



**PROCEEDINGS**  
for a Public Meeting  
to discuss a Proposed Zoning By-law Amendment  
**(Re: D14-16-04 Degagne/Edie)**  
Tuesday, October 4, 2016  
11:00 a.m.

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**PRESENT:** Mayor D. Canfield  
Councillor M. Goss  
Councillor R. McMillan  
Councillor D. Reynard  
Councillor L. Roussin  
Councillor S. Smith  
Karen Brown, CAO  
Heather Kasprick, City Clerk  
Devon McCloskey, City Planner  
Andrew Glassco, Manager of Community & Development Services

**Regrets:** Councillor C. Wasacase

Mayor Canfield opened the meeting and indicated that the public meeting is being held by the Council of the City of Kenora in accordance with Section 34 of the Planning Act to consider an amendment to the City of Kenora Comprehensive Zoning By-law No. 101-2015.

The Chair asked the Clerk to confirm that sufficient notice was given by publishing notices in the Kenora Daily Miner and News, being a newspaper that, in the opinion of the Clerk of the City of Kenora, is of sufficiently general circulation in the area to which the proposed by-law would apply that it would give the public reasonable notice of the public meeting notice was also provided on the City portal. H. Kasprick, City Clerk, advised the notices pertaining to these public meetings were provided in accordance with Planning Act requirements.

The Chair indicated that if anyone wishes to receive written notice of the adoption of the By-laws is to leave their name and address with the Clerk, after the meeting.

The Chair explained that an appeal may be made to Ontario Municipal Board not later than 20 days after the day that the giving of notice as required by section 34(18) is completed by either the applicant or person or public body who, before the by-law is passed makes oral submissions at a public meeting or written submissions to the Council by filing a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee prescribed under the Ontario Municipal Board Act, with the City Clerk.

The Council of the City of Kenora will make the decision at a future meeting of Council.

Mr. Mark Degagne was present to present the amendment. His parents have owned the land since the late 1980's. In 2014 there was a fire that destroyed the house. It is a beautiful piece of land that is located in the heart of Kenora. It is right on the border of the former Town of Jaffray Melick. It is in Kenora Hydro territory and telecommunications services are there with a statutory easement. The property is cleared, levelled and very good ground conditions. Mr. Degagne has presented a proposed design from Bridge Road Developments Ltd which is a progressive vision to a much needed land use in Kenora which is affordable housing for our aging population. The water line to the property ends at the Jackson's house which a 2mm water main. There is adequate passing in that line for this purpose and if they were to hook into the sewer system it would have good gravity for flow. The system can handle the development with current services. They are requesting for R3 Density as this developer desires this zoning. The developers target market is 55+ and one third of the citizens of the City are over the age of 55. The image presented is representative of the types of units they develop. The proposed development is 3 units of 24 apartments each. The land is 10 acres and approximately 3 hectares of usable property. A wetlands review was conducted and he has recommended a 20 meter buffer on the wetlands and is acceptable to the current owners. That area of the land is subject to high water table and the idea is to possibly do some plantings to enhance the property. Currently it would be restricted to the most northerly 3 hectares of land.

**City Planner, Devon McCloskey presented the planning comments:**

Early consultation was made with Tara Rickaby this time in 2015. The application was put together when Devon started with the City as this process has been ongoing. Today is the last day for the public to submit comments and a supplemental report will come following the meeting with a debriefing of the agency comments, and staff comments. Devon has adjusted her recommendation to reflect that.

An application for zoning by-law amendment is proposed to change the regulated zoning of property specifically indicated on the key map, from Rural ('RU') to Residential Third Density ('R3'), to allow for the development of apartment units.

The property is located at 1731 Railway Street, and described as Part of Block B, Plan M-28, being Part of Location D-52.

The property is fronting on Railway Street and backing onto Gould Road.

The property was previously developed with a single-detached dwelling, and golf course, but was destroyed due to fire. Currently Municipal water and waste water services are not extended.

The applicants are requesting the amendment to allow for development of apartment units. They would not be representative of transfer of ownership, but rental properties. There would be a site plan application which we can look at servicing and parking requirements for the application.

In the opinion of the Planner, the application is consistent with Legislated Policy and City Directives.

a) Provincial Policy Statement (2014)

Several sections of the PPS provide direction and support for infill development of a compact form. Affordable housing, development that reduces sprawl, and accommodates seniors is an optimal and preferred form of housing development.

b) City of Kenora Official Plan (2015)

The Land Use Designation of the property is Established Area, a designation that allows for a variety of residential and commercial uses. The property is located within Provincially Significant Wetlands, therefore as part of a complete application, the City required the applicant to retain a qualified professional to evaluate the development, to ascertain that no negative impacts to the function of the wetland would occur as a result of the proposal for development. The Environmental Impact Statement ('EIS') was submitted as requested, providing support for the application.

c) Zoning By-law No. 101-2015

The property is currently zoned Rural ('RU') and Environmental Protection ('EP'), a zoning by-law amendment will enable the zoning of the developable portion of the property to be changed to Residential Density 3 ('R3') to enable development of apartment units.

As of this date, departments have not provided comments (comments will be provided and summarized within a report for the Council meeting on October 18<sup>th</sup>). The City Engineer had multiple questions which have been addressed. There was question by the Building Inspector with zoning next door. These comments will be provided in the additional report. There are mitigation measures that can be implemented. There aren't any excessive noise or traffic concerns with the application.

As of this time, there have been no public comments received. Notice of the application was circulated on September 14<sup>th</sup> to property owners within 120 metres. Notice was also published in the Thursday, September 15<sup>th</sup>, edition of the Lake of the Woods Enterprise. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments on October 18<sup>th</sup>, 2016.

On September 21<sup>st</sup>, 2016, the applicants presented the Application for Zoning By-Law Amendment to the PAC. They were supportive of the application.

In lieu of public comments received today, the Planner does feel that the application be approved.

Recommendation from City Planner:

That following a public meeting to hear submissions for the application for zoning by-law amendment D14-16-04 along with public comments the recommendations of the Environmental Impact Statement submitted with the application are adhered to and therefore

it be recommended that Council gives three readings to a bylaw to authorize the approval of zoning bylaw amendment D14-6-04.

Mayor Canfield questioned if there anyone who wishes to speak in favour of the amendment? There were none.

Mayor Canfield questioned if there is anyone who wishes to speak in opposition of the amendment?

Ruth Jackson was present and questioned how this may affect their property and water coming into their yard. The Jackson's were advised to put in writing their concerns to the City Planner and City Clerk to which both parties received following the meeting.

Mr. Degagne explained that currently the plan from Bridge Road Developments indicates that it would be 100 feet further away from the Jackson property and there would be three buildings that they have planned. From their yard to the closest building would be a few hundred feet. If there was blasting operations they would be working very closely and done in a very controlled manner so there is no impact to that house. There is a large buffer between the properties.

Mayor Canfield asked if there are any questions. There were none.

As there were no (further) questions, Mayor Canfield declared this public meeting CLOSED at 11:25 a.m.