



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

Minutes
City of Kenora Virtual Planning Advisory Committee
Hybrid meeting
Wednesday, April 17, 2024
6:00pm (CST)
Video Recording:

Present:

Tara Rickaby
Robert Bulman
Renee Robert
Keric Funk
Andrea Campbell
Christopher Price
Janis Pochailo
Melissa Shaw
Alex Stornel
Tara Vader

Chair
Vice-Chair
Member
Member
Member
Member
Director of Planning and Building
Secretary-Treasurer
Minute Taker
Associate Planner

i. Call meeting to order.

The meeting was called to Order by the Chair, Tara Rickaby, at 6:00 PM Central Time, and a Land Acknowledgement was provided recognizing the traditional territories of Treaty Three First Nations and Metis people. The Chair identified explained that the meeting is 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-None

iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present. - None

iv. Approval of the minutes from previous meetings

i) Regular Meeting March 20, 2024

Moved by: Christopher Price ***Seconded:*** Renee Roberts

Approve: 6 ***Opposed:*** 0 ***Abstained:*** 0

Carried

- v. Correspondence before the Committee - None**
- vi. Adjournment Requests – None**
- vii. Consideration of Applications for Land Division**
 - a. D10-24-04 - Frost**

Reid Thompson was present to represent the application.

The Director of Planning and Building, Janis Pochailo, presented the Planning Report:

Purpose of Application: An application for consent is proposed to sever Lots 13 and 14, Block 33, Plan 181. These were originally whole lots on an M Plan that were deemed to be one lot pursuant to a deeming by-law passed August 21, 2006. There is an existing garage with a second-floor workshop on Lot 13. This workshop is to be converted into a dwelling unit. A building permit (KEN-2023-0067) has been obtained. Lot 14 contains a single-detached dwelling unit. It is the proponent's desire to relocate an existing retaining wall to the property boundary between the two lots.

A similar application was approved on February 15, 2022, under application D10-22-01. This application expired on February 15, 2024, due to unmet conditions; specifically, the requirement for an Occupancy Permit (conversion of garage to a single-detached dwelling) and the installation of new sewer and water connections. The current application does not request the consolidation of Lot 14 with the adjacent property to the south (Lot 15).

An easement has been requested to permit continued access to Lot 13 via Lot 14.

The dominant tenant of the easement will be PIN 42157-0140.

The servient tenant of the easement will be PIN 42157-0029.

The subject property is on the east side of Bay Street. The lot elevation is higher than the street and the property is supported by retaining walls. Concrete stairs providing pedestrian access to Lot 13 encroach onto the City road allowance. A new retaining wall is proposed between the two lots. Sewer and water service for the garage (Lot 13) is currently obtained from the house (Lot 14).

Consistency with Legislated Policy and City Directives

a) Provincial Policy Statement (PPS) 2020

The application is generally consistent with the policies of the Provincial Policy Statement 2020, which promotes managing and directing land use to achieve efficient and resilient development and land use patterns (Section 1.1). The PPS states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and

resources, and are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available (Policy 1.1.3.2(a)(b)).

b) City of Kenora Official Plan (2015)

The land use designation of the property is Established Area. The Established Area designation permits a mix of residential, commercial, industrial, and institutional uses. Residential development is encouraged in the Established area through plans of subdivision, condominium, and consent as infilling or redevelopment of existing uses on full municipal services.

c) Zoning By-law No. 101-2015

The property is zoned "R1" Residential Zone. Development is subject to Section 4.1 of the Zoning By-law which identifies single-detached dwellings as a permitted use.

	Required	Lot 13	Lot 14
Lot Frontage (minimum)	15 m	15.24 m	15.24 m
Lot Area (minimum)	450 m ²	464.5 m ²	464.5 m ²
Side Yard - 2 storey (minimum)	2.5 m	0.76 m 1.97 m	0 m (existing) 2.28 m
Front Yard (minimum)	7.5 m	17.95 m	2.85 m (existing)
Rear Yard	8 m	1.44 m	10.12 m

D13-22-01 approved variances for minimum side and rear yards as noted above in red. D13-22-01 also approved variance to permit a retaining wall 0m from the lot line and balconies 0.25 from an interior side lot line.

Zoning variance is not required for existing non-conforming side and front yards not created through this land division. No additional variances are required as a result of this application.

The Chair asked if there was anyone from the public who wished to speak either in support of, or against the application. There was no one present.

The Chair asked if there were questions or comments from the committee.

Member Renee Roberts asked for further clarification on the Deeming by-law.

Director Pochailo explained the differences of what Deeming is and how it benefits the City.

Member Keric Funk asks if the eave overhang was still a factor.

Director Pochailo explained that the eave overhang is no longer a factor.

The Secretary-Treasurer read the decision.

That application D10-24-04 for consent for lot severance and easement on property located at 515 Bay Street and legally described as PIN 42157-0029 and PIN 42157-0140; CITY OF KENORA, is approved and provisional Consent is granted, subject to all conditions stated in the Notice of Decision of Approval.

Moved By: Keric Funk

Seconded By: Andrea Campbell

In favour: 6

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 receive a building permit.

b. D10-24-05 – Meyers/Charles

Reid Thompson was present to represent the application.

The Director of Planning and Building, Janis Pochailo, presented the Planning Report:

Purpose of Application: An application for consent is proposed to create an easement over a portion of PIN 42174-0315 to provide driveway access to an adjacent property (188 Kerr Drive). The proposed easement will address the encroachment of an existing driveway.

The dominant tenant of the easement will be PIN 42174-0096 and PIN 42174-0316.

The servient tenant of the easement will be PIN 42174-0315.

No new development will result from the creation of this easement.

Both properties are located on the south side of Kerr Drive within an established rural residential subdivision adjacent to the Winnipeg River.

Consistency with Legislated Policy and City Directives

d) Provincial Policy Statement (PPS) 2020

The application is generally consistent with the policies of the Provincial Policy Statement 2020, which states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted (Policy 1.1.5.4).

e) City of Kenora Official Plan (2015)

The Land Use Designation of the subject property is Rural Area, which includes a variety of agricultural, residential, industrial, commercial, recreational tourism and open space uses (Section 4.8). Residential development is restricted to single-detached dwellings on relatively large lots serviced by private water and sewage. Development shall preserve rural character and shall avoid densities more appropriately found in the settlement area.

f) Zoning By-law No. 101-2015

The property is zoned "RR" Rural Residential Zone. Development is subject to Section 4.5 of the Zoning By-law which identifies single-detached dwellings as a permitted use. The minimum lot area is 1.0 ha. Zoning Exception Number 23 reduces the permitted frontage for 192 Kerr Drive to 10m. The proposed easement does not impact the size of the existing lots and variances are not required for existing non-conforming lots.

	Required	192 Kerr Drive	188 Kerr Drive
Lot Frontage (minimum)	61 m	10 m	67 m
Lot Area (minimum)	1.0 ha	0.8 ha	0.7 ha
Side Yard (minimum)	3m	9 m	0 m

The Chair asked whether there was anyone present who wished to speak either in support of, or against the application. There was no one.

The Chair asked if there were questions or comments from the committee. None Asked

The Secretary-Treasurer read the decision.

That application D10-24-05 for consent to create an easement over PIN 42174-0315; CITY OF KENORA is approved and provisional Consent is granted, subject to all conditions stated in the Notice of Decision of Approval.

Moved by: Robert Bulman

Seconded by: Renee Robert

In favour: 6

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 receive a building permit.

Mr. Thompson took a moment to thank the committee for all their work and planning department for all their great service over the years.

c. D10-24-06 - Lewis

Laura Wheatley was present to represent the application.

The Director of Planning and Building, Janis Pochailo, presented the Planning Report:

An application for consent is proposed to create an easement over a portion of PIN 42134-0014 to provide driveway access to an adjacent property (448 East Melick Road). The proposed easement will address the encroachment of an existing driveway.

The dominant tenant of the easement will be PIN 42134-0324.

The servient tenant of the easement will be PIN 42134-0014.

No new development will result from the creation of this easement.

Both properties are located on the west side of East Melick Road, north of Decemvir Drive. They are located within an established rural residential subdivision adjacent to the Black Sturgeon Lake.

The subject property (PIN 42134-0014) is 2.13 ha in size. Apart from the encroaching driveway, the lot is vacant, appearing to be largely encumbered by a marshy bay.

The adjacent property (PIN 42134-0324) includes an existing dwelling and accessory structures.

Consistency with Legislated Policy and City Directives

g) Provincial Policy Statement (PPS) 2020

The application is generally consistent with the policies of the Provincial Policy Statement 2020, which states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted (Policy 1.1.5.4).

h) City of Kenora Official Plan (2015)

The Land Use Designation of the subject property is Rural Area, which includes a variety of agricultural, residential, industrial, commercial,

recreational tourism and open space uses (Section 4.8). Residential development is restricted to single-detached dwellings on relatively large lots serviced by private water and sewage. Development shall preserve rural character and shall avoid densities more appropriately found in the settlement area.

i) Zoning By-law No. 101-2015

The property is zoned "RR" Rural Residential Zone. Development is subject to Section 4.5 of the Zoning By-law which identifies single-detached dwellings as a permitted use. The minimum lot area is 1.0 ha. The proposed easement does not impact the size of the existing lots and variances are not required for existing non-conforming lots.

	Required	PIN 42134-0014	PIN 42134-0324
Lot Frontage (minimum)	61 m	137.8 m	36.9 m
Lot Area (minimum)	1.0 ha	2.13 ha	1.9 ha
Side Yard (minimum)	3m	n/a	21 m

The Chair asked if there was anyone from the public who wished to speak either in support of, or against the application. There was no one present.

The Chair asked if there were questions or comments from the committee. No questions.

The Secretary-Treasurer read the decision.

That application D10-24-06 for consent to create an easement over PIN 42134-0014; CITY OF KENORA is approved and provisional Consent is granted, subject to all conditions stated in the Notice of Decision of Approval.

Moved by: Renee Robert

Seconded by: Andrea Campbell

In favour: 6

Opposed: 0

Abstained: 0

Carried.

x. Recommendations to Council for Zoning By-law Amendment – None

xi. Old Business - None

xii. New Business Introduction of new Associate planner – Tara Vader. All committee members welcome her and ask about her background.

xiii. Adjournment


Motion for adjournment. Moved by Keric Funk

Meeting Adjourned at 6:42 PM on April 17, 2024.

Minutes of the Kenora Planning Advisory Committee meeting, Wednesday, April 17, 2024, are approved 15th day of May 2024.



Chair, Tara Rickaby



Secretary-Treasurer, Melissa Shaw