



City of Kenora  
Planning Advisory Committee  
60 Fourteenth Street N.  
Kenora, ON P9N 4M9

MINUTES  
**CITY OF KENORA PLANNING ADVISORY COMMITTEE**

June 20, 2006

REGULAR MONTHLY MEETING HELD AT 60 Fourteenth St. N.  
OPERATIONS CENTRE BUILDING  
8:27 P.M.

Present:

|                |                               |
|----------------|-------------------------------|
| Art Mior       | Chair                         |
| James Tkachyk  | Member                        |
| Wayne Gauld    | Member                        |
| Pat Pearson    | Member                        |
| Terry Tresoor  | Member                        |
| Joyce Chevrier | Member                        |
| Tara Rickaby   | Assistant Secretary Treasurer |
| Jeff Port      | Secretary-Treasurer           |

Regrets:, Jim Day

I. CALL MEETING TO ORDER

Art Mior called the regular meeting of the City of Kenora Planning Advisory Committee to order at 8:27 p.m.

II. CONFLICT OF INTEREST: None

III. MINUTES – Minutes of May 16<sup>th</sup>, 2006 regular meeting and May 24, 2006 special meeting.

**1. Moved by: James Tkachyk                      Seconded by: Wayne Gauld**  
THAT the minutes of the May 16, 2006 regular meeting be adopted as distributed.

2. Corrections -                      None

3. Business arising -                      None

**CARRIED**

**1. Moved by: Joyce Chevrier      Seconded by: Terry Tresoor**  
Minutes of May 24<sup>th</sup>, 2006 special meeting be adopted as amended.

2. Corrections – Should be “special meeting”. James Tkachyk was not in attendance, Jim Day was.

**CARRIED**

**The Committee agreed to change the order of the agenda to accommodate Mr. Ormiston.**

**Old Business:**

## 1. Application for Consent No. B03/06 Fregeau

Mr. Bruce Ormiston reviewed the notice of deferral and requirements of his Client. Mr. Ormiston reminded the Committee of the creative approach, suggested by Committee member, Jim Day, at the last meeting, which included the possibility of a shared entrance. Based on that suggestion, there was a letter, which amended the application by 1) realigning the severed lot by adding frontage on Glen Cameron Drive and relocating the existing propane tank; 2) indicating that access would be from the existing driveway and by right of way easements in favour of three properties; and 3) agreeing to separate sewer and water connections for each the new and retained lots. As a result of the amendments, and a conversation with the Operations Manager, the Client did not commission an engineering analysis indicating how the proposed driveway and entrance will conform to City engineering specifications for sight lines, horizontal curves and vertical curves. A report, by DST, has been delivered to the City however, indicating how drainage and erosion will be controlled. Mr. Ormiston closed by stating that two of the three requests in the notice of deferral were dealt with directly and that the proposed shared driveway negates the requirement for the engineering analysis because the driveway exists today and therefore no entrance permit is required. He added that the proposed new lot would be oversized and a positive addition to the community. He asked for the Committee's support of the application.

Art Mior asked the City Planner for his comments.

Jeff Port reviewed the process for handling amended applications. He stated that he had spoken very briefly with the Operations Manager with respect to both the DST report and the amendments to the application. Mr. Port suggested that both should be re-circulated for comment and a staff report and recommendation come back to this Committee.

The Committee discussed pros and cons of transferring a small portion of land to the City for road purposes.

Art Mior asked the Committee if they would like to have a report from the staff with respect to the new proposal for the three way easement, with one driveway.

Moved by: Pat Pearson

Seconded by: Joyce Chevrier

THAT application for Consent No. B03/06 Fregeau be tabled until July 18<sup>th</sup>, 2006, in order to permit the Kenora Planning Advisory Committee to receive comments from the City's Operations Manager and a staff report and recommendation based on amendments to the application.

**CARRIED**

IV. APPLICATIONS:1) **Application for Consent No. B08/06 Kurtz**

The Committee discussed a condition to ensure that the current driveway be realigned and wholly located on the retained lot.

**Moved by: Pat Pearson      Seconded by: Joyce Chevrier**

**THAT** Application No. B08/06, for consent to create one (1) new residential lot be approved with the following conditions:

The application is for the creation of one residential lot. It is recommended that this application for consent for the creation of one (1) new residential lot 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 a letter be received from the City of Kenora Sewer and Water Supervisor indicating that both lots are serviced, by the City, with sewer and water.
- 6) The applicant moves the driveway on the retained lot so it is wholly located on the retained property without encroachment onto the severed lot.

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 Subdivision No. S03/06 Moncrief

The Committee discussed the issues of density, impact of possible future backshore lots, impact on both the small bay which forms part of the shoreline of the most westerly lot, and on Black Sturgeon Lake itself.

Jeff Port will do a site inspection of the property. The following draft conditions were presented to the Committee for review and future discussion:

That this draft approval applies to the draft plan S 03/05 Moncrief (Bruckenbuger Road), prepared by Ross M. Johnson Surveying Ltd., dated July 21/05 and shows a total of:

- 17 lots
- An extension to the Bruckenberger Road

1. That a subdivision agreement to be signed and executed between the owner and the City of Kenora.
2. That the final plan shows no lots less than .8 hectares in area.
3. That the road allowance included in this draft plan shall be shown and dedicated as a public highway on the final plan.
4. That a letter be received from the City Engineer approving a drainage plan, prepared by a qualified engineer, licensed to practice in the Province of Ontario, as submitted by the applicant.
5. That the owner shall, at their own expense, extend and construct the road, and private works as set out in the subdivision agreement, and provide drainage on this subdivision to a standard not less than the requirements for a City of Kenora rural road standard.
6. That the City Engineer shall provide confirmation that the road has been constructed by the owner as identified in Condition 5.
7. That, prior to approval, the owner shall provide written confirmation from an OLS, indicating that the road(s) is/are wholly within the road allowance.
8. That the owner agrees in writing to satisfy all of the requirements, financial, and otherwise, of the City of Kenora, concerning the provision of roads, installation of services and drainage including entering into a subdivision agreement with the City of Kenora.
9. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority. Hydro One and/or Bell Canada standard easements shall be verified by way of letter of acceptance from the respective utilities.
10. That the subdivision agreement between the owner and the City of Kenora be registered against the lands to which it applies along with the plan of subdivision.
11. That 5% (of current assessed value) cash in lieu of conveyance of land for park or other public recreational purposes shall be paid to the City of Kenora as a condition of final approval.
12. That, prior to final approval by the City of Kenora, a letter be received from the Northwestern Health Unit indicating that there is satisfactory area on each lot for a private septic service.
13. That, prior to final approval, a Phase I Archeological assessment be undertaken by a professional archeologist licensed to practice in the Province of Ontario.
14. The a letter be received from the Ministry of Culture indicating there are no objections to the proposed development.

15. That prior to final approval by the City of Kenora, the City of Kenora is to be advised, in writing, by Moncrief Construction Limited, or their agents, how conditions 4-16 inclusive have been satisfied.
16. That draft approval for this development is for a period of five (5) years. The owner may apply for any extension at least sixty (60) days prior to the lapsing date.

**Notes to Draft Approval:**

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forward by the appropriate agencies to the City Planner, City of Kenora, 60 Fourteenth Street North, Kenora, ON P9N 4M9, quoting the City of Kenora file number.
2. We suggest you make yourself aware of Section 144 of the Land Titles Act and subsection 78(10) of the Registered Act. Subsection 144 of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144 (2).
3. Clearance letters are required from the following agencies:

a) City Engineer,  
City of Kenora  
60 Fourteenth Street N.,  
Kenora, ON P9N 4M9

b) Hydro One Networks Inc.  
Corporate Services – Real Estate  
483 Bay Street, 12th Floor  
Toronto, ON M5G 2P5  
Att: Mike Derry Jr.

c) Bell Canada  
Right of Way  
2<sup>nd</sup> Floor, 136 Bayfield St.  
Barrie, ON L4M 3B1  
Attention: Kevin Dinsmore

d) Andrew Hinshelwood  
Heritage Planner/Archaeologist  
Ministry of Culture  
435 S. James St., Suite 334  
Thunder Bay, ON P7E 6S7

Phone: (807) 475-1632  
Fax: (807) 475-1297

[andrew.hinshelwood@mcl.gov.on.ca](mailto:andrew.hinshelwood@mcl.gov.on.ca)

e) City of Kenora Roads Supervisor

60 Fourteenth St. N.  
Kenora, ON P9N 4M9

4. All measurements in the subdivision final plan must be presented in metric units.
5. That plan must be registered within 30 days following final approval by the City of Kenora or approval may be withdrawn under subsection 51(59) of the Planning Act.

"No assessment has been made for quality nor quantity of groundwater. The waters of the Black Sturgeon Lake 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."

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

**THAT** the Application S03/06, for the creation of a 17 lot subdivision and extension of the Bruckenberger Road be tabled until the following information is received:

- 1) Comments from the Ministry of the Environment with respect to water quality of the Black Sturgeon Lake;
- 2) A site inspection by the Northwestern Health Unit to determine the suitability of the proposed lots to support septic systems.
- 3) These comments shall be requested by the Applicant and forwarded to the City of Kenora Planning Department. The Planning Department will prepare a revised report and recommendations, based on these comments. Public comments will also be reflected in the revised report.

**CARRIED**

#### V. OLD BUSINESS :

1. Application for Consent No. B02/06 – Removed from agenda by request of Applicant. – Pulled from agenda by request of Applicant.
2. Application for Consent No. B03/06 Fregeau – See above

#### VI. NEW BUSINESS

1. Questions re. Property and Planning Meeting - None
2. OACA – Conference Training – Reports – Tara Rickaby and Wayne Gauld presented reports outlining the individual sessions attended from June 4 through 7<sup>th</sup>. A package was distributed to the Committee members for their review.
3. Request for Special Meeting in July – An applicant has asked if there is a possibility for a special meeting later in July than the regular meeting. There would be three applications, each of which may be more complicated than the average applications. There will be enough Committee members available and the meeting will be scheduled for mid-afternoon, if required.
4. Application to rezone – Z03/06 Moncrief – The Committee discussed issues brought forward by those present for the public hearing for application for subdivision S03/06 Moncrief.

**Moved by: Joyce Chevrier                      Seconded by: James Tkachyk**  
**THAT** the Kenora Planning Advisory Committee withholds any  
approving application Z03/06 Moncrief until issues identified in the  
public hearing for an application for a 17 lot subdivision are clarified  
**CARRIED**

VIII. ADJOURN:

**Moved by: Terry Tresoor**  
**THAT** the June 20, 2006 Kenora Planning Advisory Committee meeting  
be adjourned at 9:27 p.m.  
**CARRIED**

ADOPTED AS PRESENTED THIS 18<sup>th</sup> DAY OF July, 2006

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CHAIR

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SECRETARY-TREASURER



**KENORA COMMITTEE OF ADJUSTMENT**

June 20, 2006

REGULAR MEETING HELD AT 60 Fourteenth St. N.  
OPERATIONS CENTRE BUILDING  
9:28 P.M.

Present:

|                 |                               |
|-----------------|-------------------------------|
| Art Mior        | Chair                         |
| James Tkachyk   | Member                        |
| Wayne Gauld     | Member                        |
| Pat Pearson     | Member                        |
| Terry Tresoor   | Member                        |
| Joyce Chevrier  | Member                        |
| Tara Rickaby    | Assistant Secretary Treasurer |
| Jeff Port       | Secretary-Treasurer           |
| <u>Regrets:</u> | Jim Day                       |

**DELEGATIONS**      None

I.      CALL MEETING TO ORDER

Art Mior called the June 20, 2006 City of Kenora Committee of Adjustment meeting to order at 9:28 p.m.

II.     CONFLICT OF INTEREST: None

III.    MINUTES:

**Moved by: Joyce Chevrier      Seconded by: Terry Tresoor**  
**THAT** the minutes of the Planning Advisory Committee May 24, 2006 be approved as distributed.

Corrections:

Business Arising:

**CARRIED**

IV.    APPLICATIONS:

**The Committee agreed to change the order of the agenda in order to accommodate Mr. Major.**

**1. Application for Minor Variance No. A11/06 Edlund to add “professional office” as a use.**

The Committee discussed parking, number of residential units and their status as legal non-conformances, historical use of the building, one former law office on the same street and one current home occupation (accounting firm) located on the same street, fire separation issues and whether or not, approval of the application, as received, would permit the entire building to be used as a professional office.



The Committee agreed that, because the support from the neighbours is documented, and that access must be maintained, if a parking issue arose in the future, the new owners (applicants' agent) will have to deal with it in order to abide by the agreement registered on title, and to ensure good neighbour relations.

**Moved by: Pat Pearson      Seconded by: Wayne Gauld**

That application for minor variance no. A11/06 Edlund be approved to add "professional office" as a use on the main level of the building; the effect is to permit a law office on the main floor of the building.

**CARRIED**

- 2. Application for Minor Variance No. A09/06 Bonang** to reduce the front yard requirement, fronting Tresoor Point Road, from 15 metres to 3 metres.

The Committee had no concerns as there is a buffer between the traveled portion of the road and the subject property.

**Moved by: Joyce Chevrier      Seconded by: Terry Tresoor**

**THAT** Application for Minor Variance No. A09/06 Bonang be approved to reduce the front yard requirement, fronting Tresoor Point Road, from 15 metres to 3 metres for a variance of 12 metres.

**CARRIED**

- 3. Application for Minor Variance No. A10/06 Frenette to reduce the north side yard from 1.5 metres to .6 metres.**

The Committee discussed control of stormwater and requirement to keep it from being diverted onto neighbouring property.

**Moved by: James Tkachyk      Seconded by: Joyce Chevrier**

**THAT** application for minor variance no. A10/06 Frenette, to reduce the required north sideyard setback from 1.5 metres to .6 metres for a variance of .87 metres be approved conditional upon eaves not projecting further into side yard and that eavestroughs be installed to maintain water on the subject property.

**CARRIED**

V. OLD BUSINESS:

VI. NEW BUSINESS:

VII. ADJOURN

**Moved by: Terry Tresoor**

**THAT** the June 20, 2006 Committee of Adjustment meeting be adjourned at 10:01 p.m.

**CARRIED**

ADOPTED AS PRESENTED THIS 18<sup>th</sup> DAY OF July, 2006

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CHAIR

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SECRETARY-TREASURER