



## **A G E N D A**

for a Public Meeting  
to discuss a Proposed Zoning By-law Amendment  
**(Re: D-14-17-06, 116 Fifth Avenue South - Knox Church)**  
Tuesday, January 9, 2018  
12:30 p.m.

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### **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 \_\_\_\_\_ p.m.



December 20<sup>th</sup>, 2017

## City Council Staff Report

**To: Mayor & Council**

**Fr: Devon McCloskey, City Planner**

**Re: Application for Zoning By-law Amendment – 116 Fifth Avenue South**

**File No.: D14-17-06**

**Owner: Trustees of Knox United Church**

**Leasee/Applicant: Henry Wall of Kenora District Services Board (KDSB)**

**Agent: Tara Rickaby of TMER Consulting Kenora**

### **1. Introduction**

An application for Zoning By-law Amendment is proposed to change the regulated zoning of property specifically indicated on the key map, to allow for the property to be used for an Emergency Shelter, in addition to uses permitted within the Institutional ("I") Zone.

Whereas the Institutional Zone does not currently allow for the use of an Emergency Shelter, approval of an application would allow for the use within a portion of the building, in addition to other uses permitted in the zone, as a site specific provision.

The property is located at 116 Fifth Avenue South, and known as "Knox Church".

### **2. Existing Conditions**

The property is fronting on Second Street South and corners on Fifth Avenue South.

It is developed with a very large building (935.83 m<sup>2</sup>) and has been used as a Place of Worship for nearly 120 years. A large addition was constructed 53 years ago on the westside of the building. The property is serviced by municipal water and waste water.

The area proposed to be used for the Emergency Shelter is within the basement of the addition, which is assessable from street level, being the south facing side of the building.

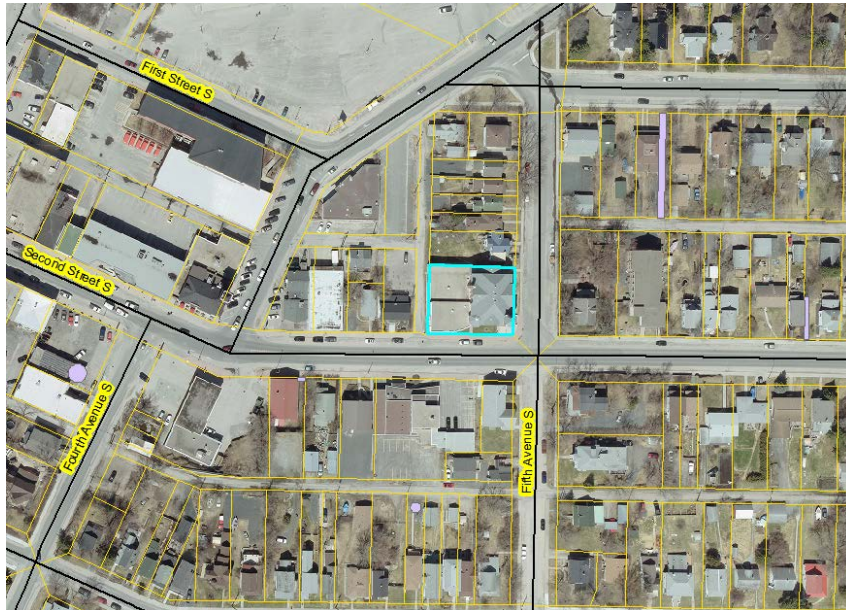


Figure 1. (left) Aerial image above displays the location and approximate property line of the subject property

### 3. Description of Proposal

Whereas an Emergency Shelter is not currently a permitted use within the Institutional Zone, the applicants are requesting that the City allow for the property to be used for an Emergency Shelter.

The proposal would include a permanent shelter to be housed within the basement level of the addition at “Knox Church”. It would provide 48 beds, laundry, food preparation and servicing facilities, as well as a resource centre for clients of the shelter. Programming will be available to support clients and in some cases progress clients through to other support/skills programs. The Knox church will continue to operate in the original part of the building.

### 4. Background

Last year, in 2016 City staff endeavored to amend Zoning By-law 101-2015 to expand the permitted uses within Institutional and Commercial Zones, and allow for ‘Emergency Shelters’. The amendment was not approved by Council. This application is entirely separate, whereas it is proposed by the KDSB, applicable to a specific location, and subject a Zoning By-law, similar to the Application for Temporary Use Provision that was approved in December 2016 for the City View location.

This Planning Report is intended to examine those matters involving the specifics of the application as currently proposed. However, some of the data, materials, public comments, and research conducted previously by the City of Kenora for Emergency Shelters, is relevant. Only some information has been recaptured in this report, but the previous documents are available for additional reference.

### 5. Site Visit

A site was conducted in the morning of December 12<sup>th</sup>, 2017. Photos captured of the building exterior are shown below.

Photo 1 – View of the subject location from the southeast perspective



Photo 2 – View of the subject location from the northeast perspective



Photo 3 – View of the property in relation to other buildings



## **6. Consistency with Legislated Policy and City Directives**

### **a) Provincial Policy Statement (2014)**

Several sections of the PPS provide direction and support for emergency management and housing. Reference to the following sections is provided to demonstrate where the PPS provides particular direction supporting development that is inclusive, and meets the needs to build healthy, liveable and safe communities.

As submitted and described by an earlier application, "the application meets the standard set forward in the PPS and approval is essential to the protection of public health and safety for the most vulnerable citizens of the Kenora area."

### *1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*

#### *1.21.1.1 Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

*1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.*

b) City of Kenora Official Plan (2015)

The Land Use Designation of the property is Harbourtown Centre,

Section 4.3.1 provides the following policy for permitted uses in relation to housing within the designation:

*a) Commercial, entertainment, recreation and residential uses shall be permitted. Colocation of public services facilities is encouraged for convenience, cost effectiveness, service integration, and promotion of active transportation.*

*b) Multi-unit residential development in conjunction with commercial uses shall be encouraged in the Harbourtown Centre where the street level is used for commercial purposes.*

Overall, by providing housing accommodations in proximity to central areas of the community, the City will have provided an overall benefit to the supply of accessible housing.

Section 1.1 of the OP states that in fulfilling its responsibilities under the Ontario Planning Act, R.S.O.1990, ch. 13, the City of Kenora, shall have regard to, among other matters, matters of provincial interest such as the:

*k) adequate provision of a full range of housing;*

*p) protection of public health and safety;*

The Plan also contains policies for its implementation, included within these is the provision for Zoning By-law Amendments.

As noted within the basis of the plan, policy 1.3 "the Zoning By-law will provide the primary planning tool for dealing with changes in land use."

c) Zoning By-law No. 101-2015

"Emergency Shelter" is defined in Section 2 of the Zoning By-law as follows:

***Emergency Shelter***

*An establishment providing temporary accommodation to individuals who are in immediate need of emergency accommodation and food, and may include ancillary health care, counselling and social support services.*

Section 3.14 of the General Provisions section of the By-law regulates Emergency Shelters as follows:

*Group homes and emergency shelters are permitted in the R1, R2, R3, RR, and RU zones subject to the following provisions:*

- a) A group home or emergency shelter shall occupy a dwelling unit that is permitted in the zone;
- b) When a residential use building is converted to a group home or emergency shelter, the group home or emergency shelter must occupy the whole of the building including all attached units within the building;

Section 1.4 of the Zoning By-law provides for the ability to enact an Exception, whereby approval of an Application for Zoning By-law Amendment would enable site specific uses and provisions to apply to certain properties. Properties subject to exception zones are indicated in the Maps to the By-law.

## 7. Results of Interdepartmental and Agency Circulation

Departments and Agencies Circulated	Comments Received
Building Department	Should (staff) parking be spoken to? Duly noted is that 3.23.7 exempts additional parking for new uses in the Harbourtown Centre; however an Emergency Shelter is not currently a Permitted Use in an Institutional Zone, hence the Application to Amend the Zoning By-law. This is a 7 day a week "staffed" service; with the assumption that the number of staff will be based on the service/s provided – December 11/17
Roads Department	No comments received
Heritage Committee Kenora	The Property is on the Municipal Registry - detailed designs were provided to the Committee. There were no concerns expressed by the committee in regards to the work – December 12/17
Water & Wastewater Department	No concerns – November 24/17
Kenora Hydro	Kenora Hydro has no concerns regarding this amendment – November 23/17
Kenora Fire & Emergency Services	<p>Kenora Fire and Emergency Services has no issues with the Zoning Bylaw amendment. Given this potential permanent change in the use of the property there will be changes required to meet the requirements of the Fire Code – November 24/17</p> <p>Just to clarify. When there was temporary use in Knox we inspected the gymnasium and emergency shelter area under the Fire Code and did make provisions under the Fire Code to make this work. It is important to remember that when the Emergency Shelter was located within Knox Untied Church this was done under the authority of an Emergency Declaration Order through the Emergency Management and Civil Protection Act. By doing this it allowed us some latitude in getting the shelter in place.</p>



	Once we get through the planning phase we will have to inspect the area based on its new permanent use - November 24/17
Northwestern Health Unit	No concerns – December 19/17

**8. Public Comments**

A public meeting is scheduled to be held by Council on January 9<sup>th</sup>, 2018. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on December 7<sup>th</sup> to property owners within 120 metres, published in the Municipal Memo of the Newspaper on December 7<sup>th</sup>, and circulated to persons and public bodies as legislated. It was also circulated to all City Staff, Council, radio stations including Q104, and The Lake, Lake of the Woods Enterprise Newspaper, Chamber of Commerce and the BIZ. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments.

As of the date of this report, twelve (12) written comments have been received. Comments can generally be categorized as nine (9) with expression of support, and three (3) in opposition.

Letters of support were received from organizations including Knox Church, St. Andrews United Church, Lake of the Woods Concert Group, and WAASEGIIZHIG ANAANDAWE'ITYEWIGAMIG.

Letters of support were also received from citizens whose names and contact information has been redacted to protect the privacy of individuals personal information.

Those in support note the need for providing a permanent location (while the Shelter has not been able to establish permanency since 2015). That the location is well suited since it is close to the downtown area and accessible.

A neighbouring property owner provided support for the proposal as submitted by the KDSB since it would provide a central location, a safe place and promote wellbeing.

Other users of the Church also provided letters in support saying that they would be able to continue to use the space they currently use it, and that the area proposed for renovation is underutilized.

It would provide 48 beds to homeless persons as well as support services to address various issues related to homelessness, and that the facility would be staffed and open 24 hours a day, 7 days a week. The location is advantageous since it is located close to the downtown area, accessible with for people with mobility issues, and other social support services.

In a letter provided by Knox Church, it was described that from “the previous experience of accommodating the shelter on an Emergency basis, that Knox (location) has the greatest potential for success in our community.”

Those in opposition, expressed concern with the location, stating that the property is not ideal due to the lack of outdoor space. Other neighbouring property owners noted concerns with increased loitering and persons drinking alcohol in public laneways closeby. However, the author suggested that these matters could be addressed.

Another letter also raises concerns about increased occurrences of intoxicated people in the area of their property and laneway, inferior street lighting, suggestion for other locations to locate the shelter, and a request for reduction of taxes.

Any further written comments received will be provided to Council.

### **9. Planning Advisory Committee Recommendation**

The notice also stated that the Planning Advisory Committee would have the opportunity to consider recommendation of the application to Council at their regular meeting on December 19<sup>th</sup>, 2017. It was described that if new information or comments were provided at either the PAC or Council meetings, such information may affect the outcome my professional planning opinion and the recommendation as presented herein.

Every chair in the training room was occupied, and staff brought in an additional 30 +/- chairs from other rooms. The agent for the applicant and the applicant both spoke at length, providing the Committee with an overview of the development proposal, planning rationale for the amendment, and a detailed analysis for the need and suitability of the property for the proposed use.

Three persons in attendance stood up to speak in support of the application.

Once prepared, minutes of the PAC meeting will be uploaded for Council for their information, this report has been adapted from the report provided to the PAC.

### **10. Evaluation**

Whereas the Kenora District Services Board (KDSB) received temporary approval to sublet space within the Northwestern Health Unit (NWHU) building, a year ago in December 2016, for two (2) years; the KDSB has upheld their intention to provide the community with a permanent Emergency Shelter location.

The shelter will continue to be operated by the KDSB & the Nee-Chee Friendship Centre (NFC). The total floor area proposed to be occupied by the shelter is approximately 5,993 ft<sup>2</sup>. (590 sqm<sup>2</sup>).

The Zoning By-law is explicit in listing the permitted uses within the Institutional Zone, and does not presently include "Emergency Shelter", both the Official Plan and the PPS do no restrict but rather provide for the use at this location since it is located within the Established Area.

An Emergency Shelter, is a housing use, residential in nature, and is compatible with surrounding uses which include: residential to the north and east, place of assembly within the upper floors, place of assembly to the south, and general commercial to the west and beyond.

"Every person has a right to equal treatment with respect to the occupancy of accommodation without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability or the receipt of public assistance." – Ontario *Human Rights Code*, s.2(1)

Housing is a human right on an international scale, and according to the Ontario Human Rights Commission, "the international community has long recognized that housing is a fundamental and universal human right that must be protected in law. Since proclaiming the Universal Declaration on Human Rights in 1948, the United Nations has recognized the right to housing in many documents and has ratified those as follows:

- *Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights (the ICESCR)*
- *International Convention on the Elimination of All Forms of Racial Discrimination*
- *Convention on the Elimination of All Forms of Discrimination Against Women*
- *Convention of the Rights of the Child.*

The Zoning By-law defines a dwelling as follows:

**Dwelling**

A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or seasonally, irrespective of tenure or ownership, but shall not include a seasonal dwelling, recreational vehicle, trailer or motor home.

Further to this, within the preamble of the Institutional zone of Kenora's Zoning By-law, the following statement is provided:

*10.14.1 This zone allows for the development of public and privately owned facilities of an institutional or community service nature.*

Use of an Emergency Shelter within the Institutional Zone, is clearly in keeping within the intent of the Zoning By-law, since it is public owned and operated, and is a community service.

The Institutional Zone currently permits the following uses which also provide accommodations that are more of less residential in nature:

- Group home
- Retirement home
- Continuum care facility
- Correctional facility
- Hospital

The Emergency Shelter as proposed would provide 48 beds, laundry food preparation and servicing facilities, as well as a resource centre for clients of the shelter. Programming will be available to support clients and in some cases progress clients through to other supportive /skills programs. The Know church will continue to operate in the original part of the building.

The facility is operated by a public organization (KDSB), as are Emergency Shelters across the province. Publically owned and operated facilities providing a community service, are located within institutional zones, as should the Emergency Shelter for the City of Kenora, be permitted to locate.

Comments received as a result of internal circulation, raised no concern with the conversion of the building for Emergency Shelter Use, beyond parking and the normal permitting requirements through the Building and Fire Codes. The applicant provided reassurance to the City, noting "should this move forward, it is worth noting that we are working with Nelson Architecture and we will be completing all necessary alterations to meet OBC and Fire Code requirements at the site for the new use."

With regard to parking, the Zoning By-law exempts new uses within existing buildings from being required to provide parking, provided that the gross floor area of the building is not increased. The provision has not specified that it would be applicable only to those uses currently permitted, however the current list would include other similar uses which would have the potential to have the same or even greater need for parking, some examples include hospital, Community Centre, Place of Worship, Post-secondary Institution, School, and Theatre.

It is my opinion that provisions for parking should not be applicable for the added use of an Emergency Shelter.

Once the development plans have been confirmed and a Site Plan has been provided, an Application for Site Plan Approval may be required, and matters such as exterior lighting can be addressed at that time.

**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. Additional notice distribution was undertaken at will of the Clerk's Department.

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

## **11. Recommendation**

As the Planner for the City of Kenora, it is my professional planning opinion, that the Application for Zoning By-law Amendment, File No. D14-17-06, be approved, in lieu of public comments that may yet to be received.

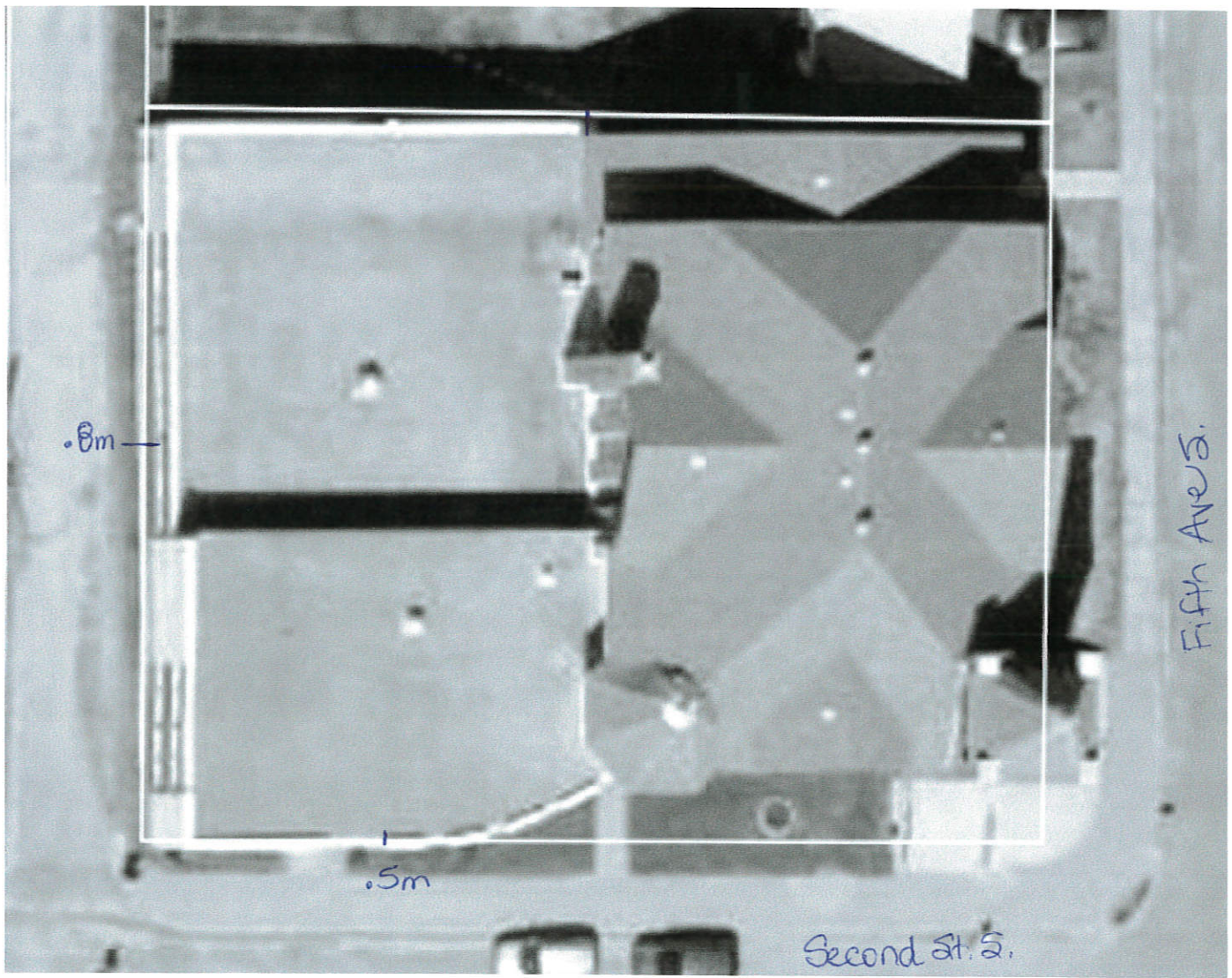
That Council accepts the recommendation of the Kenora Planning Advisory Committee, and further; that Council, in lieu of public comments, gives three readings to a by-law to authorize approval of the amendment within the "I" - Institutional Zone.

## **Attachments (4)**

1. Complete Application for Zoning By-law Amendment including Planning Rationale
2. Notice of Application and Public Meeting
3. Public Comments received December 11<sup>th</sup> through December 14<sup>th</sup>, 2017
4. PAC Resolution
5. Draft PAC Meeting Minutes held December 19<sup>th</sup>, 2017 – to be posted once complete



.5m



.8m

.5m

Fifth Ave S.

Second St. S.

\*Estimated dimensions



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**807-407-1740**

Application to Amend City of Kenora Zoning By-law No. 101-2015, at 116 Fifth Avenue South, Kenora ON

**Introduction:**

The Kenora District Services Board, (KDSB) has contracted with Tara Rickaby, CAPT, of TMER Consulting Kenora, to make application to amend the City of Kenora Zoning By-law 101-2015, as amended. The subject property is legally described as Plan 25 Lots 258 to 259 all in Kenora, District of Kenora.

The KDSB is acting as Agent for its partners, the Knox United Church Congregation and the Ne'Chee Friendship Centre, in this application and propose to add an emergency shelter use to the current I-Institutional zoning. The effect of approval of the application would be to permit the development of a 48 bed emergency shelter, in a portion of the existing church and education centre. Laundry, food preparation and serving facilities, and a resource centre are amenities included in the operation of the emergency shelter.

In 2015/16 Council of the City of Kenora considered an amendment to the zoning by-law, to permit the emergency shelter use in both I-Institutional and GC- General Commercial zones, as an accessory to use to an office, clinic, place of assembly or recreational use facility. The decision was deferred to receive more information. In April of 2016, an open house was held, with a panel of presenters representing the City, the KDSB, and the Kenora Substance Abuse and Mental Health Task Force providing information and receiving questions. During the presentations, Council and those present, learned that homelessness in Kenora is a result of different factors and that the emergency shelter is a necessary service in the City. In addition, Council heard, amongst other things, that the emergency shelter should not be located in "a prime, commercial area".

Early in 2017, Council approved a temporary use by-law, which permits the emergency shelter be operated from a building which is zoned I-Institutional. The by-law is in effect until 30 September 2018.

The Knox United Church was utilized, on an emergency basis/short term basis, as the emergency shelter prior to the relocation to the current, temporary location.

A lease, for use of a portion of the Church property for the operation of the emergency shelter/resource hub, will be the foundation of the agreement between Knox United Church and the Kenora District Services Board/Operator.

**Subject site and surrounding uses:**

The subject property and structure is currently (and historically) used as Knox United Church. Accessory uses, to the place of worship include community concerts and events, meeting areas and an outreach program, which feeds the homeless.

The subject land is located on the fringe of the downtown core, on a corner of a local road (Fifth Avenue S.) and an arterial road (Second Street S); a laneway runs along the western (rear) lot line.

The property was added to the City's registry of cultural heritage properties, in June of 2009. The property is not designated under Part IV of the Ontario Heritage Act



The land uses to the east include a bed and breakfast and a place of worship. To the south, uses include an apartment building, a place of worship and commercial uses. There is older, residential, development directly to the north, with a chiropractic clinic and the former Kenora Shopper's Mall to the northwest. The lands west of the laneway are generally commercial in nature. The property is serviced with municipal water and sewer, and by Kenora Hydro.



Figure 1 – Subject property

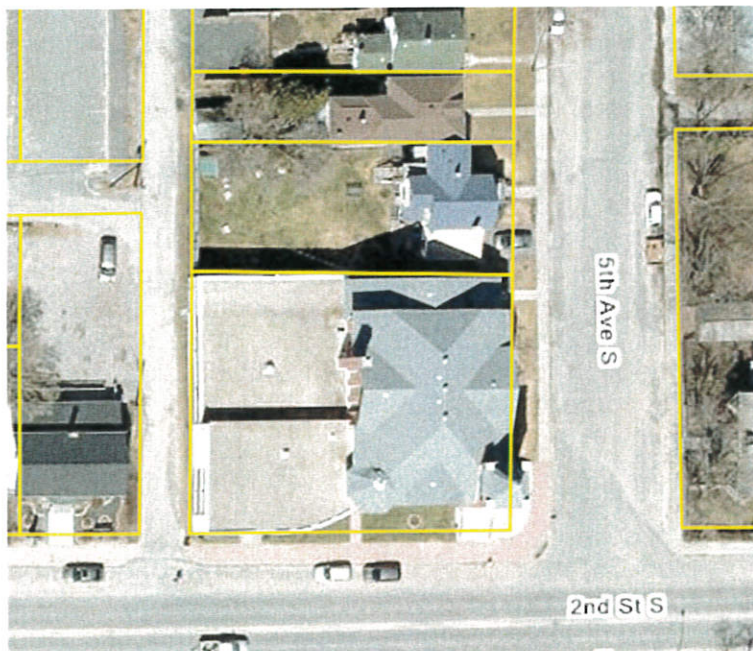


Figure 2 – Subject property location

**The proposal:**

The KDSB, and its partners, propose to add an emergency shelter use to the existing permitted uses in the current Institutional zoning regulations. It is proposed that a maximum of twenty four emergency beds for men and twenty four for women. Depending upon demand, there may be changes in the numbers of beds, however there will always be designated areas for each sex. Within the facility, the laundry facilities, food preparation/servicing areas and resource centre will be available to the clients of the emergency shelter,

The program is to be considered a hub of services intended to support clients, and in some cases, progress clients through to other supportive/skills programs.

The Knox United Church will continue to operate in the older portion of the building.

**Legislative Framework  
Provincial Policy Statement, 2014**

The application, and proposed outcome are consistent with the Provincial Policy Statement, 2014 as the provision of safe, temporary housing, considering social planning and emergency management matters represents orderly development of a safe and healthy community. The subject lands are located within the settlement area and its development will not negatively affect employment lands.

The emergency shelter is a form housing required to meet the social, health and well-being requirements of current and future residents, and would be considered to be special needs requirements.

The establishment of the emergency shelter and supportive resources is the foundation for the community hub which will be developed to promote cost-effectiveness and facilitate service integration.

The existing municipal infrastructure provides vehicular and pedestrian access via arterial (Second Street S) and local roads (Fifth Avenue S), and is in close proximity to the municipal bus routes. The subject lands are currently serviced with municipal sewer and water and represents efficient and effective re-development of the structure and property.

This property was placed on the Municipal register of properties that are of cultural heritage value or interest, in June of 2009. There will be no demolition of the structure as part of this project and the exterior of the original church will not change.

**City of Kenora Official Plan, 2015**

The lands are designated as "Harbourtown Centre" in the City's Official Plan.

The City of Kenora's vision is that it shall be an inclusive, sustainable, healthy, four-season lifestyle community with a healthy economy that welcomes all and respects the Aboriginal peoples and traditions so that generations can thrive, prosper, and contribute to meaningful lives.

In order to remain sustainable, compact development is promoted. The use/re-development of a portion of this historical building will enhance the quality of life for present and future generations by providing timely response to the need for short-term

and emergency housing. The exterior of the Knox Church will not be modified, and therefore the neighbourhood design will not change. The amenity space, associated with the Knox United Church, is located on its south side, along Second Street South and therefore the privacy of the residential properties, to the north, will not be affected.

The lands are located on the most easterly extent of the "Harbourtown Centre" designation. The lands directly to the east, and southeast are designated as "Established Area". The uses surrounding the property are generally service-oriented, as opposed to retail commercial. The unique sense of place, that is the Harbourtown Centre, functionally runs from Park Street (one block west), to its western extremity at McLeod Park and will not be affected.

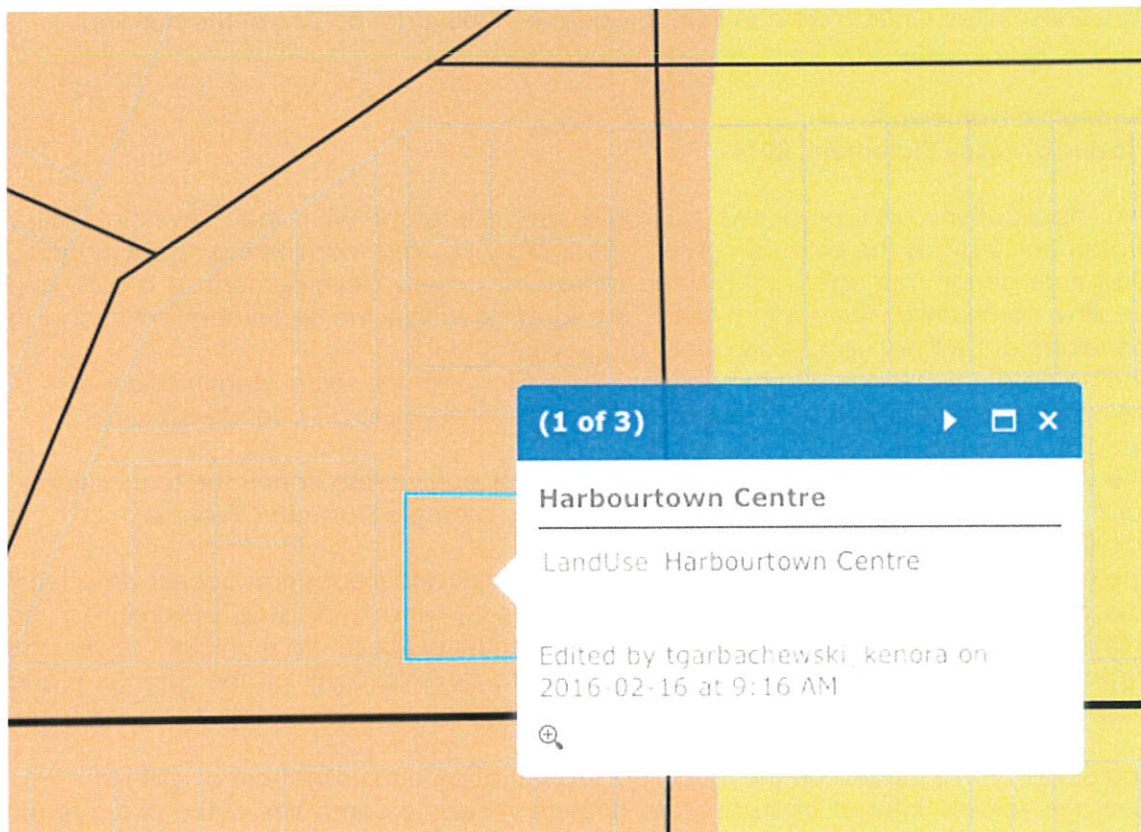


Figure 4 – Official Plan designation

The subject property is located less than 300 m from the CPR main line, however there are other sensitive uses located between the lands and the rail line. The policies regarding development/re-development in proximity to the rail line do not apply, per pre-consultation with the City Planner.

The use of an emergency shelter is to house people on a short-term basis; the Official Plan density policies do not apply, per pre-consultation with the City Planner.

#### **Access**

The property is located on the corner of Second Street South, an arterial road, and Fifth Avenue South, a local road. There is a laneway running the length of the property, (north/south) to the west. The functionality of the streets and laneway will not be negatively affected. There are no driveway access points.

### Land Use Compatibility

The existing neighbourhood is a mixture of densities and uses; single family and multi-family (apartment) units, with some institutional and commercial uses, in close proximity. The use of the Church will be similar in nature to current and past uses; Agape Table, community events, etc. The mass of the existing building will not change. The re-use of the historical structure and lands is not a significant change to the neighbourhood such as a major retail or other commercial development.

### City of Kenora Zoning By-law No. 101-2015, as amended

The KDSB, and its partners, to amend Kenora Zoning By-law No 101-2015, as amended, by adding an emergency shelter use to the existing permitted uses in the current I-Institutional zoning regulations. The permitted uses in the I-Institutional zone include emergency services, group homes, hospitals, continuum of care facilities and retirement homes. The use of either a retirement home or continuum of care facility are similar in nature to an emergency shelter in that they provide some form of shelter, food, resource centre and laundry facilities, in addition to supportive resources on site.

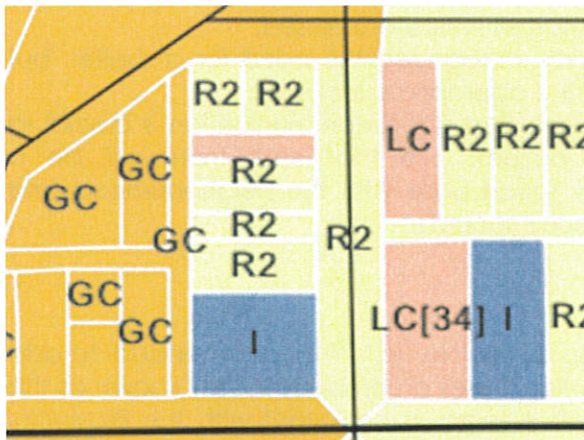


Figure 5 – Zoning and surrounding zoning

### Parking

Per section 3.23.7 of the zoning by-law, on-site parking is not required as there is currently no on-site parking and there is no expansion of the building's gross floor area.

### Site plan

The KDSB will enter into a site plan agreement, if required by the Council of the City of Kenora.

### Knox United Church Congregation

The congregation and/or its Executive Committee have been partners in the initial process of this project.

Henry Wall, CEO of the Kenora District Services Board, met with the Congregation on 29 October 2017 and described the project, including outlining programming. There were several questions, but for the most part, they had to do with the internal renovations required in the Church.

Out of that presentation and discussions, there was a positive tone from the approximately 75 members of the Congregation present, to the Executive Committee, to

discuss and vote on the development of an application for zoning bylaw amendment going forward to City Council.

### **Public Input/Consultation**

Further consultation with neighbours to be carried out by Communication Team from Knox United Church, KDSB and Ne'Chee Friendship Centre.

Kenora Planning Advisory Committee meeting – 19 December 2017

Statutory Public Meeting – 9 January 2018

### **Neighbourhood Consultation**

In July of 2017, some members of the Knox Church approached 16 neighbours and invited them to a meet to discuss the proposal to house the emergency shelter, Knox's approval for KDSB to commission a feasibility study (to determine engineering/architectural requirements). Generally, the neighbours appreciated being consulted, and were supportive of the shelter/hub project. Comments were received with respect to experiences by neighbours during the temporary location of the shelter in the Church, in 2016. Garbage/litter and loitering were the chief issues identified. Neighbours would like assurance that these matters will be addressed.

Two businesses, which neighbour the property, recognized the need for a shelter, but expressed that the Knox Church may not be the appropriate location.

\*\* The KDSB and Knox United Church recognize that good communication is crucial to community support and success of this project. To that end, there will be a neighbourhood liaison assigned to regularly touch base with the neighbourhood and problem-solve solutions, etc. to ensure continued success.

### **Conclusion**

The amendment of the City of Kenora Zoning By-law No. 101-2015, as amended, to add an emergency shelter as a use to the I-Institutional uses on property locally known as the Knox United Church, 116 Fifth Avenue South Kenora, is consistent with the Provincial Policy Statement 2014, and conforms with Council's policies within the City of Kenora Official Plan, 2015. This is appropriate development and in the public interest.

Respectfully submitted by Tara Rickaby, CAPT, TMER Consulting Kenora on behalf of the Kenora District Services Board



**Corporation of the City Of Kenora**  
**Notice of Complete Application and Public Meeting for a**  
**Zoning By-law Amendment, File Number D14-17-06**  
Planning Act, R.S.O 1990, c.P13, s. 34

**Take Notice** that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting, under Section 34 of the *Planning Act*, to consider a Zoning By-law Amendment as it pertains to Zoning By-law No. 101-2015, at the following time and location:

**Statutory  
Public Meeting**

When: Tuesday, January 9<sup>th</sup>, 2018 at 12:30 p.m.  
Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application at their regular meeting on January 16<sup>th</sup>, 2018.

You are also invited to attend The Kenora Planning Advisory Committee (PAC) regular meeting, who hears applications and considers recommendations to Council, commencing at the following time and location:

**PAC Meeting**

When: December 19<sup>th</sup>, 2017 at 7:00 p.m.  
Location: Training Room, Operations Centre  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON

**Purpose and Effect:** Whereas the Institutional Zone does not currently allow for the use of an Emergency Shelter, approval of the application would allow for the use within a portion of the building, in addition to other uses permitted in the zone, as a site specific provision.

**Location of Property:** 116 Fifth Avenue South, known as "Knox Church". Refer to the map aside.

**Other Applications:** at this time it is not anticipated that any other applications will be submitted for the subject location.

**Public Meeting:** Input on the proposed amendment is encouraged. You can provide input by speaking at this meeting and you are not required to register in advance to speak. You may also provide your comments in writing. If you are aware of any person interested in or affected by the application who has not received a copy of this notice you are requested to inform that person of this meeting.



**If possible, written submissions are requested to be made before December 13<sup>th</sup>, 2017 and directed to:**  
Ms. Devon McCloskey, City Planner  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON P9N 3X2  
Email: dmccloskey@kenora.ca

**Failure To Make Oral Or Written Submission:** If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the City of Kenora before the by-law is passed:

- a) the person or public body is not entitled to appeal the decision of the Council of The Corporation of the City of Kenora to the Ontario Municipal Board.
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Appeal of a decision of the Municipality in respect of this amendment to the Zoning By-Law may be made by any person or public body not later than 20 days after notice of the decision is given.

**Notice Of Decision:** If you wish to be notified of the decision of the Council of The Corporation of the City of Kenora in respect of the application for Zoning By-Law Amendment, you must make a written request to Heather Kasprick, Clerk of The Corporation of the City of Kenora at 1 Main Street South, Kenora, ON P9N 3X2

**Additional Information** is available during regular office hours at the Operations Centre. Please contact Devon McCloskey, City Planner, if you require more information: Tel: 807-467-2059 or Email: dmccloskey@kenora.ca

*Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.*

Dated at the City of Kenora this 7<sup>th</sup> day of December, 2017