



March 27, 2013

City Council Committee Report

TO: Mayor and Council

FR: Tara Rickaby, Planning Administrator

RE: Amendment to Subdivision Agreement between City of Kenora and Jack Coker

Recommendation:

That the Council of the City of Kenora gives three readings to a by-law to amend the subdivision agreement authorized by By-law No. 131-2012 in order to permit staged provision of hydro-electric/telephone servicing to lots 9-13, inclusive, in Phase 1 of the project and the remaining lots 1-12 to form Phase 2 of the project; and further

That the Municipal Solicitor is to coordinate this process with the owner to pay all costs, including registration.

Background:

On July 20, 2010, the Kenora Planning Advisory Committee gave draft approval to Jack Coker for a thirteen lot subdivision. The Mayor and Clerk recently entered into the subdivision agreement with Mr. Coker.

Since the agreement was executed, Mr. Coker was advised by Hydro One Networks that it may be the fall of 2013 until the marine servicing for the subdivision can be completed, however the overland poles will be installed by Bell this spring. The overland infrastructure will be servicing lots 9-13. Hydro One Networks has provided the City with confirmation that the preliminary designs are complete and that they are willing to do what can be done to enable Mr. Coker to sell his lots. In order to maintain the integrity of the subdivision agreement, the agreement must be changed.

The Municipal Engineer has no objection to the amendment to allow the servicing of certain lots.

The Planning Department has no objection to the amendment.

The Municipal Solicitor has no concern and will be providing the wording for the amendment to the agreement (Mr. Ormiston will provide the wording in time for the by-law to be adopted).

Budget: All costs to be borne by J. Coker.

Communication Plan/Notice By-law Requirements: Agenda for Property and Planning and Council, Owner, Municipal Solicitor, Engineering