



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, August 15, 2023  
6:00pm (CST)  
Video Recording:**

DELEGATION:

**Present:**

**Robert Kitowski – Chair, Tara Rickaby - Vice Chair, Robert Bulman - Member, Renee Robert – Member, Jay Whetter – Member, Janis Pochailo - Director of Planning and Building, Alberic Marginet - Secretary-Treasurer, Alex Stornel -Minute Taker.**

**Members of Public:**

***i. Call meeting to order***

The meeting was called to Order by the Chair, Robert Kitowski, at 6:05 PM Central Time, and a Land Acknowledgement was provided recognizing the traditional territories of Treaty Three First Nations and Metis people. The Chair identified the meeting being recorded and that all participants agree to be recorded by choosing to attend. The Chair described the expected protocols and processes to be followed during the meeting.

***ii. Additions to the Agenda***

1. A revision of PAC minute keeping format.
2. Urban systems active transport investigation.

***iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present.***

***iv. Approval of Minutes from previous meetings***

- Janis Pochailo explains the revision to the minutes for PAC meetings.
- Minutes from the July 18, 2023, meeting will be deferred to the next regular meeting.

***v. Correspondence relating to applications before the Committee.***

No correspondence has been received.

**vi. Adjournment Requests**

No adjournment requests.

**vii. Consideration of Applications for Minor Variance**

**i) D13-23-11 Seguin**

**D07-23-03 Seguin** – Concurrent Application for Draft Plan of Subdivision

- Braden Seguin is present to represent the application.
- Janis Pochailo, Director of Building, and Planning presented the Staff Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- Letters in favour. None
- Letters in opposition. None
- The Chair asked if any members of the Committee had questions or comments.

**The Secretary Treasurer read out the draft decision for D13-23-11:**

That the application, D13-23-11, for property legally identified as PIN # 42177-0488 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.12.3 (a) which requires a minimum lot frontage of 90 metres for properties zoned "RU" Rural Zone, to permit a minimum lot frontage of 55m for the associated subdivision; meets the Four (4) Tests prescribed by the Planning Act and should be approved.

Moved By: Member Robert Bulman

Seconded By: Vice Chair Tara Rickaby

**In favour: 5      Opposed: 0      Abstained: 0      Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee and identified the 20-day appeal period and stipulations that must be followed prior to the application being able to apply for a building permit after September 4, 2023.

**The Secretary Treasurer read out the draft decision for D07-23-03:**

That Draft Plan for Subdivision D07-23-05 to create four (4) lot on subject property legally identified as PIN # 42177-0488, being part mining location 555P, Geographic Township of Jaffray, City of Kenora, District of Kenora, meets the criteria as set out in Section 51(24) of the Planning Act and that Draft Approval may be given by the Planning Advisory Committee, subject to the identified conditions.

- 1) That all costs associated with development, technical/legal review and registration of the subdivision agreement shall be borne by the Developer.

- 2) That the Developer makes satisfactory arrangements with Hydro One for the provision of electrical services for this Plan of Subdivision.
- 3) That the Developer agrees to grant such easements as may be required for utility purposes to Bell Canada, and show such easements on the reference plan or, alternatively, provide confirmation from Bell Canada that such easements are not required.
- 4) That the Developer shall receive approval from the Northwestern Health Unit, for the proposed lot configurations with respect to the location of private sewage systems.
- 5) That a wildlife habitat evaluation be completed by a qualified environmental professional, in accordance with the requirements of sections 5.1.1 and 8.9 of the Official Plan.
- 6) That the cash equivalent of 5% of the land, based on current value assessment, be provided as required under the City of Kenora Official Plan (2015) Policy 8.11.4(e).
- 7) That prior to final approval, a digital file of the plan to be registered, will be provided to the City of Kenora Planning Department in "pdf" format.
- 8) Three original copies (not photocopies) of the plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein be provided; that illustrate the lots, the road, and any other items to which this approval relates. It must show in general, the same area and dimensions as the Draft Plan forming part of the application.
- 9) The final plan for registration must be in a registerable form together with all necessary instruments or plans describing an interest in the land.
- 10) That the Owner/ Developer will be required to pay the cash in lieu of 5% parkland dedication to the City of Kenora.
- 11) That draft approval for this development is for a period of three (3) years. The owner may apply for any extension at least sixty (60) days prior to the lapsing date.
- 12) That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
- 13) That an application for an entrance permit for each lot is received and approved by the City of Kenora.
- 14) That prior to the granting of Final Approval, the City of Kenora is to be advised by the Developer that Conditions 1 through 13 have been met. Clearance letters from the City of Kenora and external agencies are to be included.

Moved By: Member Renee Robert

Seconded By: Member Jay Whetter

**In favour: 5**

**Opposed: 0**

**Abstained: 0**

**Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed prior to the application being able to apply for a building permit.

**ii) D13-23-12 Cianci**

**D10-23-06 Cianci – Concurrent Application for Consent**

- Vincent Cianci is present as representative for the application.
- Janis Pochailo, Director of Building, and Planning presented the Staff Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- No letters received in favour or opposition.
- The Chair asked if any members of the Committee had questions or comments.

**The Secretary Treasurer read out the draft decision for D13-23-12:**

That application D13-23-12 for property legally identified as PIN# 42166-0303 and PIN# 42166-0304 to seeks relief from the City of Kenora Zoning By-law 101-2015:

- a) Section 4.1.3(b) which requires a minimum lot size of 450 m<sup>2</sup>, to allow a minimum lot size of 382 m<sup>2</sup> for the proposed Western lot; and,
- b) Section 4.1.3(f) which requires a minimum rear yard setback of 8m, to allow a rear yard setback of 1m for the proposed Western lot;

That application D13-23-12 will have the effect of allowing for the dwelling on the proposed Western lot to be compliant with the regulations of the Zoning By-law and;

That the application meets the Four (4) Tests prescribed by the Planning Act and should be approved.

Moved by: Member Jay Whetter

Seconded by: Vice Chair Tara Rickaby

**In favour: 5      Opposed: 0      Abstained: 0      Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee and identified the appeal period of 20 days and stipulations that must be followed.

**The Secretary Treasurer read out the draft decision for D10-23-06:**

That application D10-23-06 for consent for lot severance on property located at 629 Third Avenue South and legally described as PIN# 42166-0303 and PIN# 42166-0304; CITY OF KENORA, be approved and provisional Consent be granted, subject to the following:

- 1) The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided for each parcel.

- 2) A Schedule to the Transfer/Deed of land form on which is set out the entire legal description of the PINs in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided for each parcel.
- 3) That minor variance D10-23-06 is approved, reducing the required minimum lot sizes, rear yard setbacks, and minimum required gross floor area as described in that variance.
- 4) Three original copies and one .pdf copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.
- 5) That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
- 6) That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter, from the owner or owner's Agent/Solicitor, confirming that conditions #1 through #5 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.
- 7) That all costs associated with extension of services, driveway installation, surveys, legal fees and matters related to the application are the responsibility of the developer/applicant.

Moved by: Member Jay Whetter

Seconded by: Member Renee Robert

**In favour: 5      Opposed: 0      Abstained: 0      Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee and identified the appeal period of 20 days and stipulations that must be followed.

**iii) D13-23-13 – Van Belleghem**

- The representative for the application is Ben Van Belleghem.
- Janis Pochailo, Director of Building, and Planning presented the Staff Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- Letter in favour of the application. Natasha Stoyakovich.
- Letters in opposition to the application. None
- The Chair asked if any members of the Committee had questions or comments.

**The Secretary Treasurer read out the draft decision for D13-23-13:**

That the application, D13-23-13 for property legally identified as PIN # 42163-0142 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.2.3(c) to allow a single detached dwelling with a minimum required front yard of 1m and Section 4.2.3(h) to permit a maximum lot coverage of 47%; meets the Four (4) Tests and should be approved.

Moved by: Vice Chair Tara Rickaby      Seconded by: Member Jay Whetter

**In favour: 5      Opposed: 0      Abstained: 0      Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee and identified the 20-day appeal period and stipulations that must be followed prior to the application being able to apply for a building permit after September 4, 2023.

**viii. Recommendations to Council for Land Division**

**i) D10-23-05 Seguin**

- Braden Seguin is present to represent the application.
- Janis Pochailo, Director of Building, and Planning presented the Staff Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- No letters received in favour or opposition.
- The Chair asked if any members of the Committee had questions or comments.

**The Secretary Treasurer read out the draft decision for D10-23-05:**

That application D10-23-05 for consent for lot severance on property located at 2185 Highway 17 East, legally described as PINs 42178-0175; CITY OF KENORA be approved and provisional Consent be granted, subject to the following:

- 1) The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided for each parcel.
- 2) A Schedule to the Transfer/Deed of land form on which is set out the entire legal description of the PINs in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form to be provided for each parcel.
- 3) That the cash equivalent of 5% of the land, based on current value assessment, be provided as required under the City of Kenora Official Plan (2015) Policy 8.11.4(e).
- 4) That approved permits are received from the Northwestern Health Unit for private servicing.

- 5) Three original copies and one .pdf copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.
- 6) That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
- 7) That an application for an entrance permit is received and approved by the City of Kenora.
- 8) That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter from the owner or owner's Agent/Solicitor, confirming that conditions #1 through #7 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.
- 9) That all costs associated with surveys, legal fees and matters related to the application are the responsibility of the developer/applicant.

Moved By: Member Renee Robert

Seconded By: Member Jay Whetter

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed.

**In favour: 5      Opposed: 0      Abstained: 0      Carried**

**ii) D10-23-07 – Atyolil**

- Jeffrey Port is present to represent the application.
- Janis Pochailo, Director of Building, and Planning presented the Staff Report.
- Public in favour of the application. None.
- Public in opposition of the application. None.
- No letters received in favour or opposition.
- The Chair asked if any members of the Committee had questions or comments.

**The Secretary Treasurer read out the draft decision for D10-23-07:**

That application D10-23-07 for consent for lot severance on property located at an unaddressed property on Jones Road, legally described as PIN 42177-0513; CITY OF KENORA be approved and provisional Consent be granted, subject to the following conditions:

- 1) The original executed Transfer/Deed of Landform, a duplicate original and one photocopy for City records be provided for each parcel.
- 2) A Schedule to the Transfer/Deed of landform on which is set out the entire legal description of the PINs in question and containing the names of the

parties indicated on page 1 of the Transfer/Deed of Landform to be provided for each parcel.

- 3) That approved permits are received from the Northwestern Health Unit for private servicing.
- 4) That confirmation is received that the applicant has consulted with the Ministry of Northern Development and Mines regarding the nature of the abandoned mine hazards, and addressed any regulatory requirements that may impact the development of the proposed lots.
- 5) That a noise study be completed by a qualified professional, in consultation with CP Rail, demonstrating that applicable provincial policies and guidelines with respect to noise and land use compatibility have been addressed.
- 6) That a Wildlife Habitat Evaluation be completed by a qualified environmental professional, in accordance with the requirements of sections 5.1.1 and 8.9 of the Official Plan.
- 7) That the cash equivalent of 5% of the land, based on current value assessment, be provided as required under the City of Kenora Official Plan (2015) Policy 8.11.4(e).
- 8) Three original copies and one .pdf copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.
- 9) That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
- 10) That an application for an entrance permit for each lot is received and approved by the City of Kenora.
- 11) That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter, from the owner or owner's Agent/Solicitor, confirming that conditions #1 through #10 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.
- 12) That all costs associated with surveys, legal fees and matters related to the application are the responsibility of the developer/applicant.

Moved By: Chair Robert Kitowski

Seconded By: Member Renee Robert

**In favour: 5    Opposed: 0    Abstained: 0    Carried**

The Secretary-Treasurer indicated that the applicant received approval from the Committee, and identified the appeal period and stipulations that must be followed.



**ix. Recommendation to Council for Zoning By-law and official Plan Amendment.**

- The committee has no recommendations at this time.

**x. Old Business**

- None

**xi. New Business**

- i) Chair Robert Kitowski has made a career change he has moved out of Kenora, and his wife and family be joining him and selling his home in the near future. He will need to resign from the PAC Committee both as chair and as a member.
  - i. Robert is thanked for his service and wished the best of luck in future endeavours.
- ii) Vice Chair Tara Rickaby will step in as the chair for the rest of the year. Jay Whetter is nominated and accepts the position of Vice chair.
- iii) Urban Systems Active Transportation Investigation.
  - a. Chair Rickaby brings this to the attention of committee members and suggests that they complete the survey.

**ix. Adjournment**

The Chair Kitowski moved for adjournment - Meeting Adjourned at 8:15 pm.