



A G E N D A

for a Public Meeting
to discuss a Proposed Zoning By-law Amendment
(Re: D14-17-04 – Trojan Avenue)
Tuesday, May 9, 2017
12:00 p.m.

1. (Chair)

This public meeting is being held by the City of Kenora in accordance with Section 34 of the *Planning Act* to consider various amendments to the City of Kenora Comprehensive Zoning By-law Number 101-2015, as amended.

2. (Chair)

Notice was given by publishing in the Daily Miner and News 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. Notice was also provided by mail to every owner of property within 120 metres of the subject property, prescribed persons and public bodies, and posted online on the City of Kenora portal.

If anyone wishes to receive the Notice of the Decision of Council, please leave your name and address with the City Planner.

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 have the opportunity to consider a decision at a future meeting of Council.

Herein the applicant will have the opportunity to speak on behalf of their application, and the City Planner will provide a summation of her report and recommendation, after which anyone who wishes to speak either for or against the application, will be given the opportunity to do so, 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.

3. (Chair)

The applicant (or representative) will present their application.

4. (Chair)

City Planner, Devon McCloskey, please describe the details of this zoning amendment application.

5. (Chair)

Any person may express his or her views of the amendment and a record will be kept of all comments.

6. (Chair)

Is there anyone who wishes to speak in favour of the amendment?

7. (Chair)

Is there anyone who wishes to speak in opposition of the amendment?

8. (Chair)

Are there any questions?

9. (Chair)

As there are no (further) questions, I declare this public meeting CLOSED at _____ a.m.

May 1st, 2017

City Council Staff Report

To: Mayor & Council

Fr: Devon McCloskey, City Planner

Re: Application for Zoning By-law Amendment – Lots 115, 116, 117
 Trojan Avenue

File No.: D14-17-04

Applicants: James & Sarah Minor

1. Introduction

An application for zoning by-law amendment is proposed to change the regulated zoning of property specifically indicated on the key map, from Residential – First Density Zone ('R2') to Residential - Third Density Zone ('R3'), to allow for the development of multiple attached dwellings.

The property is located at Trojan Avenue, lots legally described as 115, 116 & 117 on Plan M39, BLK L; LOC X21.

The properties were recently merged through a merger agreement and consolidation transaction.

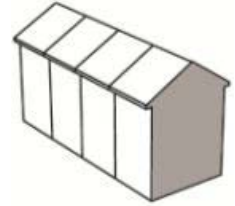


Figure 1 – Aerial sketch displaying the subject location

2. Description of Proposal

To rezone property in order to allow for 4 dwelling units and 1 secondary dwelling, referred to as multiple attached dwellings, defined as follows:

- g) Multiple attached dwelling, which means the whole of a residential use building containing three or more dwelling units that are divided vertically, each of which has an independent entrance. For the purpose of this Zoning By-law, a rowhouse is considered to be a multiple-attached dwelling."



The units would be constructed as one whole building over the area originally surveyed as three (3) separate lots. The site plan as shown with the application presents the building as being turned to front toward Twelfth Street. Driveway access would be provided off of Twelfth Street. The lot line along Trojan Street would then become an exterior side lot line, as well as the lot line to the west which would abut the laneway.

These matters will be fully reviewed with submission of a complete application for site plan approval.

3. Existing Conditions

The property is abutting Trojan Avenue and Twelfth Street. It is vacant and no previous use is known. A drainage ditch is existing along the lot line abutting Trojan Avenue.

Dimensions of the merged property are as follows:

- Frontage (Twelfth Street): 35.66 metres
- Depth (Trojan Street): 504 metres
- Area: 0.1305 hectares

4. Site Visit



A site visit was conducted on April 12th, 2017, where I attended the property to view the vacant lot and surrounding lands. The property is cleared and appeared to be filled some time ago. The extent of the fill spills over to other lots south of the subject location.

Photo 1 – Southern perspective of the property from the Northeast corner. Showing the drainage ditch and area of Trojan Avenue to the left.



Photo 2 – Northeast perspective of the property from the abutting lot, southwest side. View of the depth of fill is shown here.



Photo 3 – View of the property from the area of the southwest corner (laneway), showing outcropping bedrock



5. Consistency with Legislated Policy and City Directives

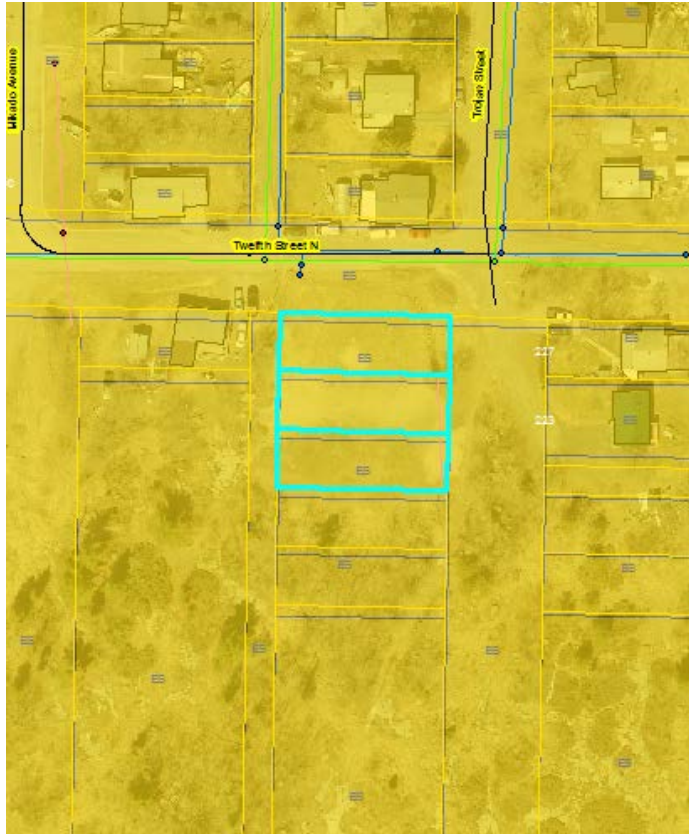
a) Provincial Policy Statement (2014)

The applicant has identified that the application is consistent with several policies, and following are noteworthy:

- Policy 1. Building Strong Healthy Communities
- Policy 1.1 Managing and directing land use to achieve efficient and resilient development and land use patterns.
- Policy 1.4 Housing
- Policy 1.5 Long-term economic prosperity.

b) City of Kenora Official Plan (2015)

The Land Use Designation of the property is Established Area 'ES'. An image of the zoning is shown on page 5, as well as policies with particular relevance.



4.1.2. Established Area Policies

c) Residential development shall be encouraged through plans of subdivision, condominium and consent as infilling or redevelopment of existing uses on full municipal services. Medium density residential use shall be supported provided that the development is in keeping with the character of the area.

3.17 Residential Densities

Density is a relative term that is used to define the scale and grain of development. It is typically a measure of persons or dwelling units per unit of land area. Net residential density is usually expressed as the number of dwelling units per hectare and measures the area of land used exclusively for residential use, including private roads and parking areas but excluding public streets, rights-of-way, parks, environmental areas and non-residential uses.

Section 3 – General Development Policies

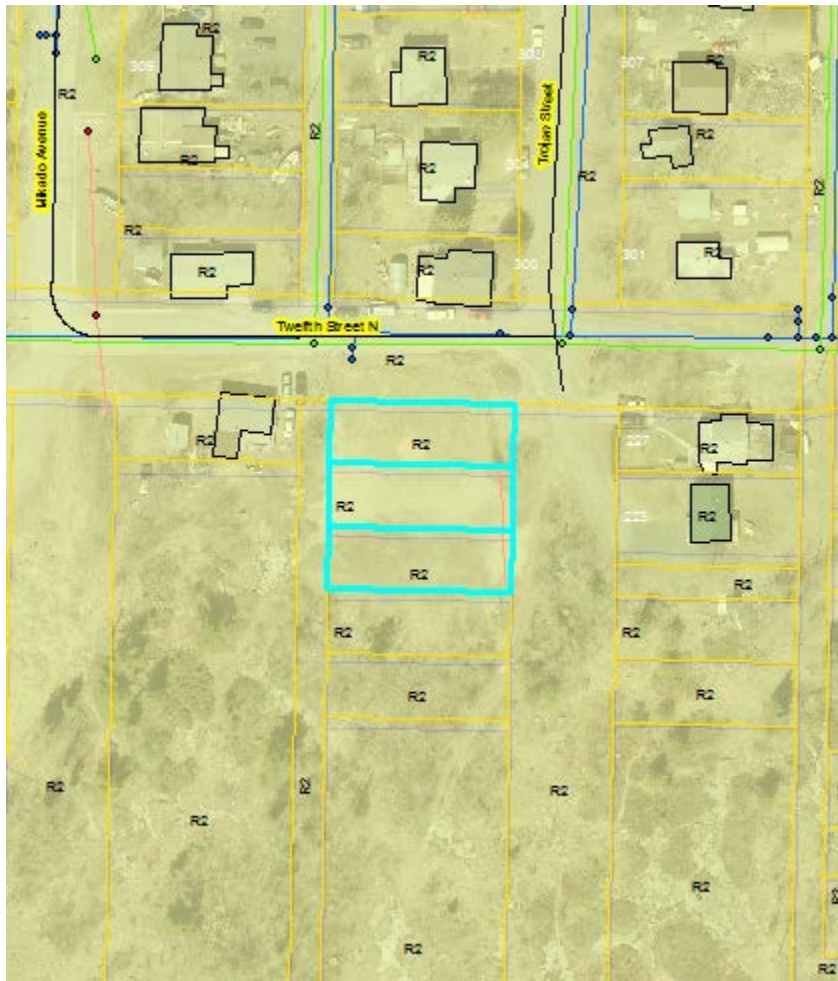
Residential densities tend to increase or decrease depending on housing type. Typically, forms of medium- and high-density residential housing include multiple-attached developments such as townhouses and apartment buildings. However, it is important to recognize that higher-density development can also be achieved through detached or semidetached homes on smaller lots, while apartment buildings surrounded by large parking areas can significantly decrease their density. In other words, housing type can affect density but other factors must also be taken into consideration.

The definition of low, medium and high density differs from place to place. For the purposes of this Official Plan, residential densities are defined as follows:

- Low: up to 16 units/net hectare
- Medium: 17 to 40 units/net hectare
- High: over 40 units/net hectare

The proposed application for 5 units on a lot 0.1305 hectares in size, qualifies as Medium Density.

c) Zoning By-law No. 101-2015



The subject property is currently zoned 'R2' Residential – Second Density Zone. Apartment dwellings are not a permitted use. Similar permitted uses are limited to Duplex Dwellings, Boarding houses, and semi-detached dwellings.

If approved for a change in zoning, the property would be eligible for development of apartment dwellings. All other regulations and requirements of the zoning by-law would be met for the lot dimensions and building locations. The development as indicated would also be subject to site plan approval.

6. Results of Interdepartmental and Agency Circulation

Departments and Agencies Circulated	Comments Received
Municipal Engineer	No issues or concerns from engineering at this time. Should the project proceed a drainage plan would be required and there is a hydrant at the north west corner of the subject lands that will have to be considered in the final layout of access and driveways – April 10/17
Building Department	<p>The site plan may be conceptual and subject to change; the building department however offers the following comments regarding the site plan as submitted;</p> <ul style="list-style-type: none"> - the site plan indicates use of the laneway to access parking; is this an open or unopened laneway? - the site plan indicates encroachments onto the west laneway and 12th street; - the site plan indicates 3 entrances (driveways) to allow nose in parking; - existing or proposed drainage has not been shown <p>April 12/17</p>
Roads Department	As we discussed, since the status quo of the entrances remain unchanged. Roads department has no concern – February 16/17
Water & Wastewater Department	<div data-bbox="526 1108 1395 1749" data-label="Image"> </div> <p>W/ww does not have any issues – April 6/17</p> <p>We cannot comment on their service line, that is up to the owner. Red circle on the attached map indicates possible location from our mains – April 12/17</p>

	The proposed development would not further impact existing watermains. The breaks on record were primarily related to the individual property service lines, and the proposed development is tapping the services from a watermain – April 27/17
Kenora Hydro	The owner has contacted me and we discussed some requirements I need to know specific to electrical service size. My concern is the location of our secondary pole which we may need to move if sewer and water will be coming along the laneway between (property) to the west. Is there potential to feed properties further south? If so blasting down that lane way will affect our pole and anchor – April 11/17
Kenora Fire & Emergency Services	Kenora Fire has no issues with change of zoning for this location. April 7/17
Northwestern Health Unit	We are ok with this town sewer application. Thank you for the opportunity to comment – April 7/17
Ministry of Natural Resources	No concerns – April 12/17

7. Public Comments

A public meeting is scheduled to be held by Council on May 9th, 2017. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on April 6th, 2017 to property owners within 120 metres, and published in the Municipal Memo of the Newspaper, persons and public bodies as legislated. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments.

An email was received on April 12/17 from a property owner outside of the area of circulation but within the neighbourhood, who advised that they oppose the application, and requested a copy of the notice. Further comments may follow in writing or attendance at an upcoming meeting. The original submission has been redacted, scanned and attached to this report.

Further comments were received May 1/17 from a property owner who expressed concerns with further development in the area and cited past issues with city services, infrastructure, and signage. Comments have been provided to relevant departments for review and response.

8. Planning Advisory Committee Recommendation

The notice of complete application and statutory public meeting, also stated that the Planning Advisory Committee would have the opportunity to consider recommendation of the application to Council at their meeting on April 18th, 2017.

Numerous residents in area attended the PAC meeting to hear the application, ask questions and provide comments. Residents were very concerned about the existing

sewer and water service, and several neighbours spoke about their experience encountering breaks. Comments were also made about the condition of the roads, access for pedestrians and increased traffic.

A couple of residents spoke in favour of the development of new housing units for seniors and enquired as to affordability.

The PAC resolved to recommend that Council approve the application, please refer to their resolution and minutes of the meeting attached to this report. The staff report provided to the PAC is was very similar to this report provided to Council, only improved and updated to reflect the outcome of the PAC meeting, as well as to clarify and further comment on sewer and water.

9. Evaluation

Approval of the application will enable development of apartment dwellings on a vacant lot. This will add to the supply of housing and possibly contribute to affordable living alternatives for seniors.

Site Plan Approval will be required, and other matters with the site development such as drainage and orientation of the building can be considered at that time. Concerns submitted in regard to sewer and water servicing were reviewed by City Departments, and departments concluded that servicing is adequate and that negative impacts are not anticipated.

Budget: No impact. Application fees paid in accordance with the Tariff of Fees By-law

Risk Analysis: Analysis of planning applications is accomplished in accordance with the legislation provided through the Planning Act. Applications are required to be consistent with the Provincial Policy Statement, and meet the criteria listed in the Official Plan.

Communication Plan/Notice By-law Requirements: Notice of the complete application and public meeting provided in accordance with the Planning Act. Notice of meetings held by the Planning Advisory Committee, Committee of a Whole, and Council provided as per the Notice By-law.

Strategic Plan or Other Guiding Document: The Official Plan provides criteria for the evaluation of Applications for Zoning By-law Amendments.

10. Recommendation

As the Planner for the City of Kenora, it is my recommendation that following a Public Meeting to hear submissions and public comments in regard to the Application for Zoning By-law Amendment, File No. D14-17-04 for property described as lots 115, 116 and 117;

That Council accepts the recommendation of the Kenora Planning Advisory Committee, and further; that Council, in lieu of public comments, gives three readings to a by-law to authorize approval of the amendment to enable a change in zoning from R2 to R3.

Attachments (3)

1. Complete Application for Zoning By-law Amendment including planning rationale
 - Consolidated PIN
 - Revised site plan
 - Notice of Application and Public Meeting
2. Draft PAC Meeting Minutes held April 18th, 2017
 - PAC Resolution to Council
3. Public Comments received April 12th and April 26th