



PROCEEDINGS

Of a Public Meeting to discuss an
Amendment to Zoning By-law #160-2004
(Re: Qualico)

Monday, January 14, 2008 - City Council Chambers
At 4:15 p.m.

PRESENT: Mayor L. Compton
Councillor W. Cuthbert
Councillor C. Drinkwalter
Councillor D. McCann
Councillor R. McMillan
Councillor A. Poirier
Councillor C. Van Wallegem
Bill E. Preisenzanz, CAO
Jeff Port, Planner
Heather Kasprick, Deputy Clerk

Mayor Compton advised the public meeting is being held by Council in accordance with Section 34 of the Planning Act to consider an amendment to the City of Kenora Comprehensive Zoning By-law

Ms Kasprick, Deputy Clerk, advised the Notice pertaining to this public meeting appeared in Kenora Daily Miner & News on December 20, 2007.

Mayor Compton asked if there was anyone who wished to receive written notice of the adoption of the By-law, to leave their name and address with the Clerk. Mayor Compton mentioned that any person may express his or her views of the amendment, and a record will be kept of all comments.

Jeff Port, City Planner then reviewed the details of the Planning Report:

Introduction

Qualico Developments (Winnipeg) Ltd., Agent for Abitibi Consolidated Inc. has made application for a site-specific Zoning By-law amendment on property described as Pin 42161-0600 being Pt of Block on Tunnel Island, described as Pt 1, Plan 23R-11404 and locally known as the Abitibi Staff House property, by rezoning from HC-Highway Commercial to R3 – Residential, Third Density. The subject land is approximately 3.54 ha (8.7 acres) in size, with 317 metres (1040 ft.) of frontage on Lakeview Drive and approximately 689 metres (2250 feet) of water frontage on Lake of the Woods.

Description of Proposal

The applicant proposes to develop a multi-family and multi-density condominium project with a total of 64 units. The proposed development will be serviced by a private road and docking facilities will be provided for each unit. On-site parking facilities will be provided at a minimum 1.5 vehicles per residential unit. The lot coverage will be 16%. An existing low area will be further enhanced to provide storm water management for the development.

The setbacks are proposed to meet or exceed the 7.5 metres required by the Zoning By-law.

Official Plan Policies

- 4.1.3 Residential development will be encouraged through plans of subdivision, condominium and consent as infilling or redevelopment of existing uses on full municipal services. Medium and high density residential use will be supported provided that the development is in keeping with the character of the area, and generally does not exceed three stories in height;
- 4.14 Linkages to recreation and open spaces will be created through the development of trails, parks, roadways and sidewalks designed to provide space for pedestrians and cyclists.
- 4.154 Minor changes to land use that are compatible with existing land uses, do not result in significant increases to traffic, dust, odour or noise, are similar in scale to the surrounding built form and that improve the quality of life for area residents shall be permitted through an amendment to the Zoning By-law.
- 4.7.6 Docks and Shoreline Development

The policies in this section of the Official Plan apply to all navigable water bodies and watercourses within the City of Kenora. These areas provide opportunities for development oriented to the water. The Plan provides for the development of these areas in accordance with the policies of the applicable land use designation and other applicable policies of this Plan, provided that the aquatic environment is protected.

- 4.7.6.1 Land uses permitted along shorelines shall be as specified in the policies of the applicable land use designation. Proposed development within these areas shall be governed by the policies of the applicable land use designation and other applicable policies of this Plan, in addition to the policies of this section.
- 4.7.6.2 Docks, waterfront and marina structures on property abutting water shall:
 - a) be subject to the policies of the Ministry of Natural Resources, the Canadian Coast Guard, Fisheries and Oceans, and the City of Kenora,

and where such structures are to be on Crown Land covered by water, the comments of adjacent land owners.

- b) be designed, constructed and maintained in a manner which contributes to the amenity of the City;
- c) be capable of withstanding damaging storms, ice, and high water conditions;
- d) not contain sanitary facilities, pressurized water systems or dwelling units;
- e) be located so as not to interfere with navigation or aids to navigation;
- f) be constructed and placed so as to minimize the impact on natural vegetation, and topography; and shall not have a negative impact on fishery habitat;
- g) be constructed to meet the requirements of Ontario Regulation 310 under the Environmental Protection Act, in the case of marinas

4.7.7 Archeological and Cultural Heritage Sites

Cultural heritage resources include archeological sites, cemeteries, burial sites, historic buildings and settlements and physical features that have historic and cultural significance. Areas of known archeological and cultural resources are identified generally on Schedule "A". Prior to development occurring in these areas, the proponent shall undertake a Level One Archeological Assessment of the lands in accordance with requirements of the Ministry of Citizenship, Culture and Recreation to determine the nature and extent of the resources on the site. This study shall be conducted by a licensed archeologist. Where resources are found on site they shall be documented and preserved in accordance with the requirements of the Province. If the site is determined to be significant the development may be prohibited. Any features identified may be preserved insitu to ensure that the integrity of the resource is maintained. Excavation of any significant archaeological features by a licensed archaeologist may also be considered.

Zoning By-law No. 160-2004

The proposed plan of condominium will require an amendment to comprehensive zoning by-law 160-2004. The subject property is presently zoned "HC - Highway Commercial", which does not permit multi family residential use. There is a requirement for it to be rezoned to "R3 - Residential Third Density" in order to permit the construction of 64 residential units on the subject property.

In addition, the Maximum Height Limit of 10 metres in zoning by-law 160-2004 will need to be amended to 15 metres in order to accommodate the four story structures proposed by the developer.

Land Use Planning Issues

Servicing

The subject property is not presently serviced by municipal water and sewer, with the exception of limited summer water service to the Abitibi staff house. Discussions with the City Engineering Department indicate that the most suitable location for tying into the municipal water and sewer systems are directly to the south of the property where the main water and sewer lines service the westerly portion of the City. These lines are located in the Lake of the Woods, and the extension of the service will require a Certificate of Approval from the Ministry of the Environment.

The developer has been briefed by City staff on the requirement for the extension of municipal services as a condition of final approval for a plan of condominium.

Utilities

There are presently hydro and telephone utilities available for the proposed development.

Access

The subject property is presently accessed via Lakeview Drive, which a publicly owned and maintained road. The developer has completed a traffic study, prepared by the MMM Group. The traffic study projected the additional post development traffic volumes with respect to the existing highway infrastructure. The report concludes that a westbound turn lane would alleviate potential delays for the westbound through traffic on Lakeview Drive. The report also concludes that the intersection for the proposed development should be 70 metres east of the adjacent bridge abutments if the turn lane is constructed, and that a traffic signal is not warranted.

Archeological Resources

The subject property is located on the Lake of the Woods, at the outflow of the Winnipeg River. This general area is potentially archeological significant, both locally and provincially. As such, the developer undertook a Phase I and Phase II Archeological Assessment of the subject property. The archeological work was undertaken by Mr. William Ross of Ross Archeological Associates in Thunder Bay, Ontario.

No artifacts of archeological significance were found, and it was recommended that further archeological work is not required.

Fish and Wildlife Resources

The City of Kenora Official Plan mapping indicates there is a W1 – Walleye fishery value along the westerly shoreline of the subject property. City staff indicated to the developer that a fisheries assessment would be required due to the presence of this value.

The work for the fisheries assessment was completed by Kelli Saunders Environmental Management, with the services of a qualified biologist, Mr. Ryan Haines. The report was received by the City of Kenora in December 2007.

The report indicated that there are some shoreline and littoral areas with high potential to support Walleye and Lake Whitefish spawning. These are identified as Sections 2 and 5 in the Fisheries Assessment report. The report recommends that shrubs plants and undergrowth not be removed, or disturbed in these areas, and that docks be avoided due to adverse impacts on fish spawning.

The site plan provided by the developer indicates that no development is proposed in areas with high potential for Walleye, Lake Whitefish and White Sucker spawning. The City will ensure the recommendations and mitigating measures set out in the fisheries report are implemented through site plan control as part of the condominium approval process.

Public Comments

To date, no comments have been received from the public on this application.

Agency Comments

To date, no comments have been received from the agencies on this application, however, the Ministry of Natural Resources and the Department of Fisheries and Oceans have been contacted by Kelli Saunders Environmental Management as part of the fisheries assessment process.

Summary

In accordance of the City of Kenora Official Plan, the proposed development represents infilling, and medium density residential development is desirable and appropriate for the subject lands. Hydro and telephone utilities are available. While water and sewer services are not directly available on site, however, they are in relatively close proximity to the property and will be required for the development to proceed.

The developer has completed a traffic study, archeological assessment and fisheries study for the proposed development. A westbound turning lane will likely be required for access to the proposed development, however, a signalized intersection is not required. There is a high potential for fisheries values along some limited shoreline areas as outlined in the fisheries report. The site plan submitted by the applicant will protect the fisheries values cited in the report by avoiding development in sensitive areas. The City will utilize site plan control to ensure their protection. The archeological assessment indicates no further archeological work is required.

Recommendation

That the site specific application Z01/08 (Qualico) to rezone the "Abitibi Staff House" property from HC - Highway Commercial to R3 – Residential Third Density be approved along with a maximum height limit of 15 meters.

Mayor Compton asked if there was anyone who wished to speak in favour or opposition to

the by-law.

- Mr. Eric Vogen, Qualico Homes spoke in favour. He stated that this is an exciting project to work on because it is a very special piece of land. This project will be unique with the location and working with the common ground project as well as the close proximity to the downtown core.

Mayor Compton asked if there were any questions. There were no questions.

Mayor Compton the declared the Public Meeting closed at 4:30 p.m.