



PROCEEDINGS
for a Public Meeting
to discuss a Proposed Zoning By-law Amendment
**(Re: D14-17-07 Property located adjacent to Dowcett Street,
Veterans Drive and Sultana Avenue)**
Tuesday, January 9, 2018
12:00 p.m.

PRESENT: Mayor D. Canfield
Councillor M. Goss
Councillor R. McMillan
Councillor D. Reynard
Councillor L. Roussin
Councillor S. Smith
Councillor C. Wasacase

Staff: Karen Brown, CAO
Heather Kasprick, City Clerk
Matt Boscariol, Manager of Community & Development Services
Devon McCloskey, City Planner

Mayor Canfield opened the meeting and stated that the public meeting is being held by the Council of the City of Kenora in accordance with Section 34 of the Planning Act to consider an amendment to the City of Kenora Comprehensive Zoning By-law No. 101-2015, as amended.

The Chair advised that 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. It was advised that if anyone wishes to receive the Notice of the Decision of Council, they are to leave their 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.

The applicant declined presentation.

Devon McCloskey, City Planner presented the planning report for the zoning amendment application:

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

The property is located in the area of Dowcett Street, Veterans Drive, and Sultana Avenue, and described as the remainder of Lots 1 to 4 on Plan M106, Kenora.

To rezone property in order to allow for residential uses permitted in the R3 zone, such as three or four multiple attached dwelling units, 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."

h)

The units would be constructed as one whole building on the property. The sketch provides a general idea of how the building would be positioned on the lot, as being turned out to face Veterans Drive to capture southwest exposure. Driveway access would be provided off of Veterans Drive. The lot line along Dowsett Street would then become an exterior side lot line, as well as the lot line to the east which would abut the laneway (Sultana Avenue).

These matters will be fully reviewed with submission of a complete application for site plan approval, if more than three (3) units are proposed.

Existing Conditions

The property is abutting Dowcett Street, Veterans Drive and Sultana Avenue, which is unopened and has a hydro distribution line running north – south along the east side of it. The subject lot is vacant and no previous use is known. A drainage ditch is existing along the east side of Sultana Avenue, which carries water from lands north of the property. Contours of the property show that some of the property may currently be susceptible to inundation of overland drainage.

A site visit was conducted on August 28th, 2017 and again on December 7th, 2017, where I attended the property to view the vacant lot and surrounding lands. The property is treed with Alders and Manitoba Maples.

Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (2014)

The application is consistent with several policies of the PPS, including the following:

- 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 below 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 3 or 4 units on a lot 0.1123 hectares in size, qualifies as Medium Density at 26 or 35 units per hectare.

c) Zoning By-law No. 101-2015

The subject property is currently zoned 'R2' Residential – Second Density Zone. Multiple attached units 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 multiple attached dwellings, a triplex or other use permitted in the zone. All other regulations and requirements of the zoning by-law would be met for the lot dimensions, if upon finalization of the site plan it is determined that a minor variance is required for relief of side yard setbacks, it may be proposed. The development as indicated would also be subject to site plan approval if more than 3 units are proposed. Parking would be provided in accordance with the Zoning By-law including parking for residents and visitors.

Results of Interdepartmental and Agency Circulation

Departments and Agencies Circulated	Comments Received
Building Department	For clarification; will this be a 3 or 4 unit townhouse? The site plan page 23 indicates 3 units yet the introduction in the Planning Rational (page 2) indicates 4 units. It should be noted that Site Plan Control doesn't apply to residential development under 4 units – December 11/17
Roads Department	The subject land, especially the south portion of the land acts as a basin for the runoff water that flows from Tenth Street N down the hill. There are catch basins and storm lines at the south side of the property that direct water towards the lake across Veteran's drive. Any development on this property should be accompanied with a suitable drainage plan in consultation with the City of Kenora – December 14/17
Water & Wastewater Department	As per the records this lot has not been serviced, available water and sewer mains are with 38 mm and 150 mm sizes. Applicant is advised to judge on the adequate water quantity before making any decision – November 11/17
Kenora Hydro	Upon approval of this amendment any request for electrical service to this location will require a new feed from the existing pole line on the eastside of the property and this supply will be determined by the specific details of approved completed drawings and electrical specifications. Characteristics for any new connections will be determined and detailed in an OFFER TO CONNECT between the applicant and Kenora Hydro – December 5/17
Kenora Fire & Emergency Services	Kenora Fire has no issues with change of zoning for this location. April 7/17
Northwestern Health Unit	Thank you for the opportunity to comment on the proposal that is proposed to be on municipal services. The Northwestern Health Unit has no objections to the proposal – December 11/17

Public Comments

A public meeting is scheduled to be held by Council on January 9th, 2018. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on December 7th to property owners within 120 metres, published in the Municipal Memo of the Newspaper on December 7th, and circulated to persons and public bodies as legislated. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments.

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 19th, 2017. It was described that if new information or comments were provided at either January 9, 2018

the PAC or Council meetings, such information may affect the outcome my professional planning opinion and the recommendation as presented herein.

The applicant provided a description of the proposal and answered questions of the PAC. There was a neighbour in attendance who enquired about the potential for the proposal to impact the use of her property and use of an abutting City owned lot for parking her car.

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.

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

Mayor Canfield questioned if there was anyone who wished to speak in favour of the amendment?

There were none.

Mayor Canfield questioned if there was anyone who wished to speak in opposition of the amendment?

There were none.

Mayor Canfield asked if there were any questions.

Councillor Smith referenced an entrance permit from the City and if there was any concerns with safety from the roads department.

Councillor Reynard questioned if Dowsett Street would need to be opened. City Planner, Devon McCloskey noted that the property doesn't currently have services and that the developer would be responsible for developing the access. There is an entrance permit required should they wish to come off Veteran's Drive and the Planning department would address that at the time. The application is only about the zoning at this point, so there is still the opportunity for development design to go forward.

As there are no further questions, Mayor Canfield declared this public meeting closed at 12:15 p.m.