



City of Kenora
Planning Advisory Committee
60 Fourteenth Street N., 2nd Floor
Kenora, Ontario P9N 4M9
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**Minutes
City of Kenora Virtual Planning Advisory Committee
Regular meeting held by way of Zoom Meeting
Tuesday, March 16th, 2021
6:00 p.m. (CST)**

<https://www.youtube.com/watch?v=upo1zbA-f28>

DELEGATION:

- i. The Chair called the meeting to order at 6:00 p.m. and reviewed the meeting protocol.
- ii. Additions to the agenda:
 - New Business
 - i. OACA Training
 - ii. Update on File: D14-19-02, GACC Appeal
- iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present. There were none.
- iv. Adoption of Minutes of previous meeting
 - February 16, 2021- deferred to the April meeting, as not all members had the opportunity to review.
- v. Correspondence relating to applications before the Committee
 - The Secretary-Treasurer acknowledged the Notice of Withdrawal, File D13-21-03- Ottawa Street. The file is now considered closed.
- vi. Consideration of an Application for Minor Variance
 - D13-21-02, Coney Island

Andrea Morrison, Owner
amorison17@gmail.com

Mrs. Morrison thanked the Committee and provided history on the subject property. She and her family recently purchased the lot from their parents, the lot is 61' wide, and 120' deep. As a RR- Rural Residential Zoned property the setback requirement for new development is 15.0 m from Beach Street and Murdock Street which would leave 0.6 m to build. The owners are requesting a variance from the exterior side yard setback of Murdock Street of 10.5 m to allow for the construction of a new cottage, 4.5 m from Murdock Street. The owner noted that the proposed development will be 5.0 m off the side lot line, but they are asking for additional

relief to ensure the development will be compliant should they require to make minor adjustments onsite.

The City Planner showed their screen, and proceeded to review the application. The effect of approval would be to reduce the required exterior side yard for a permitted use in the "RR" Rural Residential Zone from 15m to 4.5m, to accommodate the location of a new dwelling on the property. All other provisions will be met within the "RR" zone as per the City of Kenora Zoning By-law 101-2015.

In review of the existing condition the property was described as being developed with a residence and accessory structures. The applicants have indicated that the existing residence is being relocated on the property and converted to a sleep cabin, and that the variance is required to accommodate a new primary residence on the property.

In review of consistency with legislated policy and city directive, the application was deemed consistent with the Provincial Policy Statement (2020), the Official Plan and with an approved minor variance application, the property would comply with the provisions of zoning by-law.

As a result of internal circulation, there were no concerns identified and no public comments were received. The Planner recommended approval of application D13-21-02.

The chair asked the applicant if they had any additional comments, the Applicant wished to confirm that the existing cottage which was approximately 300 sq. ft. would be converted to a sleep cabin, and would be complaint to the provisions of the by-law for setback.

There was no one was in the public to speak in favour of or against.

The Chair asked the Committee for questions.

Tanis McIntosh commented on the interpretation of the zoning as RR- Rural Residential and questioned if perhaps the subject property was more appropriately zoned as R1- Residential First Density due to the size. If the lot were treated like an R1- Zoned property, the Member questioned if lot coverage would be of concern?

The Planner confirmed the lot coverage was below the provision within the Zoning By-law of 40%.

Ray Pearson sought clarification regarding Section 9.0 of the application which detailed seasonal sewer connection. The City Planner confirmed that a portion of lot on the north side of Coney Island have summer service for sewer and water. Additionally, Mr. Pearson referenced the City aerial GIS Map, and asked for clarification regarding a possible encroachment by the neighbour's cottage. The Applicant informed the Committee that the survey stake was located on southwest corner, boundaries were determined from the location of this survey pin. The

Applicant verified that no encroachment exists. The Planner reminded the Committee that the ownership layers on the GIS are not to be misconstrued as survey lines.

Ray Pearson reference the measurements of the sketch, the property is 18.6 metres wide. The application is seeking a 4.5 m reduction. After review of the application and the site plan sketch, it was determined that the applicant miscalculated the lot size to be 19.83 m. The result was that the setback of the proposed development would actually be 3.35 m from the side yard lot line, and not the 4.5 m as originally requested.

The Committee expressed concern with the measurements without a survey.

There was a question from a Committee Member about the permitted encroachment into the side yard for eaves trough. Per the by-law the eaves can encroach 0.75 m into any required yard, however no closer than 0.6 m to any lot line.

The chair asked the Committee for discussion.

Ray Pearson reflected upon the inaccurate calculation, and recommended a survey be completed to clarify the legal boundary, as an alternative the applicant may wish to amend the proposed cottage, by making it smaller or choose to re-apply for a minor variance application requesting additional relief.

Bev Richards suggested acquisition of a portion of Murdoch Street to allow for additional side yard. The Planner clarified that the applicant has the right to take application to purchase a portion of city road allowance, however was unable to speculate on the success of such an application.

The Committee discussed the option of approving the application based upon the request for relief of 4.5 m per the sketch that was provided, or as an alternative, deferring the application until April, 2021 to allow for a revised sketch and a revised application.

John Barr supported approval of the request for relief to allow for a side yard setback of 4.5 m, and encouraged the proponent to decide how to design within that envelope.

The Chair asked the City Planner if the Committee was able to change the application. The Planner was willing to grant a request to amend the application if the request was less than what was originally applied for. However, as the applicant would be requesting a relief greater than what was originally applied for, the recommendation from the City Planner was for an amendment application, re-circulation and a deferred hearing date in April, 2021.

The Applicant confirmed that a building design has already been completed. She thanked the Committee for catching her inaccuracy on the site plans and asked that the Committee consider deferring a decision until a later date.

Moved By: Ray Pearson

Seconded By: Robert Kitowski

That the Kenora Planning Advisory Committee defer a decision on an application for minor variance, File No. D13-21-02 originally heard at a regular meeting on Tuesday, March 16, 2021 to the next regularly scheduled meeting on April 20, 2021 to allow for a revised site plan and application for relief from side yard setback in the RR-Rural Residential Zone.

- D13-21-03, Ottawa Street
 - i. Withdrawn

vii. New Business
Election of Chair and Vice- Chair

With the New Year, the Committee shall hold an election for the position of Chair and Vice Chair which hold these titles for both the Planning Advisory Committee and the Committee of Adjustment, of which this Committee represents.

The Secretary Treasurer asked the Committee members for nominations for the position of Chair.

Robert Kitowski nominated Wayne Gauld for the position of Chair.

The Secretary Treasurer called a second and third time for nominations for Chair; there were no further nominations made.

Wayne Gauld accepted the nomination, and the Secretary Treasurer declared that nominations for Chair were closed.

The Secretary Treasurer asked the Committee members for nominations for the position of Vice Chair.

Robert Kitowski nominated Ray Pearson for the position of Vice-Chair.

The Secretary Treasurer called for a second and third time for nominations for Vice Chair; there were no further nominations made.

Ray Pearson accepted the nomination and the Secretary Treasurer declared that the nominations for Vice Chair were closed.

- OP and ZBL Review

The Planner provided update on the OP and ZBL Review process, the TAC- Technical advisory committee is being held on the 22nd of March and in the next month or so we will have a draft Official Plan for review.

- OACA Conference
 - i. June 8-9, 2021
 - ii. On the virtual platform, Swapcard
 - iii. Details will be forwarded to members

- D14-19-02, GACC file-
 - i. resolution at Council March 16, 2021
 - ii. In an effort to have an order issued by LPAT a resolution from Council was required to support the amended By-law that will come into effect.

- Blue Heron
 - i. Conceptual drawings were provided within the Kenora Miner and News, the Planner reminded the Committee that the photos were conceptual in nature and no planning applications have been received to date. The City Planner confirmed based on conceptual that planning approval will be required.

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viii. Adjourn

Moved by: John Barr

That the March 16, 2021 Planning Advisory Committee meeting be adjourned at 7:11 p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday March 16, 2021, are approved this 20th day of April, 2021.