



A G E N D A

**Public Statutory Meeting
as per the requirements of the Planning Act
R.S.O 1990, c.P13, s. 34**

**Wednesday, March 8, 2023
12:00 p.m.**

City Hall Council Chambers

Public Access Livestream at: <https://kenora.civicweb.net/Portal/>

Land Acknowledgement – Councillor Bernie

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

1. Applications Being Considered:

- a) Zoning Bylaw Amendment: D14-23-01
Civic Address: Unaddressed Property, Jones Road
Legal Description:
Registered Owner: Katelyn Makowsky
Agent:

Applicant Presentation(s)

- Each applicant (or representative) will present their planning application.

2. City Planner Report/Rationale

- City Planner to describe the details of the planning application(s).

3. Public Comment

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

4. Questions of Council (no decision)

5. Close of Public Meeting

Meeting is to be declared closed following all comments/questions



February 24, 2023

Staff Report

File No.: D14-23-01

To: Kyle Attanasio, CAO

Fr: Kevan Sumner, City Planner

Re: Application for Zoning By-law Amendment

Location: Unaddressed Property, Jones Road

Owner &

Applicant: Katelyn Makowsky

Recommendation

That Council hereby approves the Application for Zoning By-law Amendment, File No. D14-23-01, to change the zoning of the subject property from "ML" Light Industrial Zone to "ML[55]" Light Industrial, Exception Zone with permitted site-specific Agricultural Use (greenhouse); and further

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

1. Introduction

An application has been received to change the zoning of the subject property (Figure 1) from "ML" Light Industrial Zone to "ML[55]" Light Industrial, Exception Zone with permitted site-specific Agricultural Use (greenhouse).

2. Description of Proposal

The property owner wishes to amend the zoning to permit the development of the property with a greenhouse. Agricultural uses are not normally permitted in the "ML" Light Industrial Zone.

3. Existing Conditions

The subject property was created in 2022 via a consent for lot creation, and is currently tree-covered and undeveloped. There is no indication that it has ever been developed at any time in the past. It has an area of 1.05 ha and frontage on Jones Road.

Surrounding properties contain a mixture of light industrial, commercial, and residential uses on lots of various sizes. No municipal sewer or water service is available in this area. Jones Road provides an important connection from Highway 17E to the bypass and eventually becomes Highway 671 to Grassy Narrows.



Figure 1: Aerial image indicating the location of the subject property (2019).

4. Site Visit

On February 15, 2023, I conducted a site visit and took the following photo.



Figure 2 – Photo of the property frontage from Jones Road.

5. Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (PPS) 2020

The PPS promotes development in rural areas that is compatible with the rural landscape and can be sustained by rural service levels (Policy 1.1.5.4) and are appropriate for the infrastructure which is planned or available (Policy 1.1.5.5).

b) City of Kenora Official Plan (2015)

The land use designation of the property is Rural Area (Figure 3). Policy 4.8 of the Plan states that Rural Areas include a variety of agricultural, residential, industrial, commercial, recreational, tourism, and open space uses, and that these areas may experience limited change over the lifetime of the Plan.



Figure 3 – Official Plan Mapping

c) Zoning By-law No. 101-2015

The property is currently zoned "ML" Light Industrial Zone (Figure 4). This zone allows for a wide range of low-impact light industrial land uses as well as complementary commercial uses. The ML zone does not permit agricultural uses such as a greenhouse.

Several neighbouring properties, including the adjacent properties to the west and on the opposite side of Jones Road zoned "RU" Rural Zone, and agricultural uses are permitted in that zone. Properties zoned "RU" tend to be larger properties, as the minimum lot size in the "RU" zone is 2 ha. Areas zoned "HC" Highway Commercial Zone and "RR" Rural Residential Zone are also found nearby, along the Highway 17E corridor.

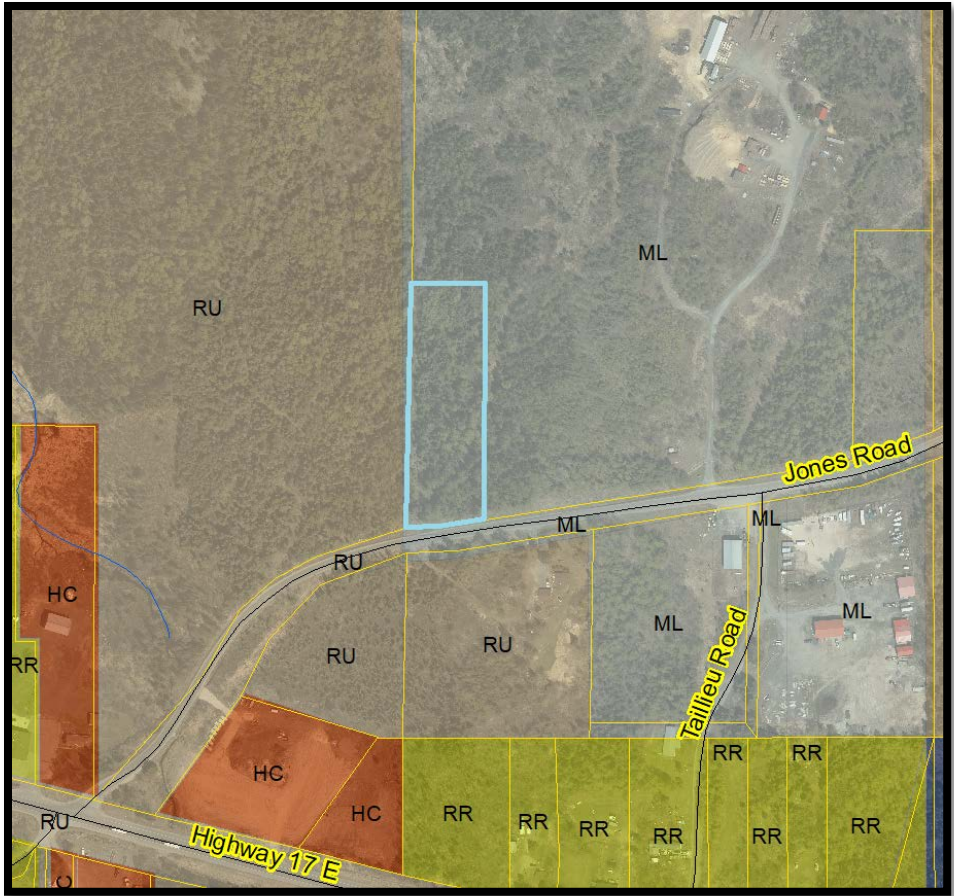


Figure 4 –Zoning By-law Mapping

6. Results of Interdepartmental and Agency Circulation

The proposed zoning amendment was circulated to internal departments and external agencies, and the following is a summary of comments received in response.

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

7. Public Comments

Notice of the public meeting 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 February 9th, and circulated to persons and public bodies as legislated.

The notice also stated that the Planning Advisory Committee would have the opportunity to consider recommendation for the application to Council at the meeting on February 21st, 2023. The minutes and relevant resolution from that meeting are attached to this report.

As of the date of this report, no comments have been received from the public.

8. Evaluation

The proposed site-specific zoning amendment to allow agricultural use of this property is a reasonable solution to allowing a use that seems appropriate for this site and the area, while retaining the "ML" zoning for future light industrial use of the property. The only other option for allowing a greenhouse on the property would have been to amend the zoning to "RU" Rural Zone, but that zone is intended for properties of 2 ha and larger, and associated uses that are more suitable to larger rural properties.

The Provincial Policy Statement is supportive of uses that are suitable to the rural landscape and supported by rural service levels, and the Official Plan is supportive of a variety of uses, including both industrial and agricultural. No concerns or objections have been received either through the internal review or from members of the public.

Attachments

1. Complete Application for Zoning By-law Amendment
2. Planning Rationale
3. Site Plan
4. Notice of Application and Public Meeting
5. Minutes of the Planning Advisory Committee meeting of February 21, 2023.
6. Planning Advisory Committee Resolution



The Corporation of the City Of Kenora
Notice of Complete Application and Public Meeting for a
Zoning By-law Amendment, File Number D14-23-01
Planning Act, R.S.O 1990, c.P13, s. 34

Take Notice that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting, under Section 34 of the *Planning Act*, to consider a Zoning By-law Amendment as it pertains to Zoning By-law No. 101-2015, at the following time and location:

**Statutory
Public Meeting**

When: Wednesday, March 8th, 2023 at 12:00 noon.

Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

Council will be hosting a virtual meeting by live stream to allow for public viewing. Access to speak at the meeting can be made by registering with the City Planner at planning@kenora.ca

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application during their regular meeting on Tuesday, March 22nd, 2023 at 5:00 p.m.

You are also invited to attend The Kenora Planning Advisory Committee (PAC), who hears applications and considers recommendations to Council, commencing at the following time and location:

PAC Open House

When: Tuesday, February 21st, 2023 at 6:00 p.m.

Location: PAC will be hosting a virtual meeting via Zoom Meeting.

Access to the virtual meeting will be made available by registering with the Secretary-Treasurer at planning@kenora.ca.

Aerial image of subject property, City of Kenora GIS (2019)



Be Advised that the Corporation of the City of Kenora considered the Application for an Amendment to the Zoning By-law to be complete on January 17th, 2023.

Location of Property: PART MINING LOCATION 556P JAFFRAY DES PART 1 23R14816, CITY OF KENORA, Kenora, ON, as identified in the key map above.

Purpose: to amend the current zoning of the subject property, designated as “ML” Light Industrial Zone, to include agricultural use (greenhouse) as a permitted use.

Effect of Approval: to permit the development of a commercial greenhouse and food production.

Virtual Statutory Public Meeting: Although Council meetings are being held virtually via live stream, there are still several ways in which the general public can provide input on the proposed application, as follows:

- a. **Submit comments in writing:** Persons wishing to provide comments for consideration at the Statutory Public Meeting may submit such comments in writing no later than Friday, February 17th, 2023, by email, to planning@kenora.ca, or by regular mail to the address listed below, quoting File Number: **D14-23-01**.

Mr. Alberic Marginet, Associate Planner
60 Fourteenth Street North, 2nd Floor, Kenora, ON P9N 3X2

- b. **Register to Speak at the PAC Virtual Meeting:** If you wish to speak at the PAC Meeting, you are asked to register in advance by email, to planning@kenora.ca no later than noon on Friday, February 17th, 2023 and quote File Number: **D14-23-01**. To register by phone please call: 807-467-2152.
- c. **Register to Speak at the Statutory Public Meeting:** If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to planning@kenora.ca no later than noon on Friday, March 4th, 2023 and quote File Number: **D14-23-01**. To register by phone please call: 807-467-2152.

Failure To Make Oral Or Written Submission: If a 'specified person' or 'public body' does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the City of Kenora before the by-law amendment is passed:

- a. the specified person or public body is not entitled to appeal the decision of the Council of The Corporation of the City of Kenora to the Ontario Land Tribunal.
- b. the specified person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Appeal of a decision of the Municipality in respect of this Zoning By-Law Amendment may be made by a 'specified person' or 'public body' not later than 20 days after notice of the decision is given.

Notice of Decision: If you wish to be notified of the decision of the Council of The Corporation of the City of Kenora in respect of the application for zoning by-law amendment, you must make a written request to Heather Pihulak, Clerk of The Corporation of the City of Kenora at 1 Main Street South, Kenora, ON P9N 3X2

Additional Information is available during regular office hours at the Operations Centre. Please contact Alberic Marginet, Associate Planner, if you require more information: Tel: 807-467-2152 or Email: planning@kenora.ca. *Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.*

Dated at the City of Kenora this 31st of January, 2023