



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 and COMMITTEE OF ADJUSTMENT
REGULAR MEETING TO BE HELD IN THE PLANNING, BUILDING AND ENGINEERING BUILDING, 60
FOURTEENTH ST. N,
April 21, 2009 - 7:45 P.M.**

Present:

Art Mior	Chair
Joyce Chevrier	Member
Colin Bird	Member
Terry Tresoor	Member
Vince Cianci	Member
Wayne Gauld	Member
Tara Rickaby	Assistant Secretary Treasurer

Regrets: James Tkachyk

DELEGATION: None

PART A PUBLIC MEETINGS

I. APPLICATIONS:

7:00 P.M. Application for Consent B02/09 Sawchuk
Application for Consent B03/09 Bestway Rentals
Application for Consent B04/09 Fisk
Application for Consent B05/09 Holiday
Application for Consent B06/09 Lowe
Application for Minor Variance A04/06 Curling Club

PART B – PLANNING ADVISORY COMMITTEE

I. CALL MEETING TO ORDER

Art Mior called the April 21, 2009 City of Kenora Planning Advisory Committee meeting, to order at 7:45 p.m.

CONFLICT OF INTEREST - Vince Cianci, with item No. 1, under Old Business, as the applicant.

II. MINUTES:

March 17, 2009

Moved by: Joyce Chevrier

Seconded by: Wayne Gauld

THAT the minutes of the Kenora Planning Advisory Committee meeting of March 17, 2009 be approved as distributed.

2. Corrections to minutes - None

3. Business Arising - None

CARRIED

III. APPLICATIONS:

1. Application for Consent B02/09 Sawchuk

Discussion took place with respect to the possibility of the lots having been adjusted previously.

Moved by: Wayne Gauld

Seconded by: Colin Bird

THAT application for Consent No. 02/09 Sawchuk, for lands described as part of PLAN 88 BLK 8 LOT 160 to be added to PLAN 88 BLK 8 PT LOT 158;PT LOT 159 (William and Shirley Sawchuk, 706 Thirteenth Ave N.) and PLAN 88 BLK 8 S PT LOT 158;S PT LOT 159 (Natalie Procyshyn) 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) The balance of Lot 160 shall be tied to the subject lands per Section 118 of the Lands Titles Act.

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 B03/09 Bestway Rentals

No discussion.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT application for Consent No. 03/09 Bestway, for an easement over the subject lands in favour of Bell Canada 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.

CARRIED

3. Application for Consent B04/09 Fisk

Discussion took place with respect to the private road, to the east of the subject lands.

Moved by: Vince Cianci

Seconded by: Joyce Chevrier

THAT application for Consent No. 04/09 Fisk for a lot addition from lands described as PT N 1/2 LOT 2 CON 5M DES;23R9441 PT 3 PCL 41352 (Fisk/Lengyel, to PT N 1/2 LOT 2 COM 5M DES AS;23R9441 PT 2 PCL 41029 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 Applicant, if either road is not registered in the name of the City of Kenora, transfers portions of the Essex Road and/or Begg's Road over the subject lands, to be measured 10 metres from either side of the centre line of the traveled portion of the road.

NOTE: "No assessment has been made for quality or quantity of groundwater. The waters of the Deacon Creek 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

4. Application for Consent B05/09 Holiday

Discussion of the travelled portion of Charles Street over the subject lands took place.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT application for Consent No. 05/09 Holiday, for lands described as PLAN M52 PT LOTS 39 TO 42;RP23R 3826 PARTS 8, 9 10;PLAN M 22 LOT 6 PCLS 16951,;31158, 2147 (Holiday) and 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 portion of the subject lands, including three metres north of the edge of pavement, and including the travelled portion of Charles Street, be surveyed out and transferred to the City of Kenora for municipal purposes.

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

5. Application for Consent B06/09 Lowe

The Committee discussed Keewatin surveys, in general and the requirement to evaluate whether or not to use a straight line survey on a case by case basis.

Moved by: Wayne Gauld

Seconded by: Vince Cianci

THAT application for Consent No. 06/09 Lowe, for lands described as PLAN M23 LOT 6 RP 23R4232;PART 1 PCL31144 & PART SIMPSON LOC RP 23R 6937 PART 1;PCL 37149 (Lowe) and PLAN M23 PT LOTS 4, 5 RP;23R2662 PARTS 1,2,3 PCL;28525 (Cook 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 amended sketch and dimensions, per attached, to be used to provide survey instructions.

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

IV. OLD BUSINESS:

1. B21/08 Cianci

Joyce Chevrier asked Mr. Cianci if he had purchased additional lands from the City of Kenora. Mr. Cianci replied in the affirmative and provided the new sketch.

Mr. Cianci left the meeting at 8:20 p.m.

Discussion took place with respect to averaging to decide the front (street side) property line.

Moved by: Terry Tresoor Seconded by: Colin Bird

THAT application for Consent No. B20/08 Cianci, for a lot addition for property described as Lots 23 and 24 on Plan M.33, 07 and 909 First Street South 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 retained portion of Lot 24 be consolidated with Lot 25
5. That the City of Kenora transfers property (approximately .0848 ha) for consolidation with the subject lands, being the consolidated part of lots 23 and 24 and the retained part of lots 24 and 25.

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

Mr. Cianci returned to the meeting at 8:24 p.m.

V. NEW BUSINESS:

1. Staff recommendations: Joyce Chevrier began the discussion by indicating a level of discomfort with the perception that, in some cases, the Committee does not agree with staff recommendations.

Moved by: Joyce Chevrier Seconded by: Colin Bird

THAT Staff be directed to no longer provide recommendations to either approve, or refuse applications coming before this Committee.

CARRIED

2. Questions re. Planning and Property Meeting
Tara Rickaby explained a resolution, originated in the Municipality of Grey Highlands, which addresses the possible outcome of a proposal to remove local land use planning controls associated with the location of Renewable Energy Facilities.

- 3. Possible dates for special meeting, if required: Tara Rickaby indicated that there may be one, or two, applicants wishing to pay for a special meeting and requested two possible dates; the Committee members agreed on either May 5th or 12th at 4:00 p.m., if required.

VI. ADJOURN

Moved by: Terry Tresoor

THAT the April 21, 2009 meeting of the Kenora Planning Advisory Committee be adjourned at 8:53 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF MAY, 2009

CHAIR

SECRETARY-TREASURER

PART C - COMMITTEE OF ADJUSTMENT

I. CALL MEETING TO ORDER:

Art Mior called the April 21, 2009 regular meeting of the Kenora Committee of Adjustment to order at 8:54 p.m.

II. CONFLICT OF INTEREST – None

III. MINUTES:

a) March 17, 2009

Moved by: Terry Tresoor

Seconded by: Colin Bird

THAT the minutes of the meeting of the Committee of Adjustment, March 17, 2009 be approved as distributed.

b) Corrections to minutes: None

c) Business Arising: None

CARRIED

IV. APPLICATIONS:

1. Application for Minor Variance A04/06 Curling Club

The Committee discussed recommending that the structure be somehow protected at the east end of the ramp. Further discussion took place with respect to the use of surveys.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT application for minor variance A04/09 Curling Club be approved to reduce the south side yard setback, from 1.5 metres to .396 metres for a variance of 1.104 metres. The development is desirable for the City of Kenora and maintains the purpose and intent of both the Official Plan and Zoning By-law.

CARRIED

V. OLD BUSINESS: Mr. Cianci indicated that he is rescinding his application for Minor Variance A01/09.

VII. NEW BUSINESS:

VIII. ADJOURN

Moved by: Terry Tresoor

THAT the April 21, 2009 Planning Advisory Committee, be adjourned at 9:08 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 19th DAY OF May, 2009

CHAIR

SECRETARY-TREASURER