



City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2059

MINUTES

**CITY OF KENORA PLANNING ADVISORY COMMITTEE
REGULAR MEETING TO BE HELD IN THE PLANNING, BUILDING AND
ENGINEERING BUILDING, 60 FOURTEENTH ST. N,
January 15, 2008
7:22 P.M.**

Present:

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

PART A PUBLIC MEETINGS

APPLICATIONS:

1. 7:00 P.M. Application for Minor Variance A01/08 Fagnilli

DELEGATION: Mr. Alex Clark – 1314 Beach Road

Mr. Clark indicated that this deputation is a follow up to that given at the November 20, 2007 meeting at which the issues of noise and stray dogs in a residential neighbourhood, in close proximity to the OSPCA shelter where raised.

Mr. Clark stated that he, and the group he represents, are encouraged by this Committee's recommendation to harmonize the Zoning By-law and Animal Control By-law and that a minimum buffering distance of 300 metres is being considered.

Mr. Clark stated a concern with a new agency coming forward to provide shelter; he referred to a number of newspaper articles indicating that there is an expectation, by the new group, to use the current location after the OSPCA is gone. One article indicates that there is potential for housing 40-50 dogs and the same number of cats. He told the Committee that the concerned citizens will not let the issue go. Mr. Clark said that the issue of abandoned and stray animals does need to be addressed, however in a more open and consultative manner, and not at the expense of neighbours. Mr. Clark made a final point that animal welfare also needs to be considered with respect to available space

and overcrowding. Mr. Clark thanked the Committee for the opportunity to address the issues.

Mr. Clark's deputation ended at 7:21 p.m.

Mr. Tkachyk told Mr. Clark and those present that the Committee will be discussing the issue later on in the meeting. He invited them to remain but stated that there would not be an opportunity for an open dialogue.

PART B PLANNING ADVISORY COMMITTEE

I. CALL MEETING TO ORDER:

James Tkachyk called the January 15, 2008 regular meeting of the Kenora Planning Advisory Committee to order at 7:22 p.m.

II. CONFLICT OF INTEREST – None declared.

III. ELECTION OF CHAIR AND VICE-CHAIR

James Tkachyk turned the meeting over to Jeff Port to accept nominations and carry out a vote for Chair.

Mr. Port called for nominations for Chair.

Joyce Chevrier nominated James Tkachyk, Seconded by Art Mior.

James Tkachyk nominated Art Mior, Seconded by Wayne Gauld.

Jeff Port called three times for further nominations.

Joyce Chevrier moved that nominations be closed.

Mr. Tkachyk declined the nomination. Mr. Mior accepted the nomination.

Mr. Port called for nominations for Vice-Chair.

Joyce Chevrier nominated James Tkachyk, Seconded by Wayne Gauld.

Terry Tresoor nominated Joyce Chevrier, Seconded by Colin Bird.

Jeff Port called three times for further nominations.

Colin Bird moved that nominations be closed.

Mr. Tkachyk accepted the nomination. Joyce Chevrier declined the nomination.

Mr. Port turned the meeting over to Art Mior.

IV. MINUTES:

1. December 18, 2007

Moved by: Terry Tresoor Seconded by: Wayne Gauld

THAT the minutes of the Planning Advisory Committee December 18, 2007 be approved as amended.

2. Corrections to minutes - Change name of Committee adjourning to Planning Advisory.

3. Business Arising - None

CARRIED

January 7, 2008

Moved by: Joyce Chevrier

Seconded by: Wayne Gauld

THAT the minutes of the special Planning Advisory Committee meeting January 7, 2008 be approved as distributed.

CARRIED

2. Corrections to minutes – None.

3. Business Arising – Joyce Chevrier told the Committee that the newspaper was reporting that Council is still considering the Qualico application when, in fact, the Zoning By-law amendment was passed last night.

V. APPLICATIONS:

1. None

VI. OLD BUSINESS:

1. **Description of lot widths.** Jeff Port and Art Mior will meet before the next PAC meeting to develop a recommendation.

2. **Recommendation re. animal shelters** – Staff recommendation – Rural zone and Heavy Industrial – with appropriate buffers.

Staff has done some research and is therefore suggesting two changes to the Zoning By-law: 1) Remove “ Small animal breeding and boarding establishment” from the RR – Rural Residential Zone; and 2) Remove “Animal shelter and veterinary service” from HC – Highway Commercial Zone and ML – Light Industrial Zone and permit them in MH – Heavy Industrial and RU – Rural, with a buffer zone.

The Committee discussed various scenarios with respect to the impact of a buffer zone and soundproof facilities.

Moved by: Wayne Gauld

Seconded by:

Joyce Chevrier

THAT Council considers amending Zoning By-law No. 160-2004 as follows:

Remove “ Small animal breeding and boarding establishment” from the RR – Rural Residential Zone; and 2) Remove “Animal shelter and veterinary service” from HC – Highway Commercial Zone and ML – Light Industrial Zone and permit them in MH – Heavy Industrial and RU – Rural, with 500 metre buffer zone, measured between the exact location of the facility, in a concentric circle, between the facility and any residence; and

THAT the City of Kenora Animal Control By-law be amended to be in harmony with the Zoning By-law.

CARRIED

3. Application for Subdivision No. S04/06 M & L

Jeff Port reported on a meeting with the Developer, Lakeland Consulting and the MNR. The following was discussed:

1. City to retain ownership of the shoreline of lots 1 & 2 and not allow development on this property. These lots are to be recognized as backshore properties and approvals to develop shoreline structures will not be permitted by the City. It is understood that MNR will not support any such activities and potential

purchasers should be made aware of this. Should a request be made to City for such activity, this message will be communicated. The City should not suggest or imply that if the property owner receives support from MNR for shoreline structures they would allow it. Such an approach would be misleading as MNR has already commented to not support such activities through the subdivision process.

2. Site plan control will be implemented on lot 5 to direct shoreline activity away from the portion of the lot identified as potential spawning habitat. The City will circulate the draft site plan control to MNR for comment.
3. Further fisheries work will be conducted on lots 3 & 4 to confirm the exact location of habitat and to look for opportunities for site plan control away from this habitat (developer accepts that this may not be possible and if so the city would retain ownership as with lots 1 & 2 and not allow waterfront access/structures. It is recognized that this has the potential for significant implications to the developer in terms of lot price). Should there be an opportunity to utilize site plan control on these lots the City will circulate a draft site to MNR for comment.
4. The existing draft approval conditions will be amended to be reflective of the above and to no longer require MNR sign off (i.e. condition 12 would now be moot).
5. This will be presented to the Planning & Advisory Committee for their acceptance.
6. None of the above will alleviate the developer or future property owners of their obligations to the Fisheries Act, Public Lands Act, or other pertinent legislation.

Mr. Port will consult with the MNR to provide a recommendation for the next meeting. The recommendation will be circulated before the meeting and the Committee will decide whether or not they would like to invite Mr. Duda, of the MNR, to attend the next meeting.

4. **Application for Zoning By-law Amendment Z06/06 Beaucage**

The Property and Planning Committee of Council has referred this issue back to this Committee for a recommendation. Since that request was made, the Planning Department has received a report from the Chief of Fire and Emergency Services indicating that there is progress being made on the building.

Moved by: Joyce Chevrier

Seconded by: Wayne Gauld

THAT Council require the Applicant to provide proof, by way of copy of Electrical Safety Authority order that property has been inspected; and

THAT a deadline of 30 days be given, from the date of the Council meeting, for the Applicant to provide proof of the works being completed to the satisfaction of the Electrical Safety Authority, the Chief Building Official and the Manager of Emergency Services; and

THAT if such deadline is not met, the Application be refused.

CARRIED

VII. NEW BUSINESS:

1. Questions re. Planning and Property Meeting
Joyce Chevrier asked whether or not the City was considering selling Town Island. Mr. Port replied that nothing will happen to Town Island without this Committee's comments.

2. Invitation to NWHU to attend meeting to give overview of mandate
Letter was sent to Bill Limmerick inviting Doug Vergunst.

3. Recommendation to Council for by-law requiring homeowner hook up to municipal services if available.

Moved by: Joyce Chevrier

Seconded by: James Tkachyk

THAT the Planning Advisory Committee recommends that the Operations Committee and Council develop and implement a by-law requiring property owners to connect to municipal sewer and water services if said services are available.

CARRIED

4. **Application for Zoning By-law Amendment Z07/07 Jarnel** – Recommendation

The Committee reviewed some of the proposed traffic plans. Operations will be asked to provide them with a copy of an agreed-upon plan. The Committee would like to see these plans before February 8th. A special meeting will be called to give a recommendation on this file, before the Property and Planning meeting on February 12th.

VIII. ADJOURN

Moved by: Terry Tresoor

THAT the January 15, 2008 Planning Advisory Committee, be adjourned at 9:29 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF FEBRUARY, 2008

CHAIR

SECRETARY-TREASURER

MINUTES

CITY OF KENORA COMMITTEE OF ADJUSTMENT REGULAR MEETING TO BE HELD IN THE PLANNING, BUILDING AND ENGINEERING BUILDING, 60 FOURTEENTH ST. N, January 15, 2008 9:30 P.M.

PART C COMMITTEE OF ADJUSTMENT

I. CALL MEETING TO ORDER

Art Mior called the January 15, 2008 City of Kenora Committee of Adjustment meeting, to order at 9:30 p.m.

II. CONFLICT OF INTEREST - None

III. MINUTES:

December 18, 2007

**Moved by: James Tkachyk
Chevrier**

Seconded by: Joyce

THAT the minutes of the Committee of Adjustment meeting of December 18, 2007 be approved as distributed.

CARRIED

2. Corrections to minutes - None

3. Business Arising - None

IV. APPLICATIONS:

1. **A01/08 Fagnilli**

The Committee discussed the parking layout possibilities on the property as well as the front yard set back. There is concern with the access to the second floor. Staff to check with Building Department to clarify how access must be provided.

Moved by: James Tkachyk

Seconded by: Terry Tresoor

THAT Application for Minor Variance No. A01/08 Fagnilli be tabled until the following information is provided:

- site plan, indicating the residential parking layout
- the dimension of the front yard setback
- an access design for the second floor.

CARRIED

V. OLD BUSINESS:

1. Lake Capacity Study - Joyce Chevrier asked when the recommendations in the study will be reviewed and commented on. Jeff Port explained that the Citizens Committee will be contacted and a meeting set up in the near future.

VI. NEW BUSINESS: - None

VII. ADJOURN

Moved by: Terry Tresoor

THAT the January 15, 2008 meeting of the Kenora Committee of Adjustment be adjourned at 9:55 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF FEBRUARY, 2008

CHAIR

SECRETARY-TREASURER