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BOATING DESTINATION

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

Minutes
City of Kenora Planning Advisory Committee
Regular Meeting held in the Operations Centre Building
60 Fourteenth St. N., 2nd Floor- Training Room
October 18, 2016
7:00 p.m.

Present:

Wayne Gauld	Chair
Ray Pearson	Member
Vince Cianci	Member
David Blake	Member
Robert Kitowski	Member
Melissa Shaw	Secretary-Treasurer
Devon McCloskey	Deputy Secretary- Treasurer, Planner

Regrets:

Graham Chaze	Member
Christopher Price	Member

DELEGATION:

- (i)** Wayne Gauld, Chair called the October 18, 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: None.
- (iii)** Declaration of Interest by a member for this meeting or at a meeting at which a member was not present: None.
- (iv)** Adoption of Minutes of previous meeting (September 20, 2016)
Discussion / Correction(s): Amendment to the Planning Advisory meeting minutes which were adopted at the September 20th meeting, the minutes should reference August 16th, 2016.

Moved by: Robert Kitowski

Seconded: Dave Blake

That the amended minutes of the September 20, 2016 meeting of the Planning Advisory Committee be approved as amended.

Carried

- (v) Correspondence relating to applications before the Committee
- D10-16-08 (DeGagne) Ruth and Brenda Jackson
1723 Railway Street
 - D10-16-08 (DeGagne) Brenda Jackson
1723 Railway Street

The secretary-treasurer confirmed that the correspondence would be read with the consideration of application D10-16-08.

(vi) Other correspondence: None.

(vii) Consideration of Applications for Minor Variance: None.

(viii) Consideration of Application for Consent

- **D10-16-07 (Durst- Ashdown)**

Alex Clark, Agent
1813 Beach Road
Kenora, ON

Mr. Alex Clark introduced himself, and presented his application for consent, lot addition on behalf of Mary Durst-Ashdown. Mr. Clark gave history of the Ashdown property on Coney Island, informing the Committee that the original plan of subdivision was created in 1893, and has been in the Ashdown family for a long time. Mr. Clark explained that an application for consent, to sever a lot from the original parcel in 1990, where by creating the lot now owned by Mr. James Ashdown, the application before the Committee was for a lot addition of a small portion of lands, by Mary Durst- Ashdown, to her brother James Ashdown, the abutting lands. Mr. Clark presented a site plant of the application, indicating the lot addition to be 14 m by 45 m deep of a total area of 0.04 ha, which would result in a total lot size of 0.56 ha in size for Mr. James Ashdown, which moved towards the provisions for minimum lot size within the zoning by-law.

The City Planner, Devon McCloskey provided a brief explanation of the application referencing her planning report, and mentioning that the property owned by Mr. James Ashdown, which would benefit from the consent application, and lot addition; is currently a legal non-conforming lot given its size. The Planner emphasized that the effect of approval would increase the size of the lands to 0.56 ha, which is more in compliance to the provision of the zoning by-law, and would allow the construction of a sleep cabin which is a permitted use in the rural residential zone. The application is consistent with legislated policies; comments were received from the water and waste water dept., indicating that the water line passes close to the shore and no construction should impose concern on the water line, The Kenora Hydro dept. saw no concern, should the sleep cabin not infringe upon the existing hydro line, and the Ministry of Natural Resources and Forestry indicated that the addition of a sleep cabin could conceivably increase boat traffic to this property it is

important to note that Crown land will not be made available for docking and / or parking now or in the future.

The Planner summarized that the recommendation is to approve the application and grant provisional consent subject to conditions.

The Chair asked whether there was anyone present who wished to speak either for or against the application.

Mr. Alex Clark presented a letter as sent to the City on behalf of neighbouring property owners. The Secretary-Treasurer confirmed that said communication had not been received by the Kenora Planning Dept. to date, and read the letter of support for the application for consent D10-16-07, as written by Kathleen Ramsay, owner 944 Coney Island.

The Chair thanked the Agent for the letter, and asked the Committee members whether they had questions regarding the application.

Vince Cianci, sought confirmation from the Agent, that the proposed severance would run parallel to adjacent the lot line, as there was discrepancy between maps and site plans provided in the application and notice sent on behalf of the City of Kenora. The Agent confirmed the survey instruction will be parallel, the Secretary-Treasurer concurred.

Vince Cianci, sought confirmation from the Agent, if the severance would touch near the existing subject property septic field. Mr. Clark indicated that there will be a separation of 10 metre (approximate) from the field. The instructions will come from the dimensions on the sketch. Mr. Clark said the intention is to stay away from the field.

The Chair, asked for clarification on terminology used within the application and the planning report. The application uses the term 'sleep cabin', and the Northwestern Health Unit (NWHU) used the term: 'Bunkie', the question is whether the applicant will be permitted to have a washroom. Mr. Clark said that they are building a sleep cabin as per the provisions of the by-law, which permits a washroom. Mr. Clark was under the impression that NWHU supported the extension of the service. The Planner confirmed that her interpretation is that the NWHU supported the application and the terminology of a Bunkie shall be interpreted mutually with a sleep cabin.

Ray Pearson questioned the comments received by Kenora Hydro, and their concern with the existing hydro line. The Planner explained this was merely a caution as to not locate the sleep cabin within a close proximity of the Hydro line; this will be reviewed upon the submission of a permit to the building department.

Chair asked the committee members for discussion prior to making a decision.

Dave Blake referenced the comments as received by the NWHU, and suggested that the Committee consider a condition of distance from the septic field. Vince Cianci disputed said condition, and suggested that, so long as the application did not interfere within 10 feet of the septic field then the NWHU typically does not have concern. The members agreed.

Moved By: Ray Pearson

Seconded by: Robert Kitowski

That the Kenora Planning Advisory Committee approve application D10-16-07 Durst-Ashdown, for a, and provisional Consent be granted, subject to g conditions, as 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.

Carried

- **D10-16-08 (DeGagne)**

Kylee Ronning, Agent
214 Main street south

Ms. Ronning introduced herself, representing the firm of Shewchuck, Ormiston, Richardt and Johnson. Ms. Ronning handed out a copy of a revised site plan to the public in attendance, and Planning Advisory Committee members. The revised site plan contained new information as received from the Surveyor, Rugged Geomatics just hours prior to the meeting. Ms. Ronning, outlined the application for consent, for a 10 m easement over 1731 Railway Street, in favour of 1713 Railway Street, the adjacent property owner.

Ms. Ronning informed the committee of some initial confusion in the application as there are three separate parcels of land which have merged on title, the long term goal is to separate the original lots and this easement will ensure legal access. The urgency of this application is that there is interest in the sale of 1731 Railway, and the need to ensure access prior to the disposition.

Ms. Ronning addressed the concerns which have been raised by the neighbouring property owners, Mrs. Ruth Jackson and Ms. Brenda Jackson. Ms. Ronning indicated that the new survey as provided by Eric Rody, of Rugged Geomatics, does confirm that the existing driveway of Mrs. Ruth Jackson is in fact within her property boundary. Ms. Ronning apologized to the Jacksons and said that he is happy to address any further concerns they may have. The effect on the application, is that the easement is moved more easterly on the subject lands, and there is no foreseen negative effect.

The Secretary-Treasurer identified letters which were received by the Planning Department from Mrs. Ruth Jackson and Brenda Jackson, which detailed the ownership concern of their driveway. Given the new information which has been provided by Ms. Ronning, and the revised survey that was circulated, The Secretary-Treasurer sought confirmation from the Jacksons that the details of their

concerns as contained within the letters had been address. The Jackson concurred. The Secretary-treasurer asked the Jacksons if they wished their letters to be read into recorded, given the new information which has been presented. The Jacksons did not see a need to read the letters, satisfied that their concerns have been met.

The City Planner, Devon McCloskey gave a brief outline of the planning report, indicatiing that much of the information had been provided in detail by Ms. Ronning. The Planner did highlight that the application before the Committee was for an easement, and not to discuss any potential future development on the site at 1731 Railway Street. The Planner did comment that any future development would require Site Plan Approval prior to the endorsement of a building permit, among others; drainage will be paramount to the approval and effect on the EP zone. The Planner recommended provisional approval subject to conditions.

The Chair asked whether there was anyone present who wished to speak either for or against the application. There was no further concerns raised form the audience.

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

Vince Cianci commented that the application seemed premature as the parcel at 1713 Railway Street already has legal access, as all three parcels have merged, and reminding the applicant that a future severance cannot be guaranteed.

Kylee Ronning indicated that this is a plan for future development and the timing is paramount as the neighbouring property is likely to sell. In most situations, she agreed with the Committee member, that severance and easements would be applied for all at one, however, with a looming sale, there is concern if the access would ever be obtained.

There was discussion among the committee about the three separate PINs, which have merged on title, concluding that the separate PINs could only be sold separately if approved through an application for consent.

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 supported the easement, however, cautioned that the severance may not be approved in the future. Reminding the Agent that an easement does not guarantee the consent for lot addition.

Wayne Gauld questioned the Planner as to why the City of Kenora Roads Department prepared no response. The Committee member suggested that an applicant should know ahead of time that there will be an entrance permit approved. The Planner confirmed that is a condition of the provisional approval.

Vince Cianci questioned the discrepancy in easement size; the application indicates a 10.5 m easement, whereas the survey indicates to 10.0 m easement. Kylee indicated that previous sketched were on an angle. The Committee members concurred that application was written at 10.5 meters and so the recommendation shall be on 10.5 metres.

Moved By: David Blake

Seconded by: Robert Kitowski

That the Kenora Planning Advisory Committee approve application D10-16-08 DeGagne, to grant a 10.5 metre wide easement over a 1731 Railway street, in favour of abutting property locally known as 1713 Railways Street, for access, and provisional Consent be granted, subject to g conditions, as 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.

Carried

(ix) Old Business

- D14-16-04 (DeGagne)
Third and Final Reading was made as of today's date, the application has been provisionally approved, subject to the twenty day appeal period once notice is provided.
- Discussion on housekeeping items and protocol for planning advisory committee workshop. Members wished to have training on Roberts Rule of Orders and meeting procedures, main motions, amendments to motions and order of precedence. The Planning staff will put together information, and will identify potential opportunity within the budget a date in 2017 to hold professional development training.
- Internal departmental responses- Members identified the need for internal department response in consideration of planning applications. The Planner said the concerns would be brought forward to Management level for discussion.

(x) New Business

- December 20, 2016 meeting @ 5:00 p.m.
The Committee approved the start time of the December 20th, 2016 meeting, details of a holiday gathering will be circulated by the Secretary-Treasurer.
- **512 Sixth Avenue South**
Wayne Gauld wished to discuss a by-law infraction at 512 Sixth Avenue South- a shed in the yard. He Chair reminded the Committee of an application that was heard whereby they refused a

minor variance to approve the location of a shed in the front yard on Third Street South. The Chair identified that he called by-law however was informed to call the Planning Department. The Planner, suggested that the inquiry go through the by-law department for tracking, however, noted that the policy as set by the City of Kenora is that the Planning Department is expected to enforce the zoning by-law.

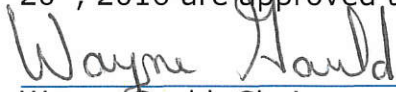
There was unanimous support from the Planning Advisory Committee that the by-law department should be handling these infractions.

(xi) Adjourn

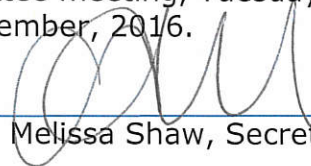
Moved by: David Blake

That the October 18th, 2016 Planning Advisory Committee meeting be adjourned at 8:35 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday October 18th 20th, 2016 are approved this 15th day of November, 2016.



Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer