



## **PROCEEDINGS**

for a Public Meeting held pursuant to the requirements of the Planning Act to discuss the following:

OPA 12/2015 Amendment to the City of Kenora Official Plan (2015)

**Tuesday, January 12, 2016**

**City Council Chambers**

**At 11:05 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  
Councillor C. Wasacase  
Karen Brown, CAO  
Tara Rickaby, Planning Administrator  
Rick Perchuk, Operations Manager  
Heather Kasprick, City Clerk

Reid Thompson, Agent  
Alex Clark, Agent  
David Schwartz, Interested Party

**REGRETS:** Councillor D. Reynard

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Mayor Canfield read the opening preamble to the meeting.

This public meeting is being held by the City of Kenora in accordance with Section 19 and of the *Planning Act* to consider an amendment to the City of Kenora Official Plan (2015) for property locally known as the former "clarifier site".

Notice was given by publishing in the Daily Miner and News on December 21, 2015, and on the City of Kenora portal, which 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 amendment would apply, and that it would give the public reasonable notice of the public meeting.

If anyone wishes to receive written notice of the adoption of these By-laws please leave their name and address with the Clerk.

Any person may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the official plan amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kenora before the Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of the City of Kenora to the Ontario Municipal Board (OMB). If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Kenora before the Official Plan

amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

The proponent, or Agent, will provide details on the proposal, after which Tara Rickaby, Planning Administrator for the City of Kenora will provide the background information and planning report. The public will be given opportunity after to speak either for or against the application, and a record will be kept of all comments.

If anyone has a cell phone please either turn it off or use the vibrate option only. Thank you.

Mayor Canfield then asked if there is anyone who wishes to receive written notice of the adoption of the by-laws. If so, please leave your name and address with the Clerk.

Reid Thompson advised that Alex Clark will provide details of this file as he is simply present on behalf of Randy Seller, who is the solicitor for the client. Mr. Clark thanked Mayor and Council for the public meeting and noted that he is making the presentation on behalf of his Client. This is an Official Plan amendment for the future development area of the former mill site. The request is to amend the Official Plan from the current rural designation, with a special policy overlay for future development, to residential development area and commercial development area. There are parties interested in two separate parcels of lands for a marina development and a small hotel/motel unit with docking and a small proposed strip mall to serve residents of this area, per the conceptual drawings which form part of the application.

Mayor Canfield then requested that Tara Rickaby, Planning Administrator describe the planning details of the application.

Ms. Rickaby reviewed the Official Plan policies which support the application - Section 4.2 – Residential Development Areas, and 4.4 – Commercial Development Areas of the Official Plan, and indicated that Schedule “A” to the Official Plan will be amended. Currently, these lands, which were previously occupied by AbitibiBowater, and used as a paper mill, are designated in the Official Plan as Future Development Area and are subject to the development of a concept plan and a consent application.

The imminent transfer of lands to new ownership has presented an opportunity to the City of Kenora to review the designations and policies which were originally set for the Future Development Area and Rural areas, and therefore, the lands to which a new designations and policies could be applied.

She indicated that the application is consistent with, and has regard to, the Provincial Policy Statement in that the lands are brownfields and (re)development of those lands that would promote efficient development and promote opportunities for intensification and redevelopment in an existing area with available infrastructure and public service facilities required to accommodate the projected needs. At the same time economic development and long-term prosperity is promoted by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for

residential and employment uses which support a wide range of economic activities and ancillary uses, and taking into account housing needs and the needs of existing and future businesses and planning for, protecting and preserving employment areas for current and future uses.

The conversion of a brownfield, abutting a natural feature (the Winnipeg River) to a more sensitive use is consistent with the PPS (2014). The requirement, at the time of an application to amend the zoning by-law, for specific uses, will ensure a healthy, livable and safe community.

#### Policy Basis for Amendment (Official Plan)

The Kenora Official Plan, Council Adoption: May 19, 2015 – Ministerial Approval: November 5, 2015 (By-law 75-2015) designates the entire parcel as Rural Area with “Future Development Area” as a special policy overlay.

Several principles of the Official Plan provide framework for this amendment:

#### 2.2 Guiding Principles and Objectives

- The Official Plan offers a sustainable approach to land use planning in Kenora, focusing on the integration of land use, transportation, and sustainable development to ensure that social, cultural, economic, natural environment, built environment, and governance factors are considered in the management of change for the City’s future.
- Growth and development should be directed to locations where it makes financial sense by using existing and planned infrastructure. New development should be designed to use land efficiently, be responsible to the natural environment and be compatible with existing land uses.
- To protect and enhance the quality of life and shape change, the Official Plan subscribes to the following Guiding Principles for land use. Under each principle are several key objectives to help achieve the overall vision for the City.

Ms. Rickaby indicated that, with respect to the City of Kenora Zoning By-law No. 101-2015,

the particular uses of the lands have not been formally established. Therefore, the zoning of the lands has not been proposed at this time. Technical studies and a record of site condition will be required, as part of any application to amend the zoning by-law, in order to ensure that the previous use of the property does not have an effect on health and safety.

Site plan control will apply to the commercial development of lands, and may apply to the proposed residential development, depending on 1) type of residential development; 2) any type of commercial development associated. Site plan control is permitted, by the City of Kenora Official Plan (2015) along any navigable waterway, in order to protect natural heritage features.

It is recommended that the City of Kenora Official Plan (2015) would be amended as follows:

Item 1: The area indicated on Schedule "A" – Land Use Designations of the Official Plan for the City of Kenora is hereby amended in accordance with Schedule "1" to this Amendment to change the designation from "Rural Area" with a Future Development Area – Special Policy Area to "Residential Development Area" and "Commercial Development Area".

Ministry of Municipal Affairs and Housing (MMAH)

The staff of the Northwestern Region of MMAH has been consulted per ss. 17(15)(a) and 28(5) of the *Planning Act*. A pre-consultation meeting was held and MMAH staff agreed that environmental testing will take place as a condition of an application to amend the City of Kenora Zoning By-law. No comments have been received to date on the application.

The City of Kenora Planning Advisory Committee (PAC) has been included in the informational sessions and consulted. There were no objections to the Official Plan amendment received.

- Ministry of Municipal Affairs and Housing – (email, 8 Jan 2016): Application will be circulated to Ministry of Environment and Climate Change for review/comments
- Ontario Power Generation will be providing comments, in writing, with respect to flooding rights.
- Comment received from the Economic Development Officer: This Official Plan Amendment strongly supports the Lake of the Woods Development Commission's focus on economic development, specifically, its 2015-2016 Strategic Business Plan focus on housing and commercial developments.
- To date there have been no objections received.

There is no associated application to amend Zoning By-law 101-2015. This application will be made after sale of lands. An application for consent will be forthcoming as a result of the amendment of the Official Plan.

The Mayor stated that any person may express his or her views of the draft document and a record will be kept of all comments.

Mayor Canfield then asked if there was anyone, other than the Applicant, who wished to speak in favour of the draft document(s). Dave Schwartz stated that he would support this change as long as the new developers respected the existing trail system in Kenora and would maintain/ enhance these trails on the proposed lands.

Mayor Canfield asked if there anyone who wished to speak in opposition of the draft document(s). There was no one who spoke in opposition of the draft document.

Mayor Canfield asked if there were any questions.

Councillor McMillan requested that the Planning Administrator explain the process from now. Ms. Rickaby explained that the recommendation for a decision may come forward to Council in February but that she is waiting on comments from the Ministry of Environment. The application for consent will be heard by the PAC in February.

It was questioned if there are any significant impacts to the common ground lands. Tara confirmed that the three First Nations and Metis Nation have all been contacted.

As there are no (further) questions, Mayor Canfield declared the public meeting CLOSED at 11:27 a.m.