



## PROCEEDINGS

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

Tuesday, February 16, 2010 - City Council Chambers  
At 4:30 p.m.

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PRESENT: Mayor L. Compton  
Councillor W. Cuthbert  
Councillor C. Drinkwalter  
Councillor D. McCann  
Councillor J. Parson  
Councillor C. Van Wallegghem  
Bill E. Preisenzanz, CAO  
Tara Rickaby, Planning Administrator  
Joanne L. McMillin, Clerk

REGRETS: Councillor R. McMillan

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 McMillin, City Clerk, advised the Notice pertaining to this public meeting appeared in Kenora Miner & News on January 21, 2010.

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.

**Tara Rickaby, Planning Administrator then reviewed the details of the Planning Report:**

Carol Vanasse and Larry Duchene have owned property which is the former location of the Kenora Armouries, since 1997. The property is located at the corner of Matheson Street North and First Street North. This application is being made to amend the Zoning By-law specifically on the subject lands to LC – Local Commercial, with two residential units permitted in each of the two existing structures.

When the applicants purchased the property, Zoning By-law 50-95 was in effect.

## Description of Proposed Development

- The subject property is described as Lots 74 and 75 Plan 3, Block 3;
- The lots are being considered functionally as one lot as there is no survey of the property;
- There are two principle structures on the lot; both are serviced with municipal sewer and water from a single service;
- Each lot is 50 x 150 feet; the combined frontage is 100 feet on First Street North;
- The westerly building (Lot 74) (site of former jail and Armouries building, currently houses an approved daytime childcare centre, two residential apartments and the former jail acts as an artisan's studio;
- The easterly building (Lot 75) (site of the former drill hall) is currently used for a wedding planning business, and associated storage, a business office and two residential units;
- The wedding planning and business office are operated by the applicant;
- The application to amend the zoning by-law is being made in order to bring the property into compliance with the Zoning By-law. The property is currently zoned I – Institutional.

## Adjacent Land Uses

The subject property is located in an area characterized by multi-family residential units; generally duplexes. The applicants currently own the residential property abutting to the east of the lands.

## Official Plan and Zoning By-Law

The Official Plan designation is Established Area. There is not anticipated to be any change in the designation as a result of the review of the Official Plan, currently underway.

The Zoning By-law designation is currently I – Institutional. There is a building permit for improvements to the westerly building, for the daytime child care use. This use is permitted in the I zone.

## Provincial Policy Statements

### 1.3 Employment Areas

1.3.1 Planning authorities shall promote economic development and competitiveness by:

1. providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;

2. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

3. planning for, protecting and preserving employment areas for current and future uses; and

4. ensuring the necessary infrastructure is provided to support current and projected needs.

**1.3.2** Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

The subject lands have, historically, been utilized as “employment lands”; the former Armouries employed several persons. The current uses provide employment areas for a daytime childcare facility which was re-located, on an emergency basis, to this location in 2003. This is a service which both provides employment and provides a required service. The LC zoning protects both the current uses and the character of the neighbourhood.

#### **1.4 Housing**

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- a. establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b. permitting and facilitating:
  1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
  2. all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3;
- c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

The applicants currently have three rental suites within the two existing structures and also reside on the property. The City’s accommodation vacancy rate is currently 0.08%.

#### **Interdepartmental comments:**

The application was circulated internally, with the following comments:

**Manager of Fire and Emergency Services:**

The City of Kenora has no objections to this application provided that this occupancy complies with the Ontario Building Code and the Ontario Fire Code.

**Chief Building Official:**

The Building Department has no objection to the Re-zoning provided the uses of the building/s meets Fire and Building Codes. May I suggest the change is conditional upon inspection and compliance with the aforementioned.

**Roads Supervisor:**

Traditionally there have been three parking spaces at the southwest corner of the property. Owner has been informed that there will only be three spaces [permitted] based on the traditional parking, with no possibility of an increase.

**Comments from outside agencies:**

The application was circulated per the *Planning Act*. No comments have been received to date.

**Kenora Planning Advisory Committee:**

Parking issues were identified by the Kenora Planning Advisory Committee, at their meeting of January 18, 2010. Direction was given that the Applicant requires a minimum of eleven parking stalls on site. The Applicant has since provided a site plan which indicates the provision of twelve stalls which meet the size requirements of Zoning By-law 160-2004.

The Kenora Planning Advisory Committee passed the following resolution at the meeting of January 18, 2010:

**Moved by: Art Mior Seconded by: Wayne Gauld & Carried:**

THAT the recommendation for a decision on application Z01/10, being an application to amend Zoning By-law 160-2004 specifically for property described as Lots 74 and 75 Block 3, Plan 3, from I – Institutional to LC – Local Commercial with 2 residential units permitted in each of the existing structures be tabled until information with respect to on-site parking availability, and comments received as a result of the City's internal circulation as well as any public input received at the public hearing to be held on February 16, 2010.

Comments received as a result of the internal circulation of the application are noted above. The Applicant submitted a parking plan which has been reviewed by the Roads Supervisor and the Chief of Fire and Emergency Services, and approved. The concerns identified by the Kenora Planning Advisory Committee have been mitigated.

**Comments from the Public:**

None to date.

Ms Rickaby then read a submission from the applicant, Carol Vanasse outlining the background with respect to the history of the subject property, together with 'an opinion' for the City of Kenora. The document was filed as part of the public record.

**Planning Analysis:**

The application for a zoning by-law amendment is being made to bring the property into compliance with the zoning by-law. There will be no changes to the current uses; no new development.

Road access: The subject property fronts First Street North however access is from both First Street North and Matheson Street North. The access/egress point on First Street North has been reviewed by the Roads Supervisor and is, as indicated on the parking plan, satisfactory at a width of twelve (12) feet.

Parking: There are twelve (12) on-site parking stalls indicated. This meets the requirements of the Zoning By-law: 6 stalls for 4 residential units, 2 stalls for the day time child care centre, 3 for the wedding planning/office space.

Servicing: The property is serviced with municipal sewer and water from one service. This situation remains unchanged from the date of purchase from the Department of National Defence.

Compatibility with surrounding uses: The immediate area is characterized mostly by multi-family dwellings to the south. The City of Kenora is unaware of any past complaints with respect to the current use of this property. The daytime childcare facility has been operated from this location since 2003.

There will be no new development as a result of this application. The by-law amendment will bring the existing uses into compliance with the Zoning By-law.

Official Plan: The proposed site specific, local commercial and residential uses are in conformity with the established area designation of the City of Kenora Official Plan.

Zoning: With the exception of the daytime child care facility, the current uses of the property are not permitted in the I – Institutional zone. The site specific amendment would permit the business office, personal service (wedding planning) and artisan studio as low impact commercial uses. The 4 residential units would also be permitted.

Drainage: N/A

**Recommendation:**

That Application Z01/10 Vanasse, to amend Zoning by-law 160-2004 specifically on property described as Lot 74 and 75 Plan 3, lock 3, from I – Institutional to LC – Local Commercial with two residential units permitted in each of the two existing structures on the subject lands, be approved as there is no new development, and there have been no objections over the past six years in which the uses have been in existence; and further

That Council give three readings to a by-law authorizing the amendment.

**Page 6**

Mayor Compton asked if there was anyone who wished to speak in favour or opposition to the by-law.

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

Mayor Compton the declared the Public Meeting closed at 4:50 p.m.