

City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd 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., 2nd Floor- Training Room
January 16, 2018
7:00 p.m.

Present:

Wayne Gauld	Chair
Bev Richards	Member
Chris Price	Member
Graham Chaze	Member
Robert Kitowski	Member
Ray Pearson	Member
Vince Cianci	Member
Melissa Shaw	Secretary-Treasurer
Devon McCloskey	City Planner

DELEGATION:

- (i) Wayne Gauld, Chair called the meeting to order at 7:00 p.m. and reviewed the meeting protocol for those in attendance.
- (ii) Additions to the Agenda, there were none.
- (iii) Declaration of Interest by a member for this meeting or at a meeting at which a member was not present, there were none.
- (iv) Adoption of Minutes of previous meeting (December 19, 2017)
 - Amended: December 19, 2017 minutes of the regular Kenora Planning Advisory Committee meeting

Moved by: Robert Kitowski

Seconded: Ray Pearson

Carried.

- (v) Correspondence relating to applications before the Committee
 - D10-17-12 and D13-17-11- Correspondence from the Ministry of Transportation, circulated to the Committee and the recommendations have been captured within the Planning Report

(vi) Other correspondence, there was none.

(vii) Consideration of Applications for Minor Variance

- D13-17-11

Consideration of Application for Consent

- D10-17-12

Gerry Moncrief, Agent
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Mr. Moncrief approached the Committee; he described the application as a request for minor variance and a concurrent application for consent, acting as the Agent on behalf of his Mother, Margaret Moncrief. The application was a result of some estate planning; hoping to sever the property in order to transfer the newly created lot to her son. Mr. Moncrief described the proposed lot as approximately 16.0 ha in size, located to the east of the existing residence. The majority of the proposed parcel is high ground, and heavily treed with jack pine. Access is proposed across an existing grazing field. Mr. Moncrief identified correspondence from the Ministry of Transportation (MTO), and Northwestern Health Unit (NWHU), both of whom had no concern. The minor variance is required because the City has designated the west part of the property as Commercial Development Area; as such a 90 m frontage is required for that purpose. The Agent confirmed that there would be no commercial use planned for the parcel. The request is for relief of 45m to allow a frontage of 45 m which satisfies the MTO requirements.

Devon McCloskey, City Planner identified that there was a correction to the property description. The legal description that was used was taken from the assessment roll; the description is incomplete as it does not include some of the exceptions. The Planning Report and the decision will be amended to reflect the correct legal description. In addition, the Planner noted that there was a question from a Committee Member as to whether the two property identification numbers (PINs) had merged on title. The Agent confirmed that his Solicitor established that the PINs have merged; as such the application shall proceed as an application for consent, and the creation of one new lot.

The Planner wished to clarify the comment made by the Agent with regard to the reduction of frontage; noting that the 90 m requirement is not because the parcel is designated as Commercial Development Area, rather because of the Rural zone designation within the City of Kenora zoning by-law 101-2015.

The Planner reviewed the intent of the application, and provided a description of the land and a rock outcrop that would limit commercial land use on the property. The Planner reviewed the application to the provisions of the Official Plan, Zoning By-law and legislated policy.

The Planner spoke to a question that has come forward with respect to lot creation, The Official plan 097-2010 Section 8.10.2 included wording that a plan of subdivision shall be required where more than three new lots are to be created on a land holding as recorded in the Land Registry Office on the 9th of April, 1985. This provision has been removed from the Official Plan (2015) The Planner distinguished that the City of Kenora prefers development to proceed with a plan of subdivision; however, with the creation of one lot, a plan of subdivision shall not be required. The Planner informed the Committee that once a draft application for consent is presented, it is reviewed in detail by internal departments and outside agencies. If no concern is presented, then applications proceed. The City Planner recommended approval of application D10-17-12.

The chair asked the Agent if there was anything to add, there was none.

There was no-one in the public to speak in favour of or against the application.

Chair asked the Committee for questions pertaining to the application. The committee discussed in details the current policies with the City of Kenora Official Plan (2015) and previous policy in past Official Plans pertaining to plan of subdivision and the creation of new lots.

Chris Price questioned the 90 m frontage requirement within the Rural zone, the Planner was not sure where the 90 m measurement came from, however, eluded to Rural uses being more expansive than residential. Vince Cianci, provided some personal knowledge on the evolution of lot sizes over time, originally 80 foot lots, in the late 1970's, the 90 m frontage does not create mini subdivisions, which in his opinion, is the effect that frontage of 45 m creates. Mr. Cianci noted that it was a decision of the Planner of the days and City Councilors to impose a 90 m frontage in the rural zone, and Mr. Cianci said that the Committee has been sticking with the regulation quite regularly.

Chris Price asked the Agent to clarify why 45 m frontage was being proposed and not the 90 m requirement. The Agent responded that the applicant did not want to lose 90 m fronting the property, which would encroach into the grazing pasture, and may encroach on the well and the hydro line for the house.

Bev Richards acknowledged the legal description updates as identified by the City Planner. Mrs. Richards second question was pertaining to Lot 5 on the attached survey, and asked the Planner if the lawyer will be responsible for taking care of the consolidation with a revised survey, in addition Bev Richards challenged the comment regarding the PINs merging on title, and suggested that they may have merged under the *Planning Act*, but not under the *Land Titles Act*. After some discussion, it was agreed that for the purposes of the Planning Act, the application is for consent, lot creation. The planner confirmed that City staff would be looking for a consolidation and a merger agreement.

Vince Cianci repeated concern regarding the proposed frontage to the required 90 m. Mr. Cianci proposed a lot layout that would comply with the frontage

requirement at Reddit Road, and angled back to a 45 m width. The Agent responded with the request for 45 m frontage to act like an access point off the highway to the back lands, and the request to maintain enough of the existing grazing field to allow the continuation of a hobby farm.

Wayne Gauld sought to clarify with the Agent that the application was not looking at future commercial development, the Agent agreed.

The Planner compared the provisions in the Rural Residential zone to those of the Rural zone, and suggested that if this were zoned RR, the frontage requirement would be 61 m, if located on the water the shoreline frontage would have to satisfy the 61 m, however, the frontage along the road would be reduced to 11 m requirement.

Vince Cianci voiced his concern that the narrow 45 m section would be the prime location for future residential development, where a house would be built. Mr. Cianci referenced the Rabbit Lake subdivisions, with long and narrow lots. He hoped to discourage this type of development in the rural area.

Graham Chaze supported the application, suggesting that the 90 m requirement may limit development at 101 Reddit Road. The application is for access to the back lot, and suggested some flexibility to achieve that. Mr. Chaze also noted that the reduction in frontage won't visually change the look of the neighbourhood, noting that 45 m allows for the development of a driveway with MTO approval to service the back lot.

Vince Cianci did not support the application for minor variance, and requested the 90 m to be maintained. Mr. Cianci did not envision an access road to a residential dwelling on the back portion of the lot; cost to develop on the rock will be prohibitive, suggesting a house would surely be erected in the field close to the road. Wayne Gauld did not agree and questioned the issue with that; Mr. Cianci suggested that 45 m was too narrow for a home.

The Chair asked the Committee for discussion prior to making a decision.

Chris Price asked if hobby farm can be interpreted as home occupation or home industry. Planner confirmed that a hobby farm is a non-commercial use and would be ancillary to a permitted use.

Robert Kitowski reminded the Committee to review the application against the four tests.

Moved by: Graham Chaze

Seconded by: Ray Pearson

That the Kenora Planning Advisory Committee approves Application for Minor Variance File No. D13-17-11, seeking relief from Section 4.12.3 (a) - which restricts lot frontage in the RU-Rural zone to a minimum of 90 m. approval of the application minor variance file: D13-17-11 will allow the creation of one lot with reduced frontage from 90 m to 45 m under Section 53 of the *Planning Act*. File D10-17-12.

Carried.

Moved by: Graham Chaze

Seconded by: Ray Pearson

That application for consent D10-17-12 for lot creation; PIN 421740291; PT LT 4 CON 7, Jaffray, as in LT51575; Except PT 1 KR 612, PT 1, 23R2512, PT 1, 23R3964, PT 1, 23R4622, PT1 PL D78, PTS 2 and 3 PL D97, PT 8 and 12 23R5749, PTS 1 and 2, 23R7517, PT 1, 23R7919, PTS 1 and 2, 23R9116, Parts 1, 2 and 3, 23R9070; PART 1, 23R911179 and Part1, 23R11183; Kenora, civic address 101 Reddit Road, be approved and subject to conditions as outlined within the planning report. 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.

(viii) New Business

- Election of Chair and Vice Chair

With the New Year, the Committee shall hold an election for the position of Chair and Vice Chair which hold these titles for both the Planning Advisory Committee and the Committee of Adjustments, of which this committee represents.

The Secretary- Treasurer asked the Committee Members for nominations for the position of Chair.

Bev Richards Nominated Wayne Gauld for the position of Chair.

The Secretary- Treasurer called for a second and third time for nominations for chair, there were no further nominations made.

Being that Wayne Gauld was nominated, the nominee accepted the nomination and the Secretary-Treasurer declared that the nomination is closed. The Committee congratulated Wayne Gauld as Chair of the Planning Advisory Committee and Committee of Adjustments for 2018.

The Secretary- Treasurer asked the Committee Members for nominations for the position of Vice-Chair.

Graham Chaze nominated Ray Pearson for the position of Vice- Chair.

The Secretary- Treasurer called for a second and third time for nominations for Vice-chair, there were no further nominations made.

Being that Ray Pearson was nominated, the nominee accepted the nomination and the Secretary-Treasurer declared that the nomination is closed. The Committee congratulated Ray Pearson as Chair of the Planning Advisory Committee and Committee of Adjustments for 2018.

- PAC Training

The Planner confirmed that three people (including staff) have been budgeted to attend the OACA conference in June, 2018.

(i) Adjourn

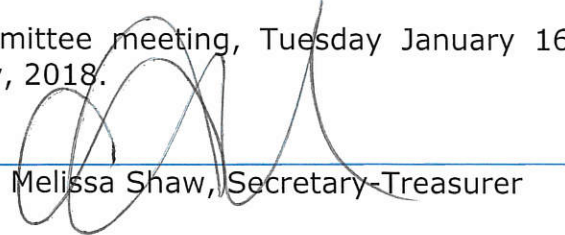
Moved by: Chris Price

That the January 16, 2018 Planning Advisory Committee meeting be adjourned at 7:57 p.m.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday January 16, 2018, are approved this 20th day of February, 2018.



Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer