Keewatin-Patricia District School Board will have the option to repurchase the property for \$1.00.

**Recommendation approved** (resolution only).

**HKasprick**

Reference was made to the April 12 presentation on the Urban Trails and that this transfer was briefly mentioned as likely being part of the plan.

### **8. Application for Zoning By-law Amendment (Z02/10 Degage)**

Committee discussed response time, noting that it is the recommendation of the Ambulance to avoid railway crossings; it is part of their training to not use crossings when they are responding to a call. Indications are that there is a response time difference of about 2 minutes by avoiding railway crossings.

Concern was expressed on establishing the Ambulance base amongst the propane and CPR areas where there is potential risk for a disaster that could involve poisonous gas. It was felt that an operation of this nature should not be downwind but upwind from these potential risk factors. Barsky Hill was discussed and it was questioned if this site had originally been considered, or on the matrix of potential sites for the base. It was noted that if response time was such a vital factor as noted by Mr. Marshall, the DeGagne property, which ranks 9<sup>th</sup> place for location, has a response time on the present matrix valued at 6.

Concern was also expressed that the KDSB is telling the City where the base should be located within our community and that we should be able to have some say in its location. It was questioned whether or not the City can rely on, or expect a report from TSSA on this matter. It was felt this is not their mandate.

**This item is to be held on the agenda.**

### **9. City of Kenora Public Library – Designation under Heritage Act**

**Hold**

### **10. Acceptance/Assumption of portion of Peterson Drive and Release of Security – M & L Development**

#### **Recommendation:**

That the Council of the City of Kenora hereby adopts a by-law in which the City of Kenora declares that the Owner is not in default of any of the provisions of the Agreement; and

That the City of Kenora accepts and assumes a portion of Peterson Drive, for municipal purposes, identified on Plan of Subdivision 23M953; and

That the City of Kenora, by passing of said by-law, releases the Owner from any further obligations associated with the Agreement, and authorizes the release, by the City, of financial security, in the form of an irrevocable standby letter of credit,

number BMT02262000S issued on August 12, 2008, by Bank of Montreal; and further

That By-law Number 16-2010 be and is hereby repealed.

**Recommendation approved** (resolution and by-law).

**11. Kenora Rowing Club – Request for Tax Relief**

**Recommendation:**

That Council of the City of Kenora hereby confirms the 49 year lease arrangements with the Kenora Rowing Club as ratified by By-law Number 12-2002 and reject the request from the Kenora Rowing Club for a reduction in their property taxes.

**Recommendation approved.**

It was noted the Club sits on 2.65 of the 150 acre parcel of land at the Rabbit Lake location. Committee felt that other Committees would come forward expecting the same consideration and therefore could not support the Club's request for special relief.

**Other Business:**

**N/A**

**Motion - Adjournment to Closed Meeting:**

**That** this meeting be now declared closed at 10:05 a.m.; and further

**That** pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Council to move into a Closed Session to discuss items pertaining to the following matters:-

- i) **Personal Matter about an Identifiable Individual**
- ii) **Proposed Acquisition of Land**
- iii) **Security of Municipal Property**

**Committee reconvened at 11:42 a.m. with the following direction from its Closed Session:-**

- Direction to the CAO to make arrangements for an appraisal on property identified under "Security of Municipal Property"
- Direction to the CAO to enter discussions with the Kenora Catholic District School Board on the transfer of the Pinecrest Community Club property to the Board
- Direction to the Tourism Development Officer to proceed with an RFP for the LOW Discovery Centre interpretive portion.

**Moved by C. Van Wallegem, Seconded by D. McCann & Carried:**

That this meeting be and is hereby closed at 11:44 a.m.

**HKasprick  
JMcMillin**

**HKasprick**

**Bill P.**

**Bill P.**

**Jennifer F**