

Planning Report

Z07/10 Lougheed

Council of the City of Kenora – November 18, 2010

Recommendation:

THAT the Council of the City of Kenora approves Application Z07/10 to amend Zoning By-law No. 160-2010 specifically at property described as a portion of property indicated on the key map and described as M 135 LOT 21 PT PARCEL 12696 Winnipeg River, Kenora, from RU – Rural to RR – Rural Residential as approval which maintains the intent and purpose of the Official Plan and Zoning By-law and has regard to the Provincial Policy Statement (2005), and is a condition of approval of Consent Application B05/10 Lougheed.

Purpose of Application: The Applicant, Wm. Lougheed Trucking Ltd., has applied to rezone lands from which two lots will be created by consent, from RU – Rural to RR – Rural Residential.

Effect of Approval: The lands which are currently zoned RU – Rural will be zoned RR – Rural Residential which is a condition of approval of application for consent no. B05/10 Lougheed.

Provincial Policy Statement (2005)

The application to create two new lots was the subject of consultation with the Province with respect to natural heritage features.

The Department of Fisheries and Oceans is dealing with the property owner with respect to “no negative impact” development which will address fish habitat.

This application, in conjunction with the application for consent, has regard to Sections 2.12, 2.15 and 2.21.

City of Kenora Official Plan:

This application maintains the intent of the Official Plan, specifically sections 3.4 Land Use Compatibility 4.8 Rural Area policies and Section 5.1 Natural Heritage.

Kenora Zoning By-law No. 160-2010, as amended

The lands are currently zoned RU - Rural. The application is to rezone a certain portion of the lands to RR – Rural Residential in order to create two new lots.

Lot Size and Frontage:

The lot size and frontage meets or exceeds the required size of .8 ha ; and exceeds the frontage requirements of 61 metres with a frontage of 75 and 76 metres on the Winnipeg River.

The zoning by-law requires a minimum frontage on a public road, for lots which abut a navigable waterway, of 11 metres. Each lot will have approximately 50 metres of frontage on Sunnyside Road.

Character of the neighbourhood/compatibility:

Height and massing - One residential unit, plus one sleep cabin only permitted per new lot; building heights, per Zoning By-law, same as those permitted in TC – Tourist Commercial zone.

Pattern of surrounding community - With the exception of a Tourist Commercial use, to the east, which is not intensively developed, the RR use will be the same as the surrounding community.

Outdoor amenity area – The size of the proposed lots provides adequate amenity area. The lots exceed the required lot size for an RR lot.

Parking - The lots exceed the required size for an RR lot and will have the capacity to accommodate the 1 ½ parking stall required on site.

Vehicular access - The additional traffic generated by two rural residential lots will not impact the Tourist Commercial use, to the east of the subject lands as the entrance to the two lots is first, off of Sunnyside Road. The additional traffic will not impact the rural residential uses that are located south of the proposed lots, especially during the summer months when there is an increase in traffic due to the location of the Tourist Commercial use at the end of the Sunnyside Road, all of which must pass by existing residential uses. There has been an entrance permit issued, for residential purposes, off of Sunnyside Road.

A condition of approval of the Consent No. B05/10 is that Sunnyside Road is surveyed and transferred to the City of Kenora.

Servicing:

It is proposed that if the lots will be serviced by privately owned and operated water and sewer systems. The water source is proposed to be surface water from the Winnipeg River and the sewage system will be privately owned and operated septic fields as approved by the Northwestern Health Unit. The minimum set back from the Winnipeg River for septic fields is 30m.

Comments from other City Departments:

None received. City Department comments/conditions were addressed during the processing of the Application for Consent.

Comments from outside agencies:

Ministry of Natural Resources – November 4, 2010 – No concerns

Northwestern Health Unit - No objections (there is a condition for a clearance letter be received from the Northwestern Health Unit indicating that there has been a permit issued for the location and installation of a sewage disposal system for each lot for the consent application B05/10)

Recommendation of Kenora Planning Advisory Committee (October 19, 2010):

Moved by: Art Mior Seconded by: Terry Tresoor

THAT the City of Kenora Planning Advisory Committee recommends approval by Council of an application by Wm Lougheed, for 2 proposed lots which form the subject lands associated with Application B05/10 Lougheed and to be shown on a schedule to the By-law, to rezone from RU – 6 Rural to Rural Residential, to permit the creation of two new rural residential lot, the use is appropriate to the area and meets the intent of the Kenora Official Plan.

CARRIED