



Minutes
of the
Property and Planning Committee of Council
Tuesday, September 13, 2011
City Council Chambers
9:00 a.m.

Action

Present: Councillor L. Roussin, Chair
Mayor Dave Canfield
Councillor C. Drinkwalter
Councillor R. Lunny
Councillor R. McMillan
Councillor S. Smith
Karen Brown, CAO
Rick Perchuk, Operations Manager
Tara Rickaby, Planning Administrator
Jennifer Findlay, Economic Development Officer
Heather Kasprick, Deputy Clerk

Regrets: Councillor R. McKay
James Tkachyk, Planning Advisory Chair

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 September 19th meeting:-

- A By-law to enter into an agreement of purchase and sale with Weiss
- A By-law to enter into agreements to transfer lands to DeGagne, Harvey and Zdep

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 R. Lunny & Carried:-

That the Minutes of the last meetings of the Regular Standing Committee meetings held July 12, 2011 be confirmed as written and filed.

D. Standing Committee Deputations:

None

E. Presentations:

- **Sunset Trail Riders – Proposed Snowmobile Trail(s)**

Shawn Clifford and Ted Weiss from Sunset Trail Riders were present to propose a

cross-town trail for the local club. Maps were presented for the existing and proposed trails. There were four areas of particular interest they presented for discussion. The in town trails would be groomed with signage posted regarding speed limits and cautions. Most successful communities have a staging area where they can leave their machines and go into town. STR is proposing that behind Walmart they would split the trails and this is where the proposed staging area would be. It would also be in close proximity to behind the OPP building where visitors could come in with their rigs, park their trucks and trailers and unload their machines. Visitors frequently criticize Kenora that when they come to the edge of Kenora, they have nowhere to go when they get here. There are a few areas of concern that STR is addressing with effected businesses and landowners. Once STR designates a trail, it is a liability to the STR, not the City as it is insured by them.

The STR has a "Stop Program" which is an educational type stop. The OPP do the official ticketing on all the trails in and out of the City. The OFSC is under the same traffic laws as the highway drivers. Residents who do not support the trail system still have alternative trails to use who chose not to purchase an STR permit. Council thanked the delegation for their presentation and noted that the City would be in contact with them to establish a public consultation.

F. Reports:

Committee agreed to move item #5 to be discussed first on the agenda to follow the presentation from Sunset Trail Riders.

5. Sunset Trail Riders Proposed OFSC Trail

Recommendation:

That Council of the City of Kenora considers approval at a future meeting based on;

- 1) The Sunset Trail Riders/OFSC pays all expenses with respect to the development of the snowmobile trails;
- 2) The outcome of the discussions between STR and the City of Kenora Trails Committee; and
- 3) The comments provided by Staff.

Recommendation Approved.

Staff Comments:

Operations Manager Comments:

Figure 1 – Round Lake area - proposed location is not safe due to curve and lack of streetlighting in area. If Council approves the crossing area, letter of authorization required from the Department of Fisheries and Oceans for filling of shoreline in order to construct a landing area. Improvements will be required to guard rail systems, at expense of STR. Consultation required with Treaty 3, which is understood has already taken place.

Figure 2 – Gould Road area – The proposed crossing is too steep and will require too much fill at that location. Recommend crossing on the west side of Herbacz road where the grade change is not as significant and it eliminates one road crossing (Herbacz Road).

Figure 3 – No comment – private property

Figure 4 – Anicinabe Park and Fourth – Trail cutting through Anicinabe would serve

TRickaby
HKasprick

to provide a base of a walking trail during the other three seasons of the year, however will need to be marked and inspected by the City before proceeding.

If the trail is to be located north of the core library, the neighbour to the north should be consulted.

Recommend alternate route, from Anicinabe Park and into deeper water, away from reefs and bad ice. This would remove the requirement to cut a trail through the west part of the park and keep snowmobile traffic away from all residences.

Figure 5 – A&W fields, OPP office etc. area – Please note that this area may be the site of future development as it is located in a prime commercial area.

The staging area(s) should be confined to within the ball fields themselves. If improvements are required to the fence, to provide gates, those improvements will be the responsibility of STR.

Both areas will have to be signed indicating parking is at the risk of the owner only. Signs to be provided by STR and approved by the City of Kenora.

Parks Supervisor Comments:

Figure 4: Already an issue with boardwalk, dock and campsite damage. Preference is to keep trail to the road and access by boat launch in order to keep sleds away from lawn area and old and new campsites. The private contractor at the park holds the same view.

This is the preferred solution rather than cutting a new trail through the park. If there is to be a trail cut through the park, the public should be consulted.

Figure 5: Winter use of the A & W ball fields is appropriate at this time. Signage will be required to indicate that the snowmobiles are parked at the risk of the owners.

Planning Administrator:

Figure 4: If a trail is to be cut through Anicinabe Park, there should be an opportunity to consult with the public.

Need to do some searching on the easement pertaining to the OPP location as it may be owned by Walmart. The road that acts as access to Walmart is a private road.

General Discussion:

It was suggested that a public consultation be held with the general public to allow for them to see the maps and hear comments. This would allow for any comments that the public would like to bring forward for consideration. Heather Kasprick will coordinate with Shawn Clifford on dates for a public consultation.

STR is trying to get into contact with specific property owners along the route to address any concerns they may have.

1. Heritage Kenora Appointments

Recommendation:

That Council hereby appoints Lisa Moncrief as a Member-at-Large on Heritage Kenora with a term to expire November 30, 2012; and further

That Council hereby appoints Jeffrey Port as a Member-at-Large on Heritage Kenora with a term to expire November 30, 2012.

Recommendation Approved.

HKasprick

2. Variance to Sign By-Law Request-Matiowski

Recommendation:

That Council of the City of Kenora refuses the request for a variance from Sign By-law 115-2010 to permit a trailer mounted sign at property at 1010 Highway 17 East for the following reasons:

- Creates a driver distraction for motorists on approach to the intersection of Highway 17 East and Fifth Street South,
- The location of a temporary sign does not protect and enhance the aesthetic qualities and visual character of the City.

Recommendation Approved.

HKasprick

3. Variance to Sign By-Law – Kenora Rotary Club

Recommendation:

That Council of the City of Kenora approves the variance request, from the following sections:

4.1 (e) to permit signs on public property

4.1(h) to permit signs which do not relate to any use of the premises upon which they are located

and to permit the permanent erection of a sign promoting the service club’s non-profit events in the City of Kenora.

Recommendation Approved.

HKasprick

4. Variance to Sign By-Law – Kenora Sexual Assault Centre

Recommendation:

That Council of the City of Kenora approves the variance request, from Sections 4.1 (e) to permit pennant signs on public property, 4.1(h) to permit banner signs which do not relate to any use of the premises upon which they are located, Table “A” – Signs not requiring a permit to permit more than 3 signs in one location by a charitable organization, and 8.1.2 Harbourtown Centre, to permit banner 4 sets of banner signs for a special event, of the Kenora Sexual Assault Centre to locate a series of signs on municipal property located on Lakeview Drive (2 locations) and Veterans Drive on approach to, after the roundabout with the following conditions:

- No existing signs or paths are to be blocked;
- No sign shall be closer to the roundabout than 30 metres;
- No sign shall be closer to the other than 5 metres;
- All signs are to be removed by noon on September 17, 2011; and

That the sign locations east of the roundabout, on Main Street South, and south of the roundabout on Bernier Drive be refused due to the possibility of driver distraction and due to the congestion caused by the construction site, respectively; and

That the Kenora Sexual Assault Centre be permitted to erect the signs in those locations on September 14, 2011.

Recommendation Approved.

HKasprick

G. Other Business:

By-law - to enter into an agreement of purchase and sale with Weiss (accepted at a previous meeting)

By-law - to enter into agreements to transfer lands to DeGagne, Harvey and Zdep (accepted at a previous meeting)

Motion - Adjournment to Closed Meeting:

That this meeting be now declared closed at 10:03 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 – 1 item**
- ii) **Disposition of Land Matters - 6 matters**
- iii) **Security of Property – 2 items**

Committee reconvened at 10:55 a.m. with three (3) reports pertaining to Disposition of Land matters (2) and Matters about an Identifiable Individual (1).

1. Request to purchase Municipal property – Campbell/Morrell

Recommendation:

That Council of the City of Kenora declares surplus a portion of municipal property, adjacent to lands described as 614 River Drive, PLAN M11 LOT 45 PCL 14381 approximately 14.43 metres in length by 1 metre in width in order to satisfy the encroachment of an existing shed; and further

That the balance of the property will not be declared surplus in order to protect the residential use from the public use of the trail and to ensure that the shoreline of Laurensen Creek is not further developed; and further

That in accordance with Notice By-law 144-2007, arrangements be made to advertise the sale of the subject lands for a two 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 Darrin Campbell, 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, also at the expense of the applicant.

Recommendation Approved.

TRickaby

2. Request to purchase Municipal property – Trask

Recommendation:

That the Council of the City of Kenora does not declare the unopened Main Street (Keewatin) road allowance between two lots fronting Crestview Street as surplus to the City's needs as the sale of the road allowance would result in a landlocked property.

Recommendation Approved.

TRickaby

3. Kenora Planning Advisory Committee Membership

Recommendation:

That further to the recent resignation from the Kenora Planning Advisory Committee authorization is hereby given to leave the position vacant at this time.

Recommendation Approved.

The meeting adjourned at 10:57 a.m.

TRickaby

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