



Minutes
Public Statutory Meeting
as per the requirements of the Planning Act
R.S.O 1990, c.P13, s. 34

Tuesday, December 14, 2021

12:00 p.m.

City Hall Council Chambers

Recorded livestream Meeting can be found at:

<https://kenora.civicweb.net/Portal/>

PRESENT: Mayor D. Reynard
Councillor G. Chaze
Councillor M. Goss
Councillor R. McMillan
Councillor A. Poirier
Councillor S. Smith
Councillor C. Van Wallegghem

Staff: Kyle Attanasio, CAO
Heather Pihulak, Director of Corporate Services/City Clerk
Melissa Shaw, Planner
Adam Smith, Director of Development Services
Kevin Gannon, Director of Engineering & Infrastructure
Stace Gander, Director of Community Services

Land Acknowledgement – Councillor Goss

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with our Indigenous people.

Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.

There were none declared.

Laura Wheatley, Hook, Seller & Lundin to present the Planning Application & Rationale:

An application has been received to change the zoning of the subject property from "RU" Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone, to allow for future residential development.

Melissa Shaw, Planner presented the evaluation of the Application.

Ms. Shaw presented on behalf of Kevan Sumer, City Planner whom provided evaluation and professional planning recommendation that Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-10, to change the zoning of the subject property from "RU Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone, the effect of approval to support multi-unit residential development.

As presented by the Agent, Ms. Wheatley of Hook, Seller & Lundin LLP the applicant has not yet prepared a site plan, but any development exceeding four residential units will be subject to site plan control and limited to medium density 40 units/net hectare which is the equivalent to a maximum of 28- 66 units on the subject property, subject to Site Plan Approval.

In an evaluation of Consistency with Legislated Policy and City Directives. The proposed zoning amendment is generally consistent with Policy 1.1.3.6, which states that new development should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The PPS guides planning for land uses in the vicinity rail facilities and sensitive land uses are appropriately designed, buffered, and/or separated from each other to avoid, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines.

The land use designation of the property is Established Area. A small parcel at the southern edge of the property appears as Rail yard on Official Plan maps. In the fall of 2021 these lands were declared surplus and transferred to the prospective developer. With the road now being closed, the location of the boundary is open to interpretation under section 9.1 of the Official Plan, which states that minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to the Plan.

The Established Area designation permits a mix of residential, commercial, industrial, and institutional uses. Residential development is encouraged as infilling or redevelopment on full municipal services. Medium density residential use is supported provided that the development is in keeping with the character of the area.

Section 3.6 of the Official Plan addresses development and redevelopment adjacent to railway corridors Applications for planning approvals for residential uses within 300m of a railway corridor shall be accompanied by a noise study. The Proponent is aware that a noise and vibration study shall be required at the time of site plan approval.

b) Zoning By-law No. 101-2015

The property is currently zoned "RU" Rural Zone and "I" Institutional Zone (Figure 3). The application proposes to change to zoning to "R3" Residential – Third Density Zone. This is required to enable the future residential redevelopment of the site. The R3 zone allows for the development of a full range of housing forms and other compatible uses serviced by municipal sewer and water.

As a Results of Interdepartmental and Agency Circulation no concerns were identified, only comment which will guide development and future application for site plan control.

Notice of the application was given in accordance with Section 34 of the Planning Act.

The Planning Advisory Committee had the opportunity to consider the application at the meeting of November 16th, 2021, and has recommended the application be approved. T

As of the date of this report (December 1st, 2021), no public comments have been received.

The proposed rezoning to R3 will allow for a full range of options for residential development. Under the policies of the Established Area, this development will be limited to medium density.

Both the Provincial Policy Statement and the Official Plan are supportive of residential infill development.

Any future development of more than four dwelling units on the property will be subject to Site Plan Control. The applicants have been informed that a noise study must be submitted with their site plan control application, when detailed design can guide the study and any site improvements that may be required.

Public Comments

Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated to property owners within 120 metres, published in the Municipal Memo of the Newspaper on November 4th, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee had the opportunity to consider the application at the meeting of November 16th, 2021, and has recommended the application be approved. The minutes and relevant resolution from this meeting are attached.

As of December 1st, 2021, no public comments have been received.

Recommendation

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-10, to change the zoning of the subject property from "RU Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone; and further

That Council gives three readings to a by-law to that effect.

Councillor Smith questioned the property zoned RU and Institutional but only see RU but believes there is a portion that abuts Evergreen that may be institutional. The institutional portion is right at the very top.

As there are no further questions, Mayor Reynard declared this public meeting CLOSED at 12:15 p.m.