



**Minutes**  
of the  
**Property and Planning Committee of Council**  
**Tuesday, May 15, 2012**  
**City Council Chambers**  
**9:00 a.m.**

**Action**

**Present:** Councillor L. Roussin, Chair  
Councillor R. Lunny, Vice-Chair  
Councillor C. Drinkwalter  
Councillor R. McMillan  
Councillor S. Smith  
Karen Brown, CAO  
Rick Perchuk, Operations Manager  
Tara Rickaby, Planning Administrator  
Heather Kasprick, Deputy Clerk

**Regrets:** Councillor R. McKay  
Mayor Dave Canfield

**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 May 22<sup>nd</sup> meeting:-**

- A By-law to authorize the execution of easements in favour of Ontario Power Generation
- A By-law to adopt a policy for use of municipal property for the purposes of outdoor commercial patios
- A By-law to authorize a zoning by-law amendment for Aamikkowiish (Z05/12)

**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 meeting of the Regular Standing Committee meeting held April 11, 2012 be confirmed as written and filed.

**D. Committee Deputations:**

None

**E. Presentations:**

N/A

**F. Reports:**

## **1. Application for Sign Variance-Tower Motel**

### **Recommendation:**

That Council approves an application for variance, to sections 7.2.1 Table C of Sign By-law No. 115-2010 to permit a pylon sign with a height of 9.14 m as the approval of same would meet the intent of the by-law for the following reasons:

- 1) the size and location of the sign is appropriate in the Commercial Development Area;
- 2) the proposed sign is compatible with surrounding commercial uses and is the average height for pylon signs;
- 3) the aesthetic qualities and visual character of the City would not be protected and enhanced;
- 4) the location of the proposed sign is consistent with the City's planning, urban design and heritage objectives
- 5) the location of the sign will not create a distraction, or safety hazard, for pedestrians or motorists.

### **Amended Recommendation:**

That Council approves an application for variance, to sections 7.2.1 Table C of Sign By-law No. 115-2010 to permit a pylon sign with a height of 9.14 m as the approval of same would meet the intent of the by-law for the following reasons:

- 6) the size and location of the sign is appropriate in the Commercial Development Area;
- 7) the proposed sign is compatible with surrounding commercial uses and is the average height for pylon signs;
- 8) the aesthetic qualities and visual character of the City would be protected and enhanced;
- 9) the location of the proposed sign is consistent with the City's planning, urban design and heritage objectives
- 10) the location of the sign will not create a distraction, or safety hazard, for pedestrians or motorists.

### **Amended Recommendation Approved.**

HKasprick

## **2. Black Sturgeon Lake Management Plan 5 year review**

### **Recommendation:**

That Council of the City of Kenora directs the Planning Administrator to submit a budget item in the 2013 Capital Budget request for the review of the Black Sturgeon Lake Management Plan which will include recommendations to the City of Kenora for future development of the lower Black Sturgeon Lake and to the Province for the development of upper Black Sturgeon Lake.

### **Recommendation Approved.**

HKasprick

## **3. Flooding Easements – Ontario Power Generation**

### **Recommendation:**

That the Council of the Corporation of the City of Kenora authorizes the Mayor and Clerk to execute a flooding easement agreement between the City of Kenora and Ontario Power Generation for certain lands included on Old Fort Island and parts of Tunnel Island.

**Amended Recommendation:**

That the Council of the Corporation of the City of Kenora authorizes the Mayor and Clerk to execute a flooding easement agreement between the City of Kenora and Ontario Power Generation for certain lands included on Old Fort Island and parts of Tunnel Island; and further

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

**Amended Recommendation Approved (resolution & bylaw).**

HKasprick

**4. Sign Variance – Central Community Club**

**Recommendation:**

That Council refuses a variance, to sections 4.1 (e)(h)(i) and of Sign By-law No. 115-2010 as the approval of same would not meet the intent of the by-law for the following reasons:

- 1) the size, number and location of the signs are not appropriate in an open space/recreational area owned by the City of Kenora;
- 2) are not compatible with surrounding activities or uses as the activity on the rink would be able to be observed by persons travelling by, and the snow clearing operations of the rink would be negatively impacted;
- 3) the aesthetic qualities and visual character of the City would not be protected and enhanced;
- 4) the location of billboard signs is not consistent with the City’s planning, urban design and heritage objectives
- 5) the location of numerous billboard signs will create a distraction, or safety hazard, for pedestrians and motorists.

**Recommendation Approved.**

HKasprick

**5. Outdoor Commercial Patio Policy**

**Recommendation:**

That Council approves an Outdoor Commercial Patio policy and application form to regulate the use of City owned property for outdoor commercial patios and that a By-law be adopted for this purpose.

**Amended Recommendation:**

That Council approves an Outdoor Commercial Patio policy and application form to regulate the use of City owned property for outdoor commercial patios; and further

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

**Amended Recommendation Approved (resolution & bylaw).**

HKasprick

**6. Heritage Committee Membership**

**Recommendation:**

That Council of the City of Kenora hereby appoints Gloria M. Alcock and Craig Wayne Cunningham to the Heritage Kenora Committee with a term to expire November 30, 2014.

**Recommendation Approved.**

HKasprick

**Motion - Adjournment to Closed Meeting:**

**1. Moved by R. McMillan, Seconded by R. Lunny & Carried:**

That this meeting be now declared closed at 9:19 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:-

- **Disposition of Land**
- **Security of Property**
- **Acquisition of Land for Municipal Purposes**

**At 11:25 a.m. Committee reconvened to Open Meeting with two reports from the Closed Session and one report from the Zoning Amendment Meeting held at 10:45 a.m.:**

**6a) Request to Purchase Municipal Property -1508 & 1510 Valley Drive**

**Recommendation:**

That the Council of the City of Kenora hereby declares property abutting 1508 and 1510 Valley Drive, and described as PLAN M321 LOTS 16 & 17 RP23R 8951 PARTS 2 & 4 PCL 40188 and CON 6J PT LOC 268P RP23R 3929 PART 2, as surplus to the needs of the municipality; and further

That a portion of the municipal property will be transferred to each of the applicants; and further

That the survey instructions will be issued by the City of Kenora; and further

That in accordance with the Notice By-law, 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 each of the property owners as a lot addition (consolidation) at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs.

**Recommendation Approved.**

HKasprick

**6b) Request to Purchase Municipal Property – City View**

**Recommendation:**

That the City of Kenora enters into an agreement conditional upon purchase and sale of municipal lands with 2225171 ONTARIO CORPORATION conditional upon:

- 1) 2225171 ONTARIO CORPORATION providing an easement for utility purposes over Lot 1 on Plan 3, Block 3 for access and maintenance of the existing underground sewer main;
- 2) 2225171 ONTARIO CORPORATION providing an easement in favour of Kenora Hydro per the requirements of Kenora Hydro
- 3) 2225171 ONTARIO CORPORATION undertaking to re-develop a turnaround over part of Lot 56 and the green space west of Lot 56 and east of Lot 1 on Plan 3, Block 3

- 4) 2225171 ONTARIO CORPORATION enters into a site plan agreement with the City, one of the terms of which will be to maintain Lot 56 and Part of Lot 57 as a parking lot associated with the use of the structure located on Parts of Lot 52, Lot 53 and 54 and Part of Lot 55
- 5) 2225171 ONTARIO CORPORATION shall pay for all surveying, advertising and legal costs associated with the transfer of lands and easements
- 6) 2225171 ONTARIO CORPORATION shall pay the market value of the lands they propose to purchase, per the opinion of value provided by Bill Scribilo of Century 21 – Reynard Real Estate in a letter dated February 15, 2012.

**Recommendation Approved.**

**HKasprick**

**6c) Z05/12 Zoning Amendment Application - Aamikkowiish**

**Recommendation:**

That Council approves the application for zoning by-law amendment Z05/12 Aamikkowiish, to amend the Zoning By-law 160-2010, as amended, at the property described as described as 612 Nineteenth Avenue North, PLAN M103 LOTS 85 AND 86 PCL 7592 DKF by changing the zoning from R1- Residential Single Density to R2 – Residential, Second Density; and further

That this change will permit the development of a four-plex housing unit; and further

That 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 approval is conditional upon the following being undertaken or provided before a building permit is issued:

- 1) The site plan and application form being amended to provide accurate information regarding the front and rear yard setbacks; and
- 2) Acknowledgement from the applicant that the property will be landscaped, not only incorporating existing trees but by including a formal grassed area (seed or sod); and
- 3) A second sewer and water service will be required to ensure that if the applicant ever transfers one set of units out of its name, both sets of units are serviced; and
- 4) Acknowledgement and undertaking to bring the lane to an acceptable City standard.

**Recommendation go forward to Council.**

**HKasprick**

**G. Other Business:**

**Sale of Land - Andrea & Travis Batters – Bylaw Only**

**JMcMillin**

The meeting closed at 11:30 a.m.