



**Minutes**  
of the  
**Property and Planning Committee of Council**  
**Tuesday, April 12, 2011**  
**City Council Chambers**  
**9:00 a.m.**

**Action**

**Present:** Councillor L. Roussin, Chair  
Councillor R. Lunny  
Mayor Dave Canfield  
Councillor C. Drinkwalter  
Councillor S. Smith  
Councillor R. McKay  
Councillor R. McMillan  
Karen Brown, CAO  
Tara Rickaby, Planning Administrator  
James Tkachyk, Planning Advisory Chair  
Joanne McMillin, City Clerk

**A. Public Information Notices:-**

**As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its April 18<sup>th</sup> meeting:-**

N/A

**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. Confirmation of Previous Standing Committee Minutes**

**Moved by R. McMillan, Seconded by S. Smith & Carried:-**

**That** the Minutes of the last meetings of the Regular Standing Committee meetings held March 15, 2011 be confirmed as written and filed.

**D. Standing Committee Deputations:**

9:00 a.m. Derrick Johnson – Pattison Outdoor Advertising

Mr. Johnson, Sales Representative from the Winnipeg office of Pattison Outdoor Advertising attended to address Committee regarding the matter of the digital sign being proposed on CPR property east of McLeod Park. Mr. Johnson explained he is excited about the potential opportunity to have a different and more progressive type of advertising in Kenora.

He indicated there may possibly be some misunderstanding of the benefits to businesses, residents and the City of Kenora regarding the advertising opportunity. Mr. Johnson explained that businesses advertising on the sign would be local and

not all multi-national companies. In other markets he indicated businesses placing advertising on their signage are mainly those at the local, in-town level. Pattison Outdoor Advertising offers a product that is very progressive and is also Wi-Fi compatible so it can be changed quickly and easily. He further explained that for the cost of \$650 per month for 24 hours per day, this type of advertising is an affordable option, especially in comparison to other types of online advertising as they offer competitive rates. Mr. Johnson further explained there is a 6 second per minute spot for public advertisements at no charge which the City could access for such things as community promotions and events; ticket sales, such as Harbourfest, and say local amber alerts.

Councillor Smith asked why CPR and Pattison so committed to a digital sign are and Mr. Johnson replied it's the only way for them to make money. He explained they put up the sign at their cost on CPR land and there are many such types of advertising structures across the country on CP lands; with the static and outdated billboards, there is no return to them for that type of investment. Mr. Johnson further explained it is not all about money, CPR believes the billboards as they stand are an eyesore and some are out of business. Councillor Smith indicated that the community has spoken and does not want this type of digital sign within the Harbourfront Centre. Mayor Canfield explained that rightfully or wrongfully there was a response by the community to the proposed change in the signage along the CPR embankment. He also referred to the significantly higher costs associated with Pattison's digital sign concept compared to what businesses pay now.

Reference was made to the Ad Hoc Committee/s struck to review options and to come up with a resolution, which will be discussed under today's reports. Mr. Johnson advised that Pattison offers the first six months of ad space at no cost to the businesses in accordance with their agreement with CPR and that Pattison will be paying \$250,000 to build the sign and they will also be responsible for maintenance and/or repairs to the sign. As the billboards stand now, current advertisers pay rent to CPR plus maintenance costs (although Mr. Johnson advised they are not involved with this current arrangement with CPR). Mr. Johnson indicated he could ask his associate Rob Sedgwick to consider other options for consideration if Committee is interested.

Councillor Roussin explained we have to look at other factors and one of his main concerns is from a safety point of view in terms of distractions. He referred to the City's Official Plan and the "Harbourfront theme" for revitalization and that the City should be following in accordance with the Official Plan which is an excellent document for the City.

**E. Presentations:**

N/A

**F. Reports:**

**1. Proposal for Sign on CPR Property – Report from Ad Hoc Committee Recommendation:**

That the Council of the City of Kenora refuses the request of Pattison Outdoor Advertising, agent for Canadian Pacific Railway for the following variances to Sign By-law No. 115-2010:

- 1) To section 8.1.1(b) to permit the location of a static digital billboard to be located at a specific site, east of McLeod Park, within the Harbourtown Centre Area; and
- 2) To section 4.1(h) to permit the location of a sign which does not relate to any uses, or uses, of the premises located on the same property;
- 3) To 7.3.1. Table D – Ground Sign - To permit the area and height of the sign; and
- 4) To 8.1.2. Table E – Ground Sign - To permit the area and height of the sign as the approval would enable development not in keeping with the City of Kenora Sign By-law, the intent of the Downtown Revitalization Plan and the associated Sign Replacement and Façade Improvement Program provided by the Community Improvement Plan; and further

That the City of Kenora investigates alternatives to the existing billboards with CPR.

**Discussion:**

Councillor Roussin asked what is the exact issue; the location of the sign, or the type of sign.

A discussion ensued on the fact the Property & Planning Committee is the Sign Committee and is the approval authority on sign variances and not Council. Procedural issues were also raised in terms of the Property & Planning Committee as the Sign Committee and Tara explained that once a decision is made it is not required to go forward to Council for ratification.

Tara then gave the background as to how this request originated and discussions with CPR; they will either approve the status quo or the new digital sign, no alternatives. CPR would not allow the City to purchase the agreements for the billboards. Tara noted that 2 Ad Hoc Committees and the Harbourtown Centre Committee (HTCC) reviewed this matter. HTCC was unanimous with some conditions that the variance be allowed; as well as the first Ad Hoc Committee however the second Ad Hoc Committee was not in favour of proceeding with the digital sign. The Heritage Committee put a motion forward to recommend against the variance, but there was no seconder to the motion so it did not proceed.

Councillor Lunny expressed there is one choice and it is obvious, we go with one digital sign with a 21<sup>st</sup> century look, otherwise we will be keeping 5 signs that no-one wants. He is in favour of going with the one digital sign with a static backlight. While recognizing the community is split on the matter Councillor Lunny feels the City should go with the one sign. He indicated the only other option might be if the City could lease the property and remove the billboard signs, however this is not an option from CPR.

Mayor Canfield compared this issue to the Roundabout that the majority of the community was against and no-one wanted the change, but in the end it is

working very well. Mayor Canfield stated it doesn't appear there are any other options; he stated he was pleased we've had this discussion and we are not ramming our decision through, but taking a second look at the entire issue.

Councillor Drinkwater agrees with Councillor Lunny, noting the future is digital. She indicated she has talked with some members of the public in favour of cleaning up the area in question. Apparently the City's H&S Officer has indicated there is not a safety issue with the digital sign at this location.

Councillor Roussin referred to the Highway Traffic Act and that it deals with signage and that it is specifically against (digital) signage on the opposite or wrong side of the road and this is for safety reasons. He also referred to the Official Plan and that there was a lot of thought put into our OP and that we should have regard to it. Councillor Lunny does not agree with the HTA comments and believes the HTA signage applies to higher kilometer areas, i.e. 90 k/m, and this should not be used for comparison purposes with this matter.

**Above recommendation not approved.**

### **Property & Planning Committee Meeting**

Committee agreed to meet on Friday, April 15 at 8:00 a.m. in Council Chambers to discuss the next steps on how to proceed with the signage proposal at McLeod Park.

### **2. Application to Variance of Sign By-Law – Q104**

#### **Recommendation:**

That Council of the City of Kenora rejects the variance request of Jay Penner to locate a sign on Municipal property being at City Hall or green space before the parking area (old Bayview lot) on Lakeview Drive, since;

- There is no special circumstance or unusual hardship for the applicant.
- The sign will alter the essential character of the general area or premises in which the sign is proposed to be located, erected or displayed.

**Recommendation approved.**

**\*NOTE:** Following the Committee Meeting the Clerk and Planning Administrator were able to determine that the Property & Planning Committee is no longer the approval authority for sign variances as this delegation of authority was rescinded at the time the previous Sign By-law #50-2004 was repealed last June. Therefore, the Property & Planning Committee's decisions on the above 2 sign variances are deemed to be invalid and these items will be reviewed at a Special Meeting of the Committee on Friday, April 15 at 8:00 a.m., in Council Chambers, with a view to making a recommendation to Council at its April 18 meeting.

#### **Other Business:**

**N/A**

#### **Motion - Adjournment to Closed Meeting:**

**1. Moved by R. Lunny, Seconded by S. Smith & Carried:-**

**That** this meeting be now declared closed at 10:15 a.m.; and further

**Committee/  
JMcMillin**

**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) Security of Municipal Property**
- ii) Disposition of Land Matter**

**Committee reconvened to Open Meeting:**

**2. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-**

That Committee hereby reconvenes to the Open Session at 10:41 a.m. with the following report from its Closed Meeting:

### **Disposition of Land Matter:**

#### **Request to Purchase Municipal Property – Zroback**

##### **Recommendation:**

**That** the Council of the City of Kenora declares surplus the municipal lane property described as Part 2 on Plan KR 523 and which abuts property described as PLAN M283 LOT 77 PCL 19594; and

That in accordance with Notice By-law 144-2007, arrangements be made to advertise the sale of the subject lands for a three-week period; and

That once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Bertha Zroback (or current owner/agent), as a lot addition (consolidation), at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs; and further

That the Municipal Solicitor coordinates the transfers.

**Recommendation approved.**

The meeting adjourned at 10:44 a.m.

**JMcMillin**