



PROCEEDINGS
for a Public Meeting
to discuss two Applications for Zoning Bylaw Amendments

Tuesday, June 7, 2022

12:00 p.m.

City Hall Council Chambers

Livestream Recording: <https://kenora.civicweb.net/Portal/>

Present: Councillor M. Goss, Acting Deputy Mayor, Chair
Councillor G. Chaze
Councillor R. McMillan
Councillor A. Poirier
Councillor S. Smith
Councillor C. Van Wallegghem

Regrets: Mayor D. Reynard

Staff: Kyle Attanasio, CAO
Heather Pihulak, Director of Corporate Services/City Clerk
Kevan Sumner, City Planner
Adam Smith, Director of Development Services

Land Acknowledgement – Councillor Chaze

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with Indigenous people.

Council Declaration of Pecuniary Interest & General Nature Thereof

- i) On Today's Agenda or from a previous Meeting
 - ii) From a Meeting at which a Member was not in Attendance
- There were none.

Council Considered Two Applications:

1. Zoning Bylaw Amendment: D14-22-04

Civic Address: 1404 River Drive

Legal Description: 1404 River Drive

Registered Owner: Godbout Property Holdings Inc.

Agent: N/A

Applicant Presentation(s)

Jackie Godbout presented the planning application for this application. The change of use for this application will address affordable housing. This plan is in line with the City's Official Plan

for the area and Provincial Policy Statement. The apartment units are targeted at moderate income applicants.

City Planner Report/Rationale

An application has been received to change the zoning of the subject property from "HC" Highway Commercial Zone to "R3" Residential – Third Density Zone.

The property owner wishes to change the use of the property from a motel to rental apartments (multiple-attached dwellings). Multiple-attached dwellings are not permitted in the HC zone, and therefore the zoning of the property must be changed to R3, which is the only zone that enables the lawful permitting of this type of dwelling.

Upon approval, Section 1.10 of the Zoning By-law will apply, being applications for building permits are required, per the Ontario Building Code Act and *Ontario Building Code*, in addition to all other relevant policies in the Official Plan, Zoning By-law, and Site Plan Control By-law.

The subject property is the former location of "The Laurenside Inn", a motel. It is located between Laurensen's Lake and River Drive, and consists of five separate main buildings plus accessory structures. The property is serviced with municipal sewer and water. Municipal sewer and water lines also cross the property via an easement to provide services to properties on Second Avenue East, to the north.

On May 12, 2022, City Planner, Kevan Sumnar conducted a site visit.

Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (PPS) 2020

The policies of the Provincial Policy Statement 2020 encourages planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including redevelopment in accordance with policy 1.1.3.3 (policy 1.4.3(b)2).

Policy 1.1.3.3, in turn, directs planning authorities to identify appropriate locations and promote opportunities for transit-supported development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas... and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

b) City of Kenora Official Plan (2015)

The land use designation of the property is Established Area (Figure 4). The Established Area designation permits a mix of residential, commercial, industrial, and institutional uses. The designation of lands as Established Area indicates that there will be little change in these areas over the lifetime of the Plan.

Residential development is encouraged in the Established Area through plans of subdivision, condominium, and consent as infilling or redevelopment of existing uses on full municipal

services. Medium density residential uses are supported provided that the development is in keeping with the character of the area (Policy 4.1.2(c)).

c) Zoning By-law No. 101-2015

The subject property is currently zoned “HC” Highway Commercial Zone (Figure 4). The HC zone allows for commercial development along major roads that serves the travelling public and often requires a large land area for development. The HC zone does not permit the development of multiple attached dwellings.

This application proposes to amend the zoning of the property to “R3” Residential – Third Density Zone. The R3 zone allows for the development of a full range of housing forms and other compatible uses serviced by municipal sewer and water. Multiple attached dwellings are a permitted use in the R3 zone.

A Minor Variance (D13-22-05) has been approved by the Planning Advisory Committee, to permit two of the existing structures to be closer to lot lines than is normally permitted when they are converted to multiple-attached dwellings in the proposed R3 zone. As a result of the variance, the required side yard setback of the building in the northwest corner of the property has been reduced from 2.5m to 0.95m and the required front yard setback of the central building has been reduced from 6.0m to 5.4m.

Results of Interdepartmental and Agency Circulation

The proposed zoning amendment was circulated for comment on April 21st, 2022. The following is a summary of comments received in response.

Building	A change of use permit may be required
Community Services	No concerns
Engineering	No concerns
Economic Development	No concerns
Environmental Division	No concerns
Fire and Emergency Services	It looks like buildings one, three, four, and five will all require inspection and possibly application of Section 9, Retrofit of the Fire Code.
Roads	No concerns
Water / Wastewater	No concerns
Ministry of Environment, Conservation, and Parks	No concerns
Ministry of Northern Development, Mines, Natural Resources and Forestry	At this time, no known habitat or natural heritage features have been identified and as such, we are not recommending additional evaluation. If any wildlife features are identified, please advise the applicant to contact our office.
Synergy North	No concerns

Public Comments

Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated to property owners within 120 metres, was published in the Municipal Memo of the Newspaper on May 12th, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee had the opportunity to consider the application to Council at the meeting on May 17th, 2022, and has recommended approval. The minutes and relevant resolution from this meeting are attached.

As of the date of the report by the City Planner (May 26th, 2022), no public comments have been received.

Evaluation

The proposed zoning by-law amendment is appropriate to permit redevelopment of the property as multiple-attached dwellings.

Both the Provincial Policy Statement and the Official Plan are supportive of the zoning by-law amendment. The proposed redevelopment will provide dwelling units to meet local housing needs on a fully serviced lot within the City's Settlement Area. This location is approximately one block from a transit stop for the City's Lakeside Route, at the corner of River Drive and Highway 17 East.

Site Plan Control approval will be required due to the change in use of the property to multiple-attached dwellings containing more than four dwelling units. The applicant will also be required to consult with the City's Building Department regarding the requirement for a change in use permit and with Fire and Emergency Services regarding inspection and possible application of Section 9, Retrofit of the Fire Code. None of these requirements are recommended as preconditions for the zoning by-law amendment, as the zoning must first be in place in order to consider the change in use and associated approvals.

Recommendation of City Planner:

That Council hereby approves the Application for Zoning By-law Amendment, File No. D14-22-04, to change the zoning of the subject properties from "HC" Highway Commercial Zone to "R3" Residential – Third Density Zone; and further

That Council gives three readings to a by-law to that effect.

Public Comment

Any person may express his or her views of the amendment and a record will be kept of all comments.

There were none.

Questions of Council (no decision)

There were none.

2. Zoning Bylaw Amendment: D14-22-05

Civic Address: 216 Matheson Street South

Legal Description: 216 Matheson Street South

Registered Owner: Kenora District Services Board (KDSB)

Agent: Kenora Resource Consultants

Applicant Presentation(s)

Chirag Patney, Kenora Resource Consultants presented the planning rationale for this application.

OP Designation: HarbourtownCentre, Zoning: Institutional and size: 1390sq.m. Site of the former Northlands Supportive Housing building which has since been demolished. Currently vacant with exposed bedrock and machine packed fill. Located in a mixed-use area of the City with shopping, restaurants, recreational spaces, and schools nearby. Lot measures approximately 30m x 45m with frontage along Matheson Street. Rezone the subject property from Institutional to General Commercial (GC). Allow for the future redevelopment of the site to accommodate mixed-use development similar to what already exists in the HarbourtownCentre Area. Maintain existing Official Plan Designation. There is a bidding process underway for an Expression of Interest (EOI) by developers to build a mixed-use building with a provision to ensure some of the units developed meet the criteria for affordable housing. There is an existing expression of interest in process which just closed and applications are being reviewed and considered.

There are many examples of mixed commercial and residential in the downtown that already exists. Provincial Policy Statement (2020)

Policy Framework supports this change in use.

Section 1.1.1 states, "Healthy, liveable and safe communities are sustained by:

Accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs. Promoting the integration of land use planning, growth management, transit-supportive development and intensification [...] Section 1.3.1 directs planning authorities to "promote economic development and competitiveness by encouraging mixed use development and providing for a mix and range of employment uses. This proposal will allow for the redevelopment of a vacant lot within the Harbourtown Centre area to provide affordable housing and commercial space.

City of Kenora Official Plan (2015)

Section 2.2.1 promotes compact development that is transit supportive and supports active transportation. It also supports infill and intensification in the HarbourtownCentre area.

The HarbourtownCentre designation encourages mixed-use development. The intended development on the subject property would better utilize a currently vacant site within the City of Kenora's HarbourtownCentre area which is considered, "...an extremely important component of the commercial and recreational land use system of the City..." (Section 4.3).

Zoning By-Law Amendment

General Commercial Zone permits a "wide range of uses and services to meet the needs of residents, businesses and tourists" (Section 4.7.1).

The GC zone also permits apartment dwelling units so long as residential dwelling units in multi-storey buildings are not on the ground floor (Section 4.7.3 [e]).

Commercial uses are permitted only on the ground floor of a building in the GC Zone, unless the commercial use on upper storeys is an extension of the ground floor use.

The effect of the zoning by-law amendment would be to allow for the future redevelopment of the site to accommodate a mixed-use building that has affordable housing units.

A Zoning By-Law Amendment is proposed to rezone the subject property from Institutional to General Commercial. The proposal complies with the PPS (2020) and City of Kenora Official Plan (2015). The proposed zoning is in keeping with the surrounding land uses. The proposed zoning amendment would allow for the redevelopment of a vacant site within the Harbourn Centre Area to accommodate affordable housing and commercial space in a mixed-use building. No development or site alteration is proposed at this time.

City Planner Report/Rationale

An application has been received to change the zoning of the subject property (Figure 1) from "I" Institutional Zone to "GC" General Commercial Zone.

The property owner wishes to redevelop the property with a residential mixed-use development which is not a permitted use in the "I" zone. The proposed use is permitted under the "GC" zone.

The subject property is the former location of the Northlands Supportive Housing building, and has been vacant since the demolition of that building. It is a fully serviced lot with approximately 30m of frontage on Matheson Street South.

The applicants have completed and submitted a Phase I Environmental Site Assessment (ESA).

On May 12, 2022, City Planner, Kevan Sumnar conducted a site visit.

Consistency with Legislated Policy and City Directives

b) Provincial Policy Statement (PPS) 2020

The policies of the Provincial Policy Statement 2020 encourages planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term need, and encouraging compact, mixed-use development that incorporate compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4 (Policy 1.3.1(b) and (d)).

Policy 1.4.3 directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current projected needs.

d) City of Kenora Official Plan (2015)

The land use designation of the property is Harbourtown Centre (Figure 4). The Harbourtown Centre designation represents the downtown area of the City, and is considered to be an extremely important component of the commercial and recreational land use system of the City of Kenora. It is the intent of the Plan that this area contains major concentrations of commerce, finance, tourism, entertainment, recreation, residential and business activities, and provides a dynamic commercial core for the residents of and visitors to the City of Kenora (Section 4.3).

Multi-unit residential development in conjunction with commercial uses is encouraged in the Harbourtown Centre where the street level is used for commercial purposes (Policy 4.3.1(b)).

e) Zoning By-law No. 101-2015

The subject property is currently zoned "I" Institutional Zone (Figure 4). The 'I' zone allows for the development of public and privately owned facilities of an institutional or community service nature. The "I" zone does not permit the development of residential units of a non-institutional nature or commercial uses. Most of the neighbouring properties are zoned "GC". Lots on the opposite side of Matheson Street South are zoned "LC" Local Commercial Zone.

This application proposes to amend the zoning of the property to "GC" General Commercial Zone. The GC zone allows for a wide range of uses and services to meet the needs of residents, businesses, and tourists. The "GC" zone permits commercial uses only on the ground floor of a building, unless upper storey commercial uses are an extension of the ground floor use. Dwelling units may be located within the same structure and above one or more permitted uses that occupy the first floor of a non-residential use building.

Results of Interdepartmental and Agency Circulation

The proposed zoning amendment was circulated for comment on April 21st, 2022. The following is a summary of comments received in response.

Building	No concerns
Community Services	No concerns
Engineering	No concerns
Economic Development	No concerns
Environmental Division	No concerns
Fire and Emergency Services	No concerns
Roads	No concerns
Water / Wastewater	No concerns
Synergy North	No concerns

Public Comments

A public meeting is scheduled to be held by Council on June 7th, 2022. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated to property owners within 120 metres, was published in the Municipal Memo of the Newspaper on May 12th, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee had the opportunity to consider the application to Council at the meeting on May 17th, 2022, and has recommended approval. The minutes and relevant resolution from this meeting are attached.

As of the date of the City Planners report (May 26th, 2022), no public comments have been received.

Evaluation

The proposed zoning amendment is appropriate to permit redevelopment of the property as a mixed-use development similar to many other properties in the Harbourtown Centre area.

Both the Provincial Policy Statement and the Official Plan are supportive of mixed-use commercial and multi-unit residential developments. The applicant indicates that the proposed redevelopment will provide affordable dwelling units to meet local housing needs. This commercial and residential development will be located on a fully serviced lot within the downtown area, where a broad range of services and local bus routes may be found within a walkable distance.

Site Plan Control approval will be required if the property is redeveloped as proposed.

City Planner Recommendation:

That Council hereby approves the application for Zoning By-law Amendment, File No. D14-22-05, to change the zoning of the subject properties from "I" Institutional Zone to "GC" General Commercial Zone; and further

That Council gives three readings to a by-law to that effect.

Public Comment

Any person may express his or her views of the amendment and a record will be kept of all comments.

Leah business owner 211/213 Matheson Street South. Concerns in question are green initiatives pertaining to parking. There is no parking for her own property and is there green initiatives to parking towards this that would discourage cars to this development and what kind of parking initiatives would you put towards this development.

Mr. Patney based on the development proposed, do recognize that the property is located in the Harbourtown Centre and promotes active transportation and you can walk to any of the downtown amenities. In terms to the downtown parking development, we don't know what the development will be at this time.

The application will be subject to site plan control and under the zoning bylaw there are parking requirements that will need to be included as part of that process. The hope is always that those can be met on site and there is a provision in the Harbourtown Centre that it can be off site if within 90 meters. They can apply for a minor variance to reduce the amount of parking required, but as this moves forward and we move forward as to who is developing the property.

Questions of Council (no decision)

There were none.

Close of Public Meeting

As there are no further questions, Deputy Mayor Goss declared this public meeting CLOSED at 12:30 p.m.