



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

**Minutes of the
City of Kenora Virtual Planning Advisory Committee
Regular meeting held by way of Zoom Meeting
November 17, 2020
6:00 p.m. (CST)**

Wayne Gauld	Chair
Bev Richards	Member
Tanis McIntosh	Member
John Barr	Member
John McDougall	Member
Robert Kitowski	Member
Ray Pearson	Member
Melissa Shaw	Secretary-Treasurer
Kevan Sumner	City Planner
Adam Smith	Manager Development Services

DELEGATION:

- i. Mr. Wayne Gauld, Chair experienced technical difficulties at the onset of the meeting. Mr. Ray Pearson, Vice Chair stepped in as Acting Chair. The Secretary- Treasurer read the meeting protocol and Mr. Pearson called the meeting to order at 6:08 p.m.
- ii. Additions to the Agenda- there were none.
- iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present.
 - I. File No. D14-20-02- Members Wayne Gauld and Robert Kitowski, r declared conflict as both members were experiencing technical difficulty connecting to the meeting and were unable to fully participate in the application D14-20-02 hearing.
- iv. Adoption of Minutes of previous meeting
 - I. The meeting minutes of September 22, 2020 are approved as amended.
 - II. Recorded meeting:
<https://www.youtube.com/watch?v=Ck9jZSsiSBc&feature=youtu.be>

- v. Correspondence relating to applications before the Committee
 - I. D14-20-02- The Architect on file submitted revised site plan options to determine parking configuration. The Secretary-Treasurer confirmed that each Member was circulated the three (3) site plan options. Comments were received from the Municipal Engineer regarding the newly proposed parking configurations would be read by the City Planner within the presentation of the planning report.
- vi. Consideration of Recommendation to Council, Application for an Amendment to the Zoning By-law 101-2015
 - I. Application for an Amendment to the Zoning By-law File No. D14-20-02

The City Planner presented the planning application to change the zoning of the subject property from "I" Institutional Zone to "R2" Residential – Second Density Zone to allow for conversion of the existing structure on the subject property to a duplex dwelling with an interior secondary dwelling unit. The location is an unaddressed property on River Street. The Planner acknowledged site plans, with optional parking plans that were provided earlier in the day by the Applicant.

The Planner also acknowledged revised plan for the interior layout of the structure with removal of the 'boarding house' definition. The applicants intend to convert the former St. James Anglican Church building to a residential structure. The converted structure is anticipated to be a duplex, with a secondary interior dwelling unit.

The property is located in an otherwise residential area of Keewatin, with all adjacent properties being zoned "R1" Residential – First Density Zone. The commercial area of Keewatin is located approximately one block northeast of the property. The building was formerly used as a place of worship. This is located in a residential area of Keewatin, all the adjacent properties are zoned R1, and this is about a block south west of Ottawa street, previously a place of worship.

The City Planner reviewed consistency with Legislated Policy and City directives, In particular, the proposal to change the zoning from I-Institutional to R2- Residential Second Density would support the provision of a range and mix of housing types and densities which will help meet the demand for new dwelling units in the City of Kenora.

As a result of interdepartmental an agency circulation, Engineering expressed concern that parking may not be achieved, and on street parking would not be permitted. Revised comments were received in regards to the updates plans, concerns remain with the proposed parallel parking; recommending diagonal or perpendicular parking is needed. The Engineer supported parking on the south side of the building, which would mean that the ramp access would be lost.

Given the space on the property The Planner identified no concern that the Developer could come up with some form of parking configuration on the property.

There were no comments received as of November 22, 2020 from the public.

The Planner for the City of Kenora, recommended that the Application for Zoning By-law Amendment, File No. D14-20-03, to change the zoning of the subject property from "I" Institutional Zone to "R2" Residential – Second Density Zone; should be approved, in lieu of public comments that may yet to be received.

The Chair asked the applicant if there was anything to add.

Adrienne Dwan
adrienne@dayspdaughter.com

Adrienne Dwan, Agent introduced herself to the Committee and described her relocation to the City of Kenora as what was supposed to be a seasonal business, has quickly turned into 7.5 years and as a small business owner, she is now looking to invest back into the community.

Ms. Dwan explained that she is looking to purchase the subject property and would be the sole owner and one of the permanent residents of the building. Ms. Dawn provided a brief history of the existing church and the uses that have once occurred on the subject property.

Ms. Dwan described the building as three to four times the size of many buildings on the block, stating that it would be a shame to continue to use this building for storage and let it demolish over time. Ms. Dwan hoped to provide a form of housing to support the current need and to diversify the community.

Ms. Dawn addressed the parking concerns and described a few options that she was considering to accommodate the parking, including the removal of a retaining wall on the west side, and/or access form the south side with the removal of the accessible ramp. Ms. Dwan thanked the Committee.

The Chair asked if there was anyone in the audience who wished to speak in favour of the application.

Nicole Perron
Steve Perron
1102 Superior Street
Representing Mrs. Perron parents

Mrs. Perron posed a question to the Agent, through the Chair. She wondered if the intent for rezone was to support a duplex or if other uses were being considered as well such a boarding house or an emergency shelter?

Adrienne Dwan, Agent responded to the question, confirming that a duplex was being proposed with an independent self-contained suit, being a secondary dwelling

within the basement. Mrs. Dwan confirmed that she would be one of the principle residents of the building and if approved at the December, 2020 meeting of Council, she would proceed with development shortly thereafter.

The Chair asked for anyone online to speak against the application, there were none.

The Chair asked the Committee for questions.

Bev Richards's contemplated surveying a portion of River Street and selling to Mrs. Dwan to solve parking issues. And mitigate access concern.

Mr. John Barr saw no concern with parking on the lot, and felt that there was enough room for parking although the access seems to be the issue.

Tanis McIntosh wished to clarify that the intent of the public meeting was to recommend a change from I-Institutional zone to R2- Residential Second Density and not to discuss parking. Ms. McIntosh supported the conversion to the R2 zone which supports a duplex, and further supported the application based upon consistency with the Keewatin CIP program.

John McDougall, supported the application and encouraged future site plan application to determine parking.

The Chair asked for discussion, there was none.

Moved by: Tanis McIntosh

Seconded by: Bev Richards

RESOLVED THAT the **PLANNING ADVISORY COMMITTEE** recommends that the Council of the Corporation of the City of Kenora approve Application for Zoning By-law Amendment, File No. D14-20-02, unassigned address River Street, Kenora, ON. The purpose of the Zoning By-law Amendment is to change the zoning of the subject property from "I" Institutional Zone to "R2" Residential – Second Density Zone. The effect of approval would allow for the conversion of the existing structure on the property to a duplex dwelling with an interior secondary dwelling unit.

The Committee has made an evaluation of the application upon its merits against the Official Plan, Zoning By-law, and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.

Carried.

Mr. Wayne Gauld entered the meeting at 6:25p.m. and resumed his position as Chair.

- II. Application for an Amendment to the Zoning By-law File No. D14-20-03

The City Planner presented the Planning Application, which requests to change the zoning of the subject property from "RR" Rural Residential Zone to "RR" Rural Residential Zone, Exception [51] to allow for development of a detached secondary dwelling unit on a lot with water frontage and to permit the height of the accessory building in which the secondary dwelling is located to be a minimum of 0.0 meters less than the principal dwelling. Application for amendment to the zoning by-law at the subject property with civic address, 323 Peterson Drive. The applicants intend to build a primary dwelling on the property, and would like to build a detached garage with a secondary one-bedroom apartment on the second storey. The applicants indicate that the addition of this secondary dwelling unit will optimize the use of the property. They indicate that this will allow the resident of the secondary suite of their current residence on Valley Drive to move with them to their new residence.

In review of consistency with legislated policy and City directives, the provision of affordable housing is a key component of the new Provincial Policy Statement, which states that healthy, liveable, and safe communities are sustained, in part, by accommodating an appropriate affordable and market-based range and mix of residential types. The PPS (2020) further states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.

Zoning of the property is currently Rural Residential- RR. The RR zone allows for the development of low density single-detached, seasonal, or permanent housing and compatible uses in a rural setting.

Secondary dwelling units are regulated under section 3.28 of the by-law. Subsection 3.28.1 states that secondary dwellings (interior) and secondary dwellings (detached) are permitted in the R1, R2, and R3 zones. The RR zone is not listed as a zone in which secondary dwellings are permitted. Detached secondary dwellings are further regulated under subsection 3.28.3, which sets out the following rules:

- c) Notwithstanding Section 3.34.1(b), the maximum height of the accessory building in which the secondary dwelling (detached) is located shall be a minimum of 2 metres less than the principal dwelling.
- f) No secondary dwelling (detached) shall be permitted on a lot with water frontage.

The proposed detached secondary dwelling does not comply with 3.28.1, 3.28.3(c) or 3.28.3(f), and therefore this zoning by-law amendment is required to add a site-specific exemption to the zoning of this property if a detached accessory dwelling is to be permitted.

In review of comments received from internal departments and Agency circulation, there were no concerns identified. The Planner did note that this application may set a precedent and encourage other property owners to apply for an amendment, however as the City is currently undertaking a review of the Official Plan and Zoning By-law, we do expect secondary dwelling units to be a focus of that review.

The Planner for the City of Kenora recommended that the Application for Zoning By-law Amendment, File No. D14-20-03, to change the zoning of the subject property from "RR" Rural Residential Zone to "RR" Rural Residential Zone, Exception [51] to allow for development of a detached secondary dwelling unit on a lot with water frontage and to permit the height of the accessory building in which the secondary dwelling is located to be a minimum of 0.0 meters less than the principal dwelling; should be approved, in lieu of public comments that may yet to be received.

The Chair thanked the Planner and asked the applicant if they had anything further to add.

Mr. Lonny Kirkpatrick thanked the Committee and introduced himself and Mrs. Heather Kirkpatrick. In 2004, the applicants went through a similar process to change the zoning on their current home to allow for the development of rental suite within their basement. As the family now looks to transition to Peterson Drive, they are dependent upon that as an income. The Applicant has a tenant whom has been with them for three (3) years, and is like a nanny to their children. This tenant will be occupying the proposed Secondary dwelling.

Mr. Kirkpatrick described the subject property on Peterson Drive, having a high profile. Said profile does not make it practical to have an attached garage, otherwise they would have explored the option of an attached garage and interior secondary dwelling.

The Chair asked if there was anyone who wished to speak in favour of the application, there were none. The Chair asked if there was anyone who wished to speak against the application, there were none.

Chair asked the Committee Members for questions relating to the application.

John McDougall referenced the Zoning By-law, Section 3.28.3 which states that no secondary dwelling should be permitted on a waterfront. Mr. McDougall supported the concept of a detached dwelling but wondered where this might fit with where the Committee sees these types of applications going and how approval of this applicant might fit with others they have heard or may hear in the future. Mr. McDougall had concern with how an approval today may impact the Committee's decisions at a later date.

Kevan Sumner, City Planner identified that within the Official Plan Policy that was adopted in 2015, it is straight forward in its recommendation that secondary

dwelling should be permitted in the rural area. However, when it came into zone regulations they were not included in the Rural or RR zones.

McDougall agreed that the City and the Committee will have to come up with very practical limitations in the future where we don't permit additional residential development because of nuisance or pollution concerns.

John Barr recommend that this application and future applications be looked at on a site specific application and case by case basis.

Ray Pearson had concern allowing potentially two homes on every waterfront site all the way down Peterson Drive. This specific application may suitsy the specific site but in the future we need to look at this provision very closely.

Tanis McIntosh questioned the Planner on the intent of the Zoning By-law provision within Section 3.28.3 which limits secondary development on waterfront properties. With regards to application D14-20-03, there was no concern.

The Committee discusses the provision of secondary dwelling on waterfront Black Sturgeon Lake, Hilly Lake and Lake of the Woods as other examples where they may be permitted. With the increase in housing cost it becomes more and more a factor of affordability to build a residence with a secondary dwelling. The Committee agreed that perhaps in the future, the City should explore individual watersheds and restricting secondary dwellings on certain watershed to that there are clear directive on where a secondary dwelling, waterfront can or cannot be developed.

Robert Kitowski identified that the general intent five years ago during the previous Zoning By-law and Official Plan review was not to allow secondary dwellings on waterfront, however, the intent today is the need for homes. Mr. Kitowski argued that by promoting waterfront secondary dwellings is a two home solution towards a 500 home problem. Although he appreciated the skepticism, he was also curious to understand the intent in 2015 to not allow secondary dwellings on the waterfront.

Tara Rickaby, TMER Consulting
TMERConsultingKenora@outlook.com

Tara Rickaby member of the public whom was participating as a spectator, was asked by the Committee to share some background information as previous Planning Administrator with the City of Kenora. As per Mrs. Rickaby, the intent five (5) years ago was based upon the directives of a different Provincial Policy Statement (PPS 2014) and at that time development was to be directed within the settlement area. Rentals were an issue- people were concerns that residential dwelling would become a commercial Airbnb and thirdly council did not want to see an overuse of waterfront properties.

The Committee had no further discussion.

Moved By: Robert Kitowski

Seconded By: John Barr

RESOLVED THAT the **PLANNING ADVISORY COMMITTEE** recommends that the Council of the Corporation of the City of Kenora approve Application for Zoning By-law Amendment, File No. D14-20-03, civic address 323 Peterson Drive, Kenora, ON. The purpose of the Zoning By-law Amendment is to change the zoning of the subject property from "RR" Rural Residential Zone to "RR" Rural Residential Zone, Exception [51]. The effect of approval would allow for the development of a detached secondary dwelling unit on a lot with water frontage and to permit the height of the accessory building in which the secondary dwelling is located to be a minimum of 0.0 meters less than the principal dwelling.

The Committee has made an evaluation of the application upon its merits against the Official Plan, Zoning By-law, and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.

Carried.

vii. New Business

- OP and ZBL review
 - i. OP and ZBL Review is underway, the consultant, WSP has been working on preparing a background report with the aid of a Technical Advisory Committee. There was a draft report provided to PAC for review.
 - ii. Staff and WSP are putting the finishing touches on an online Open House PowerPoint Presentation and an online Survey which will be live on Kenora.ca Thursday November 19, 2020. Notice with a link will be sent to PAC for participation.
 - iii. In conjunction with presentation there will be a survey that all members of the public PAC included will be encouraged to complete to provide preliminary feedback on some key issues that have been received today and to help inform the drafting of the new OP policies.
 - iv. The project timeline has the drafting proceeding from now into the New Year. Though we are only two months in we are still on schedule to have a new OP adopted approximately one (1) year from now.
- Meeting format December
 - i. Recommend PAC remain virtual

viii. Adjourn

Moved by: John Barr

That the November 17, 2020 Planning Advisory Committee meeting be adjourned at 7:37 p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday November 17, 2020 are approved this 15th Day of December, 2020.

Wayne Gauld

Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer

