



## A G E N D A

for a Public Meeting  
to discuss a Proposed Zoning By-law Amendment  
(Re: **D14-20-02 River Street, Keewatin**)  
Tuesday, December 8, 2020  
12:00 p.m.

Council will be meeting electronically as permitted by the City of Kenora Procedural bylaw. Citizens and our Media Partners are encouraged to attend the virtual meeting via the Public Live Stream Event at:

<https://video.isilive.ca/kenora/>

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### Land Acknowledgement

#### Introduction/Summation of Intent:

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 members of Council 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.

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.

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#### **Council Declaration of Pecuniary Interest & General Nature Thereof**

- i) On Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

#### **1. Applicant Presentation**

- The applicant (or representative) will present their planning application.

#### **2. City Planner Report/Rationale**

- City Planner, Kevan Sumner, to describe the details of the planning application.

#### **3. Express Interest**

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

- a) Is there any member of the public who wishes to speak in favour of the amendment?
- b) Is there any member of the public who wishes to speak in opposition of the amendment?

#### **4. Discussion**

- a) Members of Council – Discussion/Questions (no decision is made)

#### **5. Questions**

- Members of the Public – are there any questions of the application?

#### **6. Close of Public Meeting**

- No further questions/comments, meeting is declared closed.

November 30<sup>th</sup>, 2020

## Staff Report

**File No.:** D14-20-02

**To:** Kyle Attanasio, CAO

**Fr:** Kevan Sumner, City Planner

**Re:** Application for Zoning By-law Amendment

**Location:** River Street (Plan 18, Block 70, Lots 15 and 16; Townsite of Keewatin)

**Applicants:** Dale Hogg & Adrienne Dwan

### 1. Introduction

An application has been received 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 property to a duplex dwelling with an interior secondary dwelling unit.

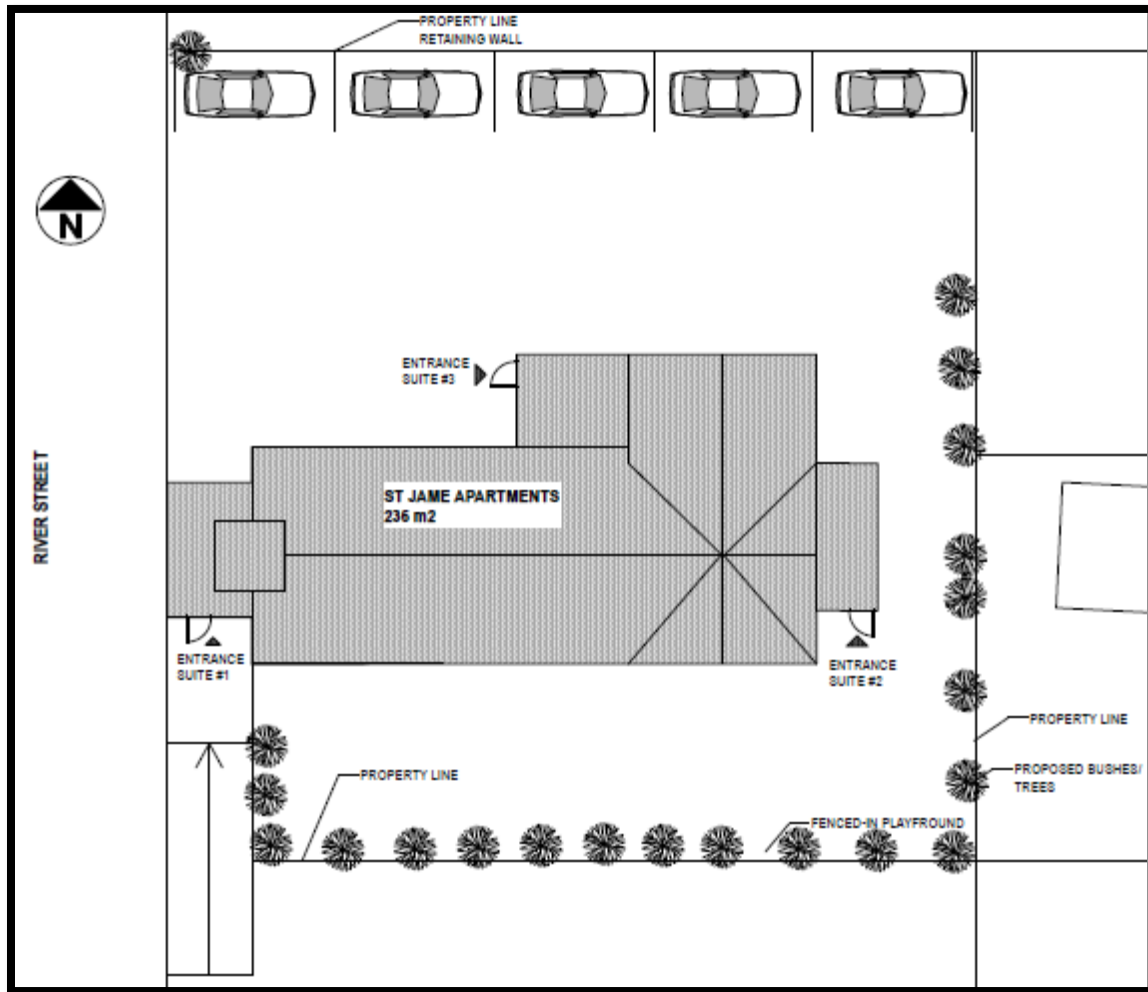
**Figure 1** - Aerial image displaying boundaries of subject site



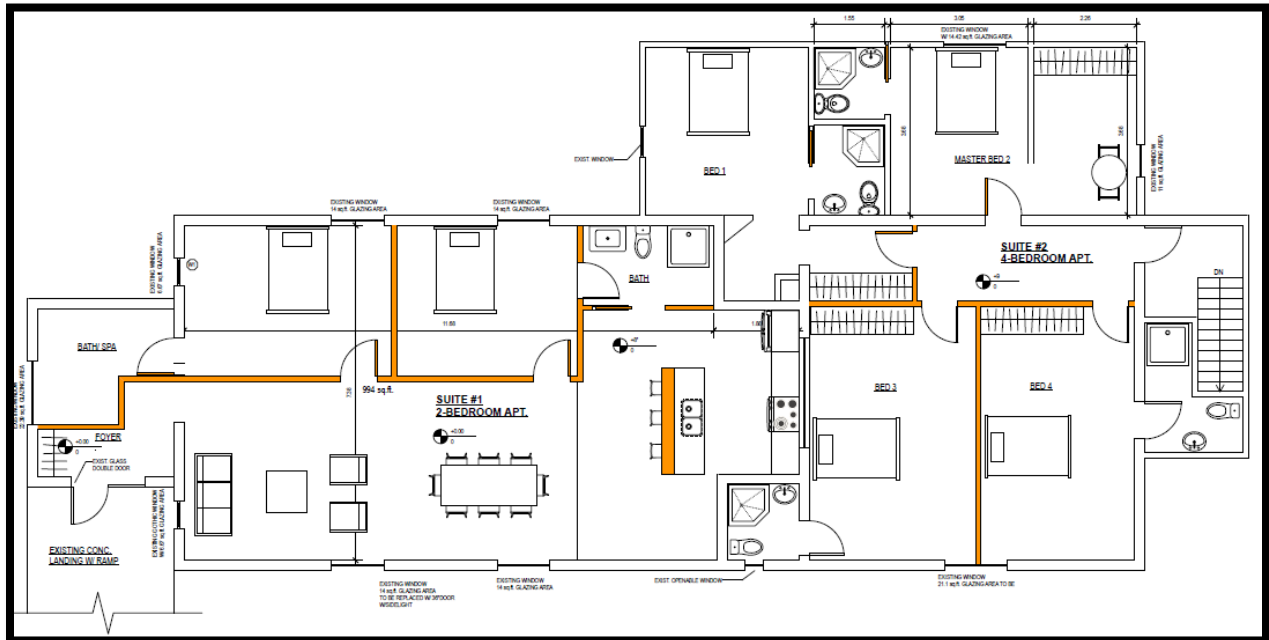
## 2. Description of Proposal

The applicants intend to convert the former St. James Anglican Church building to a residential structure. The original application indicated that a portion of the building would be used as a boarding house, but the applicants have since changed their plans and have submitted revised building plans indicating the converted structure will be used as a duplex with a secondary interior dwelling unit.

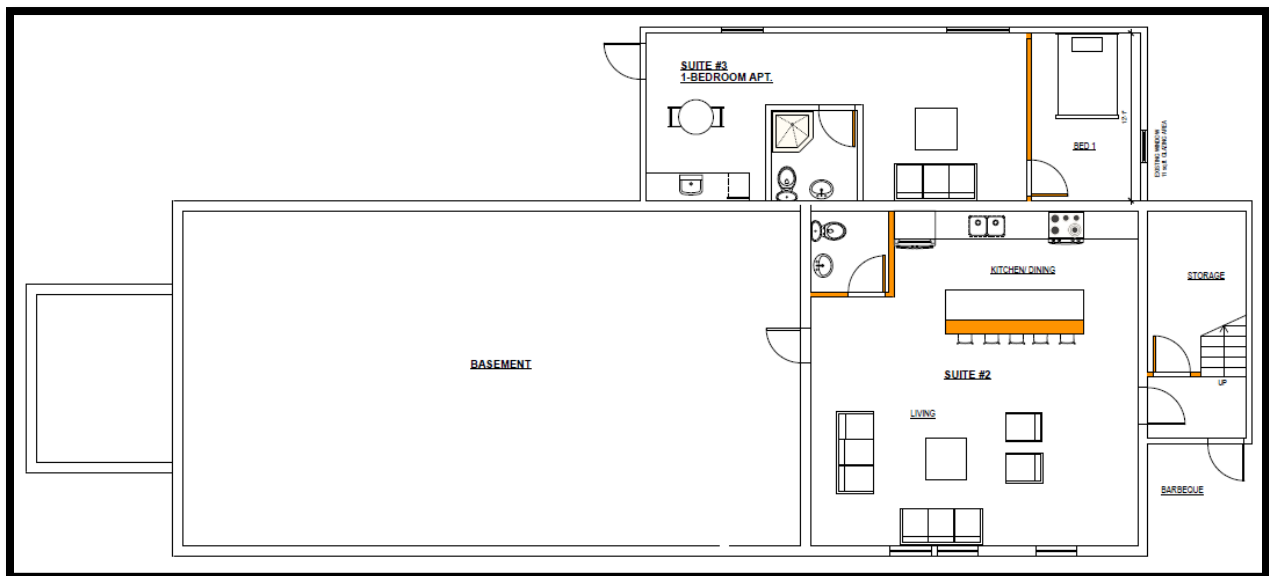
Figure 2 – Site Plan



**Figure 3 – Main Floor Plan**



**Figure 4 – Basement Plan**



### 3. Existing Conditions

The property is located on River Street, and does not currently have an assigned address. The legal description is Plan 18, Block 70, Lots 15 and 16; Townsite of Keewatin. It is located in a 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.

#### 4. Site Visit

On November 10<sup>th</sup>, 2020, I attended the subject location to view existing conditions. The photos herein are intended to provide a visual of the existing lot.

**Figure 5** – View from SW corner of the property



**Figure 6** – View from NW corner of property



## 5. Consistency with Legislated Policy and City Directives

### a) Provincial Policy Statement (PPS) 2020

The proposed rezoning is consistent with those policies that support increasing the supply of housing that is located within a walkable and centralized area of the community.

In particular, the proposal would support the provision of a range and mix of housing types and densities (Policy 1.4.1), which will help meet the demand for new dwelling units in the City of Kenora. The proposed redevelopment is of a density that efficiently uses land, infrastructure, and public services, and supports the use of active transportation by virtue of its proximity to the central commercial area of Keewatin (Policy 1.4.3(d)).

### b) City of Kenora Official Plan (2015)

The land use designation of the property is Established Area. Policy 4.1 of the Plan states that permitted uses shall include residential, commercial, industrial, and institutional uses. Residential development is encouraged in the Established Area (Policy 4.1.2(c)). Minor changes to land use that are compatible with existing land uses, do not result in significant increases to traffic, dust, odour or noise, are similar in scale to the surrounding built form, and that improve the quality of life for area residents may be permitted through an amendment of the Zoning By-law (Policy 4.1.2(e)).

**Figure 7 - OP Mapping**



### c) Zoning By-law No. 101-2015

The property is currently zoned "I" Institutional Zone. This zone allows for the development of public and privately owned facilities of an institutional or community service nature.

The proposed "R2" Residential – Second Density Zone allows for the development of single detached, semi-detached and duplex housing, and other compatible uses. The redeveloped structure will need to comply with all applicable zoning regulations, including on-site parking.

**Figure 8 - Zoning By-law Mapping**



## 6. Keewatin Community Improvement Plan

A principal goal of the Community Improvement Plan is to increase the supply of affordable rental and ownership accommodation in the neighbourhood, to benefit current residents and support the City's efforts to attract newcomers to Kenora.



## 7. Results of Interdepartmental and Agency Circulation

Responses were received from all departments and external agencies that were contacted for comment, as summarized below.

Environmental Division	Solid waste does not have any concern. Curbside collection service of garbage and recycle is available on that address. - October 19, 2020
Roads Division	The roads department does not have any concerns with applicant's request for amendment to the zoning by-law as it does not affect or change road/ sidewalk maintenance at this location. - October 19, 2020
Parks and Facilities Division	Parks and Facilities have no concerns. - October 19, 2020
Synergy North	Synergy North (SNC) acknowledges receipt of the noted submission, for the Application for an Amendment to the Zoning By-law File No. D14-20-02, St. James Church dated October 16, 2020, and have no objections at this time. However if the developer intends on upgrading their service, adding meters or altering the service in anyway they should contact Synergy North to discuss their servicing options & our process. To do this the developer or their consultant can call and set up a meeting at anytime with John Oriecuia, Distribution Designer, C.E.T.- 37 Front St., Thunder Bay, ON P7A 8B2 - Phone: 807-343-1168 - Email: <a href="mailto:joriecuia@synergynorth.ca">joriecuia@synergynorth.ca</a> - - October 20, 2020
Kenora Fire and Emergency Services	Kenora Fire has reviewed the Application for an Amendment to the Zoning By-law File No. D14-20-02, St. James Church and has no concerns. October 22, 2020
Engineering	There is concern that parking for a multi-unit building may not be achievable as shown on the A0 Site plan drawing. It would not be recommended to allow any permanent on street parking as River Street is already narrow directly in front of the building and northerly from that point on. The access off of River St into the north west corner of the lot is suspected based on the road being in the range of 3 m lower than the property making any vehicle access into the lot for parking difficult or impossible coupled with the fact that the sewer and water servicing into the lot also at this location potentially making any lower of land for

	<p>access further complicated depending on the depth of bury of the sewer and water services.</p> <p>I would request that more detail on parking and vehicular access into the property for residents and visitors be provided for further evaluation of this application.</p> <p>October 23, 2020</p>
Building Department	<p>The building department has no comment at this time.</p> <p>-October 26, 2020</p>

**8. Public Comments**

A public meeting is scheduled to be held by Council on December 8<sup>th</sup>, 2020. Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on November 6<sup>th</sup>, 2020 to property owners within 120 metres, published in the Municipal Memo of the Newspaper on November 12<sup>th</sup>, and circulated to persons and public bodies as legislated.

The notice also stated that the Planning Advisory Committee would have the opportunity to consider recommendation for the application to Council at their meeting on November 17<sup>th</sup>, 2020. The minutes and relevant resolution from this meeting have been forwarded to Council for their information.

Two letters have been received from neighbouring property owners, and have been attached for Council's information.

The first letter expresses opposition to the proposed zoning by-law amendment, noting that the existing accessible ramp to the front door of the building encroaches on the neighbour's property and that parking may be an issue which could affect snow removal and create safety hazards.

The second letter expresses concern with the parking on River Street, and a desire for seniors housing in the redevelopment of the property, while opposing any future use of the property for a group home, emergency shelter, or boarding house.

**9. Evaluation**

The property was previously used as a church, but has been vacant for several years. The Official Plan and Community Improvement Plan are supportive of increasing the housing supply in the area. If approved, the requested rezoning will add to the supply of housing, opening more opportunities for tenants who seek to reside within a centralized location of Keewatin.

There appears to be sufficient room for the required parking spaces on the site. A revised site plan will be required to address the parking concerns raised by the Engineering Department, prior to issuance of permits for the redevelopment of the property.

Regardless of whether the property retains the current "I" Institutional Zone or is re-zoned to "R2" Residential Second Density Zone, any change in use will require the provision of on-site parking that should address the neighbours' concerns regarding parking on River Street.

The encroachment of the access ramp on to the neighbour's property is a civil matter which is beyond the City's authority to regulate.

## **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. D14-20-03, 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.

## **Attachments**

- Complete Application for Zoning By-law Amendment, including Planning Rationale, site plan, and building plans.
- Notice of Application and Public Meeting
- PAC Report
- PAC Resolution
- Draft PAC Minutes
- Public Comments (2)



**The Corporation of the City Of Kenora**  
**Notice of Complete Application and Public Meeting for a**  
**Zoning By-law Amendment, File Number D14-20-02**  
Planning Act, R.S.O 1990, c.P13, s. 34

**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: Tuesday, December 8<sup>th</sup>, 2020 at 12:00 p.m.  
Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

Council will be hosting a virtual meeting by live stream to allow for public viewing.  
<https://video.isilive.ca/kenora/>

If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca)

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application during their regular meeting on Tuesday, December 15<sup>th</sup>, 2020 at 12:00 p.m.

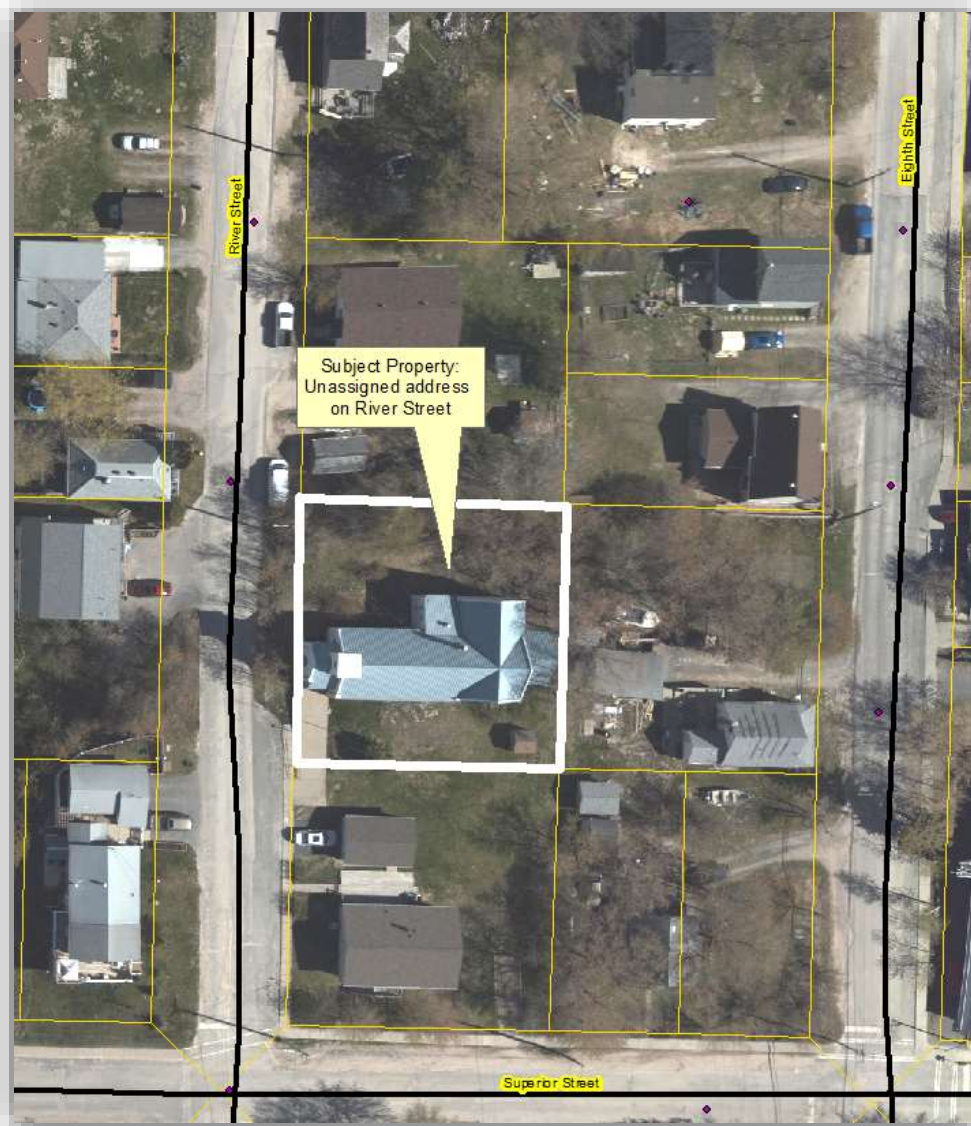
You are also invited to attend The Kenora Planning Advisory Committee (PAC), who hears applications and considers recommendations to Council, commencing at the following time and location:

**PAC Meeting**

When: Tuesday, November 17<sup>th</sup>, 2020 at 6:00 p.m.  
Location: PAC will be hosting a virtual meeting via Zoom Meeting.

Access to the virtual meeting will be made available by registering with the Secretary-Treasurer a by email, to [mshaw@kenora.ca](mailto:mshaw@kenora.ca).

**Location of Property:** Unassigned address on River Street, Kenora, ON, as identified in the key map below.



**Purpose:** to amend the current zoning of the subject property from I- Institutional to R2- Residential Second Density.

**Effect of Approval:** to permit the development of semi-detached dwelling, and an interior secondary dwelling.

**Virtual Statutory Public Meeting:** Although Council meetings are being held virtually via live stream, there are still several ways in which the general public can provide input on the proposed application, as follows:

- a. **Submit comments in writing:** Persons wishing to provide comments for consideration at the Statutory Public Meeting may submit such comments in writing no later than Friday December 4<sup>th</sup>, 2020 by email, to [planning@kenora.ca](mailto:planning@kenora.ca) or by regular mail to the address below, and quote File Number: **D14-20-02**.

Mr. Kevan Sumner, City Planner  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON P9N 3X2

- b. **Register to Speak at the Virtual Meeting:** If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca) no later than noon on November 17, 2020 and quote File Number: **D14-20-02**. To register by phone please call: 807-467-2059.

**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:

- a) 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 Local Planning Appeal Tribunal.
- b) the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, 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 Pihulak, 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 Kevan Sumner, City Planner, if you require more information: Tel: 807-467-2059 or Email: [ksumner@kenora.ca](mailto:ksumner@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 12<sup>th</sup> of November, 2020



City of Kenora  
Planning Advisory Committee  
60 Fourteenth Street N., 2<sup>nd</sup> 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)**

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

**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, 202, approved as amended.
  - II. Recorded meeting: <https://www.youtube.com/watch?v=Ck9jZSsiSBc&feature=youtu.be>

- v. Correspondence relating to applications before the Committee
  - 1. 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

- 1. 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@dayspadaughter.com](mailto:adrienne@dayspadaughter.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 from 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

dwellings 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 ever waterfront site all the way down Peterson Drive. This specific application may suits 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](mailto:TMERConsultingKenora@outlook.com)

Tara Rickaby member of the public whom was participating as a spectator asked to share some background information with the Planner of the City of Kenora. The intent 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 15<sup>th</sup> Day of December, 2020.

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Wayne Gauld, Chair

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Melissa Shaw, Secretary-Treasurer

DRAFT



The Corporation of the City of Kenora

**PLANNING ADVISORY COMMITTEE MEETING RESOLUTION**


MOVED BY: Tanis McIntosh

SECONDED BY: Bev Richards

DATE: November 17, 2020

**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.

DIVISION OF RECORDED VOTE				CARRIED <input checked="" type="checkbox"/>	DEFEATED
Declaration of Interest (*)	NAME OF PLANNING MEMBER	YEAS	NAYS		
	<b>Richards, Bev</b>	<input checked="" type="checkbox"/>			
*	<b>Gauld, Wayne</b>				
*	<b>Kitowski, Robert</b>				
	<b>Pearson, Ray</b>	<input checked="" type="checkbox"/>		 CHAIR	
	<b>Barr, John</b>	<input checked="" type="checkbox"/>			
	<b>McDougall, John</b>	<input checked="" type="checkbox"/>			
	<b>McIntosh, Tanis</b>	<input checked="" type="checkbox"/>			