



Minutes
of the
Property and Planning Committee of Council
Tuesday, December 11, 2012
City Council Chambers
9:00 a.m.

Action

Present: Mayor D. Canfield
Councillor C. Drinkwalter
Councillor R. Lunny
Councillor R. McKay
Councillor L. Roussin
Councillor S. Smith
Tara Rickaby, Planning Administrator
Matt Meston, Planning Assistant
Heather Kasprick, Deputy Clerk

Regrets: Councillor R. McMillan
Karen Brown, CAO
Rick Perchuk, Manager of Operations

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 December 17th, 2012 meeting:-

- enter into a subdivision agreement with Jack Coker for the development of a thirteen (13) lot subdivision located on Black Sturgeon Lake
 - zoning amendment for Bilton Z08/12 322 First Avenue South
 - Zoning amendment for LOW Brewing Company Z10/12 350 2nd St S
 - Zoning amendment City initiated Z11/12 - various amendments

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

That the Minutes of the last meeting of the Regular Standing Committee meeting held November 14, 2012 be confirmed as written and filed.

D. Committee Deputations:

None Requested

E. Presentations:

N/A

F. Reports:

1. Coker Subdivision

Recommendation:

That Council give three readings a by-law to enter into a subdivision agreement with Jack Coker for the purpose of meeting one of the conditions of draft approval for the development of a thirteen (13) lot subdivision located on Black Sturgeon Lake, accessed via East Melick Road and serviced by two roads; and further

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

Recommendation approved (resolution & bylaw).

HKasprick

2. Assumption of Silver Ghost Drive and Wraith Close

Recommendation:

That Council give three readings to a by-law to accept and assume Silver Ghost Drive and Wraith Close, as indicated on plan of subdivision 23M-834 and establish them as highways for municipal purposes; and further

That upon acknowledgement by the Municipal Solicitor that there are no liens or other encumbrances which would affect the City, and acknowledgement that the developers will pay all legal and transfer costs associated with the assumption, Council releases the developers, Ben Ratuski and Neil Walsten, of any further obligations associated with the subdivision agreement approved in 1980.

Recommendation approved (resolution & bylaw).

HKasprick

3. Heritage Kenora

Recommendation:

That Council hereby appoints Lisa Moncrief as a member at-large on the Heritage Kenora Committee to fill the vacancy created by the resignation of Charmaine Romaniuk with a term at the pleasure of Council but not beyond November 30, 2014; and further

That Council give three readings to a by-law to adopt an amended Terms of Reference for Heritage Kenora; and further

That By-law Number 76-2011 be hereby repealed.

Recommendation approved (resolution & bylaw).

HKasprick

4. LOW Brewing Company

Recommendation:

That Council approve the items described specifically of the interior porcelain brickwork under the Heritage Act described in the November 27, 2012 report of the Planning Administrator for the Lake of the Woods Brewing Company; and further

That the Council gives three readings to a by-law to amend By-law No. 160-2008, being a by-law to designate property under the Ontario Heritage Act, in the name of the Lake of Woods Brewing Company located at 350 Second Street South.

Recommendation approved (resolution & bylaw).

HKasprick

5. Zoning Amendment – Z08/12 Bilton

Recommendation:

That the zoning by-law amendment Z09/12 Bilton, to amend the Zoning By-law 160-2010, for the property described as Plan M11, Lot 41 and north part of 40, 322 First Avenue South, City of Kenora, District of Kenora to add office as a use to the R2-Residential, Second Density zone as the application is consistent with the Provincial Policy Statement (2005), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report; and further

That the Zoning By-law No. 160-2010 be amended as follows:

That notwithstanding other provisions as set out in Comprehensive Zoning By-law 160-2010, at the property described on Schedule "A" and specifically described as Plan M11, Lot 41 and north part of 40, 322 First Avenue South be rezoned to R2[28] "Notwithstanding any other provisions of this By-law, on the property described as Plan M11, Lot 41 and north part of 40, 322 First Avenue South the property may include an office use as an additional permitted use in the R2 - Residential, Second Density zoning of the property."

Note to approval: Approval by Council of the amendment of Zoning By-law Number 160-2010, as amended, does not preclude the property owner from obtaining the required change of use permit or any other permit required by municipal by-law or Provincial or Federal legislation.

Recommendation approved (resolution & bylaw).

HKasprick

Motion - Adjournment to Closed Meeting:

That this meeting be now declared closed at 9:13 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) Disposition of Land (4 matters)

Committee reconvened to the open meeting at 9:56 a.m.

2. Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-

That Committee hereby reconvenes to the Open Meeting 9:57 a.m. with no reports from the Closed Session.

G. Other Business:

At 10:00 a.m. Council held Statutory Public Hearings for – Z10/12 Lake of the Woods Brewing Company, followed by – Z11/12 City initiated amendments to zoning bylaw #160-2010.

At 11:05 a.m. Committee Reconvened to the open meeting of Property and Planning to make recommendations respecting the above-noted applications.

1. Z10/12 Lake of the Woods Brewing Company

That Council hereby approves the zoning by-law amendment Z10/12 LOW Brewing, to amend the Zoning By-law 160-2010, for the property described as 350 Second Street South, PLAN 25 LOT 273 TO 274, City of Kenora, District of Kenora to add brewing of beer, in conjunction with restaurant/food service and to include retail and wholesale production/sale to the GC – General Commercial zoning of the property, and to add a definition of “micro-brewery” under “Definitions” as the application is consistent with the Provincial Policy Statement (2005), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report; and further that the Zoning By-law No. 160-2010 be amended as follows:

That notwithstanding other provisions as set out in Comprehensive Zoning By-law 160-2010, at the property described on Schedule “A” and specifically described as 350 Second Street South, PLAN 25 LOT 273 TO 274 GC[27] Notwithstanding any other provisions of this By-law, on the property described as 350 Second Street South, PLAN 25 LOT 273 TO 274 the property may include a micro-brewery in conjunction with restaurant/food service and to include retail and wholesale production/sale to the GC – General Commercial zoning of the property, and to add a definition of “micro-brewery” under “Definitions”.

Note to approval: Approval by Council of the amendment of Zoning By-law Number 160-2010, as amended, does not preclude the property owner from obtaining the required change of use permit or any other permit required by municipal by-law or Provincial or Federal legislation.

Recommendation approved (resolution & bylaw).

HKasprick

2. Z11/12 City initiated amendments

That the Council hereby authorizes the recommended City initiated amendments to the City of Kenora Zoning By-law Number 160-2010, as amended; and further

That Council give three readings to a by-law for this purpose.

Recommendation approved (resolution & bylaw).

HKasprick

Next Meeting date:
Tuesday, January 15, 2013

The meeting closed at 11:33 a.m.