



**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**  
**March 20, 2017**  
**7:00 p.m.**

**Present:**

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

**Regrets:**

Ray Pearson	Member
-------------	--------

**(i)** Wayne Gauld, Chair called the February 21, 2017 meeting 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

- Special Planning Advisory Committee Meeting February 1, 2017

**Moved by: Robert Kitowski**

**Seconded: Chris Price**

Carried

- Regular Planning Advisory Committee Meeting February 21, 2017

**Moved by: Robert Kitowski**

**Seconded: Chris Price**

Carried

- (v) Correspondence relating to applications before the Committee: none
- (vi) Other correspondence: none
- (vii) Consideration of Applications for Minor Variance
  - D13-17-02 (Ficek)

Wayne Ficek, Owner  
30 Norman Drive  
Kenora, ON  
P9N 3T4

Mr. Ficek introduced himself, and approach with the Committee regarding a variance pertaining to his property located at 30 Norman Drive, Kenora, Ontario. The applicant presented his plan to expand his current deck an additional 3 feet south, and 5 feet to the east to allow for an accessible outdoor amenity space during the summer and fall months. The applicant explained that an existing toy play structure would be removed, there would be no loss of trees, and the height would not obstruct sight lines along Norman Drive, or cause undue hardship for any of the neighbouring properties.

The applicant informed the committee that he spoke with surrounding neighbours and there were no concerns identified.

Devon McCloskey, City Planner gave an overview of the application. The applicant is requesting relief in order to enable development of a deck, which would be an addition to the existing deck at the front of the house on the upper level. The existing deck is 8 x 16 feet (2.4 x 4.8 metres), the application is proposing to expand to 11 x 21 feet (3.3 x 6.4 metres), which is an addition of 3 x 5 feet.

The planner identified that the property is developed with a single detached dwelling, attached carport, and three identical sheds. The dwelling is perched on a hill, it has walk-in access to the main floor from the back and a walk out lower level at the front. The front lot line is angular to the dwelling, so that the closest point of the house from the front lot line is 4.9 metres increasing to 7.8 metres, which causes the building to be legal non-complying. The property received approval for a variance in 2004, to allow for the deck as constructed today. The approval was also for a garage however the garage wasn't constructed. As a condition of approval, removal of the three sheds was required previously, but since the garage wasn't constructed and the lot coverage of accessory buildings is not changed, removal of the sheds isn't warranted.

The deck is proposed to encroach into the non-conforming front yard 1.5 metres. The total distance from the end of the proposed deck to the front lot line would be 2.4 metres, and whereas Section 3.25, Table 3, states that decks may not encroach further than 2.5 metres into a required front yard or 1.0 metres to any lot line, the

applicant requires approval of a variance so that the deck may be permitted to encroach 3.3 metres, a variance of 0.8 metres.

The Planner reviewed the application and its consistency with legislated policy and City directives. The Planner identified no comments or concerns received as a result of internal and external circulation. The proposed amendments would be characteristic of the neighbourhood and would have no effect on the property. The application is made to improve accessibility and recommended approval of the application.

Mr. Ficek clarified that there would be no removal of trees, as part of his development.

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, there were none.

The Chair asked the Committee members if there was discussion surrounding the application prior to making a decision. Vince Cianci commented on the precision of the application and advised the Committee that he checked the mathematics and the variance calculations were correct.

**Moved By: David Blake**

**Seconded by: Chris Price**

That the Kenora Planning Advisory Committee approves Application for Minor Variance File No. D13-17-02, to enable the development of an accessible deck, which would project 3.4 m into the front yard, and would be setback 2.5 m from the front yard lot line. Approval of the application for minor variance is consistent with the intent of the Official Plan (2015) meets the purpose of the Zoning By-law (101-2015), is considered appropriate development and minor in nature.

**(viii)** Consideration of Application for Consent: None.

**(ix)** New Business:

- Planning Advisory Member David Blake announced his resignation, offering to stand on the Committee until a replacement is found.

**(x)** Old Business

- D14-17-02 65 Goss Road, supplemental information

Amanda Whitta  
65 Goss Road  
Kenora, ON  
P9N 0B8

Amanda Whitta presented the Committee Members with a letter as prepared by Rugged Geomatics, Eric Rody O.L.S., which confirmed the northerly limit of the parcel and determined the relative position of the barn which is material to the amendment to the zoning by-law File: D14-17-02.

The Chair asked the Committee members if there was any discussion on the supplemental information being presented.

Wayne Gauld sought to clarify if the letter as provided by the surveyor satisfies the request for information from the February 21, 2017 Planning Advisory Committee to obtain a surveyors sketch to better describe the amendment to the zoning by-law.

Vince Cianci informed the Committee that the Surveyors letter provides a width that dictates the northerly dimension, clarifying that the 72.3 m perpendicular distance at right angles, is not the frontage of the lot. The measurement provided represents a block of land that is 72.3 m from the edge of the barn, to the property line; less 1.5 m for side yard setback. The information suggests that the newly created lot (which is subject to an amendment to the zoning by-law) shall be in the neighbourhood of 70.8 m parallel.

Vince further explained that the Committee can now describe the lands subject as the northerly 70.8 m. Mr. Cianci also identified that he felt confident that the parallel lot line along the road may be over 90 m in width to satisfy the zoning regulations for lot creation, however, he made clear that a survey would clarify this.

The City Planner reminded the Committee that the amendment to the zoning by-law is a site specific amendment, the new zone shall be attached to only a portion of the lands, which will then be subject to a future application for consent. The Planner acknowledged that the Committee can now identify the northerly 70.8 m as the portion of the lands to be re-zoned.

Vince Cianci further recommended that the applicant proceed with an application for consent, and once surveyed, if the frontage of the newly created lot is less than the 90 m requirement as per the provision of the zoning by-law, only then shall the applicant apply for a minor variance to the frontage.

The Applicant, Amanda Whitta sought clarification; recapping that if a survey commissioned as a result of an application for consent deems the frontage to be 90 metres or greater than an application for minor variance would not be required. The Committee confirmed and the Planner agreed that once the consent is applied for and surveyed if it does not meet the front 90 m then an application for minor variance can be applied for.

The committee discussed a revised resolution to Council.

**Moved By: Graham Chaze**

**Seconded by: David Blake**

Resolved that the Planning Advisory Committee recommends that the Council of the Corporation of the City of Kenora approve application D14-17-02, an application to amend the zoning by-law to include "Commercial Storage Facility" as a permitted use for the northern 70.8 m of the subject lot, in addition to the permitted uses of the Rural ('RU') Zone. The Committee has had the opportunity to review supplemental information received from the Northwestern Health Unit as to the suitability for the property to accommodate services for sewage disposal and water, and a surveyor's dimensions. The Committee has made an evaluation of the application upon its merits against the Official Plan, Zoning By-Law, and the Provincial Policy, and provides a recommendation to Council based on these matters.

Carried.

- D14-17-01- Brown
  - The committee had discussion surrounding the application and the potential access from North Marston Drive.

**(xi)** Adjourn

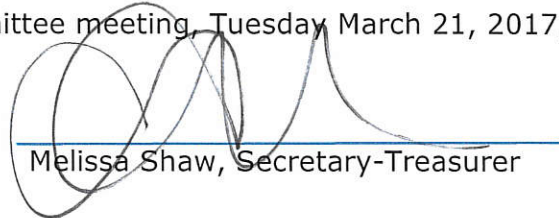
**Moved by: Chris Price**

**That** the March 21, 2017 Planning Advisory Committee meeting be adjourned at 7:55 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday March 21, 2017, are approved this 18<sup>th</sup> day of April, 2017



**(xii)** Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer