



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

MINUTES  
**CITY OF KENORA PLANNING ADVISORY COMMITTEE**  
July 17, 2007  
REGULAR MONTHLY MEETING HELD AT 60 Fourteenth St. N.  
OPERATIONS CENTRE BUILDING  
8:14 P.M.

Present:

James. Tkachyk	Chair
Joyce Chevrier	Vice Chair
Terry Tresoor	Member
Wayne Gauld	Member
Art Mior	Member
Pat Pearson	Member

Tara Rickaby, Assistant Secretary Treasurer

Jeff Port, Secretary-Treasurer

Regrets: Colin Bird, Member

I. CALL MEETING TO ORDER

James Tkachyk called the July 17, 2007 City of Kenora Planning Advisory Committee meeting to order at 8:14 p.m.

**DELEGATIONS** None

II. CONFLICT OF INTEREST:

III. MINUTES:

**Moved by: Joyce Chevrier**

**Seconded by: Terry Tresoor**

**THAT** the minutes of the Planning Advisory Committee June 19, 2007 be approved as amended.

**CARRIED**

Corrections: Add Wayne Gauld as seconder on Calloway decision  
Change amount in Calloway decision to \$50,000.

Business Arising:

IV. APPLICATIONS:

**1. Application for Consent B12/07 Whiteman**

Tara Rickaby explained a request, by Kenora Hydro, for a note with respect to possibly having to move a hydro service pole. Discussion took place with respect to the abutting property owners and whether or not they own their waterfront.

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

**THAT** the Application for Consent No. B12/07 Whiteman, for a lot addition, be approved with the following conditions:

That application for Consent No. B12/07 , for property described as 82 Lakeside Crescent, PLAN M56 LOT 118 PCL 3857;PCL28417 PT RD ALL DES PART;1 RP 23R2605 PLAN M56 LOT;119 PCL 3946 DVLA for a lot addition to Lot 117, Plan M56 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 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.

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.

**Note:**

Kenora Hydro noted that there is a secondary hydro pole which feeds the residence at #82 Lakeside Cres (Lot 119 – retained) which is not shown on the sketch. If the pole is not located on the lot to be retained the it will have to be moved, at the owner's expense

**CARRIED**

**2. Application for Consent B13/07 Jeffrey**

No concerns from Committee except Art Mior questions the use in the Rural zone. Terry Tresoor remarked that job creation was important.

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

That application for Consent No. B13/07 Jeffrey, for property described as 186 Anderson Road, CON 7J NPT LOT 3 PCL 16100 for the creation of one rural 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 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 Roads Supervisor indicating that there is a suitable location for an entrance.
- 6) That a letter be received from the Northwestern Health Unit indicating that there is adequate area for a private sewage system.
- 7) That a letter be received from Bell Canada indicating that there are adequate easements.
- 8) That the Applicant transfers a 20 metre road allowance for any portion of the Anderson Branch Road that crosses the subject property.

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**

V. OLD BUSINESS:

1) **Application for Consent No. B10/07 MacDonald**

Jeff Port summarized the application to date, indicating that the Applicant has provided the necessary information as requested by the Committee in May. He further indicated that one of the conditions has been provided by the NWHU and the other requires hydro service to the lot line; this will result in the Applicant working with the various agencies for approvals.

John Fregeau indicated that he had nothing to add but pointed out that when a site visit was performed it was quite apparent that getting material to the location on the severed lot where the septic field will be located would be problematic. He also indicated that the Applicant will be servicing the property with a marine hydro line.

**Moved by: Art Mior      Seconded by: Pat Pearson**

**THAT** Application for Consent No. B10/07 MacDonald, for property described as Location D67, Parcels 4029 and 619, 542 Coney Island, for the creation of one new water access 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 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 Northwestern Health Unit indicating that an approved, conventional septic system, through the permit process for a four bedroom dwelling, has been constructed on the new (severed) lot.
- 6) That a letter be received from Kenora Hydro stating that services are installed to the lot line of the new 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

NOTE: "No assessment has been made for quality nor quantity of groundwater. The waters of the Lake of the Woods 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."

**CARRIED**

## **2. Application for Plan of Condominium C01/07 Grandview**

Jeff Port reported on email correspondence with Tarion. Tarion indicated that "It would be for actual, physical occupancy, including interim occupancy until the condominium corporation is registered whereby the occupant has entered into an Agreement of Purchase and Sale (APS) with the vendor. If it is deemed to be a condominium project with units that are sold under an APS, the common elements would need to be enrolled with Tarion as well. Only those units that are under a Life Lease Agreement would not be warrantable by Tarion."

The Committee would still like to meet with the Municipal Solicitor, who will require the questions in advance in order to prepare a quote. Once the quote is received, Council will be approached with respect to amending the Operating Budget.

There has been no correspondence from the applicant.

## **3. Lake Capacity Study - Update**

Discussed the meeting held on July 11th to review the "state of the lake" background report. Those who attended agreed that it was an excellent opportunity for issue identification and public input. The draft report will be ready in early August for the public and the next public meeting is on August 25th at 10 a.m. The venue is yet to be determined.

## **4. Wording re. site width and set back requirements**

Committee discussed the preferred parameters for defining lot frontage and lot width. Jeff to propose wording addressing concerns at next meeting.

**5. S01/07 1703591 Ontario Inc.**

Jeff reported that the Developer has: 1) provided a storm water management report 2) provided a fish habitat assessment 3) provided HADD application and designs of the roadway for review by Municipal staff and DFO. The fish habitat assessment has been reviewed by local DFO staff and was forwarded to Burlington for comment and review. The report was also provided to MNR.

The Dalles First Nation was informed, by DFO and the City, of the proposal and have no objections.

VI. NEW BUSINESS:

**1) Questions re. Planning and Property Meeting -**

Beaucage application for zoning by-law amendment – The Property and Planning Committee is expecting a progress report in August. Once the property is brought up to the standards of the building code then this Committee will be in position to make a recommendation to Council.

VII. ADJOURN

Moved by: Terry Tresoor

**THAT** the July 17, 2007 Planning Advisory Committee, be adjourned at 9:16 p.m.

**CARRIED**

ADOPTED AS PRESENTED THIS 21<sup>ST</sup> DAY OF AUGUST, 2007

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CHAIR

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SECRETARY-TREASURER



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

MINUTES  
 COMMITTEE OF ADJUSTMENT  
 MINUTES  
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Wayne Gauld	Member
Art Mior	Member
Pat Pearson	Member
Tara Rickaby, Assistant Secretary Treasurer	
Jeff Port, Secretary-Treasurer	
<u>Regrets:</u> Colin Bird, Member	

I. CALL MEETING TO ORDER:

James Tkachyk called the July 17, 2007 City of Kenora Committee of Adjustment meeting, to order at 9:17 p.m.

II. CONFLICT OF INTEREST : Wayne Gauld, as Realtor, Item A09/07 McLeod

III. MINUTES :

**Moved by: Joyce Chevrier**                      **Seconded by: Terry Tresoor**  
 THAT the minutes of the June 19, 2007 meeting be approved as distributed.

Corrections:                      None  
Business Arising:

**CARRIED**

**The order of the agenda was changed by placing A09/07 McLeod on as the last item in order to permit Mr. Gauld to participate in the rest of the meeting and then leave.**

IV. APPLICATIONS:

**1. Application for Minor Variance A 10/07 Carlson**

The Committee discussed the ownership of the abutting property, to the east, by Mr. Carlson and the possibility of using it for a garage as there are already are outbuildings on that site. Site lines and character of the neighbourhood were discussed. The City Planner outlined the four tests and the Committee discussed the impact of building in the proposed location.

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

**THAT** Application for Minor Variance No. A10/07 Carlson be refused for permission to locate an accessory building between the principle dwelling and the street, and for a variance from the 7.5 metre setback (street side) as it is not (i) desirable and appropriate for the area, (ii) meet the intent of the zoning by-law, (iii) meet the intent of the Official Plan and (iv) minor in nature.

**CARRIED**

**2. Application for Minor Variance No. 11/07 Christie/Stewart**

The Committee discussed the building limitations of the lot as well as the phased development plan by the owners which required modifications due to changes in the regulations of the zoning by-law(s) during the course of their ownership and staged development.

**Moved by: Wayne Gauld                      Seconded by: Art Mior**

**THAT** Application for Minor Variance No. A11/07 Christie & Stewart be approved for a variance from 20 metres to 4 metres, to the deck foundation with the following conditions:

- 1) That a 3 metre natural vegetation strip be maintained and, 2) that a silt curtain be employed as part of the issuance of a building permit to minimize erosion/sedimentation during the construction period.

\*NOTE\* The building permit issued will be conditional upon removal of the kitchen facilities in the guest cabin before occupancy of the principle dwelling.

**CARRIED**

**Wayne Gauld left the meeting at 9:35 p.m.**

**3. Application for Minor Variance No. 09/07 McLeod**

Discussion took place with respect to the expertise of the Northwestern Health Unit being relied upon in these situations, but that there could be more information made available with respect to proposed location of residence, septic tank and field as well as how the pump up system would cross the creek.

**Moved by: Art Mior                                      Seconded by: Pat Pearson**

**THAT** Application for Minor Variance No. A09/07 McLeod, for a variance from the 30 metre required setback for sewage systems, from a watercourse, be deferred in order to receive a site plan, indicating the location of the septic field, piping, tank and proposed residence on the subject property. Once this information is received, the Committee will be in a position to make a decision.

**CARRIED**

V. OLD BUSINESS: None

VI. NEW BUSINESS: None

VII. ADJOURN:

**Moved by: Terry Tresoor**

**THAT** the July 17, 2007 Committee of Adjustment meeting be adjourned at 9:59 p.m.

**CARRIED**

ADOPTED AS PRESENTED THIS 21<sup>st</sup> DAY OF AUGUST, 2007

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CHAIR

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SECRETARY-TREASURER