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BOATING DESTINATION

City of Kenora  
Planning Advisory Committee  
60 Fourteenth St. N., 2<sup>nd</sup> 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., 2<sup>nd</sup> Floor- Training Room**  
**November 15 2016**  
**7:00 p.m.**

**Present:**

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

**Regrets:**

Christopher Price	Member
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**DELEGATION:**

- (i)** Wayne Gauld, Chair called the November 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- 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 (October 18, 2016)  
Discussion / Correction(s): None.  
**Moved by: Robert Kitowski**                      **Seconded: Ray Pearson**  
Carried.
- (v)** Correspondence relating to applications before the Committee: None.
- (vi)** Other correspondence: None.

**(vii) Consideration of Applications for Minor Variance**

- D13-16-14 (Cyncora)

Rick Cyncora, Owner

Lise Cyncora, Owner

Mr. Cyncora thanked the committee, and presented his application for minor variance, for the exterior side yard and front yard. Mr. Cyncora explained to the committee that his goal is to build a fully accessible and barrier-free home, the relief required from the zoning by-law would be essential to the floor plan layout and new home design.

Devon McCloskey, City Planner read aloud the planning report for the benefit of the Committee and the members of the public in attendance. The Planner outlined that the zone within which the subject lands are located, is permitted for residential uses. The Planner reminded the Committee the three discussions shall not deliberate whether the lands are suitable for developed but rather, whether the minor variances as being applied for is considered minor in nature and compliant with the four tests.

The Planner indicated that her site visit showed that a levelling of the property had already occurred. Slab on grade would allow for a home that is wheelchair accessible, and the relief from the by-law would allow for an overall size of the home increased for wider hallways and larger rooms, universal in design.

Internal circulation, a new entrance permit required. The Planner noted that drainage concerns have been identified by an adjacent land owner, and it is of the opinion of the Manager of Operations within the City of Kenora, that drainage issues at 139 Regina shall require landscaping to minimize drainage impacts.

The Planner concluded her presentation with an recommended approval of the application, supporting the relief to allow for development in line with the four tests and encouraged to enable the development of an accessible home.

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

David Drew  
139 Regina Ave  
Kenora, ON P9N 2Z8

Mr. Drew provided a hand written letter to the committee members, he summarized his concerns highlighting that his largest issue with the proposed development is the water drainage. Mr. Drew indicated that the property has not been properly looked after over the past few years. If the minor variance is permitted, it will impeded upon the future potential development of a sidewalk, and drainage onto his property will remain a concern.

In response to Mr. Drew, Mr. Cyncora indicated he has developed over 100 feet of weeping tile on his lot.

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

Vince Cianci, recommended that the variance be permitted so long as the front of the house cannot exceed the setback of the abutting homes; suggesting that this would look better aesthetically.

Mr. Cyncora indicated that the proposed home would not be closer to the front lot line than homes on neighbouring properties.

Wayne Gauld, asked the applicant if the property has been surveyed. Mr. Cyncora indicated that he has all four pins, on each corner of his lot, and measurements were taken with reference to these pins.

Wayne Gauld asked for clarification as to whom owns the garage which is a dilapidated structure on the property adjacent to the subject lot.

The Secretary Treasurer identified that the garage has been deemed City property and will be removed upon funding and availability of City staff as it has been considered a hazard by our Risk Management Officer.

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

Vince Cinaci wanted to comment on the drainage issue, speaking to Mr. Drew of 139 Regina Avenue, Mr. Cianci said that it is up to the developer to determine that their drainage will come off their property onto the street, and once properly draining on the street, it is the responsibility of the City to ensure flooding does not occur on the neighbouring property.

**Moved By: David Blake**

**Seconded by: Robert Kitowski**

That the Kenora Planning Advisory Committee approves Application for Minor Variance File No. D13-16-14, to reduce the required setbacks and enable development of an accessible single-detached dwelling, with conditions as the application has regard for the Official Plan (2015), the Kenora Zoning by-law 101-2015, is considered desirable and appropriate development of the land and is minor in nature. As a condition of approval, it is recommended that the decision state the following:

- That the front yard be no less than the setback of the adjoining primary use building located to the south of the subject property, in order to maintain compliance with existing setbacks abutting the same street

**Carried.**

**(viii)** Consideration of Application for Consent

- D10-16-09 (Edwards)

Tara Rickaby, Agent  
TMER Consulting Kenora

Wray Edwards, Owner  
131 Lakeside Crescent

Tara Rickaby introduced herself, and thanked the Committee for considering the application. Mrs. Rickaby spoke on behalf of her clients Wray and Wendy Edwards whom wish to transfer a portion of lot 179 to lot 180 along the recent re-alignment of Old Chalet lane. The provisional approval of this application will allow for development of a new residential garage as an accessory structure to their residential dwelling.

In discussion with Kenora Operations, there will be the removal of a hydrant on the property owners land. Mrs. Rickaby noted that her client has had discussions with Kenora Hydro, and an existing hydro pole will be surveyed and the Edwards will provide an easement in favour of Kenora Hydro.

The City Planner, Devon McCloskey read the staff planning report, indicating that there was a minor correction circulated, and confirmed all Committee members received the correction. She outlined that the effect of the approval would transfer a 289 m<sup>2</sup> from 131 Lakeside Crescent to 132 lakeside to allow for the construction of a garage in compliance with the provision of the zoning by-law. The Planner confirmed that as of the date of the report, staff had receive concern that the use of the proposed garage would be commercial in nature. In consideration that it is a detached garage, the Planner asked the applicant to confirm the proposed use.

The owner, Mr. W. Edwards confirmed the garage would be used for residential purposes. Mrs. Rickaby also confirmed that at this time there is no plan to develop lot 180, however, prior to development an entrance permit will be applied for.

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 questioned if the survey would be completed after approval. The agent confirmed it would be.

Ray Pearson, sought clarification on the number of internal comments with respect to the hydrant, and to clarify that the hydrant is the Cities responsibility, and not that of the property owner. The Planner confirmed.

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

Vince Cianci reccomended that any land that falls within 10 meters of centerline of the new road, Old Chalet Lane, it be transferred to the City of Kenora, with the intention of protecting 10 m of the centre line.

The Agent responded back by saying that the reason why the re-aligned Old Chalet Lane is as far away from the existing roadway, is to ensure the new allowance is completely off of her clients property, she challenged the fairness and undue hardship that would be placed on the applicant to incur cost.

After some discussion, the Committee agreed that the City moved the road, with the intention of clearing the Edwards land; it would be burdensome to recommend the transfer. The Committee did not feel it was appropriate to hold the applicant responsible for the misjudgment of the City of Kenora.

**Moved By: Robert Kitowski**

**Seconded by: Ray Pearson**

That application D1-16-09 Edwards, for lot addition be approved and provisional Consent be granted, subject to 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.**

- D10-16-10 (Ervick)

Stephen Lundin, Agent  
Hook, Seller & Lundin LLP

Mr. Lundin introduced himself, and thanked the Committee for hearing his application for consent. Mr. Lundin originally presented the consent application in 2013, consent was provisionally granted for the creation of four lots, three created and one retained. The owners, did not have a buyer at the time, and the consent lapsed. The owners have a prospective purchaser, and are now looking for consent to sever.

The Planner, presented a summary of the planning report; the only concerns with the application are within the proposed access which had been identified off the Reddit Highway. Written correspondence from Mr. Kevin Ellis, Corridor Management Planner with the Ministry of Transportation, advised the property owners what in accordance with the Public Transportation and Highway Improvement Act, both severed and retained parcels will have access to Bruckenberger Road, no access will be permitted to Highway 658. As such, a condition of approval will be an authorized entrance permit as approved by the Kenora Roads Divisions Lead. The Planner also highlighted the comments are received by the Northwestern Health Unit, that as a lot of bedrock has been observed, and shallow soils, a raised system may be required.

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

Jenny McNeil  
219 Mathieson Street South  
Kenora, ON P9N 1P1

Mrs. McNeil, identified herself as the prospective purchaser to the lot which was seeking approval for creation. Mrs. McNeil wished to confirm that a driveway could not be placed with access directly off the highways, and the a private driveway would have to come off Bruckenberger Road.

Mr. Lundin responded that the current owner would satisfy the conditions. If provisional approval is granted, and that as per recommendation from the MTO, that there be no access off the highway. The Planner confirmed that an entrance permit will be required through the City of Kenora.

The Chair asked the Committee members whether they had questions regarding the application. There were none.

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

Graham Chaze, wanted to clarify the comments within the letter received by MTO, in particular the comments about development/construction within 180 metered of the center point of intersection between the highway and a public side road. He wanted to ensure that the applicant and prospective purchaser understood that the provision was not mean to limit development, merely to ensure development shall be consulted with the MTO. The Planner agreed.

**Moved By: David Blake**

**Seconded by: Graham Chaze**

That application D1-16-10 Ervick, for creation of one new lot, be approved and Provisional Consent be granted, subject to 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

- Discussion on housekeeping items and protocol for planning advisory committee workshop, the Planning staff and the Committee agreed that this shall be postpone until 2017, with the goal for discussion at the February meeting.

**(x)** New Business

- December 20, 2016 meeting; Staff had identified an abundance of pending applications which would be a heavy agenda in December. It was agreed by the Committee and staff to amend the December meeting start time to 4:30 p.m., versus the regular 5:00 p.m. December meeting star time. Melissa ensured this would be reflected on the Kenora.ca website.


- Review protocol under HR policy HR 2-25, Healthy Meetings and Events Policy, the Secretary-Treasurer reviewed the policy, identifying that the Planning Advisory Committee meetings exceed 3 hours at time, and encouraged the Chair to recommend breaks, to allow for walking, stretching, snacking at his discretion.

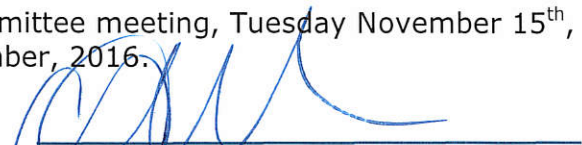
(xi) Adjourn:

**Moved by: Vince Cianci**

**That** the November 15<sup>th</sup>, 2016 Planning Advisory Committee meeting be adjourned at 8:15 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday November 15<sup>th</sup>, 2016 are approved this 20<sup>th</sup> day of December, 2016.

  
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Wayne Gauld, Chair

  
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Melissa Shaw, Secretary-Treasurer