



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

MINUTES
CITY OF KENORA PLANNING ADVISORY COMMITTEE
May 15, 2007
REGULAR MONTHLY MEETING HELD AT 60 Fourteenth St. N.
OPERATIONS CENTRE BUILDING
8:10 P.M.

Present:

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

Tara Rickaby, Assistant Secretary Treasurer
Jeff Port, Secretary-Treasurer

Regrets:

I. CALL MEETING TO ORDER

James Tkachyk called the May 15, 2007 City of Kenora Planning Advisory Committee meeting to order at 8:10 p.m.

DELEGATIONS None

II. CONFLICT OF INTEREST: None declared.

III. MINUTES:

Moved by: Joyce Chevrier Seconded by: Wayne Gauld
THAT the minutes of the Planning Advisory Committee April 17, 2007 be approved as amended.

CARRIED

Corrections: Change month to May, from April on Page 4, Item 3, line 6.

Business Arising: None

IV. APPLICATIONS:

1. B08/07 Woodlake

The Committee discussed the need for a condition by KMTS.

Moved by: Terry Tresoor

Seconded by: Pat Pearson

THAT Application for Consent No. B08/07 Woodlake, PT MIN LOC K115, K116 280P, DES RP23R9636 PTS 2 TO 13, REM PCL 41198 (LESS RD. RP;23R-9659 PARTS 1,2 for an easement for telecommunications purposes 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 a letter be received from KMTS (Kenora Municipal Telephone System) that it is satisfied and have adequate easements for servicing.

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. B09/07 Calloway

The Committee discussed the condition addressing the letter of credit and monitoring of the status of the sewer line across the subject property. There was concern expressed that \$35,000 would not be sufficient to cover the costs of any mitigation measures, if required. The Committee discussed how to ensure that the City would not be liable for any costs.

Moved by: Joyce Chevrier

Seconded by: Pat Pearson

THAT Application for Consent No. B09/07 Calloway, PLAN M44 LT 49-60 62-71 76-83 PT K13 LT 61 72 74 75 84 ST & LANE RP 23R10957 PT 1-4 17 & 18 PCL 43474 DKF for the creation of lease, under *The Planning Act* 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

With respect to the character of the area, the Official Plan permits a wide range of uses in the Rural designation. Churches, schools, etc. are generally compatible in residential areas from a planning perspective. In addition, the recommendation is to zone to permit a “place of worship” only, and not all other uses permitted in the Institutional zone. It is proposed that a condition of approval would be a site plan agreement. Mr. Port summarized and explained that his recommendations are made based on the facts, as presented to the Planning Department and the comments and recommendations of certified professionals, biologists, engineers and staff. He stated that he understands what the residents, in opposition are saying, however they have not brought any professional or expert opinions contrary to what the recommendation is.

The Committee discussed a shared driveway and the location of the retention swale to the west of it in order to reduce the number of culverts and entrances to the property.

Both Art Mior and Pat Pearson indicated that they were not eligible to vote on the matter as neither was in attendance at the previous meeting, or at the public hearings.

The Committee members each discussed their concerns with the application.

A discussion took place with respect to the manner of voting.

Moved by: Terry Tresoor Seconded by: Colin Bird

That the recommendation for approval of the Application for Zoning By-law Amendment No. Z02/07 Victory Baptist Church be amended by adding the following conditions (*shown in italics*):

- 1) The zoning by-law amendment should be “site specific” and include certain additional limitations to ensure the proposed use is desirable and appropriate for the area.
- 2) The only use permitted shall be a place of worship.
- 3) The size if the proposed place of worship shall be limited to 27m by 27 m, or 7850 s.f., in order to ensure adequate on-site parking and private water/sewer services.
- 4) A site plan agreement *including a drainage plan*, shall be required in order to adequately address the storm water management, building size and parking issues. *The site plan agreement will reflect a single, two-way entrance.*
- 5) No parking shall be permitted on Gould Road due to the narrow width of the road and lack of shoulders.
- 6) *A letter be received from the Northwestern Health Unit indicating they have no objection to the application per the revised site plan.*

It is recommended that this application be approved, with the above noted mitigating measures included in a site specific amendment to the zoning by-law.

CARRIED

Moved by: Colin Bird Seconded by: Wayne Gauld

THAT application for Zoning By-law Amendment No. Z02/07 Victory Baptist be recommended for approval by Council with the following conditions:

1. The zoning by-law amendment should be “site specific” and include certain additional limitations to ensure the proposed use is desirable and appropriate for the area.
2. The only use permitted shall be a place of worship.

3. The size if the proposed place of worship shall be limited to 27m by 27 m, or 7850 s.f., in order to ensure adequate on-site parking and private water/sewer services.
4. A site plan agreement *including a drainage plan*, shall be required in order to adequately address the storm water management, building size and parking issues. *The site plan agreement will reflect a single, two-way entrance.*
5. No parking shall be permitted on Gould Road due to the narrow width of the road and lack of shoulders.
6. *A letter be received from the Northwestern Health Unit indicating they have no objection to the application per the revised site plan.*

It is recommended that this application be approved, with the above noted mitigating measures included in a site specific amendment to the zoning by-law.

RECORDED VOTE:

	AYE	NAY	Abstention
Terry Tresoor	X		
Art Mior			X
Pat Pearson			X
Wayne Gauld		X	
Colin Bird		X	
Joyce Chevrier		X	
James Tkackhyk, Chair			X

MOTION DEFEATED

2. Lake Capacity Study - Not discussed

3. Application for Consent No. B06/07 Slusarczyk

The Committee discussed a requirement for proof of availability potable water. Also discussed was a request by the Applicant for a refund of \$450, for one of the lots requested as the lot was not suitable, according to the Northwestern Health Unit. The Committee will not recommend a refund.

Moved by:

Seconded by:

THAT Application for Consent No. B06/07 Slusarczyk, Concession 4 of Melick, N 1/2 LOT 13 PTS 1, 3, 4 23R9710 PCL 41291, be approved for the creation of 2 (two) new rural lots 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 owner shall supply evidence of adequate groundwater supply.~~
- 5) That a letter be received from the Ministry of Transportation indicating that the access for the proposed lots 2 and 3 is satisfactory.
- 6) That a letter be received from Bell Canada indicating that there are adequate easements provided over the property.
- 7) That the Transferee and Transferor shall not be named as the same person on the "Transfer Deed of Land" form.
- 8) That a letter be provided from the Northwestern Health Unit indicating no objection to the existing sewage system and to the configuration of the new lots, with reference to adequate area for new sewage systems.
- 9) That Part 1 on Plan 23R-9710 be tied, by Section 118 of the Land Titles Act, to the newly created lot 3.

CARRIED

4. **B16/06 Rose Change of conditions** – Remove condition to purchase shore allowance
The City of Kenora does not own the road reserve between the subject property and the Winnipeg River.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT following condition, being condition no. 4, of conditional approval given September 19, 2006 for Application No. B16/06 1627900, for a lot addition is hereby removed:

That the applicant purchases the City road allowance to eliminate the dock encroachment, or enters into an encroachment agreement with the City for the use of a dock, or remove the dock.

CARRIED

5. **Application for Zoning By-law Amendment Z05/07 Scheurmann**

The application is to add only the use of a fabric store to a property which is zoned Rural Residential. The subject property is located on Hwy 17 W, just east of the Otis property and across from a greenhouse operation. The Official Plan permits limited residential development in the Commercial Development area; the property is located in the Commercial Development area. The property is set up with two entrances off of the highway and there is adequate room for the 6 parking stalls required for the use. The application has been circulated with no objections.

Moved by: Wayne Gauld

Seconded by: Colin Bird

THAT the recommendation from the Kenora Planning Advisory Committee to Council, on application Z05/07 Scheurmann, to rezone property described as PT LOC 274P PCL 20479 to add a retail fabric store to the RR – Rural Residential, be approved, subject to the following conditions: 1) NWHU approval

2) S/W Supervisor approval

CARRIED

6. S03/06 M & L Change of conditions – Add condition to grant a flooding easement to Ontario Power Generation, at the expense of OPG

After draft approval was given, Ontario Power Generation requested a condition for a flooding easement, which would be registered at their expense, not that of the Developer. If the City was not selling the road allowance between the property and the Winnipeg River, it would not have been required.

Moved by: Joyce Chevrier Seconded by: Terry Tresoor

THAT the following condition is added to the draft approval given on November 9, 2006 to Application No. S04/06 M & L, as no. 17:

That a letter be received from Ontario Power Generation stating that there are satisfactory flooding easements in place. NOTE: Such easements will be the financial responsibility of Ontario Power Generation.

CARRIED

VI. NEW BUSINESS:

1) Questions re. Planning and Property Meeting –

None.

VII. ADJOURN

Moved by: Terry Tresoor

THAT the May 15, 2007 Planning Advisory Committee, be adjourned at 9:59 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF JUNE, 2007

CHAIR

SECRETARY-TREASURER

The Committee voted on whether or not to proceed with a meeting after 10:00 p.m.

A show of hands indicated that the Kenora Committee of Adjustment meeting would continue past 10:00 p.m.



City of Kenora

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

MINUTES
COMMITTEE OF ADJUSTMENT
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CITY OF KENORA PLANNING ADVISORY COMMITTEE

May 15, 2007

REGULAR MONTHLY MEETING HELD AT 60 Fourteenth St. N.
OPERATIONS CENTRE BUILDING
10:00 P.M.

Present:

James. Tkachyk	Chair
Joyce Chevrier	Vice Chair
Colin Bird	Member
Terry Tresoor	Member
Wayne Gauld	Member
Art Mior	Member
Pat Pearson	Member
Tara Rickaby,	Assistant Secretary Treasurer
Jeff Port,	Secretary-Treasurer

Regrets:

I. CALL MEETING TO ORDER:

James Tkachyk called the May 15, 2007 City of Kenora Committee of Adjustment meeting, to order at 10:00 p.m.

II. CONFLICT OF INTEREST :

III. MINUTES :

Moved by: Joyce Chevrier Seconded by: Colin Bird
THAT the minutes of the April 17, 2007 meeting be approved as distributed.

Corrections: None

Business Arising: None

CARRIED

IV. APPLICATIONS:

1. Application for Minor Variance A06/07 Delaquis

The Committee discussed the size of the sleep cabin and washroom facilities in the main floor of the garage, below. The proposed location of the garage/sleep cabin is a suitable in that it is unobtrusive to the neighbours.

Moved by: Art Mior

Seconded by: Pat Pearson

THAT Application for Minor Variance No. A06/07 Delaquis be approved to increase the maximum height of an accessory building from 4.5 metres to 6.4 metres for a variance of 1.9 metres and to the maximum floor area of a sleep cabin from 575 square feet to 600 square feet, for a variance of 25 square feet, which will not impact the neighbourhood in terms of desirability. It is appropriate as a sleep cabin is permitted in the Zoning By-law. The intent of both the Zoning By-law and Official Plan are maintained as the variance will not impact the character of the neighbourhood. The variance is minor for the same reasons.

CARRIED

2. Application for Minor Variance A07/07 Kowal

There was no discussion of this matter as the Committee's questions were answered during the public hearing on this application.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT Application for Minor Variance No. A07/07 Kowal be approved to reduce the front yard setback from 15 metres to 9 metres for a variance of 6 metres. The approval will facilitate the construction of an accessory garage which will not impact the neighbourhood in terms of desirability ; it is appropriate as it provides access. The intent of both the Zoning By-law and Official Plan are maintained as the variance will not affect existing development. The variance is minor for the same reasons.

CARRIED

3. OLD BUSINESS: None

4. NEW BUSINESS: None

5. ADJOURN:

Moved by: Terry Tresoor

THAT the May 15, 2007 Committee of Adjustment meeting be adjourned at 10:12 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF JUNE, 2007

CHAIR

SECRETARY-TREASURER