

City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2292

**Meeting Minutes
City of Kenora Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor – Training Room
March 27, 2018
7:00pm**

Present:

Wayne Gauld	Chair
Bev Richards	Member
Chris Price	Member
Robert Kitowski	Member
Ray Pearson	Member
Graham Chaze	Member
Melissa Shaw	Secretary-Treasurer
Devon McCloskey	City Planner
Kylie Hissa	Planning Analyst

Regrets:

Vince Cianci	Member
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DELEGATION:

- (i) Wayne Gauld, Chair, called the meeting to order at 7:00 pm and reviewed the meeting protocol for those in attendance.
- (ii) Additions to 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
 - i. Wayne Gauld indicated a conflict on file D14-18-02, Campbell
- (i) Adoption of minutes of previous meeting
 - Amended: February 20th, 2018 minutes of the regular Kenora Planning Advisory Committee meeting
 - Comments: Bev Richards requested that the PIN's as identified within the evaluation section of the Planner's Report to the Planning Advisory Committee on file: D10-18-01, be amended to reflect the condition that PIN 42176-0345 be consolidated with PIN 42176-0138

Moved by: Robert Kitowski

Seconded: Ray Pearson

Carried.

- (iv) Other correspondence - there were none.
- (v) Consideration of applications for minor variance
 - a. D13-18-01

Michael Scatliff, Agent
Scatliff + Miller + Murray

Mr. Scatliff, the Agent for the Application provided background on how the shoreline structures came to be and referenced the Planning Rationale as provided. The Agent confirmed that the application is to permit existing structures (dock, storage building, and sauna), to be setback 0.6 m from the side lot line, on property municipally known as 480 Coney Island. The Agent indicated that the structures have been built incrementally overtime and that the position of those structures have been influenced by existing reefs/rocks offshore. The Agent also confirmed that the Applicant is looking to reconcile the non compliance. If given approval, the Applicant would complete a building permit for the structures, in compliance with existing regulations.

The City Planner reviewed the planning report, file: D13-18-01, and described that a letter was received from a neighbour who opposes the application, a day prior to the meeting on March 16, 2018. The letter expressed concerns over impact to their own property values and future plans if the variance was approved. However, no additional information was received after the Planner replied their email with a request for a more detailed explanation of the anticipated negative impacts.

The Chair asked if there was anyone whom wished to speak in favour of or against the application.

The Agent reinforced that, as neighbour south of the subject property, he sees no impact of the shoreline structures and is completely supportive of this application.

The Chair asked for clarification on the gentleman that wrote the complaint letter, of which owns the lot to the north and adjacent to the property line in question. Agent confirmed that the Applicant met with the immediate neighbour to the north with whom he shares the property line where the minor variance is being considered. The Agent informed the Committee that the neighbour had weeks to work with the Applicant but did not, and that previously existing stairs had been torn down so as to not encroach upon the neighbour's property. The Agent presented aerial photographs that showcase the neighbouring properties.

The Chair asked the Committee if they had questions pertaining to the Application.

Chris Price asked the Agent what the rationale was for the 16 m² shed. The Agent clarified that instead of building a boat house, a shed was built to hold fishing equipment and that there is no other accessory buildings on the waterfront.

Wayne Gauld, Chair, stated that the committee has not received another response following the complaint. The City Planner confirmed that she inquired further for the benefit of the Committee, but had no further response.

Ray Pearson asked if the property to the north can be subdivided. The City Planner confirmed that severance as a Rural zoned lot would not be feasible.

Graham Chaze suggested the possibility that there is confusion on behalf of the neighbour as to what the Applicant is seeking in regards to a Minor Variance, because it seemed the writer thought the request was to go over the property line, creating an encroachment and therefore affecting property values and future plans.

The Secretary-Treasurer and the City Planner confirmed that the neighbour would have received notice as per the Planning Act, and that notice was circulated March 12th, 2018.

It was confirmed by the Committee that a decision should be made at this current meeting. There was no further discussion.

Moved by: Graham Chaze

Seconded: Robert Kitowski

That the Kenora Planning Advisory Committee approves Application for Minor Variance File No.D13-18-01, seeking relief from Section 3.34.1 (c) (ii) – which requires a 4.5 m side yard setback for accessory uses located between the principal building and the navigable waterway. Approval of the minor variance file: D13-18-01 will allow the existing shoreline structures, 0.6 m setback from the side yard lot line. The application is consistent with the provisions of the zoning by-law, the Official Plan, do not appear to have a negative impact on neighbouring properties and considered minor in nature.

Carried.

(vi) Consideration of applications for consent, there were none.

(vii) New Business
a. D14-18-01

Randy Seller, Agent (on behalf of Stephen Lundin)
Hook, Seller & Lundin LLP

Mr. Seller approached the Committee and referenced the Planning Report as provided. There were no issues identified with the report, indicating that the application was for a By-law amendment at property municipally known as 166 Ritchie Road to change zoning from RU – Rural to RR –Rural Residential. The Agent stated that majority of the property is vacant and that approval would enable consideration for consent to sever, having the effect of creating one (1) new lot. Future consideration of an application for consent will enable the properties to be developed with single-detached dwellings, compliant with the provisions of the RR –

Rural Residential zone. New development would also comply with the Ontario Building Code concerning sewage systems.

The City Planner reviewed the planning report, file: D14-18-01. No comments were received by the public. The Planner identified support from the Northwestern Health Unit for future development and private servicing. The Planner mentioned the comments received from Hydro One, and Bell Canada regarding the need to identify aerial infrastructure within the property running parallel along Martin Road, which shall form a condition of provisional approval on the future consent application to ensure that the line can be recognized as an easement.

The Chair asked if there was anyone whom wished to speak in favour of or against the application.

Doug Davidson
637 Second Street South, Apt. 2
Kenora, ON P9N 1H2

As part owner of the subject property, Mr. Davidson supported the application.

The Chair asked the Committee for questions pertaining to the Application.

The Chair asked for clarification regarding the easement for Hydro One. There was discussion between the Agent and Committee regarding the possibility of an unregistered easement for Hydro One and sharing it with Bell. The Agent confirmed no concern registering easements, and suggested the condition form part of the provisional approval within the future consent application process.

The Chair asked the Committee for discussion prior to making a recommendation, there was none.

Moved by: Robert Kitowski

Seconded: Ray Pearson

Resolved that the Planning Advisory Committee recommends that the Council of the Corporation of the City of Kenora approve application D14-10-01, being the subject property located in the area of Ritchie Road and described as Parcel 36770 Sec DFK; Part Lot 5, Concession 7 Jaffray, Part 3 23R3924; Kenora. PIN: 42174-0238, and to change the regulated zoning of the subject property from Rural (RU) to Rural Residential (RR).

Carried.

a. D14-18-02

At 7:43 p.m., the Chair Wayne Gauld removed himself from the meeting, the Vice Chair; Ray Pearson took over on his behalf.

Randy Seller, Agent

Mr. Seller wished to confirm that this application is the first of a three-step process in order to change the zoning of property municipally known as 1930 Hwy 17 West to comply with the utilization of an existing building as a triplex or "converted dwelling". The Agent also confirmed that part of the plans to make the triplex legitimized in its current use and to achieve compliance with the zoning by-law, is to transfer 0.43 ha of land to the abutting parcel of property. Structural work will be completed and reviewed for the building to ensure compliance with the Building Code.

The City Planner reviewed the Planning Report for file: D14-18-02. Comments of concern pertaining to accumulation of items on the property had been raised by a neighbour, a redacted format of the comments was circulated earlier for the committee to review. The comments requested that the property be cleaned up. The Agent confirmed that since future plans would be to sell the property, cleanup would be inevitable and would be dealt with during the consent and building permit process. The Planner also reviewed the comments as received from the Kenora Building Department, whom confirmed they had been in contact with a local designer, working on a design to accompany a permit to construct to comply with the Ontario Building Code for a converted dwelling. The Building department had no concern. The Roads department required an entrance permit which shall form a condition of provisional approval in future consent application. No concerns were reported from the Ministry of Natural Resources or the Northwestern Health Unit.

The Chair asked if there was anyone whom wished to speak in favour of or against the application.

Gary Campbell
614 River Drive
Kenora, ON P9N 1J5

Mr. Gary Campbell, wished to express his support in favour of the application.

The Vice Chair asked the Committee if there were any questions pertaining to the file. There were none.

The Vice Chair asked for discussion regarding the application, prior to making a recommendation.

Bev Richards asked for clarification about the cleanup process. The Agent confirmed that the accumulation of items mentioned in the public comments, refer to equipment storage with no pollution impacts. The City Planner confirmed that cleanup would be required within a year, as part of the consent process. The Agent suggested that the clean-up period could be shortened to be completed over the course of the summer.

Bev Richards also asked for clarification for how the Committee can confirm for certain that the building will be compliant as a triplex. The City Planner confirmed that they have a qualified designer examining the existing dwelling unit providing details of construction/renovation to accompany the application for a change in use

permit for a converted dwelling unit. The Planner reiterated the comments as provided by the Building Official, whom also agreed that the building is on its way to becoming compliant. Once the site complies with the zoning by-law, and the benefit of a designers report confirming compliance with the building code, a building permit shall be issued.

Moved by: Robert Kitowski

Seconded: Graham Chaze

Resolved that the Planning Advisory Committee recommends that the Council of the Corporation of the City of Kenora approve the application D14-18-02, subject property located in the area of Hwy 17 West, Keewatin, ON, and described as Part Mining Location 233P, 23R-5012 and Part 1 23 R-5025, and the site specific zoning to include "converted dwelling" as a permitted use on 1.54 ha of the subject property and to reduce the required frontage of 61 metres for a lot within the RR – Rural Residential Zone to allow for a frontage of approximately 22.7 m +/- .

Carried.

At 8:00 p.m. Wayne Gauld reassumed role as Chair.

(viii) Old Business

a. OACA Training and Conference

The Chair asked which members would be interested in attending. The City Planner confirmed that there is room in the budget for 4 members to attend – two City staff and two PAC members. There may be room in the budget for a fifth and will confirm once costs have been reviewed in more detail.

Interested PAC members were identified as being: Robert Kitowski, Vince Cianci, and Wayne Gauld.

Bev Richards requested extra copies of material received at the OACA conference for her professional development, if possible.

b. Consent approval process

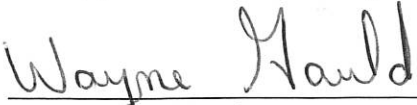
The Committee agreed that this part of the agenda be moved to the next meeting, once Vince Cianci can be in attendance.

(ix) Adjourn


Moved by: Chris Price

That the March 27, 2018 Planning Advisory Committee Meeting be adjourned at 8:12 pm.

Minutes of Kenora Planning Advisory Committee meeting, Tuesday March 27, 2018,
are approved this 17th day of April, 2018.



Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer