



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
June 21, 2016
7:00 p.m.

Present:

Wayne Gauld	Chair
Ray Pearson	Member
Vince Cianci	Member
Robert Kitowski	Member
Graham Chaze	Member
Christopher Price	Member
David Blake	Member
Tara Rickaby	Secretary-Treasurer
Melissa Shaw	Deputy Secretary- Treasurer
Devon McCloskey	City Planner

Delegation: None

(i) Call meeting to order

Wayne Gauld called the June 21, 2016 meeting of the Kenora Planning Advisory Committee to order at 7:00 p.m. and reviewed the meeting protocol for those in attendance.

The Chair introduced Devon McCloskey the new City of Kenora Planner.

(ii) Additions to the Agenda: None.

(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: May 17th, 2016

Business arising from minutes:

None.

Discussion / Correction(s): None.

Moved by: Robert Kitowski

Seconded by: Ray Pearson

That the minutes of the May 17th, 2016 meeting of the Kenora Planning Advisory Committee be approved as circulated

Carried

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

(vi) **Other correspondence:** None.

(vii) **Considerations for Applications for Consent: B04/16- Derouard**

**Lisa and Mike Derouard, owners
17 Zroback Road**

Lisa and Mike Derouard presented their application for consent to create one new residential lot. The applicants hope to re-establish separate titles for two existing lots, which inadvertently merged on title. Each lot is currently improved with a residential dwelling unit. The properties are known as 17 Zroback Road and 15 Zroback Road. The applicant informed the committee that both residences have their own septic system, and the applicant has an email of support for consent from the Northwestern Health Unit.

Devon McCloskey presented the planning report. The application is twofold, requiring two minor variances and consent for new lot creation. The retained lot will have an area of 0.50 ha, and the created lot will have an area of 0.35 ha. The application is being considered in conjunction with applications under the Planning Act for Minor Variance, File Numbers A04/16 and A05/16 to receive relief from the lot area provisions of the RR-Rural Residential zone, Section 4.5.3 (b) of the Kenora Zoning By-law 101-2015.

The photos showed how access is provided to the properties at this time a shared driveway off Zroback road; it will be recommended as a condition of provisional consent that the applicant apply for an entrance permit to include individual access.

The recommendation is for the application to be approved.

The Chairman asked the Owner if there was anything further to add regarding the application. There were none.

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

Mike Derouard, owner
17 Zroback Road
Kenora, ON

Speaking in favour of the application

Tanice Wilcox
15 Zroback Road
Kenora, ON

Tanice Wilcox, owner of 15 Zroback Road, asked if the Planning Advisory Committee would approve a shared driveway, or if the City required an easement.

The City Planner explained the process of surveying an easement, and registering it on file. The Planner identified the alternative is to apply for an entrance permit, and create a new driveway so that each lot had its own access.

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

Mr. Chairman, Wayne Gauld asked for clarification on the road allowance identified on the survey.

Secretary Treasurer, Tara Rickaby confirmed that the City owned the road allowance.

Vince Cianci, Member asked if the properties were purchased at the same time.

Lisa Derouard confirmed that the properties merged on title after the grandfather passed.

Robert Kitowski asked whether the applicant was aware of the conditions associated with the approval of the application. Lisa Derouard, owner confirmed that she was aware of the conditions.

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.

B04/16- Derouard

Moved by: Dave Blake

Seconded by: Robert Kitowski

That application B04/16 Derouard, for consent to sever property described as 17 Zroback Road, CON 7J PT LOT 13 PT LOT 14 LOC EB 2044 PCL 31832 DES RP 23R3867 PARTS 3 & 4; be approved; 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.

Furthermore, the application will resolve non-compliance with the zoning by-law, whereas there are currently two single detached dwellings on one lot. It was also allow for each dwelling to be situated within a parcel capable of being eligible for transfer, therefore resolving tenure issues.

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 approval is received from the City for the provision of an entrance permit, culvert and materials as required to develop driveway access.
4. That application for minor variance A04 and A05 16 be approved, without appeal.
5. 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.
6. 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 #4 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.

Carried

A04/16- Derouard
Move: David Blake

Seconded: Robert Kitowski

Recommendation:

That the Kenora Planning Advisory Committee approves Applications for Minor Variance A04/16- Derouard, to receive relief from Section 4.5.3(b) which regulates Rural Residential Zones (RR) to a minimum lot area of 1.0 ha the Kenora Zoning By-law 101- 2015. The retained lot will have an area of 0.50 ha, and the created lot with have an area of 0.35 ha, the applications for minor variance meet the four tests for the reasons provided in the planning report.

Carried

A05/16- Derouard
Move: Dave Blake

Seconded: Robert Kitowski

Recommendation:

That the Kenora Planning Advisory Committee approves Applications for Minor Variance A05/16 – Derouard, to receive relief from Section 4.5.3(b) which regulates Rural Residential Zones (RR) to a minimum lot area of 1.0 ha the Kenora Zoning By-law 101- 2015. The retained lot will have an area of 0.50 ha, and the created lot with have an area of 0.35 ha, the applications for minor variance meet the four tests for the reasons provided in the planning report.

Carried

(viii) Consideration of Applications for Minor Variance:

- A06/16- WNHAC

Paul Derouard, Agent
212 4th Ave South
Kenora, ON

Paul Derouard, agent presented the application for minor variance is proposed by Waasegiizhig Nanaandawe'yewigamig, to receive relief for variance from section 3.23 which regulates parking and requires the provision for 5 parking spaces per practitioner of a clinic, and whereas the by-law requires the provision of 41 spaces, the application is requesting relief to allow for the provision of 11, including 1 barrier-free space.

WNHAC, a Health Access Centre providing primary health care to First Nations within the Kenora district. The organization was founded in 1998, started with half a dozen staff and have grown to over 55 professionals. They acquired 15 Chipman Street as a result of inefficiencies in current business model and the need for more space.

WNHAC has applied for a grant application to Ministry of Health, and received approval for this grant in 2012 to build this new healthcare center.

WNHAC is currently In the process of working with the Ministry of Health to demolish the Kenwood building, which currently stands at 15 Chipman Street, in order to build a new health access facility.

He explained the hurdle is the 5 stalls per practitioner which is required in the zoning by-law., which would require the new facility to have 41 stalls. WNHAC delivers many services at outreach, as such, are requesting a minor variance to accommodate a new building on the existing lot with the maximum number of spaces that they can, which includes 11 on the site and 2 at the rear of the newly proposed building with access from the public laneway.

The Ministry of Health requires reassurance, with this approval of this minor variance application to proceed with the new First Nations Health Access Centre.

The City Planner, Devon McCloskey presented the planning report. The proposed variance meets the general intent and purpose of the City of Kenora's Official Plan. The proposed variance also meets the general intent and purpose of the City of Kenora Zoning By-law. The required amount of parking spaces cannot be provided on site, and there is rationale to support that the generally required amount of parking spaces will exceed the need in consideration of the centralized location and access provided to pedestrians for walk-in service.

Devon explained that as a result of internal circulation Kenora Hydro has major concern with respect to the existing location of an Energized Pad mount Transformer located tight to the Southeast side of the building. This unit was installed to feed the Kenwood building as well as other buildings plus city street lights in the immediate area with a 120/240 volt service.

It is recommended that no demolition takes place until concerns are met regarding all Kenora Hydro and City of Kenora street lighting assets have been addressed. Plans for the new electrical service requirements will also need to be discussed.

The recommendation is that the Kenora Planning Advisory Committee approves the application for minor variance.

The Chairman asked the Agent if there was anything further to add regarding the application. There was none.

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

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

Vince Cianci confirmed that the building will be used for a healthcare center; he asked the agent how they determined that 11 parking stalls would be sufficient.

Paul Derouard said in addition to the surface parking on the lot, they will use the parking meters and parkade. Our existing parking lot accommodates 8 stalls, WNHAC does not provide staff parking; it is up to them to determine that.

Wayne Gauld asked if WNHAC will be retaining the existing parking in your existing site.

Paul Derouard suggested they may retain the existing parking stall at their existing site.

Wayne Gauld sought clarification on the fleet vehicles, and where they park.

Paul Derouard confirmed that fleet vehicles depart off site in the morning, the open stalls are then offered for the clients. All staff is required to find their own parking requirements.

Ray Pearson noticed the application included three different layouts; one includes the potential for future expansion.

Paul Derouard identified the surplus of lands that is currently being marketed by Plaza REIT; WNHAC is working with the prospective purchaser with hopes of acquiring more lands for the development.

Dave Blake, spoke of his concerns regarding parking and staff parking within metered parking stall in the downtown area, namely 5th Avenue south. Mr. Blake supports the development

however asked the applicant to consider off street parking for staff to accommodate the parking needs of the Harbourn town center as a commercial hub.

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.

Dave Blake questioned whether the reduced parking provisions were considered minor in nature, asked that the applicant make arrangements for parking with their employees for parking, perhaps in a nearby parking lot, as to not promote on-street parking in the Harbourn town Centre.

Graham Chaze supported the concerns from Dave Blake, however, given there is a pending acquisition of lands with Plaza REIT, he supported the minor variance, encouraging the development as good for the community and the downtown.

Wayne Gauld also identified the issues for the parking, however noted that tearing down the old Kenwood Building will be most beneficial to the area.

Chris Price asked the Secretary –Treasurer if there anything in the City of Kenora five year plans to change public transportation routes to promote more park and rides for downtown work force.

Tara Rickaby confirmed that if there is an identified need for rescheduling, the City is happy to accommodate a revised transit route.

A06/16 - Waasegiizhig Nanaandawe'yewigamig

Move: Robert Kitowski

Seconded: Graham Chaze

Recommendation:

That the Kenora Planning Advisory Committee approves Application for Minor Variance A06/16 – WNHAC

15 Chipman Street, Plan 25, Lot 291 & 290, for relief from Section 3.23 which regulates parking and requires the provision for 5 parking spaces per practitioner of a clinic; whereas the by-law requires the provision of 41 spaces, the application is requesting relief to allow for the provision of 11, including 1 barrier-free space. 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.

Carried

(ix) Old Business:

• **A03/16- Fettes and Aleshka**

The Secretary-Treasurer updated PAC to explain that a recommendation was made r to council to appeal the recommendation of the Planning Advisory Committee. Unfortunately there was an error within our appeal deadline and missed the appeal date.

There has been no appeal; there was an addendum to the Site Plan Agreement for them to take out the steel pipes of the removed section of the docks between July 15 and September 30, 2016 so that the whitefish species would not be affected.

• **Z01/16 Emergency Shelter**

At the June 2016 Council meeting, Council refused the recommendation for amendment to the zoning by-law Z01/16- Emergency Shelter. The appeal period is July 6th, 2016.

• **OPA 2/ 2016- 1133563 Ontario Inc.**

No hearing has been scheduled as of yet.

(x) New Business:

- The Chair Wayne Gauld, acknowledged the upcoming retirement of Tara Rickaby, Secretary-Treasurer. On behalf of the Kenora Planning Advisory Committee thanked her for her contribution and service to the City of Kenora, and the Kenora Planning Advisory Committee, and wished her all the health and happiness in her retirement.

(xi) Adjourn

Moved by: Chris Price

That the June 21, 2016 Planning Advisory Committee meeting be adjourned at 7:58 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday May 17, 2016 are approved this 21st day of June, 2016.

Wayne Gauld, Chair

Melissa Shaw, Secretary-Treasurer