



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

Minutes
City of Kenora Virtual Planning Advisory Committee
Regular meeting held by way of Zoom Meeting
September 22, 2020
6:00 p.m. (CST)

Present:

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

Regrets:

Robert Kitowski	Member
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DELEGATION:

- i. Wayne Gauld, Chair called the meeting to order at 5:00 p.m. and reviewed the meeting protocol and housekeeping detailed for those in attendance of the virtual meeting.
- 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- there were none.
- iv. Adoption of Minutes of previous meeting
 - August 18, 2020
Approved as circulated
- v. Correspondence relating to applications before the Committee

- PIN correction on file D13-20-04 vi. Consideration of Application for Minor Variance
- D13-20-04, City View Property

Consideration of Application for Minor Variance D13-20-04 and Application for Consent D10-20-05 were presented concurrently by the Agent.

Randall Seller, Agent
Hook, Seller & Lundin LLP
rseller@hslaw.ca
Laura Wheatley
Hook, Seller and Lundin LLP
lwheatley@hslaw.ca
Lila DeGagne, Agent
David Nelson Architecture
Lila@nelsonarchitecture.com

The City Planner identified a correction to the property identification numbers; consolidated PINS being 42163-0281, 42613-0280 and also PINS 42163-0062, 42613-0262 and 42613-0141.

The City Planner presented the planning report for applications D13-20-04 and D10-20-05. Application for consent proposed to create one new lot. The effect of approval would be to divide the existing 4633 m² property into two separate lots (200 First Street North - 1596 m² and 210 First Street North - 3037 m²). The new lot line is proposed to be closer to the dwelling on 200 First Street North than what is permitted under the "R3" Residential - Third Density Zone, and therefore a variance is required to reduce the minimum required interior side yard setback from 4.0m to 1.71m.

Application for Minor Variance D13-20-04 to increase the maximum height of the dwelling from 10.0m to 10.9m, to allow for the re-development of the dwelling by adding an additional floor to the existing structure.

The application is generally consistent with the policies of the Provincial Policy Statement 2020, which promotes the provision of an appropriate range and mix of housing options to meet local needs, in part, through residential intensification and redevelopment.

The Land Use Designation of the property is Established Area, which provides for an assortment of residential, commercial, existing industrial, and institutional uses.

The proposed new lot is zoned "R3" Residential - Third Density Zone. Apartment dwellings are a permitted use in the R3 zone. Lots containing apartment dwellings in this zone must have a minimum lot frontage of 30m and a minimum lot area of 800 m². Apartment buildings are limited to a maximum building height of 10m, and have a minimum interior side yard requirement of 4m. The minor variance is required

to increase the maximum building height to 10.8 m and to reduce the minimum interior side yard requirement to 1.71m.

The residual lot is zoned "I" Institutional Zone. The existing City View office building is a permitted use in the I zone. The proposed residual lot appears to conform to the Zoning By-law.

As a result of interdepartmental and agency circulation, no concerns were identified.

In an evaluation of the applications the Planner deemed the proposed variances as compatible to the pattern of surrounding community and would not cause adverse impact on neighboring properties. The Planner further recommended the variance be amended to 1.70 m side yard and an 11.0 m height to allow for minor alterations in development. The recommendation is for approval of application for Minor Variance D13-20-04.

If approved, the proposed consent will allow for separate ownership of the two parcels. The variance will allow for new lot to meet the zoning by-law's side yard requirements, and for the future addition of an additional storey to the residential building. The Planner recommended that Application for Consent D10-20-05, PINs 42163-0281 and 46213-0280 be approved and subject to the conditions as outlined within the planning report.

The Chair thanked the Planner and asked the Agent to add anything to the application.

Mr. R. Seller, Ms. L. Wheatley and Ms. L. DeGagne were present, representing applications D13-20-04 and D10-20-5. Mr. Seller addressed the Committee and summarized the intent of the application is to create a severance with respect to the abutting land as they relate to the sidewalk that fronts both of the properties and to allow for the minor variances that is necessary to allow for the residential development proposed.

The property consisting of five PINs, being PIN 42163-0281, PIN 42163-0141, PIN 42163-0280, PIN 42163-0262, and PIN 42163-0062. Together these PINs comprise the City View building and the Nunnery. There is presently a first charge mortgage registered on title to all PINs. The current owner is proposing to re-finance the property to obtain two separate mortgages for the City View property and the Nunnery property. While the Nunnery is comprised of a separate PIN than the City View property, consent is needed as both properties contain the sidewalk acquired from the City of Kenora, which are not full lots on a registered plan of subdivision. The retained abutting property, being the City View property on Lots 54 and 55, are full lots on a registered plan of subdivision.

Mr. Seller confirmed they had no concerns with the Planning Report and thanked the Committee.

The Chair confirmed that there was no one from the public present to speak in favour of or against the application.

The Chair asked the Committee for questions.

Bev Richards confirmed that PIN 42613-0281 identifies the property known as the 'Nunnery'. She also asked if condition #5 being a requirement for a reference plan or survey be removed as no new reference plan is required.

There was a questions as to whether the City requires a transfer of Parts 3 and 4 23R-12204 being the sidewalks. The Agent Mr. R. Seller confirmed that the sidewalks have already been acquired from the City and form part of the CityView property.

Ray Pearson questioned the trail that goes across the 'Nunnery' parcel towards Veterans Drive and wondered if there is opportunity for an easement for future walkways.

Lila DeGagne, Agent informed the Committee that it is the intent of her Client to close off the trail, the owners see it as beneficial and the main intent is to increase the space for parking so that we would have enough adequate parking for the residential building.

Tanis McIntosh sought clarification on the minor variance seeking relief from the side yard from 4.0 m to 1.70 m. At a 50% reduction, curious if by definition it should be deemed minor. Mr. Kevan Sumner confirmed that the historic property line is deemed legal non-conforming to the provisions of the current zoning by-law and the fact that the two existing buildings are more than adequately separated, it was his opinion that the variance was deemed minor and a reasonable request.

John Barr requested that the request for relief from the height of the building be increased from 10.0 m to 11.0 m instead of 10.8 m to allow for minor correction that may arise during construction. The Committee agreed.

The Chair asked for discussion, there was none.

Moved by: Bev Richards

Seconded by: Ray Pearson

That the application, D13-20-04 to seek relief from the City of Kenora Zoning Bylaw 101-2015, Section 4.3.3(d) which requires a minimum interior side yard of 4.0m and Section 4.3.3(i) which requires a maximum building height of 10m for apartment buildings on properties zone "R3" Residential – Third Density Zone. The effect of approval would allow for the creation of one (1) "R3" zoned lot containing an existing apartment dwelling with a 1.71m side yard and to allow the future renovation of the apartment building to include a third floor with a height of 10.87m; the application meets the Four (4) Tests and should be approved.

It is further recommended that the variance be approved to a 1.7m side yard and a 11 m building height, to allow a small margin for errors or changes.

Carried.

Moved by: Tanis McIntosh

Seconded by: Bev Richards

That application D10-20-05 for consent for lot severance on property located at 200 & 210 First Street North and legally described as PINs 42163-0280 and 421630281; City of Kenora, be approved and provisional Consent be granted, subject to the conditions outlined within the planning report.

- vii. Consideration of Application for Consent
□ D10-20-04, E. Makowsky

Mr. E. Makowsky, Owner
egsaw@bellnet.ca

Mr. Makowsky thanked the Committee and reviewed his application for consent, seeking to create four (4) lots with one retained. All lots would be zoned light industrial and would comply with the provisions of the Official Plan for lot creation and the zoning by-law for lot frontage and size.

Kevan Sumner, City Planner reviewed the planning report, application for consent is proposed to create four (4) new lots. The effect of approval would be to create four lots sized, from west to east, approximately 1.1 ha, 1.0 ha, 1.15ha, and 1.0 ha, from the existing 33.87 ha property. All of the proposed lots will have frontage on Jones Road (60.1m, 60.7m, 64.3m, and 65.4m). All other provisions will be met within the "ML" zone as per the City of Kenora Zoning By-law 101-2015.

The Planner noted that two sketches of a proposed property layout were received as part of a complete application, and although Mr. Makowsky was able to confirm which sketch he would proceed with for surveying, the Planner clarified that both options do conform to the zoning by-law.

In review of the application to legislated policies and city directives, the application is generally consistent with the policies of the Provincial Policy Statement 2020, which promotes managing and directing land use to achieve efficient and resilient development and land use patterns, and the proposed lots appear to be compatible with the rural landscape.

The Land Use Designation of the property is Rural Area, which provides for a variety of agricultural, residential, industrial, commercial, and recreational, tourism, and open space uses. Surrounding properties are also designated as Rural Area, with the exception of an area to the north of the property on the other side of the rail line, which is designated as an Industrial Development Area.

The surrounding area includes a variety of residential, industrial, commercial, and institutional uses. Surrounding properties are also designated as Rural Area, with the

exception of an area to the north of the property on the other side of the rail line, which is designated as an Industrial Development Area.

The property is zoned "ML" Light Industrial Zone. Development is subject to the regulations of Section 4.9 of the Zoning By-law 101-2015. Lots must have a minimum lot frontage of 25m and a minimum lot area of 1.0 ha when there are no piped municipal services. A wide range of low-impact industrial land uses and complementary commercial uses are permitted in this zone. The proposed lots will comply with the regulations of the zoning by-law.

The Planner clarified that the application was originally circulated in 2019, no concerns were identified then and in re-circulation with internal departments and external agencies no further concerns were identified. There were no public comments received to date.

In an evaluation of the application, if approved, the proposed new lots will allow for the establishment of four new light industrial or related uses that are suitable to the designation and zoning of the existing property and neighbouring land uses.

The application is supported by the policies of both the Provincial Policy Statement 2020 and the Official Plan, and is compatible to the regulations of the ML – Light Industrial Zone of the Kenora Zoning By-law.

If approved, the new lots will allow for the establishment of four new light industrial or related uses that are suitable to the designation and zoning of the existing property and neighbouring land uses. The application is supported by the policies of both the Provincial Policy Statement 2020 and the Official Plan, and is compatible to the regulations of the ML – Light Industrial Zone of the Kenora Zoning By-law. The Planner recommended approval subject to the conditions outlined within the planning report.

The Chair asked the Committee for questions.

Ray Pearson sought further updates from Northwestern Health Unit by way of private servicing approval. Mr. Makowsky confirmed the NWHU had attended the subject property and an inspection has been completed. City staff confirmed that NWHU approval would be a condition of approval.

The chair asked for discussion, there was none.

Moved by: Bev Richards

Seconded by: John McDougall

That application D10-20-04 for consent for lot severance on property located at 111 Jones Road and legally described as PIN 42177-0479 CLT 2; CITY OF KENORA, be approved and provisional Consent be granted, subject to the conditions within the planning report.

Carried.

viii. New Business

□ Meeting format October, 2020

Discussion was had regarding the continuation of virtual meetings. In light of the recent restrictions it was decided to continue with virtual meetings for the month of October.

ix. Adjourn

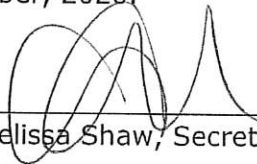
Moved by: John Barr

That the September 22, 2020 Planning Advisory Committee meeting be adjourned at 6:42 p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday September 22, 2020, are approved this 17th day of November, 2020.



Wayne Gauld, Chair



Melissa Shaw, Secretary-Treasurer