



City of Kenora  
Planning Advisory Committee  
1 Main Street South  
Kenora, Ontario P9N 3X2

MINUTES

**CITY OF KENORA PLANNING ADVISORY COMMITTEE**

September 21, 2004

REGULAR MONTHLY MEETING HELD AT 243 RABBIT LAKE ROAD  
PLANNING, BUILDING AND ENGINEERING BUILDING  
7:55 P.M.

Present:

A. Mior	Chair
James. Tkachyk	Vice Chair
T. Tresoor	Member
Wayne Gauld	Member
Pat Pearson	Member
J. Port	Secretary-Treasurer

Regrets:

T. Rickaby, Assistant Secretary Treasurer , Jim Day, Member, Randy Hanstead, Member

I. CALL MEETING TO ORDER

Art Mior called the September 21, 2004 City of Kenora Planning Advisory Committee meeting to order at 7:55 p.m.

II. CONFLICT OF INTEREST: None

III. MINUTES:

**Moved by: Terry Tresoor      Seconded by: Wayne Gauld**  
**THAT** the minutes of the Planning Advisory Committee August 17, 2004 be approved as distributed.

**CARRIED**

Corrections:            None  
Business Arising :    None

IV. APPLICATIONS:

**1. Application for Consent No. B14/04 Magnusson**

General discussion ensued with respect to the easement/right of way over the private road for the severed lot. The City Planner added a condition to address this issue.

**Moved by: Pat Pearson            Seconded by: Terry Tresoor**  
**THAT** the application for consent no. B14/04 Magnusson be given provisional consent as follows:

The application is for the creation of one residential lot. It is recommended that this application for consent be approved with the following conditions:

1. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.

2. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
3. Three original copies (not a photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.
4. That the transferor and the transferee not be the name of the same person on the Transfer/Deed of Land Form.
5. That the Applicant enters into a Private Roads Agreement with the City of Kenora, to be registered on title and, at the expense of the Owner, acknowledging that the City of Kenora will not provide municipal services or road maintenance.
6. That a letter be received from KMTS indicating that there are adequate utility easements for the subject property.
7. That the City Planner be provided with evidence, in writing, that a right of way easement exists in favour of the severed and retained parcels.
8. That a letter be received from the Emergency Services Manager indicating there is adequate ingress and egress for emergency services vehicles.
9. A note be included in the decision indicating that further applications for consent shall not be approved by the City of Kenora Planning Advisory Committee.
10. A letter be received from an OLS indicating that the setbacks for the structure on the retained parcel meets the requirements of the zoning by-law.

"No assessment has been made for quality nor quantity of groundwater. The waters of the Winnipeg River should not be used for human consumption unless they have been treated to the standards of the Ministry of the Environment or Ministry of Health before use."

If the conditions to consent approval are not fulfilled within one year of the date on this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

**CARRIED**

**2. Application for Consent No. B15/04 Mackie**

The Chairman inquired into the necessity of a 3 metre easement. Jeff indicated that this was a recommendation from engineering, however, the applicant could request something less than 3 metres.

**Moved by: Wayne Gauld**

**Seconded by:**

**James Tkachyk**

**THAT** the application for consent no. B15/04 Mackie be given provisional consent as follows:

The application is for the transfer of an easement for utility purposes. It is recommended that this application for consent be approved with the following conditions:

1. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.
2. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
3. Three original copies (not a photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.

**CARRIED**

**4. Application for Consent No. B16/04 Zimmer**

Jeff indicated that he has conducted two site visits and discussed the service extension with the Engineering Department. The servicing of the two lots can also be extended to Treadway Drive. The City would pay for the costs to “upsized” and extension to Treadway.

**Moved by: James Tkachyk**

**Seconded by: Terry Tresoor**

**That application for consent no. B16/04 Zimmer be approved with the following conditions:**

The application is for the creation of two (2) residential lots. It is recommended that this application for consent be approved with the following conditions:

1. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for our records be provided.
2. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal description of the parcel(s) in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form be provided.
3. Three original copies (not a photocopies) of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parcel(s) to which the consent approval relates and which must show in general the same area and dimensions as the sketch forming part of the application be provided.
4. That the transferor and the transferee not be the name of the same person on the Transfer/Deed of Land Form.

- 5. That the Applicant provides a letter from the City of Kenora Roads Supervisor indicating that an entrance permit will be issued for each the severed and retained lots.
- 6. That the Applicant execute a development agreement with the City of Kenora for the extension of municipal water and sewer services;
- 7. That a letter be received from Bell Canada indicating that there are adequate utility easements for the subject property.
- 8. That the two (2) new residential lots be rezoned to R1 – Residential, First Density.

If the conditions to consent approval are not fulfilled within one year of the date on this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

OLD BUSINESS:

**1. Application for Consent No. B12/04 Keshen**

Planning Department received a proposal for a lease arrangement in order to address the encroachment onto lot 122. The Planner will refer the proposal to Randy Seller for review.

**2. Application for Consent No. B16/02 Batigelli**

The Planner reviewed the recent OMB decisions on the Peters and Sitch appeals. The OMB considers the matter to be closed.

**3. Warren Cederwall residence – laneway access**

Art Mior and Jeff Port reviewed the situation for the Committee. The property owner of three lots on an old M plan is constructing a residence on the lots; to be accessed by a laneway between Eighteenth Ave. N and unopened Nineteenth Ave. N. A deeming by-law has been applied for.

VI. NEW BUSINESS:

**1. Dixon proposed consent** – Gord Dixon made a presentation for a consent to sever one new lot on Tetroe Road. He indicated that the deep sandy soils are such that the Committee should consider a new lot than is less than the two acre minimum lot size. Jeff indicated that he would prefer to deal with an “undersized lot” with a minor variance and not a zoning by-law amendment if the PAC chooses to approve a new lot.

**2. Questions from Property and Planning Committee minutes** – None

VII. ADJOURN

Moved by: Terry Tresoor

**THAT** the September 21, 2004 Planning Advisory Committee, be adjourned at 9:26 p.m.

**CARRIED**

ADOPTED AS PRESENTED THIS 19<sup>th</sup> DAY OF OCTOBER, 2004

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CHAIR

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SECRETARY-TREASURER



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**City of Kenora**  
Planning Advisory Committee  
1 Main Street South  
Kenora, Ontario P9N 3X2

MINUTES  
COMMITTEE OF ADJUSTMENT  
September 21 , 2004  
REGULAR MONTHLY MEETING HELD AT 243 RABBIT LAKE ROAD  
PLANNING, BUILDING AND ENGINEERING BUILDING  
9:27 P.M.

Present:

A. Mior	Chair
James. Tkachyk	Vice Chair
T. Tresoor	Member
Wayne Gauld	Member
Pat Pearson	Member
J. Port	Secretary-Treasurer

Regrets:

T. Rickaby, Assistant Secretary Treasurer, Jim Day, Member, Randy Hanstead, Member

I. CALL MEETING TO ORDER:

Art Mior called the September 21, 2004 City of Kenora Committee of Adjustment meeting, to order at 9:27 p.m.

II. CONFLICT OF INTEREST:

III. MINUTES:

**Moved by: James Tkachyk Seconded: Pat Pearson**

**THAT** the minutes of the Committee of Adjustment of August 17, 2004 be adopted as distributed.

**CARRIED**

Corrections: None

IV. APPLICATION:

**1. Application for Minor Variance No. A10/04 Sykora**

Discussion re: private water line on the front of the lot which services other residences, and size of garage.

**Moved by: Wayne Gauld Seconded by: Terry Tresoor**

**THAT** application for minor variance no. A10/04 Sykora be approved to provide relief from the restriction of lot coverage in zoning by-law no. 50-91, to permit lot coverage of 37.7%, providing that the addition of the sunroom will not encroach on the private water line on the front of the lot.

**CARRIED**

**1. Application for Minor Variance No. A11/04 Bergman**

No discussion

**Moved by: Terry Tresoor Seconded by: Pat Pearson**

That application for minor variance no. A11/04 Bergman be approved to provide relief from the height requirement, in zoning by-law no. 50-91, for an accessory building to 4.27 metres, from 3.5 metres for a variance of .77 metres.

**CARRIED**

**2. Application for Minor Variance No. A12/04 Neufeld/Buck**

The Committee discussed the fact that the new zoning by-law will permit accessory buildings in the front yard, on water front property.

**Moved by: James Tkachyk    Seconded by: Terry Tresoor**

THAT application for minor variance to zoning by-law no. L37/95, to permit an accessory building in the front yard be approved to reduce the front yard from 20 metres to 4 metres.

**CARRIED**

V. OLD BUSINESS:

VI. NEW BUSINESS:

VII. ADJOURN:

**Moved by: Terry Tresoor**

**THAT** the September 21, 2004 Committee of Adjustment meeting be adjourned at 9:55 p.m.

**CARRIED**

ADOPTED AS PRESENTED THIS 19<sup>th</sup> DAY OF OCTOBER, 2004

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CHAIR

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SECRETARY-TREASURER