

Carried

- Appointment of Deputy Secretary-Treasurer
As per Section 44 (8) of the Planning Act .S.O. 1990, c. P.13, as amended the Planning advisory committee shall appoint a Secretary-treasurer.

Moved By: Ray Pearson

Seconded By: Dave Blake

THAT the Planning advisory Committee appoints Devon McCloskey as the Deputy Secretary Treasurer.

Carried

(iv) Declaration of Interest by a member for this meeting or at a meeting at which a member was not present. None.

(v) Adoption of Minutes of previous meeting (June 21, 2016)

Discussion / Correction(s): None.

Moved by: Ray Pearson

Seconded by: Dave Blake

That the minutes of the June 21, 2016 meeting of the Kenora Planning Advisory Committee be approved as amended.

Carried

(vi) Correspondence relating to applications before the Committee. None.

(vii) Other correspondence. None.

(viii) Consideration of Applications for Minor Variance

- A07/16- Didzun

Devon McCloskey, Planner gave a brief presentation on the application located at 1120 Airport Road, referencing the planning report which elaborated on the request for relief in order to develop a 9.75 x 9.75 metre (32 x 32 foot) accessory building (garage) closer to the road (front lot line) than regulated by the by-law.

The Planner explained that due to challenges with rocky terrain, and steep grades down to marshland, the applicant is unable to build the garage in compliance with the by-law. The property is limited to developing the accessory structure within the location as requested in order to provide for hydro and avoid areas occupied with services. The recommendation made by the Planner was for approval as the application has regard for the Provincial Policy Statement; the City of Kenora Official Plan and received no concerns from circulation via internal departments and external agencies within the City of Kenora.

Sandra Didzun, owner
1120 Airport Road
Greg Branson, Agent

Greg Branson and Sandra Didzun thanked the Planner for her presentation and confirmed they had nothing more to add, however welcomed questions from the committee.

The Chair asked whether there was anyone present who wished to speak either for or against the application. There were none.

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

Vince Cianci asked the applicant how high the rock outcrop is.

Greg Branson, Agent confirmed the rock is approximately three feet above grade, blasting would be costly.

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 none.

A07/16- Didzun

Moved by: Graham Chaze

Seconded by: Chris

Price

That the Kenora Planning Advisory Committee approves Application for Minor Variance A07/16 – Didzun, located at 1120 Airport Road, Kenora, Ontario, CON 7 PT LOT 12; RP 23R10310 PARTS 1-3; PCL 42269. To allow for relief from Section 3.34.1 (b) (ii) which restricts an accessory structure from being built closer to the front lot line than the minimum distance required by the By-law for the main building on the lot. The effect of approval would be to permit the construction of an accessory structure to be located 10 metres from the front lot line. Furthermore, since the approval of the application for minor variance meets the four tests for the reasons provided in the planning report it is recommended

(ix) Consideration of Application for Consent

- B05/16- Haney

Shawn Bailey, Agent
Boreal Architecture Studio Inc.

Grant and Angelica Haney
19 Beggs Road
Kenora, ON P9N 4P4

Shawn Bailey from Boreal Architectural Studio presented the application on behalf of Mr. Grant Haney, owner. Mr. Bailey gave a description of the current site at 1734 Railway Street; vacant with the existing concrete pad from the Image One retail building which was razed by fire in 2013. The applicant is the current owner of the adjacent eastern parcel from which they are requesting consent for lot addition to the subject property; the applicant is also requesting a six metre easement to allow continued access to the eastern parcel. The adjacent property is light industrial, with operating times during the day, while the subject property is to be developed

with a recreational use and operations during the evening and weekends. The agent presented the site plan to the committee, and welcomed questions.

The City Planner presented the planning report, and outlined the 6 m easement would provide access for the adjacent property. The Planner identified the need for a merger agreement so that the three (3) parts cannot be severed in the future, however supported the application, moving towards conformity as the lot size is increasing towards 1.0 ha in size.

The Planner identified that servicing the development will be upon a private basis until extension of municipal sewer and water may be provided. This is supported by the Northwestern Health Unit. There are some legal non-complying and non-conforming uses of the property which will be consistent. If there are changes to the form of the building there may be a minor variance needed, once a schematic is produced for the conceptual gymnasium.

The application has regard for the provincial policy statement; the Official Plan and the zoning by-law, there are no concerns from internal departments, and received comments from the Northwestern Health Unit that an inspection shall be provided for future development. The planner recommended approval of application B05/16 Haney.

The Chair asked whether there was anyone present who wished to speak either for or against the application. There were none.

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

Wayne Gauld asked the Agent, Shawn Bailey to clarify the easement on the site plan. Shawn Bailey, identified the 6 m easement on the lot addition for access, he reviewed the site drawing with the committee members. The agent outlined the need for lot addition to comply with required parking, and the easement to maintain access for the adjacent lot.

Wayne Gauld asked the owner to clarify the servicing options; Grant Haney reported that in a conversation with Doug Vergunst, NWHU, temporary holding tanks would be permitted for sewer and water until the extension of the municipal sewer and water line.

Ray Pearson asked the applicant to clarify the anticipated level of water usage on site, and questioned if showers would be within the change room facilities. What is the usage of water, are there showers? Mr. Haney confirmed there will be no showers in the studio.

Graham Chase questioned if the City of Kenora will deliver water to the subject property.

Mr. Haney confirmed the subject property was within City Limits and could receive hauled water services.

Vince Cianci expressed concern about creating easement; once an easement is put in place, it is there for all eternity and questioned if the adjacent parcel could gain access from another location.

Mr. Haney preferred the route of access as identified in the application, because the alternative would impede upon a residential property, with small children.

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 recommended the easement be surveyed to follow the road, and it should only effect the land that are needed for access. As the easement is being proposed it is a tract running the length of the side lot line, the concern is that once an easement is in place, you cannot build on an easement.

Ray Pearson expressed concerns with the sewer and water hook-up, with no definite plans on behalf of the City of Kenora to extend the services; Mr. Pearson questioned if in the future, connecting might it become cost prohibited, then the temporary holding tanks become permanent.

The Secretary-Treasurer confirmed that the extension of the sewer and water line has not been identified within the 5-year operating budget, however, pending planning applications, increasing development within the area may bring the project to realization. In conversations with Jeff Hawley, Manger Infrastructure and Operations, and as of today's date, the cost to service the property would solely be the responsibility of the developer.

Wayne Gauld questioned Vince Cianci as to why he had concerns with an easement. Vince explained that the way the easement has been presented, includes land that is not used for access. In the event that future development. In Mr. Cianci's opinion, it would be within poor planning to do a strip easement like the one proposed; alternatively, to survey the access only because it allows for more use of property by the owners. Mr. Cianci suggested to survey directly abutting the existing route of the road and explained it is unnecessary to define the area with a 6.0 m width because it will needlessly tie up land

The committee added a condition that the easement be no greater than 6.0 m for access to the garage on the adjacent lot. The intention of the easement is for access only and shall encompass the existing route of the driveway.

B05/16- Haney

Move: Dave Blake

Second: Graham Chaze

That application B05/16 Haney, for lot addition be approved as described:

That property described as 1736 Railway Street, legally described as CON 5J PTBLK B M28 D 52 DES; RP KR671 PART 1 PCL24487; be approved for a 16.77 metre lot addition and an easement for access to enable a lot addition to property described as civic address 1734 Railway Street, M 28 BLK B PT DES KR 671; PART 2 PCLS 19389 & 29427.

Whereas the application has regard for the Provincial Policy Statement (2014); is compliant with section 51(24) of the Planning Act, and meets the intent of the City of Kenora Official Plan (2015) and Zoning By-law No. 101- 2015 as amended.

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) That approvals are received from the City for the provision of an entrance permit, culvert and materials as required to develop driveway access as required.
- 4) 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.
- 5) That a letter be received from the Northwestern Health Unit indicating no objection to the application.
- 6) That an easement no greater than 6.0 m be created in favour of CON 5J PTBLK B M28 D 52 DES;RP KR671 PART 1 PCL24487, 1736 Railway Street for access.
- 7) 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.
- 8) That the parcel proposed to be severed, also be consolidated on title and that a merger agreement is entered into with the City of Kenora, for those adjacent parcels described as PINs 42176-0226 & 42176-0223.
- 9) That all costs associated with surveys, legal fees and matters related to the application are the responsibility of the developer/applicant.

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 #9 have been fulfilled. Clearance letters from the City of Kenora and external agencies are to be included.

Carried

- (x)** Old Business
- Z01/16 Emergency Shelters

- i. An appeal was submitted, the record was prepared by Heather Kasprick City Clerk and has been forwarded to the OMB
- OPA 2/16 -1133563 Ontario Inc
 - i. Appellant: Lydia Eberhardt Lafreniere
 - ii. Location: Wednesday September 21, 2016 at 10:00 am Operations Training Room, Kenora, ON

(xi) Adjourn at 8:03 p.m.

Next Meeting: August 16th, 2016 @ 7:00 p.m.