

**October 29, 2009**



## **City Council Committee Report**

**To: Mayor & Council**

**Fr: Tara Rickaby, Planning Assistant**

**Re: Request for Partial Refund of Fees – Z03/09 Thorburn**

### **Recommendation:**

**That** Council of the Corporation of the City of Kenora authorizes the refund of \$700 to Kirby Thorburn, with respect to an application for a Zoning By-law Amendment Z03/09 as notice of the application was not advertised and the Applicant rescinded said application.

### **Background:**

Kirby Thorburn applied to rezone a property on Kay Street from R2 – Residential Second Density, to R3 – Residential Third Density in order to construct a triplex.

The application was reviewed in September, by the Planning Advisory Committee, and comments received from an abutting neighbour. The PAC's recommendation to Property and Planning was to be a refusal of the application, however Mr. Thorburn once again approached the PAC to provide more detailed site plans. Two neighbours also attended that meeting (October 20, 2009).

The PAC's recommendation is as follows:

**Moved by: Joyce Chevrier**

**Seconded by: Terry Tresoor**

**THAT** the original recommendation, made by the Kenora Planning Advisory Committee on September 15, 2009, stands as recommended.

**CARRIED**

**Moved by: Vince Cianci**

**Seconded by: Terry Tresoor**

**THAT** application for Zoning By-law Amendment Z03/09 Thorburn, to amend the Zoning By-law specifically at property described as PT LOT 13 GOV'T SURVEY DES;RP 23R8747 PARTS 3, 4;PCL 40039 by changing the zone from R2 to R3 with a reduced east side yard setback to 2.5 metres be recommended for refusal by the Council of the City of Kenora as the development would not be in character with the neighbourhood, nor would the density be in character with the neighbourhood..

**CARRIED**

Mr. Thorburn subsequently requested a withdrawal of his application to rezone the property. There had been no advertising of the application as the initial recommendation from the PAC was received by the Applicant prior to the advertising date.

**Budget:** Reduction in revenue of \$700.

### **Communication Plan/Notice By-law Requirements:**

Property and Planning Agenda, Council Agenda, Finance Department