



City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2059

**Minutes
City of Kenora Planning Advisory Committee
Regular Meeting held in the Operations Centre Building
60 Fourteenth St. N., 2nd Floor- Training Room
March 15, 2016
7:00 p.m.**

Present:

Wayne Gauld	Chair
Ray Pearson	Member
Vince Cianci	Member
Robert Kitowski	Member
Graham Chaze	Member
Christopher Price	Member
Tara Rickaby	Secretary-Treasurer
Melissa Shaw	Deputy Secretary- Treasurer

Regrets:

David Blake	Member
-------------	--------

Delegation: None

(i) Call meeting to order

Wayne Gauld called the March 15, 2016 meeting of the Kenora Planning Advisory Committee to order at 7:00 p.m. and reviewed the meeting protocol for those in attendance.

(ii) Additions to the Agenda: Recommendation by Ray Pearson to change the agenda, switching the order of old business and new business; the Committee concurred.

(iii) Declaration of Interest

The Chair called for declarations of conflict of interest – at this meeting or a meeting at which a member was not present: there were none.

(iv) Adoption of Minutes of previous meeting: February 16, 2016

Business arising from minutes: None

Discussion / Correction(s): None

Moved by: Robert Kitowski

Seconded by: Ray Pearson

That the minutes of the February 16, 2016 meeting of the Kenora Planning Advisory Committee be approved as distributed.

Carried

(v) Correspondence relating to applications before the Committee: None

(vi) Other correspondence: None

(vii) Consideration of Applications for Minor Variance: None

(viii) Considerations for Applications for Consent

- **B02/16- 2441895 Ontario Inc.**

Melissa Shaw removed herself from the meeting at 7:05 p.m.

Present at the Meeting:

Lisa Moncrief, Owner
Alexis Pernsky, Agent

Lisa Moncrief, Owner, described the application for a lot addition, explaining that she and her husband had owned the property at 114 Ottawa Street for several years, and that they recently purchased the property at 108 Ottawa Street. The application to adjust the lot lines will increase the frontage on Lake of the Woods for 114 Ottawa Street and mitigate two encroachments. The westerly lot line, to be adjusted will have an angle to it, to accommodate the possible development of a deck for the residence at 108 Ottawa Street.

Ms. Moncrief explained that they did receive phone calls from the neighbours, offering to support the application but that the Moncriefs felt that it was not necessary.

Tara Rickaby reviewed the planning report and explained two conditions which should be part of the approval: 5) That the minimum frontage for 114 Ottawa Street (Lot A) be 15.0 m and 6) That the minimum setback from the shed at 108 Ottawa Street (Lot B) be 1.0 m. These conditions will ensure that the existing structures will comply with the zoning by-law, and that the minimum frontage requirements will be met.

The Chairman asked the Owner and Agent if there was anything further to add regarding the application. There was nothing added.

The Chair asked whether there was anyone present who wished to speak either for or against the application. There was no one present.

The Chair asked the Committee members whether they had questions regarding the application.

Ray Pearson asked for clarification of a comment that there is potential development of a deck on the east side of the Lot A. Ms. Moncrief explained that, because that lot will only have a water view, in the future, and not water access, there is consideration to building a deck, in the future.

Discussion took place with respect to the amount of frontage on Ottawa Street and what surveys were being referenced.

The Chair asked the Committee members whether they had any further discussion regarding the application or anything further to say regarding the application, prior to making a decision. There were no other comments.

Moved by: Vince Cianci Seconded by: Ray Pearson

That application B02/16- 2447895 Ontario Inc., for consent for a lot addition, to add a approximately 0.04 ha parcel from property described as PLAN M113 LOT 1 TO 3 PT LOT 4 PCL22433 CNY to property described PLAN 22 SPT RESERVE, 108 Ottawa Street be approved as the application has regard for the Provincial Policy Statement (2014), section 51(24) of the Planning Act, and complies with the intent of the City of Kenora Official Plan (2015) and Zoning By-law No. 101-2015, per the reasons indicated in the planning report.

It is recommended that the Committee approve the application, with the following conditions:

- 1) The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided
- 2) A Schedule to the Transfer/Deed of land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
- 3) Three original copies (not photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and

illustrating the parcel(s) to which the consent approval relates an which must show in general the same area and dimensions as the sketch forming part of the application be provided.

- 4) 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.
- 5) That the minimum frontage for 114 Ottawa Street (Lot A) be 15.0 m
- 6) That the minimum setback from the shed at 108 Ottawa Street (Lot B) be 1.0 m
- 7) 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 #6 have been fulfilled. Clearance letters from the City of Kenora and external agencies are to be included.

NOTE: The following section(s) of the Planning Act apply:

Conditions not fulfilled

53(41) If conditions have been imposed and the applicant has not, within a period of one year after notice was given under subsection (17) or (24), whichever is later, fulfilled the conditions, the application for consent shall be deemed to be refused but, if there is an appeal under subsection (14), (19) or (27), the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order of the Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under subsection (29) or (33). 1994, c. 23, s. 32.

Lapse of consent

53 (43) A consent given under this section lapses at the expiration of two years from the date of the certificate given under subsection (42) if the transaction in respect of which the consent was given is not carried out within the two-year period, but the council or the Minister in giving the consent may provide for an earlier lapsing of the consent. 1994, c. 23, s. 32.

Melissa Shaw re-entered the meeting at 7:23 p.m.

5) **New Business: OPA 2/16**

Present At the Meeting:

Randy Nickle, Owner
Lori Nickle, Owner

Randy Nickle and Lori Nickle, identified themselves as owners of property in downtown Kenora. Over the past five years, they have been running a movie store out of property known as 200 Main Street, Kenora ON. They commented that they have been waiting for the right tenants to come along to fill the two buildings which are developed on that property.

As of today's date, they have signed a lease agreement with a company in the building on the east side of the property, and they feel that that they have found the right prospective tenants for the building located on the west side of the property. These prospective tenants proposed a conceptual plan for the parcel which they believe is a great opportunity for downtown Kenora.

The City of Kenora Official Plan, and the parking provision within the Harbourtown Centre designation, affect this concept plan. Mr. Nickle confirmed with the Committee that that have had the opportunity to review the concept plan, and identified that the recommendation within the preliminary planning report, as prepared by Nadia DE Santi, Senior Planner with MMM Group, is for approval of this application.

Mr. Nickle reviewed the parking plan, and suggested a collaborative approach between himself and the City of Kenora to come up with an alternative for ingress and egress. Mr. Nickle wondered if perhaps there would be opportunity to lease lands north of 200 Main Street from the City of Kenora for ingress/egress options.

Mr. Nickle informed the Committee that himself and the prospective tenant are eager to sign the lease, and more importantly the prospective tenant are anxious to get works underway to open their doors 2017, identifying there is ample time from now until construction to meet any conditions that the Committee may recommend for approving the application.

Mr. Nickle commented on the pre-consultation meeting he had with Tara Rickaby and Jennifer Findlay, recognizing this plan supports the Provincial Policy Statement, 2014 by promoting active transportation, foot traffic and addressing accessibility.

The Secretary-Treasurer informed the Committee that Nadia De Santi was double booked for a meeting in Ottawa tonight, and would not be participating. As such, the Secretary-Treasurer highlighted some of the points within the preliminary planning report, namely, the parking plan which was provided,

indicating the flow of traffic through the parking lot at 200 Main Street would essentially remain unchanged from what is there today, with the reduction of parking stalls from 13 to 6 or 7.

The Secretary-Treasurer reminded the Committee that it is not their mandate to deal with the technical aspects of the parking plan; any concerns would be dealt with through the provisions in the zoning by-law and/or site plan control. She further commented that the parking policies specific the Harbourtown Centre, with the Official Plan (2015) were changed from the previous Official Plan; Nadia De Santi's recommendation is for approval, with the removal of the policy under section 4.3.4 –on the entire site at 200 Main Street.

Mr. Nickle wanted confirmation that if the Committee supported the recommendation to Council, and Council approved the application, then the site would not require any parking. The Secretary-Treasurer confirmed that 200 Main Street would not require any parking, however, indicated that any parking provisions included in the existing lease agreement with the tenant in the east building may still have to be satisfied, and reminded the Committee that they have not been privy to that information.

The Chairman asked the Owner and Agent if there was anything further to add regarding the application.

Mr. Nickle said that he has spoken to his residential neighbor on three occasions; the only issue which has been identified is the potential smell which may linger outside of a restaurant. Loading may potentially be an issue. Mr. Nickle said in speaking with Sysco, they confirmed they would be willing to service 200 Main Street from the existing loading site across the street used for Cornerstone and previously, Bijou. Mr. Nickle suggested garbage pick-up would also be addressed across the road via existing commercial garbage containers on City property. The Secretary-Treasurer reminded those present that those are zoning by-law and site planning issues.

The Chair asked the Committee members whether they had questions regarding the application.

Wayne Gauld asked the Secretary-Treasurer why the parking plan was included, if approval of the application means he will not be required to have parking.

The Secretary Treasurer informed the Committee that the parking plan was required to form a complete application as the request on the application form is to reduce the parking from 13 stalls to 6 or 7 stalls, and reminded the Committee that they have not been privy parking provisions included in the existing lease agreement with the tenant in the east building, parking may still have to be satisfied.

The Secretary Treasurer read the parking provisions of the Official Plan, with respect to the Harbourtown Centre, and noted that in the past, if a business within the Harbourtown center was unable to provide parking they would pay \$5000 for each parking stall which they could not provide. The revenues have been applied to the development of parking alternatives such as the Mathieson Street parkade, said provision no longer exists in the Official Plan.

Ray Pearson clarified that the Committee is being asked to recommend either removal of parking or maintaining parking. If the Committee recommends approval of the application, he questioned who would be responsible for the upgrades to Second Street and Water Street intersection and the sidewalk.

The Secretary-Treasurer informed the Committee that redevelopment of roads and sidewalks would be future considerations in the capital budget, or part of site plan control. The essence of the application is if the provisions of the Harbourtown Centre policies surrounding parking and the implication to 200 Main Street.

The Chair asked the Committee members whether they had any further discussion regarding the application or anything further to say regarding the application, prior to making a decision.

Vince Cianci said that in his opinion, the property at 200 Main Street is in the heart of downtown Kenora, and looking at other businesses within the core of the Harbourtown, there are very few businesses which provide onsite parking. He suggested that the property at 200 Main Street should not be required to provide parking, like every other business downtown. Mr. Cianci suggested that the Kenora downtown has been designed with communal parking lots, and multi-floor parkades, not individual owners providing parking on their downtown property. Vince suggested the owner at 200 Main Street should he be allowed to get rid of his onsite parking, as would support that recommendation.

Ray Pearson concurred.

Robert Kitowski once again referenced section 4.3.4., and the removal of the last line of this section within the Harbourn Centre policies of the Official Plan, and once again clarified for the applicant and the Committee, that the approval would give the applicant at 200 Main Street the authority to remove the parking if they choose, however, could also decide to keep some parking if required.

Ray Pearson recommended that the applicant remove all the parking. If they choose to have some, they will be required to deal with the conflicts surrounding the proposed parking plan through entrance permits and/or Site Plan Control.

Mr. Nickle did not know that he could remove all the parking on the property, and suggested that perhaps he will enter into negotiations with his current tenant to remove the parking on the east side.

The Chair once again asked the Committee members whether they had any further discussion regarding the application or anything further to say regarding the application, prior to making a decision, there was none.

Moved By: Robert Kitowski

Seconded By: Graham Chaze

That the proposed Official Plan Amendment OPA 2/16 be recommended by the Kenora Planning Advisory Committee to the Committee of the Whole for recommendation of approval by Council, as it related to the Official Plan and the Lake of the Woods development commissions strategic plan.

It is recommended that a new policy (e) be added to Section 4.3.4 – Parking in the Official Plan to read as follows:

“Notwithstanding any other policy in this Official Plan, Section 4.3.4, policy (d) shall not apply to lands municipally known as 200 Main Street South.”

The recommendation is in keeping with the spirit of the development of the Kenora Harbourn Centre, and will allow 200 Main Street to be developed to its highest potential

Carried

(x) Old Business

- **City of Kenora Planner**

The Secretary wanted to make everyone aware that the new Planner resigned from the City of Kenora on Monday February 29th, 2016.

- **2016 OACA Conference London Ontario, May 29- June 1, 2016**

The Secretary Treasurer informed the Committee Wayne Gauld will be attending OACA, along with Melissa Shaw. The third spot will remain unfilled pending the hiring of a new planner.

Adjourned

Moved by: Chris Price

That the March 15, 2016 Planning Advisory Committee meeting be adjourned at 7:53 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday 15 March, 2016 are approved this 19th day of April, 2016.

Wayne Gauld, Chair

Tara Rickaby, Secretary-Treasurer