



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,
November 2, 2009 – 4:09 P.M.**

Present:

James Tkachyk	Acting Chair
Joyce Chevrier	Member
Terry Tresoor	Member
Wayne Gauld	Member
Vince Cianci	Member
Tara Rickaby	Assistant Secretary Treasurer
Jeff Port	Secretary-Treasurer

Regrets: Art Mior, Chair, Ted Couch, Member

PART A PUBLIC MEETINGS

I. APPLICATIONS:

4:00 P.M.	Application for Consent	B17/09 Slusarcyk
	Application for Minor Variance	A26/09 Hook

DELEGATION: None

PART B – PLANNING ADVISORY COMMITTEE

I. CALL MEETING TO ORDER

James Tkachyk called the November 2, 2009 City of Kenora Planning Advisory Committee meeting, to order at 4:09 p.m.

II. **CONFLICT OF INTEREST:-** None

III. APPLICATIONS:

1) **Application for Consent B17/09 Slusarcyk**

The Committee discussed the comments of the Northwestern Health Unit and the requirements for location of a septic field on the most northerly lot.

Jeff Port explained the options of access as laid out in a letter from the Ministry of Transportation.

Moved by: Joyce Chevrier

Seconded by: Terry Tresoor

THAT Application for Consent No. B17/09 Slusarcyk, for the creation of two (2) new lots on property described as 1718 Redditt Road, Concession 4 of Melick, N 1/2 LOT 13 PTS 1, 3, 4 23R9710 PCL 41291 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 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 a letter, from an Ontario Land Surveyor, or Lawyer/Solicitor be received indicating that the water body over the subject lands is not excluded from the original patent.
- 5) That the transferor and transferees not be named as the same person on a transfer deed of land form.
6. That Part 1 on Plan 23R-9710 be tied, by Section 118 of the Land Titles Act, to the northerly lot.

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:

Application for Plan of Subdivision S01/09 Luby –

The City Planner reviewed the history of the application; there have been no major concerns identified. The Municipal Engineer has reviewed the draft conditions and met with the property owner/developer to discuss storm water drainage and lot grading. Mr. Port then explained the technical nature of a subdivision agreement.

Discussion took place with respect to a possible building envelope for proposed Lot 1, at the eastern end of the draft plan.

The Committee Chair invited the property owner/developer, to advise as to the idea behind the design of Lot 1. Mr. Luby explained that it was drafted that way in order to ensure that the existing travelled municipal road was not located on private property.

Mrs. Chevrier asked Mr. Luby if, as developer, he would be building homes on the property. Mr. Luby indicated that the matter has not yet been decided.

Discussion took place with respect to access to accessory or attached garages, and location and type of utilities to be located.

Options for redesigning Lot 1 were considered; reduction of the number of lots from 12 to 11, or reduction of size of the other 11 lots to provide required frontage to Lot 1.

Moved by: Wayne Gauld

Seconded by: Vince Cianci

That this approval applies to the draft plan No. S01/09 Luby Development prepared by SRQ, Engineers and Surveyors, dated May 29, 2009 and amended by redline on November 2, 2009 shows a total of:

- 12 lots
- Road widening for Fourth St. North

1. That a subdivision agreement be signed and executed, by the Mayor and Clerk, between the Owner and the City of Kenora, and the that the subdivision agreement be registered against the lands to which it applies, together with the plan of subdivision.
2. That the final plan shows no lots less than 450 square metres in area, and 15 metres of frontage on a publically owned road.

3. The Owner shall dedicate all roads, road widenings, and public walkways to the City by the registration of the Plan of Subdivision.
4. That confirmation be received from the City Engineer approving a servicing plan, drainage plan, lot grading plan, detailed flow calculations, site plan and profile drawings.
5. That the Owner shall, at their own expense, provide municipal water & sewer, hydro, telephone, sidewalks, widen and re-construct the road, shown as Fourth Street North, and provide for appropriate drainage for the proposed subdivision to a standard not less than the requirements for a City of Kenora urban road standard.
6. That, prior to final approval, the Owner shall provide written confirmation from an OLS, indicating that the road(s) is/are wholly within the road allowance.
7. That prior to the commencement of servicing the Owner shall submit a detailed Water and Sewer Servicing Report, including a copy of the application, to the Ministry of the Environment, for a certificate of approval for extension of works that describes the extent of the servicing by the municipal water distribution and sanitary sewer networks, to the satisfaction of the Municipal Engineer. Further, the Owner acknowledges that this shall include the payment of all costs associated with said certificate of approval and servicing report.
8. The Owner shall make satisfactory arrangements with Kenora Hydro for the provision of permanent electrical services to the subdivision and/or the relocation of the existing services. Further, the Owner acknowledges that this shall include the payment of all costs associated with the provision of temporary services and the removal of such services when permanent installations are possible.
9. The Owner shall make satisfactory arrangements for the provision of permanent telephone services to the subdivision and/or the relocation of the existing services and further, the Owner acknowledges that this may include the payment of all costs associated with the provision of temporary services and the removal of such services when permanent installations are possible.
10. The Owner shall make arrangements for the granting of any easements required for utilities and municipal services. The owner agrees to comply with the following easement procedure:
 - (a) to provide copies of the subdivision plan proposed for registration and reference plan(s) showing the easements to hydro, and telephone companies and the City, to the City's Planning Department;
 - (b) to ensure that there are no conflicts between the desired locations for utility easements and those easement locations required by the City's Municipal Engineer for municipal services;
 - (c) if utility easement locations are proposed within lands to be conveyed to, or presently owned by the City, the Owner shall obtain prior written approval from the City's Director of Planning and the City's Municipal Engineer, in the case of parkland, the City's Manager of Operations; and
 - (e) to provide to the City's Director of Planning, a clearance letter from each of Kenora Hydro and the appropriate telephone and cable companies. Such letter shall state that the respective utility company has received all required grants of easement, or alternatively, no easements are required.
11. That 5% (of current assessed value) cash in lieu of conveyance of land for park or other public recreational purposes shall be paid to the City of Kenora as a condition of final approval.
12. That prior to final approval by the City of Kenora, the City of Kenora is to be advised, in writing, by the owner, or their agents, how conditions 1-11 inclusive have been satisfied.
13. That draft approval for this development is for a period of five (5) years. The Owner may apply for any extension at least sixty (60) days prior to the lapsing date.

Notes to Draft Approval:

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forward by the appropriate agencies to the City Planner, City of Kenora, 60 Fourteenth Street North, Kenora, ON P9N 4M9, quoting the City of Kenora file number.
2. It is suggested that you make yourself aware of Section 144 of the Land Titles Act and subsection 78(10) of the Registered Act. Subsection 144 of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144 (2).
3. Clearance letters are required from the following agencies:
 - a) Roads Supervisor,
City of Kenora
60 Fourteenth Street N.,
Kenora, ON P9N 4M9
 - b) Kenora Hydro
 - c) KMTS/Bell Alliant
 - d) Shaw Cable
 - e) City of Kenora Sewer and Water
 - f) City of Kenora Engineering
 - g) Ministry of Environment (in form of Certificate of Approval)
4. All measurements in the subdivision final plan must be presented in metric units.
5. That plan must be registered within 30 days following final approval be by the City of Kenora or approval may be withdrawn under subsection 51 (59) of the Planning Act.

CARRIED

I. ADJOURN

Moved by: Terry Tresoor

THAT the November 2, 2009 special meeting of the Kenora Planning Advisory Committee be adjourned at 4:44 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 17th DAY OF NOVEMBER, 2009

CHAIR

SECRETARY-TREASURER

PART C - COMMITTEE OF ADJUSTMENT

I. CALL MEETING TO ORDER:

James Tkachyk called the October 20, 2009 regular meeting of the Kenora Committee of Adjustment to order at p.m.

II. CONFLICT OF INTEREST – None

III. APPLICATIONS:

1. Application for Minor Variance A26/02 Hook

No discussion.

Moved by: Vince Cianci Seconded by: Wayne Gauld

THAT Application for Minor Variance A26/09 Hook, for property described as 505 Old Chalet Lane, PLAN M56 LOT 93 TO 94 PCL;2297 RD ALLOW DESG PART 2;23R3226 PCL 29511, be approved to permit the construction of an accessory garage closer to the road than the principle dwelling is to that road as the construction of the garage is in character with the neighbourhood, meets the intent of both the Official Plan and Zoning By-law and is minor in nature.

CARRIED

IV. ADJOURN

Moved by: Terry Tresoor

THAT the November 2, 2009 special meeting of the Committee of Adjustment be adjourned 4:47 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 17th DAY OF November, 2009

CHAIR

SECRETARY-TREASURER