

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

**Minutes**  
**City of Kenora Virtual Planning Advisory Committee**  
**Regular meeting held by way of Zoom Meeting**  
**Tuesday July 20, 2021**  
**6:00 p.m. (CST)**  
[https://youtu.be/Hi6OMh\\_VJuw](https://youtu.be/Hi6OMh_VJuw)

**DELEGATION:**

**Present:**

<b>Wayne Gauld</b>	<b>Chair</b>
<b>Bev Richards</b>	<b>Member</b>
<b>John Barr</b>	<b>Member</b>
<b>John McDougall</b>	<b>Member</b>
<b>Ray Pearson</b>	<b>Member</b>
<b>Robert Kitowski</b>	<b>Member</b>
<b>Tanis McIntosh</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>
<b>Tessa Sobiski</b>	<b>Minute Taker</b>

- i. The Chair, Wayne Gauld called the meeting to order at 6:00 p.m. A Land Acknowledgement was delivered and the meeting protocol was reviewed.
- ii. Additions to the Agenda- there are none.
- iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present- there was none.
- iv. Adoption of Minutes of previous meeting
  - The amended meeting minutes of June 15, 2021 were approved.
- v. Correspondence relating to applications before the Committee
  - The Secretary Treasurer presented the following correspondence:
    - i. File No. D13-21-09, D13-21-10- Letter of Support
    - ii. File No. D10-21-05- Northwestern Health Unit comment supporting private servicing.
    - iii. File No. D10-21-06- TC Energies comment received requiring Notice on title pertaining to noise.
- vi. Consideration of an Application for Minor Variance
  - D13-21-09, Two Bears  
Brad Doerksen, Two Bears Marina Representative

The Agent Brad Doerksen declined the opportunity to make presentation on the application D13-21-09.

The City Planner reminded the Committee and the public that the applications will be heard concurrently however separately. The Planner reviewed the planning report for application D13-21-09, an application for minor variance. The Planning confirmed that a Site Plan Agreement is expected to be presented to Council in September, 2021.

The Planner provided a description of the proposal; the applicant has expanded existing marina docking on the property owned by Canadian Pacific Railway (CPR) without obtaining permits or planning approvals from the City of Kenora. To bring the property into compliance with the Zoning By-law, one parking space per boat slip plus any required parking spaces required for associated uses must normally be provided on the subject properties. In commercial zones, parking spaces may be supplied off-site within 90m of the main pedestrian access of the building, structure, or use for which the parking spaces are required, provided that a Site Plan Agreement is registered on the title of the lands used for parking, which commits the parking spaces to the related commercial use. The applicant currently leases a small area of land from the City of Kenora at 80 Government Road, and is proposing to locate a portion of the required parking at that property, within 410m of the entrance to the building at 105 Bay Street the new marina area on the CPR property.

At 6:28 p.m. Member Tanis McIntosh entered into the meeting.

In review of the application the City Planner deemed the application consistent with the Provincial Policy Statement (2020) and the Official Plan (2015), it was determined that the applicants require relief not only from the maximum distance allowed for the supply of off-site parking but also to allow off-site parking for uses in the Tourist Recreational, Residential First Density and Industrial Zones R1 to achieve the intent of the application.

Comments received from internal and external department agencies was reviewed, concerns were brought forward from the Building Department, Clerks Department, By-law Enforcement, and Engineering Department. Details of comments can be read within the Planning Report.

In an evaluation of the application the City Planner explained that the expansion of the docks on the north side of Portage Bay were built without permits and without forethought to the parking needs of customers. It was noted that a factor in limiting expansion on the subject property is the ability to provide adequate parking for the proposed use. The expansion of parking to the former Keewatin public works yard does offer some relief for Two Bears customers who previously did not have a convenient off-site parking option other than the streets of Keewatin.

The Planner explained that the number of dock slips on the north side of Portage Bay would need to be reduced to match the parking available on site should the application for minor variance be refused.

The Planning Rationale as provided by the applicant suggests on-site parking would support an additional 19 boat slips, requiring removal of 53 of the unpermitted slips if the Minor Variance application is refused.

The City Planner acknowledged that the application for minor variance makes no mention of providing parking for the unpermitted barging operation that has been operating on the CPR property. That operation must be removed from the property to achieve compliance with the zoning by-law, regardless of whether the Minor Variance is approved.

The Planner recommended consideration must be given for the significant increase in pedestrian traffic across the rail lines at a level crossing. Approving the Minor Variance without improvements to that crossing may increase the risk of accidents at that location due to conflicts between pedestrian, motor vehicle, and railway traffic.

The Planner reminded the Committee that the scope of the variance is on the allowable distance for off-site parking. If this application is approved, development will be subject to site plan control. Applications for site plan control approval must include a site plan indicating that the proposed parking areas comply with all parking and other regulations of the zoning by-law.

The City Planner recommended approval of application for Minor Variance File No. D13-21-09.

Mr. Brad Doerksen, Representing Two Bears Marina believed it was the intent of Two Bears Marina to satisfy the docking concerns. Mr. Doerksen referenced the closure of a marina within the unorganized territory that has placed pressure on the market to provide docking and parking.

The Chair asked those members in the public if there was anyone who wished to speak in favour of the application or against the applications and reminded the public that they would be allowed a maximum of five minutes to speak.

Mr. Chair asked for persons to speak in favour of the application.

Doug LeBlanc  
DTL carpentry  
BOX 484  
Keewatin ON P0X 1C0

Mr. Le Blanc supported the application noting the Two Bears docking was critical infrastructure in Kenora. Mr. LeBlanc is a contractor whom has a long term lease agreement with Two Bears for use as contractor services and docking on the

subject property. Mr. LeBlanc described the improvements he had made to the subject property to support his business, DTL Contractors.

The Chair asked for persons to speak against the application.

Joan Ortlieb  
Box 554  
Keewatin, ON P0X 1C0

Mrs. Ortlieb spoke in opposition to the parking and expansion of the Two Bears Marina. Her concern was with parking which she noted was done without approval. Mrs. Ortlieb described her concern with traffic, boats everywhere and suggested it was an accident waiting to happen.

Colleen Neil  
419 Belle Ave  
Keewatin, ON P0X 1C0

Ms. Neil described her property as the last one along the west shore just before the Keewatin Bridge. Ms. Neil questioned if the City has intentions of increasing the Keewatin docks at the Keewatin Arena which would increase the traffic more in the area.

Ms. Neil questioned why the Keewatin Public Works yard is available to lease to one business, when perhaps a request for proposal should be circulated to the public. Ms. Neil questioned as to why leasing the property is an option versus surplussing and selling the property.

Ms. Neil acknowledged that the tenants whom are subleased from Two Bears Marina provide large vessels for rent advertised as AirBnB. She questioned the impact and disposal of waste.

Ms. Neil flagged the number of barges that speed through the bay. The speeding impacts the property owners.

Ms. Neil acknowledged the need for parking, however noted that the applicant has professional planners on the payroll whom are aware of the process yet the dock were installed prior to parking approval.

Ms. Neil did not agree the application was minor and recommended the overall planning for the bay be looked at.

The Chair asked the Planner to comment on proposed dock expansion at the Keewatin Arena.

Kevan Sumner, was not aware of any plans to expand docking at the Keewatin Arena.

Adam Smith, Director Development Services could not comment on docking at the Area, however noted that in terms of the lease agreement it is handled by our Community Services Department.

Gerry Moncrief

108 Ottawa Street  
Keewatin, ON P0X 1C0

Mr. Moncrief noted that he had already provided comments with respect to the two applications however has some additional questions to the Planner.

Mr. Moncrief quoted the Planners comments about being aware of the safety concerns within the bay, however noted that the Planners evaluation did not give consideration to the safety of persons.

The City Planner suggested that perhaps education is required by Two Bears Marina on the regulation and the speed limit and the buoys on Portage Bay.

Mr. Moncrief questioned the four-tests and the test that a variance must be minor. Mr. Moncrief noted that the test of minor is a subjective term and cannot be measured. Mr. Moncrief wished to clarify that in the in the opinion of the Planner a 455% increase, safety issues and the need of a shuttle is this minor.

Kevan Sumner agreed that the determination of a minor variance is subjective and referenced case law that in his opinion often falls in favour of the applicant where the applicant considers an application to be minor. The Planner confirmed his determination that the application is minor.

Mr. Moncrief noted that a minor variance can only vary a provision within the By-law. Mr. Moncrief questions the provision to relieve on-site parking within 90 m of Commercial Zones and asked the Planner to confirm how the provision with the by-law can be amended to include Residential, Industrial and Tourist Recreational Zones. He suggested the Planner was borrowing a provision for a Commercially Zoned area, and explained that through past experience that would require a Zoning By-law Amendment rather than a Minor Variance.

The Planner noted that was the approach that was taken and if the Committee was uncomfortable on the interpretation they could get a legal opinion.

The Planner explained that if the Applicant was allowed to have off-site parking, that there would be a limited ability for it to expand. If the Minor Variance were rejected, the site could only provide an additional 19-stalls without the need for additional off-site parking.

Mr. Moncrief referenced the comments received as a result of interdepartmental review and questioned if there was any weight given to the internal comments within the recommendation. Mr. Moncrief raised concern that many of the concerns identified were disregarded and pressure was placed on Site Plan Control which would be approved after the fact.

Kevan Sumer responded that a qualified Traffic Engineer shall be required to comment on the design of the street, expert review shall be required.

Mr. Moncrief questioned whom would pay for any recommended upgrades to the street, and wondered if the safety concerns would create liability for the City.

The Planner confirmed that the improvements would be at the cost of the applicant.

The Chair asked the Committee for questions.

Mr. Wayne Gauld directed a questions to Mr. Doug LeBlanc and wondered what terms he was utilizing the property. Mr. LeBlanc confirmed it was a long-term rental agreement with Two Bears Marina. Mr. LeBlanc also confirmed he did not seek building permits for the construction on-site including docks.

Mr. Wayne Gauld posed a question to the Two Bears Representative Mr. Brad Doerksen. He questioned if the docks sitting in the back of Portage Bay were being stored and if there was a plan for their use.

Mr. Doerksen confirmed the docks are currently being stored there and will be used to replace docks at other locations that operate within the City of Kenora.

Wayne Gauld acknowledged that there were no comments received from CP Rail, Mr. Gauld expressed concern as it was typical for CP Rail to provide comment on applications that they are circulated on.

The City Planner confirmed the CP Rail owns the property and so technically the application was that of CP via Two Bears Marina.

Mr. Wayne Gauld sought confirmation that CP was circulated on a request that people will be walking across the train tracks.

Mr. Sumner confirmed that CPR was in conversation about the submission of the application noting the City has no reason to suspect CPR is unaware of their own application.

Bev Richards questioned the consequence if someone else would have put docks in without going through the proper channels as referenced a carport built without approval, the City required the owner to remove it.

Mr. Sumner explained the process of seeking Voluntary Compliance in advance of an Order or a Charge.

There was discussion about the consideration of a liability waiver being signed to cross the train tracks. Mr. Doerksen confirmed that Two Bears was not currently requiring a waiver to be signed by users.

Bev Richards asked about the By-law departments presence in the area and parking signage in the Community.

Mr. Sumner responded that they are very active in Keewatin over the summer and deal with many parking concerns. He notes that in terms of signage, there is a balance of trying to reduce problem parkers without restricting resident parking.

Mrs. Bev Richards questioned the involvement of the Ministry of Natural Resources and Forestry as well as Navigable Waters. Concern was raised to ensure natural heritage features and potential fish spawning area was protected.

Mrs. Richards expressed concern that there is no guarantee the applicant will submit a site plan.

Mr. Sumner confirms that it is a requirement for Site Plan Control approval.

There was discussion about the mooring balls behind Raines Island, Mr. Brad Doerksen confirmed the houseboats moored in the bay were not associated with Two Bears Marina.

Ray Pearson identified concern with the lack of comments from the Ministry of Natural Resources and CP Rail. Mr. Pearson recommended an Environmental Impact Statement be completed.

There was discussion about the number of parking stalls proposed and the number of boat slips proposed. Mr. Brad Doerksen confirmed that there were 283 parking stalls on the draft Site Plan and 270 boat slips.

Member, Robert Kitowski directed a question to the Planner about the length of the lease agreement.

Mr. Sumner responded that it is to be negotiated and is typically for a set period of time with clauses for renewal. Currently it is five years with clauses to extend with automatic inflation.

Mr. Kitowski questioned the proposed traffic engineering report and who would be responsible for any changes made to ensure safety.

Mr. Sumner responded that it would be the City and notes they did not want to narrowly assign this to an individual as the specifics are unknown at this time.

There was discussion about the process of permitting commercial docking. The Planner explains the process for permitting commercial docking.

The Chair asked for discussion.

Robert Kitowski acknowledged that the public has concerns with the application being deemed not minor, and agreed that minor is a subjective view. It was the opinion of Mr. Kitowski that less dock slips would not make traffic slower to address speeding and parking concerns.

Ray Pearson agreed the application was not minor and believed the application to be excessive. Mr. Pearson believed the scope of the project should fit the size of the property. Mr. Pearson expressed concern with the fact the CPR and MNRF did not provide comments. Mr. Pearson believed the City was trying to fix something that should have been enforced long ago.

Tanis McIntosh was satisfied with the recommendation for an engineered study.

Bev Richards requested a comment from CPR.

Mr. Barr reviewed the physical and environmental capacity of the bay and concurred with many of the concerns brought forward from the public, however as a Committee he felt there was not much that could be done in assessing the capacity concerns, when evaluating the application in isolation for relief from parking provisions Mr. Barr had no concern.

John McDougall argued everything about the application was awkward and posed safety concerns to the public. Mr. McDougall sympathized for those who seek dock parking however did not believe those challenges should be put ahead of sound development and safety.

Wayne Gauld, Chair requested that CPR provide comment.

The Committee discussed pedestrian access at a controlled railway crossing.

Motion: Wayne Gauld

Seconded:

That the Planning Advisory Committee defer a decision on file D13-21-09 to the August 17<sup>th</sup>, 2021 meeting of PAC to receive comment from CP Rail and more information.

Defeated.

Motion: Robert Kitowski

Seconded: Tanis McIntosh

Motion defeated.

That the application, D13-21-09 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 3.23 Parking Provisions, to allow for required parking spaces to be supplied off-site within 410m of the main pedestrian access of the building for which the parking spaces are required, for uses in the Tourist Recreational, Residential – First Density, and Heavy Industrial Zones, meets the Four (4) Tests and should be approved subject to the following conditions:

1. That Two Bears Marina Inc. enter in to a lease agreement with the City of Kenora that includes all land at the former Keewatin public works yard (80 Government Road) being used for parking and storage.



2. That Canadian Pacific Railway and/or Two Bears Marina engage an independent traffic engineer to prepare a rail and road crossing study that includes recommendations as to any remedial measures that may be required to ensure pedestrian safety at the Government Road rail crossing, and make any recommended improvements to the satisfaction of the City, to ensure pedestrian safety in crossing the road and railway tracks between the marina site and the parking lot at the former Keewatin public works yard.

- D13-21-10, Two Bears

The Planner, Kevan Sumner reviewed the Planning Report for application D13-21-10, an application for permission to expand a legally non-conforming use. The effect of approval would be to allow for approve a 72 dock slip expansion to the existing marina. The Planner noted that the works were undertaken without permits or planning approval.

In an evaluation, the City Planner reviewed Section 3.15.5 of the Official Plan stating that new development shall be assessed on compatibility with the established community, and ability to coexist with existing development without causing undue adverse impact on surrounding properties.

This permission, if approved would allow for expansion of the marina to include up to 72 additional boat slips. The development must also receive site plan control approval, as required under the Site Plan Control By-law No. 189-2010. That approval requires that the applicant submit site plan indicating that the marina expansion complies with all relevant regulations of the zoning by-law, such as a sufficient number of parking spaces (one per boat slip), parking spaces and aisles sized to minimum standards, provision of accessible parking spaces, adequate drainage and surfacing, and separate areas for outdoor storage of boats.

The Planner explained that other marinas in the City appear to be able to function with a 1:1 ratio of boat slips to parking spaces without significant negative impacts to surrounding properties and neighbourhoods. Therefore, it was the opinion of the Planner that if the property is brought in to compliance with zoning by-law regulations, there would be no reason to believe that the application for Permission for expansion of the non-complying use would have any significant negative impact on the established community. Approval was recommended subject to conditions.

The Chair asked if there was anyone to speak in favour of the application:

Doug LeBlanc  
Box 484  
Keewatin, ON P0X 1C0

Mr. LeBlanc encouraged development that shall support the tourism industry.

The Chair asked if there was anyone in the public whom wished to speak against the application.

Joan Ortlieb  
Box 554  
Keewatin, ON P0X 1C0

Mrs. Ortlieb suggested downsizing the docks and reducing the parking. She reiterated concern with traffic coming across the bridge. Without the approved Minor Variance she was not in agreement with the marina expansion. Mrs. Ortlieb notes that the DTL docks have not been an issue.

Gord Sweeney  
310 Front Street  
Keewatin, ON P0X 1C0

Mr. Sweeney agreed with the concerns resident's voices about the expansion of the docking by Two Bears Marina and Mr. Chia. Mr. Sweeney has no concern with DTL.

The Chair asked the Committee for comments.

The Committee discussed approval of the additional 72- slips, concluding that by approving the additional boat slips the applicant would not be relieved of providing required on-site parking at a 1:1 ratio.

Member, Ray Pearson asked about the process the Contractor, DTL can follow to have their docks permitted. The Planner responded that they would need to speak to CPR as they are the applicant and have not sought approval for those docks.

Member, Tanis McIntosh asks for clarification on new docks and whether this also refers to any existing docks that were built without permits. The Planner suggests that an amendment could be made to say that the applicant must obtain building permits for the unpermitted docks in order to make it clear.

The Committee discussed deferring the application to determine how many docks and parking the site could accommodate prior to making a decision. The City Planner confirmed that an approval would guide the development moving forward into site plan approval which would determine how many of the unpermitted docks shall remain.

There was discussion regarding the Contractor, DTL and the ability for the use to remain on-site. The Planner acknowledged that the applicant shall be required to submit a new application for permission to consider an additional use on the site. The Planner confirmed that the applicant had not included the Contractor Services in the current application, nor in the site plan submitted with the application for permission.

Move: Robert Kitowski

Seconded: John Barr

That the application, D13-21-10 to seek Permission for expansion of a legally non-complying marina to include up to an additional 72 boat slips, should be approved subject to the following conditions:

- a) That Two Bears Marina Inc. obtain building permits for the new docks on the subject property owned by Canadian Pacific Railway.
- b) That Two Bears Marina Inc. remove all unpermitted docks from the subject property owned by Canadian Pacific Railway.
- c) That approvals from the Ministry of Natural Resources are provided for an expansion to the Land Use Permit (LUP) to include the marina expansion.

Carried.

Motion: Robert Kitowski

Seconded: Bev Richards

To continue with the regular meeting of the Planning Advisory Committee July 20, 2021 past the curfew of 9:00 p.m. as set out within the Term of Reference.

Carried.

vii. Consideration of an Application for Consent

- D10-21-05, Carlton Road

Ryan Haines, Kenora Resource Consultants- Agent

Mr. Ryan Haines provided a slide deck as part of his presentation for the creation of three new lots by consent located at 841 Carlton Road. The property is designated RU- Rural Lands, the lands are encumbered by an easement in favour of Hydro One, transmission line. The portion of the City maintained road, known as Carlton Road crossed the subject property and is currently owned by the applicants. As a condition of consent the applicant will survey the road and provide a transfer to the City. The retained lot abuts Alcock Lake, to ensure there is no creation of lots on Alcock Lake as a result of a natural severance there will be a merger agreement provided.

Kevan Sumner, City Planner provided a brief review of the Planning Application for consent to create three (3) new lots with an intended use for residential development. The Planner evaluated the development of three new residences as an opportunity to supply local housing. The application is supported by the policies of both the Provincial Policy Statement 2020 and the Official Plan, and is compliant with the regulations of the RU zone of the Zoning By-law. The City Planner recommended approval of the application subject to conditions.

The Chair asked for members of the public to speak in favour of or against the application, there were none.

The Committee was satisfied with the application.

Motion: Robert Kitowski

Seconded: John McDougall

That application D10-21-05 for consent for lot severance on property located at 841 Carlton Road be approved and provisional Consent be granted, subject to the conditions outlined within the Planning Report.

Carried.

- D10-21-06, Villeneuve Road

Tara Rickaby, TMER Consulting

The Agent reviewed the application for consent to create one new lot in the RU-Rural Zone. The portion of Villeneuve Road will be surveyed and transferred to the City of Kenora, a merger agreement will be executed as to not create a natural severance. The Agent acknowledged that the creation of one new RU lot will create additional housing.

The City Planner, Kevan Sumner reviewed the Planning Report, the application for consent is proposed to create one (1) new lot. The effect of approval would be to sever an existing 16.1 hectare property to create one new 2.2 ha lot, with a retained property of 13.9 ha, as illustrated in Figure 1. The new lot will have frontage on Villeneuve Road. The intended use of the new lot is for residential development. The Planner evaluated the application and supported development to supply local housing. The application was considered consistent with the policies of both the Provincial Policy Statement 2020 and the Official Plan, and is compliant with the regulations of the RU zone of the Zoning By-law. A comment was received from TC Energy requesting the new lot create a warning clause advising the land owner sounds may be audible from the emission station. The Planner recommended approval subject to conditions, including the addition that merger agreement be added on the lands west of Villeneuve road.

The Secretary-Treasurer amended the motion to include the comment from Trans Canada Pipeling that a warning be placed on title with respect to noise.

There were no questions or comments from the public or from the Committee.

Motion: Ray Pearson

Seconded: Robert Kitowski

That application D10-21-06 for consent for lot severance on property located at 181 Villeneuve Road; CITY OF KENORA be approved and provisional Consent be granted, subject to the conditions outlined in the Planning Report.

Carried.

- D10-21-07, Anderson Road

Carlee Wells, Owner

Ms. Wells presented her application, proposing the creation of one lot that would be 2.3 ha in size for residential development. The proposed subject land would back onto crown land. The subject land is a wooded area, future owners would benefit from City services such as a maintained road, garbage pickup and hydro services.

The City Planner reviewed the application for consent, to create one (1) new lot. The effect of approval would be to sever an existing 6.0 hectare property to create

one new 2.3 ha lot, with a retained property of 3.7 ha. The new lot will have frontage on Anderson Road. The intended use of the new lot is for residential development. The Planner evaluated the application; the proposed new lot will allow for development of a new residence to supply local housing. The application is supported by the policies of both the Provincial Policy Statement 2020 and the Official Plan, and is compliant with the regulations of the RU zone of the Zoning By-law.

There was no one in the audience to speak in favour of or against the application. The Committee was satisfied with the application.

Motion: Robert Kitowski

Seconded: Ray Pearson

That application D10-21-06 for consent for lot severance on property located at 181 Villeneuve Road, City of Kenora be approved and provisional Consent be granted, subject to conditions outlined within the Planning Report.

viii. Recommendation to Council, An Amendment to the Zoning By-law

- D14-21-06

Beth Green, Agent

Beth Green, acting as Agent on behalf of the applicant Tracy and Glen Gary at 865 East Melick Road. Ms. Green described the region as expanding and a business of the proposed nature (storage) would be used by both seasonal and permanent residents. Ms. Green described the application as a request to amend 4.25 ha of land on the subject property to Highway Commercial. The land would be developed with up to five self-storage dwellings. Units would be rented by individuals and small businesses. The development would have hydro however septic services would not be available. The Agent noted that the road is already experiencing commercial use.

The Agent reviewed the application to the provisions of the Provincial Policy Statement, the official Plan and the Zoning By-law.

Kevan Sumner, City Planner presented the Planning Report, the application for an amendment to the zoning by-law had been received to change the zoning of a portion of the subject property from "RU" Rural Zone to "HC" Highway Commercial Zone to allow for development of an indoor and outdoor storage facility. The property owner is proposing to develop an indoor and outdoor storage facility on a 4.25 ha portion of the subject property. The land will be cleared for outdoor storage and up to five mini self-storage buildings will be located on the property. It was noted that the proposed "HC" Highway Commercial Zone allows for the development of a wide range of uses and services to meet the needs of residents, businesses and tourists. The redevelopment of the subject property will need to comply with all applicable zoning regulations and will be subject to site plan control.

In an evaluation, the rural property has significant undeveloped area that appears to be suitable for development for the intended use. The limited area being rezoned will serve to confine the extent of the proposed and any future commercial operations to this portion of the larger property.

The Planner reviewed the policies of the official plan; supportive of rezoning for a small commercial development that meets the needs of the rural community, provided that it is compatible with existing land uses. The Planner reviewed the provisions of the HC- Highway Commercial Zone, uses are not restricted to designated highways in the City of Kenora, and may be found on a mixture of roads such as Anderson Road, Gould Road, Valley Drive, and Railway Street. The Planner noted that the HC- Highway Commercial Zone is also the only commercial zone that supports the proposed storage uses. The Planner recommended approval of the application.

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.

Gloria Mejia  
214 B Wyder Drive  
Kenora, ON P9N 4R3

Mrs. Mejia was speaking on behalf of Tim Deporto and objected to the zoning by-law amendment. Mrs. Mejia confirmed that written comments have been submitted.

The Chair asked the Members of the Committee for questions pertaining to the application:

Ray Pearson questioned the size and quantity of the units, Ms. Green confirmed the first building would be 30-feet by 80-feet in size, with fourteen (14) units per building and that there would not be more than 5 buildings total.

Tanis McIntosh sought clarification on environmental concerns that were raised by public comment, and how those concerns would be controlled moving forward. The Planner responded that Site Plan Control would examine details of an application.

Mr. Gauld questioned how the 4.25 ha would be determined and if the applicant would be surveying out the area.

The Planner explained that the zoning layer within the GIS would be used to identify the area.

There was discussion about re-zoning the lands to HC- Highway Commercial versus a site specific amendment with an added use. Concern was discussed regarding the possibility that a hotel, motel or other uses within the HC-Zone could be proposed. The City Planner agreed the HC-Highway Commercial zone allows for a range of activities that are generally suitable to a commercial use once it is developed. The City Planner felt site specific zoning was cumbersome. Once a property is developed for commercial use it is hard to encumber it with limited commercial uses.

John McDougall noted concern for additional traffic on the rural road. Tanis recommended signage and speed as an option to mitigate that concern.

Robert Kitowski confirmed with the Agent that hazardous waste would not be stored on site.

Move by: John Barr

Seconded: Tanis McIntosh

The Planning Advisory Committee recommends that the Council of the Corporation of the City of Kenora approve Zoning By-law Amendment, File No. D14-21-06, to change the zoning of 4.25 ha of property located at 865 East Melick Road from "RU" Rural Zone to "HC" Highway Commercial Zone.

The effect of the Zoning By-law Amendment is to support the development of indoor and outdoor storage. The policies of the Kenora Official Plan support small commercial development that meets the needs of the rural community, provided that it is compatible with existing land uses.

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.

ix. New Business

- OP and ZBL Review- the City Planner explained that Official Plan was nearing final review with the Consultant and the Zoning By-law review was commencing July, 2021.

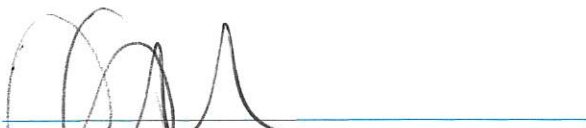
x. Adjourn

That the July 20, 2021 Planning Advisory Committee meeting be adjourned at 10:42 p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday July 20 2021, are approved the 17<sup>th</sup> day of August, 2021.

\*Virtually approved at the regular meeting of PAC on August 17, 2021

Chair, Robert Kitowski



Secretary-Treasurer, Melissa Shaw

