



City of Kenora
Planning Advisory Committee
60 Fourteenth Street N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2292

**Minutes
City of Kenora Virtual Planning Advisory Committee
Regular meeting held by way of Zoom Meeting
Tuesday, October 17, 2023
6:00pm (CST)
Video Recording:**

DELEGATION:

Present: Tara Rickaby- Chair, Jay Whetter - Vice Chair, Members -Robert Bulman, Renee Robert, Kerik Funk, and Andrea Campbell, Janis Pochailo - Director of Planning and Building, Kevan Sumner - City Planner, Alberic Marginet - Secretary-Treasurer, and Alex Stornel - Minute Taker (via recording).

i. Call meeting to order

The regular meeting was called to Order by the Chair, Tara Rickaby, at 6:00 PM Central Time, and a Land Acknowledgement was provided recognizing the traditional territories of Treaty Three First Nations and Metis people. The Chair identified the meeting being recorded and that all participants agree to be recorded by choosing to attend. The Chair described the expected protocols and processes to be followed during the meeting.

ii. Additions to the Agenda

None.

iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present.

None

iv. Approval of minutes for a meeting held September 19, 2023.

Motioned: Kerik Funk 2nd: Robert Bulman Approved as amended

v. Correspondence relating to applications before the Committee-

The Secretary-Treasurer identified correspondence that had been received regarding D10-23-08 – Hidden Trails which would be read into the public record when the file is being considered.

vi. Other Correspondence.

None.

vii. Adjournment Requests

The Chair asked if there were any Adjournment Requests. The Secretary-Treasurer reported that D13-23-19 – Ross would be adjourned to the November meeting.

viii. Consideration of Applications for Minor Variance

i) D13-23-18 - Hoard

- Bruce Hoard - was present to represent the application.
- Kevan Sumner, Community Planner presented the Planning Report.
- Public in favour of the application. None.
- Public in opposition of the application. Charlene Clifford.
- Letters in favour. None.
- Letters in opposition. None.
- members of the Committee Members Andrea Campbell, Robert Bulman, vice chair Jay Whetter and Chair Tara Rickaby had questions.

The Chair asked the Secretary Treasurer to read out the draft decision:

That the application, D13-23-18 for 714 First Avenue South, legally described as Plan M108 PT Lot 23 PT Lot; 24 PCL 13803 & PT L 24; PCL 19963 LOC, to seek relief from the City of Kenora Zoning By-law 101-2015, Section 3.34.1(c)(ii) to allow for an accessory dock to be constructed with a minimum east side yard setback of 0m and a minimum west side yard setback of 3.5m; meets the Four (4) Tests and should be approved.

Moved By: Member Andrea Campbell

Seconded By: Vice Chair Jay Whetter

In favour: 5 Opposed: 1 Abstained: 0 Carried

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed prior to the application being able to apply for a building permit.

ix. Consideration of Applications for Land Division

i) D010-23-08 – Hidden Trails

- a. Robert Malak was present to represent the application.
- b. Kevan Sumner, Community Planner presented the Planning Report.
- c. Public in favour of the application. None.
- d. Public in opposition of the application. Jerry Derouard wished to speak but was having technical problems.
- e. Letters in favour. None.

f. Letters in opposition. Letter was read into the record.

The Chair briefly adjourned to the next agenda item to give the Secretary/Treasurer a chance to deal with the technical issue and give Mr. Derouard a chance to speak.

x. Recommendations to Council for Zoning By-law Amendment

i) D014-23-08 – 5054849 Ontario LTD

- Danny Thalman was present to represent the application.
- Kevan Sumner, Community Planner presented the Planning Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- Letters in favour. None.
- Letters in opposition. None.
- Questions or Comments from the committee Keric Funk

The Secretary Treasurer read out the draft decision:

the **PLANNING ADVISORY COMMITTEE** recommends that the Council of the Corporation of the City of Kenora approve Application for Zoning By-law Amendment, File No. D14-23-08, for subject property located at unaddressed property, legally described as Lot CL 14346 RP 23R 11394 Part 1 & 2.

The purpose of the Zoning By-law Amendment is to change the zoning of the subject property from "RU" Rural Zone to "ML" Light Industrial Zone.

The effect of the Zoning By-law Amendment is to rezone lands to permit redevelopment of the warehouse and office building.

The Committee has made an evaluation of the application upon its merits against the Official Plan (2015), Zoning By-law (101-2015), and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear internal department, stakeholder or public comments in full.

Moved By: Member Keric Funk

Seconded By: Member Robert Bulman

In favour: 6

Opposed: 0

Abstained: 0 - Carried

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed prior to the application being able to apply for a building permit.

Ix: D10-23-08 – Hidden Trails resumed

Members of the public wished to speak in opposition of the application. Mr. Jerry Derouard was contacted via phone and notified that he was on speakerphone and there were individuals also on zoom that could hear him. Mr. Derouard stated this was not a problem and expressed his concerns, many that had already been addressed by the Director of building and Planning Janis Pochailo.

Questions or comments from members of the committee. Vice Chair Jay Whetter asked some clarifying questions.

The Secretary Treasurer read out the draft decision:

That application D10-23-08 for consent for lot severance on property located at 41 Hidden Trail Road, legally described as CON 1M PT LOT 2 PCL 15755 and MELICK CON 1 PT BROKEN LOT 2 CON 1 PT LOT 2 RP 23R7873 PT PARTS 1 AND 2 RP 23r9107 PART 2 RF 23r147112 PART 1 PCL 38662DKF 38664DKF 40947DKF; CITY OF KENORA (PINs 42134-0278, 42134-0279, and 42134-0601) be approved and provisional Consent be granted, subject to the following:

- 1) The original executed Transfer/Deed of Landform, a duplicate original and one photocopy for City records be provided for each parcel.
- 2) Registration of a merger agreement on title for each of the proposed lots followed by the consolidation of PINs.
- 3) A Schedule to the Transfer/Deed of Landform on which is set out the entire legal description of the PINs in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Landform to be provided for each parcel.
- 4) That the roadway running through the resort be surveyed to the satisfaction of the City of Kenora and transferred to the City.
- 5) That a Minor Variance be obtained, reducing the required waterfront frontage of the two new lots from 61m to 60.2m and 55.2m.
- 6) That the cash equivalent of 5% of the land, based on current value assessment, be provided as required under the City of Kenora Official Plan (2015) Policy 8.11.4(e).
- 7) That approved permits are received from the Northwestern Health Unit for private servicing of the proposed new, central lot.
- 8) That confirmation is provided that the two previously existing properties (41 and 162 Hidden Trail Road) have been merged on a single title.
- 9) Three original copies and one .pdf copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.
- 10) That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.

- 11) That an application for an entrance permit for the new lot is received and approved by the City of Kenora.
- 12) That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter from the owner or owner's Agent/Solicitor, confirming that conditions #1 through #10 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.
- 13) That all costs associated with surveys, legal fees and matters related to the application are the responsibility of the developer/applicant, with the exception of condition (4) above which is to be negotiated between the developer/applicant and the City of Kenora.

Moved By: Member Renee Roberts Seconded By: Member Andrea Campbell

In favour: 6

Opposed: 0

Abstained:0 - Carried

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed prior to the application being able to apply for a building permit.

xi. Old Business

- i) None

xii. New Business

- An application has been received that might be require a special meeting.
 - i. Members will be informed when this meeting can take place to make sure that we can get Quorum for the meeting.
 - ii. Member Keric Funk stated that the noon meetings are not always the easiest to attend and that evenings would be better.
- For the up coming seminar in Thunder Bay Vice Jay Whetter will be unable to attend.
 - i. Member Andrea Campbell expressed interest but stated that she would need more notice before she could commit to attend events.
 - ii. Chair Tara Rickaby went over when these seminars and conferences normally take place during the year.

ix. Adjournment Moved: Member Renee Roberts - Meeting adjourned at 7:32pm