



A G E N D A

for a Public Meeting
to discuss a Proposed Zoning By-law Amendment
**(Re: D14-18-06 Area of Pine Portage Road, being whole lots, part lots,
lanes, and roads on Plan M-63)**
Thursday, October 25, 2018
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 the Local Planning Appeal Tribunal 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, and may not be added as a party unless, in the opinion of the Tribunal there are reasonable grounds to do so. A notice of appeal can be filed with the City Clerk with the Tribunal's required fee of \$300.00.

An appeal may only be made on the basis that the bylaw is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan.

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.



Revised Notice

Complete Application and Public Meeting for a Zoning By-law Amendment, File Number D14-18-06

Planning Act, R.S.O 1990, c.P13, s. 34

Application D14-18-06 has been revised to exclude part of the property subject to rezoning. Please refer to the map below.

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

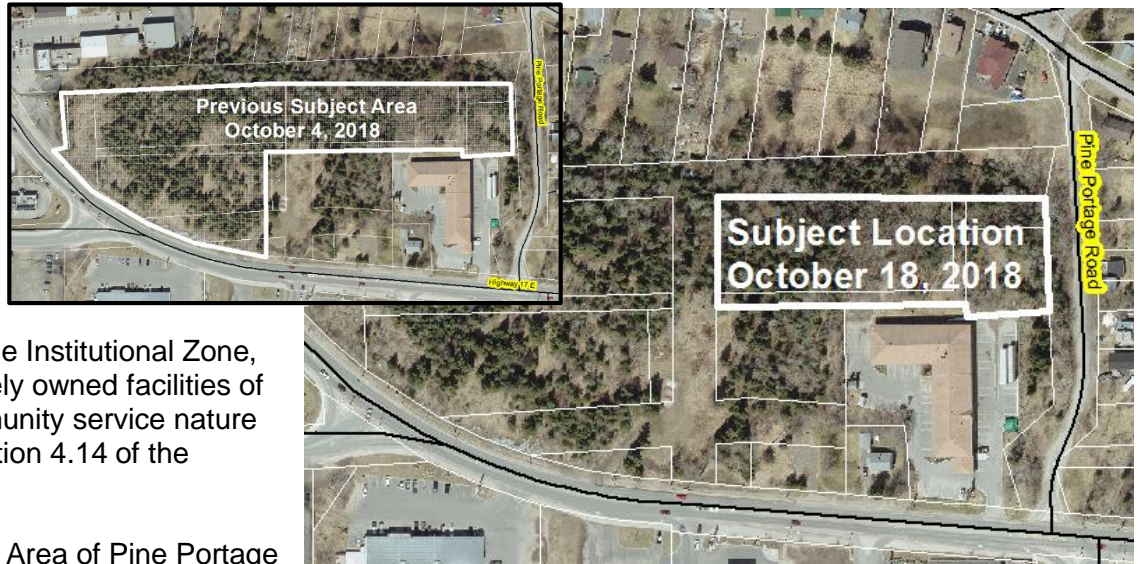
When: Thursday, October 25th, 2018 at 12:00 p.m.

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 on Wednesday, October 31st, 2018 at 12:00 p.m.

Purpose and Effect:

to change the zoning of the subject property being approximately 0.8 ha in size from Highway Commercial (HC) to Institutional (I) to allow for development of those uses permitted within the Institutional Zone, being public and privately owned facilities of an institutional or community service nature in accordance with Section 4.14 of the Zoning By-law.



Location of Property: Area of Pine Portage Road, being whole lots, part lots, lanes, and roads on Plan M-63. Refer to the map aside.

Other Applications: the property may also become the subject of an application for site plan approval and lot creation. The City has also received an application to purchase the subject property.

Public Meeting: Input on the proposed amendment is encouraged. You can provide input by speaking at the PAC or Statutory Public Meeting, and you are not required to register in advance to speak. You may also provide your comments in writing to the City Planner at the address below. 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.

Ms. Devon McCloskey, City Planner
60 Fourteenth Street North, 2nd 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:

- 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.
- 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 18th day of October, 2018

October 23rd, 2018

Staff Report

To: Mayor & Council

Fr: Devon McCloskey, City Planner

File No.: D14-18-06

Re: Application for Zoning By-law Amendment

Location: Area of Pine Portage Road

Applicant: Adam Smith, City of Kenora

1. Introduction

An application has been received to change the regulated zoning of property located in the area of Pine Portage Road and Hwy 17E, being whole lots, part lots, and lanes on Plan M-63.



Figure 1 (above) - Aerial sketch displaying proposed property location

2. Description of Proposal

To change the zoning of the subject property being approximately 0.8 ha in size from Highway Commercial (HC) to Institutional (I) to allow for development of those uses permitted within the Institutional Zone, being public and privately owned facilities of an institutional or community service nature in accordance with Section 4.14 of the Zoning By-law, in particular a continuum care facility.

On October 18th, the proposal was revised to exclude an area of land 1.6 ha in size and located west of the current location, which was previously included as part of the subject application for rezoning. Refer to the drawing below which displays the previous application location.



Figure 2 (above) – Aerial sketch displaying previous subject area

3. Existing Conditions

Proposal area

The property is situated adjacent to Pine Portage Road, 95 metres north of the intersection at Hwy 17 E. It is undeveloped but treed with a mixed wood stand of poplar, cedar, spruce, and green ash. A lot of waste associated with hangouts and partying (alcohol bottles, fast food containers, injection debris), as well as camping was observed on the property (campfire pits, tents, bedding and clothing).

The terrain is rugged with outcropping bedrock and shallow soils. The location is part of a larger holding of City owned land, originally surveyed as a plan of residential subdivision, M63. The property is hilly, it rises in the middle and slopes away at all sides. The north side of the property slopes down to a natural draining area that runs east to west. The south side of the proposal area, would abut private commercial property (The Comfort Inn).

Remainder lands

Property located to the west is also surveyed as lots and roads on plan M63, it is vacant and treed with outcropping bedrock. An appraisal is underway to determine the value of lands suitable for Highway Commercial Development. Refer to Figure 3 below which identifies potential areas for future development.

Lands further to the west along the south side (Part 1), forms a sort of raw bedrock wall to which the Hwy wraps around. Access to this area is prevented due to steep rock, which extends several metres higher from Hwy 17, and may not be suitable for commercial development given challenges due to access.

An existing curb cut on Hwy 17 East currently provides access to a cleared area and a small privately owned lot. This point of access is not adequate for intensified use without substantial upgrades to the approach, blasting and some matter of traffic control. The extent of the development along this stretch of road also includes several driveway entrances, and a three way traffic light which contributes to challenges with terrain.



Figure 3 – Areas for appraisal and future development

Property to the eastside (Part 3), also contains outcropping rock and slope, but there is a section which could accommodate access for a driveway, and this property has been identified as having potential for new Highway Commercial Development.

4. Neighbouring Area

Property north and east of the proposal location is developed and zoned for serviced residential use. Lands to the west and south are developed and zoned for Highway Commercial Use.

5. Site Visit

On August 13th I attended the subject location to view existing conditions. On September 6th, I attended that property again along with an interested developer, and their architects. The photos herein are intended to provide an indication of the terrain, views and current use.



Photo 1 – Eastside of the property looking south



Photo 2 – East side of the property looking north

Photo 3 – Northeast side of the property looking south



Photo 6 – Northside of the property garbage



Photo 7 – Campfire debris



Photo 8 – Unlawful camping



6. Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (PPS) 2014

As noted within the applicant's planning rationale, the proposed development would be consistent with those policies that promote retention and protection of employment lands and economic development, as well as provide for an appropriate mix and range to meet long term needs (PL 1.3). The development is compatible with existing land uses, and adequately separated from sensitive land uses (PL 1.2.6.1). Encourage compact development, and locating public service facilities to promote cost-effectiveness and facilitate service integration, access to active transportation and transit. Policy 1.3 also extends responsibility to planning authorities to permit and facilitate all forms of housing including those to support social and health needs.

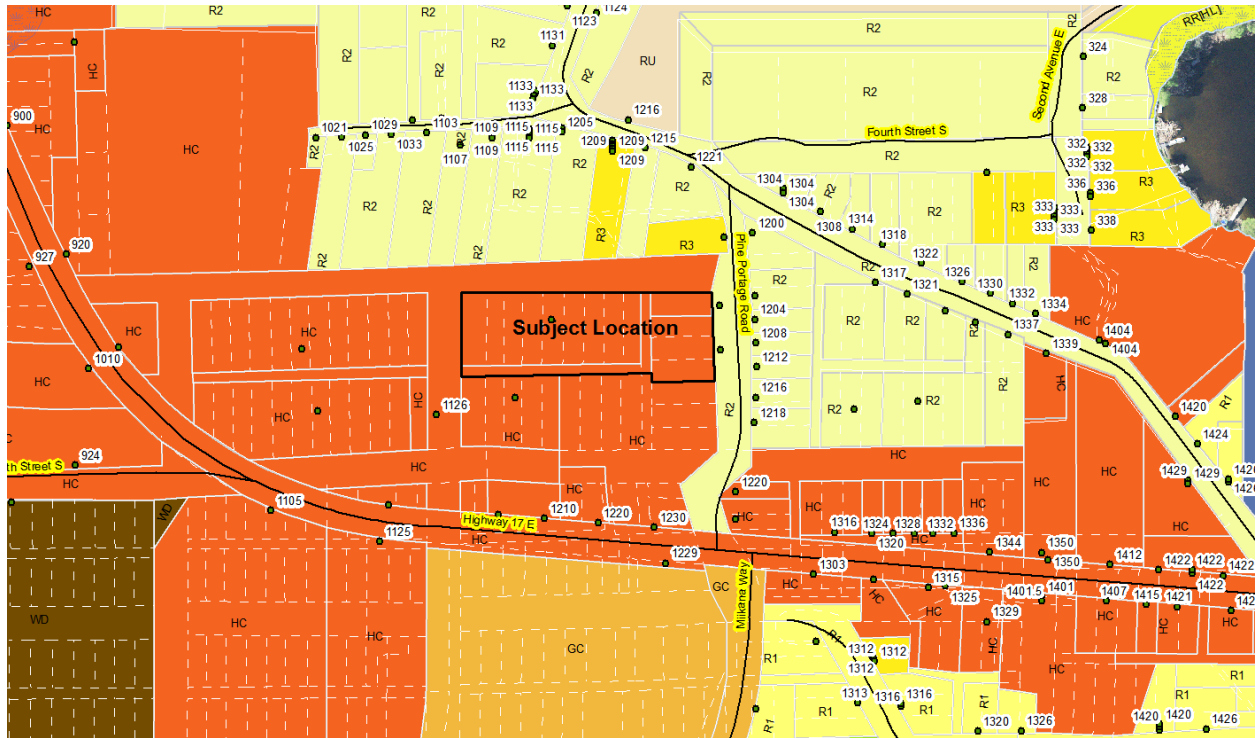
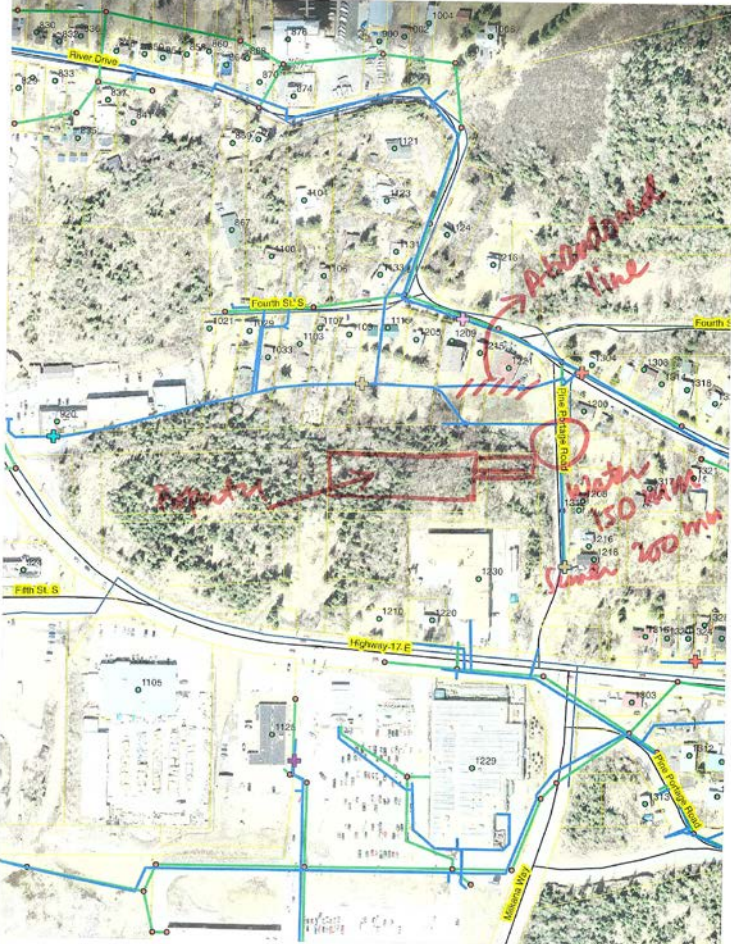


Figure 5 - Zoning By-law Mapping

Zoning of the property is currently Highway Commercial (HC), and it is subject to the regulations of Section 4.8. This zone allows for large commercial and retail developments to meet the needs of the travelling public including hotels, restaurants, and service stations. Uses that would require direct access to the road.

6. Results of Interdepartmental and Agency Circulation

Operations Department	
Engineering Department	Provided early comments related to points of access proposed at Pine Portage Road and reviewed along Hwy 17E.
Building Department	The Building Department has no comment at this stage of the development – October 4, 2018
Kenora Fire	The only concerns at this time is the one access road into the building. The parking area should have enough area to turn our largest fire apparatus around. The turning radius for fire department access is addressed in the Building Code and should be addressed by the architects or engineers - October 9, 2018
Roads Department	No comments received
Kenora Hydro	No concerns – October 9, 2018

Environmental Services	The environmental services has no concerns – October 9, 2018
Water and Wastewater	<p>Services are available and can be extended to service the development.</p> <p>The sketch below provides an illustration of the possible location for services to be extended from for development of the eastside of the property. Future development on the west side of the property would require further evaluation but would most likely be extended from the west side of the property.</p> 

7. Public Comments

A public meeting is scheduled to be held by Council on October 25th, 2018. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on October 4th, 2018 to property owners within 120 metres, published in the Municipal Memo of the Newspaper on October 4th, and circulated to persons and public bodies as legislated.

Following the Planning Advisory Committee (PAC) meeting, the application and notice were revised and circulated again to property owners and agencies on October 18th. Together with staff, Council will have the opportunity to evaluate the proposal in lieu of public comments.

8. Planning Advisory Committee

The notice also stated that the Planning Advisory Committee (PAC) would have the opportunity to consider recommendation of the application to Council at their meeting on October 16th, 2018.

The applicants (Adam Smith and Megan Dokuchie, on behalf of Development Services for the City of Kenora), presented the application to the Committee. Ben Reynolds from the Kenora District Services Board (KDSB), spoke in support of the application for the development of a Continuum Care Facility. There would be 24 hour comprehensive on-site services and supports, and assistance to individuals who are involved in the justice system.

The PAC asked questions and discussed the application. The full set of draft minutes is attached to this report for Council's information, (refer to pages 6 to 12). The PAC was presented with a resolution for recommendation of the application for rezoning to Council, but the committee was split and the resolution was not carried.

As of the date of this report (October 23rd, 2018). Six (6) requests to review the application, and two (2) written public submissions have been received, refer to the attachments for a redacted copy of the written comments received.

Comments can be summarized as expressing concern with development generally, whereas the property is currently vacant and forested, change of property valuation, drainage impacts to residential lots at the north, increased pedestrian and vehicle traffic, increased illumination, and the location not being suitable for institutional use.

9. Evaluation

After the PAC meeting, the application was revised to accommodate some of the concern that was expressed with not having received a development proposal for the use of the property to the west, and comments that the application may be premature.

Although some investigation for development of the City property located to the southwest was undertaken about 10 years ago, little interest for development of Highway Commercial (HC) use has been made overall. The subject location is removed from the larger area, it is limited in size by developed properties to the north and south. The area of the current proposal is setback over 90 metres from the Hwy, and is not contiguous with other property to the south.

Highway Commercial development at this location is intended to have direct road access to Hwy 17; however, given that the span of the property frontage west to east, it is constrained with steep slopes and outcropping bedrock. Driveway access

into the property is extremely limited due to sightlines along the corner of the highway and slope of the initial approach. In order to accommodate the potential for future development and a possible resubmission of an application for rezoning. It is recommended that a Sale and Purchase Agreement, is made conditional upon the receipt of an easement for access to the west side of the property from Pine Portage Road.

Access is the primary constraint for the development of the property. A feasible and safe approach has been identified at the Pine Portage Road location. Again, this location would be suitable to provide access for further institutional development to the west, via a private road or possibly an easement.

This driveway access will be narrow, due to challenges with terrain and limited area to allow for both driveway access, accommodation of a building, and parking area. Therefore given the property shape, dimensions, and terrain, highway commercial forms of use and development are extremely limited for the subject property as well as for lands to the west.

The city has also received an application for request to purchase property located adjacent to Pine Portage Road, and the organization (Kenora District Services Board) may be interested to obtain additional lands being the extent of property located west and indicated as part of the proposal for zoning by-law amendment.

If approved, the subject application would enable development for those uses permitted in the Institutional Zone, which include public service uses, and at this time a Continuum Care Facility is being proposed.

Prior to development and an application for a building permit, approval of an application for site plan would be required, to review facilities associated with grading, and lighting, as well as the location of driveways, buildings, parking stalls and so on.

Budget: Application fees waived in support of the provision for a new public service facility.

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 professional planning opinion, that the Application for Zoning By-law Amendment, File No. D14-18-06, should be approved; to change the Zoning of the subject property being a 0.8 ha area of land accessed from Pine Portage Road, which includes lots and lanes on Plan M63, described as PINs 42168-0228, 42168-0144, 42168-0145, 42168-0227, and 42168-0146; from Highway Commercial (HC) to Institutional (I), in lieu of public comments that may yet to be received.



Devon McCloskey, RPP, MCIP
City Planner

Attachments

- Complete Application for Zoning By-law Amendment and Planning Rationale
- Applicant's Supplemental Report
- Revised Notice of Application and Public Meeting
- Draft PAC Meeting Minutes
- PAC Resolution
- Redacted Public Comments
- KDSB, KCA and Ne-Chee Friendship Centre door-to-door consultation notes

Kenora Continuum of Care Facility Community Consultation October 23, 2018

The Kenora District Services Board (KDSB), in partnership with Kenora Chiefs Advisory (KCA) and Ne-Chee Friendship Centre, has made an application to the City of Kenora to purchase property off of Pine Portage Road, north of the Comfort Inn with the intention of developing a Continuum of Care Facility.

The proposed facility will consist of 24 units and provide housing with 24/7 comprehensive on-site services and supports in order to create positive outcomes for individuals who are residents of the facility. A key deliverable of the facility will be to assist individuals who are involved in the justice system.

The KDSB, KCA, and Ne-Chee Friendship Centre are committed to understanding and addressing the feedback and concerns of the neighbourhood in regards to this facility being developed.

Your property and/or home is located in proximity to the proposed Continuum of Care Facility site. We want to be sure that you have the ongoing opportunity to have your questions answered, share concerns, and receive information regarding the status of this project. By providing your input, you will aid the KDSB, KCA, and Ne-Chee Friendship Centre in strengthening the neighbourhood as we work through the building and development process together.

What are the benefits of a Continuum of Care Facility Site?

The intake process focuses on proven indicators of risk and need, utilizing best practice tools to look at all areas of life holistically to help and support individual goals that move towards total balance. This facility will have strict eligibility criteria that will allow a resident to be considered for occupancy.

The facility will be staffed with on-site supervision, Case Managers, Food Service Staff and many other partner supports.

What services will Case Managers provide?

Residents will be matched with a Case Manager who will work one on one with the resident to develop collaborative goals and help them maintain housing.

This may include:

- Assistance making and attending appointments
- Life Skills Training
- Job Readiness
- Mental Health supports/referrals
- Relapse Prevention
- Legal Support
- And More!

What are the Key Outcomes of a Continuum of Care Facility in Kenora?

For the Resident:

- Stabilized and improved health and wellness
- Access to appropriate and timely services like Mental Health and Addiction supports
- Access to continuing education
- Increased opportunity for employment
- Increased control in life

For the Community:

- Increased support and supervision for residents
- Increased safe and affordable housing options
- Accessible on-site service options
- Safer community outcomes
- Increased input of the community



If you have any questions about this proposed project or would like additional information, please contact:

Tanis Breed
Housing Services Supervisor - Kenora
Kenora District Services Board
Tel: 807-468-5372 ext. 228 Fax: 807-468-2828
Email: tbreed@kdsb.on.ca