



for a Public Meeting
to discuss a Proposed Zoning By-law Amendment &
Official Plan Amendment
(Re: D09-19-02 & D14-19-07 – 66 Cambrian Drive Bed & Bale)
Tuesday, July 9, 2019
12:00 p.m.

Present: Mayor D. Reynard, Councillor M. Goss, Councillor R. McMillan, Councillor A. Poirier, Councillor K. Ralko, Councillor S. Smith, Councillor C. Van Walleggem

Staff: Karen Brown, CAO, Heather Pihulak, City Clerk, Devon McCloskey, City Planner, Adam Smith, Development Services Strategist

Mayor Reynard opened the meeting and declared the purpose of public meetings is to present planning applications in a public forum as required by The Planning Act. Following presentations by the applicant and our City Planner, any Council members will be afforded an opportunity to speak and at that time, the meeting will then be opened to the public for comments and questions. The public is encouraged to read the City Planner's planning report in advance of the public meeting which may clarify questions in advance of the public meeting. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

Personal information collected as a result of this public hearing and on the forms provided at the meeting are collected under the authority of the Planning Act and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to the City Clerk.

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.

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 to an applicable official plan.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion. 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 wishes to receive the Notice of the Decision of Council, please leave your name and address with the City Planner.

Applicant, Laura and Dave Loohuizen presented their application considerations.

The applications for an Official Plan Amendment and Zoning Bylaw Amendment to add 'campground' and 'resort' as permitted uses to the rural zoning.

They plan to open Kenora Bed 'n' Bale RV Park and Horse Motel at 66 Cambrian Drive. The planning report and rationale are quite thorough and the rural zoning they currently have is well-suited to their personal use as a small farm, and their plans to resurrect the old campground with a country twist. They are starting with 12 serviced campsites plus portable horse corrals. They are planning to establish more campsites and cabins in future phases. The property exceeds the minimum size, and has access from the northern spur of Cambrian Drive, which is exclusively used and maintained by the Loohuizen's. Their plans all fit with the rural zoning and Provincial Property Statement 2014 vision. Section 1.1.5.3 states that "recreational, tourism and other economic opportunities should be promoted."

Government agencies - MNRF, MECP, OMAFRA, and NWHU - have no concerns due to their ecologically sound plans for using and diversifying the area. They only require a zoning amendment to allow the additional commercial uses, i.e. campground and resort, which was previously enjoyed in that very spot in the 1900s, and is permitted in the rural designation.

The City of Kenora Zoning By-Law 4.12.2 includes the following permitted uses in Rural zoning: agriculture use; equestrian establishment; home occupation; interpretive centre; open storage; outdoor recreation facility; mobile home; modular home; seasonal dwelling; single-detached dwelling; sleep cabin, among other uses. Zoning By-Law 4.8.5 includes 'campground' and 'resort' i.e. cabins as permitted uses in a Tourist Recreational Zone.

Section 4.8.4 of the Official Plan, states at paragraphs b) and c):

b) Rural commercial uses permitted shall be restricted to those which serve the needs of the rural economy. General examples of such uses include but are not limited to: small convenience stores, farm machinery sales and service outlets, bed and breakfast establishments, farm vacation establishments, animal shelters, kennels and riding stables.

c) Tourist commercial uses may be permitted in the Rural Area designation and shall include

the full range of commercial facilities that principally serve the tourist trade. Such uses as lodging facilities, campgrounds and resorts, recreation facilities, bed and breakfast establishments, farm vacation establishments, golf courses, parks and facilities related to boat traffic such as marinas, docks and other services.

Developing a residential subdivision there is financially unfeasible and would destroy the diverse forest and rock features that we actively preserve and promote.

In the 12 years they have owned the property, they have developed it to increase its market value from \$48,000 to \$400,000, which has a positive effect on neighbouring property values. They have neighbours support, as their proposed development leaves the lightest footprint for that size of parcel. They are reviving and revitalizing a property that had become a dangerous, out-of-control party spot, a garbage dump, and was regularly on fire. They are forging into the emerging eco-friendly agri-tourism market which will benefit the neighbourhood, local businesses and the City of Kenora.

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

The application is to change the Official Plan Designation from "Residential development Area" to "Rural Area". The proposed site specific amendment to the zoning by-law would then be consistent with the Official Plan Designation.

The purpose and effect of the Zoning By-law Amendment is to add site specific permitted uses under the RU zone provisions, including campground and resort. This will enable use of the property as a small farm and campground, offering people travelling with horses short term accommodation, and the potential for summer & year-round cabins in a future phase of development, not exceeding 25% of the property.

A site visit was completed on June 12th, to view existing and proposed development.

a) Provincial Policy Statement (PPS) 2014

Given the rugged terrain of the subject property and impeding bedrock, servicing lots for residential use is not feasible. The applicants estimated the cost to be \$75,000 per lot. As such the applications are proposing to change the designation and zoning of the property to allow for expanded rural uses.

The proposal is consistent with policies of the PPS including the following:

- Policy 1.1.1 d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;

The proposal would not preclude development of available lands for development which area located north of the subject property. Lands to the west are impacted with contamination and already not available for development. The property would not be suitable for subdivision or intensification for sensitive use.

The following policies apply to rural lands, and are applicable to the subject applications, which propose an economic opportunity being a small scale commercial and recreational use.

- Policy 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.
- Policy 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
- Policy 1.1.5.5 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

Section 2.2.1 Principle 1 – Sustainable development of the OP states that Kenora shall promote sustainable development to enhance the quality of life for present and future generations.

The subject proposal is being made to allow for a small scale commercial use on an existing lot. Development of the subject location is limited given proximity to lands designated Waste Disposal.

Objectives under Principle 1 include:

- To support infill and intensification in built-up areas where services exist.

The subject location is not conducive to residential development. The terrain is laden with outcropping bedrock, and shallow soils.

As described by the property owner, the designation of “RD” is not realistic given challenging terrain for development.

The proposed use for a small farm and campsites would be compatible with adjacent residential uses.

Principle 5 – Tourist Destination, objectives include to support the development of the heritage sector, and cultural heritage resources. This proposal would attract tourism from outside and into the community as well as, from the inside, since the applicants have opened their doors for school education trips, as well as for indigenous celebrations, and further expansion and promotion is planned.

Section 4.8.4 provides policy for small uses in the rural area, including several that are relevant to the subject applications:

a) Small-scale commercial and industrial uses that meet the needs of the rural community may be permitted by an amendment to the Zoning By-law provided that those uses are compatible with adjacent uses.

b) Rural commercial uses permitted shall be restricted to those which serve the needs of the rural economy. General examples of such uses include but are not limited to: small convenience stores, farm machinery sales and service outlets, bed and breakfast establishments, farm vacation establishments, animal shelters, kennels and riding stables.

c) Tourist commercial uses may be permitted in the Rural Area designation and shall include

the full range of commercial facilities that principally serve the tourist trade. Such uses as lodging facilities, campgrounds and resorts, recreation facilities, bed and breakfast establishments, farm vacation establishments, golf courses, parks and facilities related to boat traffic such as marinas, docks and other services.

This application is in line with those policies.

Current zoning of the property is Rural (RU) which allows for an array of uses including Single-Detached Dwellings, Agricultural Use, Equestrian Establishment, Bed and Breakfast, and Non-Commercial Farm. Home Industry and Home Occupation is permitted.

Neither a campground nor a resort are currently permitted. As such the applicants are proposing to allow for a small campground starting out with 12 campsites for travel trailers and/ or tents, and then more campsites and rental cabin units as part of a future resort.

Kenora Fire had concerns with them to have proper access to the barns and future cabins in the event of a fire.

Public circulation took place on June 6th, 2019 to property owners within 120 metres, and published in the Municipal Memo of the Newspaper on June 6th, 2019 and circulated to persons and public bodies as legislated.

The notice that was circulated, described the application as proposing 12 campsites, and more in a future phase of development, however with the review that was undertaken by the Planning Advisory Committee (PAC), the effect of the application was revised to describe the application as a small campground not to occupy more than 25% of the property.

No public comments have been received and there was no attendance at the Planning Advisory meeting by the public.

The PAC discussed the application, noting that the development is proposed over phases, and that future phases of development would see the incorporation of more campsites, and that the cap of 12 campsites will be a limitation.

The applicants explained that in the first phase 12 campsites are proposed, but future phases will include some additional sites and cabins, not covering more than 25% of the property, citing that ratio from the Home Based Business Section of the Zoning By-law. The committee was favourable to allowing for a small resort and a small campground in addition to permitted uses including a small farm.

Finding land for settlement area expansion is a difficult task, and City may have been working with a previous owner to designate the lands Residential Development. However the property has historically been used for recreational use when it was operating as Houghton Beach Campground until 1970, when there were cabins and campsites.

The property remains to be zoned Rural, and permitted development in accordance with the zoning provisions has already taken place. The applicants are now seeking to diversify economic opportunities on the property for which they reside, which would be compatible with their residential use as well as that of their neighbours.

The inclusion of a campground and resort, to enable the "Bed n' Bale" concept requires approval of both the subject OPA and ZBLA applications. The applicants have spoken with the neighborhood, and undertaken their own circulation. No concerns with the change in land use have been received from the Ministry of Agriculture, or the Ministry of the Environment. City Departments and Agencies and have not raised any concerns that cannot be dealt with through Site Plan Review.

Again, per Section (15) of the City's Site Plan Control Area Designation By-law, applications for Site Plan Approval will enable further evaluation of the physical development of the property. A review of locations for proposed facilities including parking areas, buildings, campsites, and rental unit locations, fire access, and so on can be undertaken.

Recommendation of City Planner:

As the Planner for the City of Kenora, it is my professional planning opinion, that the Applications for Official Plan Amendment and Zoning By-law Amendment, File No. D09-19-02 and D14-19-07, to:

- Change the Official Plan Designation from "Residential development Area" to "Rural Area". The proposed site specific amendment to the zoning by-law would then be consistent with the Official Plan Designation.
- Add site specific permitted uses under the RU zone provisions, including campground and resort. This will enable use of the property as a small farm and small campground, offering people travelling with horses short term accommodation, and the potential for summer & year-round cabins in a future phase of development, not to exceed 25% of the total property area.

Be approved, in lieu of public comments that may yet to be received.

Mayor Reynard noted that any person may express his or her views of the amendment and a record will be kept of all comments.

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

There were none.

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

There were none.

Mayor Reynard asked if Council had any questions.

Councillor Ralko asked if there was a plan to provide access to the property other than through Cambrian Drive, and this was clarified there is not.

Mayor Reynard questioned the Planner if any of the other City departments had any concerns.

City Planner, Devon McCloskey noted that no other City departments had comments other than the Fire department.

Nothing is on City services and it was questioned if they have a plan in place on how they want to develop it. The Northwestern Health Unit is the authority for management of waste water up to 10,000 L per day and will not be surpassing that consumption. The MOE has no concerns. The septic would be pumped out as it is a storage tank. They spent a lot of time developing the property. When building the home, City services was the first choice, but it was over \$200,000 for City Services and have their own drilled well, drilled extra deep to provide extra water volume and the holding tank has room for an additional one.

Mayor Reynard questioned if any members of the public had any questions of the application. There were none.

As there are no further questions, Mayor Reynard declared this public meeting CLOSED at 12:20 p.m.