



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 REGULAR MEETING HELD IN THE OPERATIONS CENTRE, 60 FOURTEENTH ST. N, June 15, 2010 9:15 P.M.

Present:

James Tkachyk	Chair
Wayne Gauld	Vice Chair
Art Mior	Member
Joyce Chevrier	Member
Terry Tresoor	Member
Vince Cianci	Member
Ted Couch	Member
Tara Rickaby	Secretary Treasurer
Patti McLaughlin	Minute Taker

PART A PUBLIC MEETINGS

I. APPLICATIONS:

Application for Consent B05/10 Wm. Loughheed
Application for Plan of Subdivision S01/10 Coker
Application for Consent B06/10 Maryniuk
Application for Consent B07/10 Bowman et al.
Application for Minor Variance A07/10 Wickens
Application for Minor Variance A08/10 Godbout
Application for Consent B08/10 Ratuski and A10/10 Ratuski

DELEGATION: None

PART B PLANNING ADVISORY COMMITTEE

I. CALL MEETING TO ORDER:

James Tkachyk called the June 15, 2010 regular meeting of the Kenora Planning Advisory Committee to order at 9:15 p.m.

II. CONFLICT OF INTEREST: None

III. MINUTES:

a) May 18, 2010

Moved by: Art Mior

Seconded by: Joyce Chevrier

THAT the minutes of the Planning Advisory Committee May 18, 2010 be approved as amended.

2. Corrections to minutes: Addition of the time of opening the May 18, 2010 meeting at 7:18 p.m.

CARRIED

3. Business Arising: None.

IV. Applications:

1. Application for Consent B05/10 Loughheed

Joyce Chevrier commented that the new zoning by-law will require frontage of 61 metres on a navigable waterway, and that at the Committee's last meeting there was a request that site plans be included with applications, in order that the Committee can consider the entire plan in the decision-making process.

Art Mior listed his concerns as: 1) require re-zone will have two residential lots between two commercial lots – the existing Sunnyside Camp and any future commercial development of the subject lands; and 2) why the City would assume road when alternate access to the proposed lots is available from Sunnyside Road.

Discussion took place.

Wayne Gauld suggested that that this application be deferred to the next meeting to allow time to review it again.

James Tkachyk commented on the lack of feedback from Municipal Departments. He also voiced concern with the mixing of residential and commercial uses.

The Committee discussed whether or not the proposed lots should be part of a larger development plan and that this application is premature. Joyce – No permits were issued for infilling.

The Secretary Treasurer indicated that DFO is going out on site with Developer next month and that there has been an identification of a species at risk on the property.

Moved by: Wayne Gauld

Seconded by: Art Mior

THAT a decision on Application No. B05/10 Lougheed, M 135 LOT 21 PT PARCEL 12696 WINNIPEG RIVER for the creation of two lots, be deferred pending the receipt of:

- Further information (from the Province) on the species at risk.
- Planning Administrator discusses the new changes to the minimum frontage on a navigable waterway with the applicant – the new zoning by-law will require a minimum of 61 metres of frontage).
- The applicant prepares a drainage plan and it is reviewed by the City of Kenora.
- The Committee receives information with respect to the plans for the development of the entire property.

CARRIED

2. Application for Consent B06/10 Maryniuk

No discussion

Moved by: Vince Cianci

Seconded by: Art Mior

THAT application for consent B06/10 Maryniuk, for a lot addition from property described as CON 3J PT ADD TO ML 283P PCL19300t o property described as 310 P PT PCL 27443 ROW PCL 6968 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.

NOTE: If the conditions to consent approval are not fulfilled within one year of the date on of approval of this application, and the applicant is still interested in pursuing the proposal, a new application will be required.

CARRIED

3. Application for Consent B07/10 Bowman et al.

The Committee discussed the size of the property and the requirement for the municipal shore/road allowance to be purchased in order to achieve the required lot sizes.

The setbacks of the current buildings were discussed with respect to being legally non-conforming. And that there is reason for concern as the size of proposed Lot 1 is at the minimum requirement and the size of lot 2 is very close to the minimum requirement.

The Committee discussed the need to do an Environmental Impact Study and possibly a Fisheries Assessment to determine impact on the nesting sites identified in the Official Plan.

Moved by: Art Mior

Seconded by: Wayne Gauld

THAT Application for Consent B07/10 Bowman for the creation of three (3) new lots from property described as JAFFRAY PT MC 18 PLAN KR 1055 PART 2 RP 23R2992 PARTS 1 AND 2 PCL 29148 DKF and CON 1J WPT ML 18 RP KR1055 PART 1 PCL25566 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 transferor and the transferee not be the name of the same person on the Transfer/Deed of Land Form.
5. That the City of Kenora transfers the shore/road allowance property abutting the subject lands and Lake of the Woods to the property owner.
6. That there be a letter received from an Ontario Land Surveyor indicating that the locations of the existing structures are in conformance with the current Zoning By-law, and minor variance(s) approved, if required.
7. That an Environmental Impact Statement be prepared that demonstrates no negative impacts to an existing nesting area, and includes mitigation measures, and if required, a fisheries assessment in conjunction with the EIS respecting the nesting sites.
8. That any easements required by Bell and/or Hydro One be provided.
9. That a letter be received from the Northwestern Health Unit indicating that the existing septic field has been remediated to their satisfaction.
10. That the property be rezoned to RR – Rural Residential.

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

If the conditions to consent approval are not fulfilled within one year of the date on of approval of this application, and the applicant is still interested in pursuing the proposal, a new application will be required.

CARRIED

Motion to continue meeting past 10:00 p.m.

Moved by: Art Mior Seconded by: Joyce Chevrier

CARRIED

4. Application for Consent B08/10 Ratuski

No discussion

Moved by: Art Mior Seconded by: Terry Tresoor

THAT Application for Consent B08/10 Ratuski for the creation of one lot from property described as CON 2M PT LOT 15 RP 23R5326 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 transferor and the transferee not be the name of the same person on the Transfer/Deed of Land Form.
5. That a clearance letter be received from the Northwestern Health Unit for a sewage disposal system.
6. That site plan control be implemented in order to prevent development including no removal of riparian vegetation, construction of any buildings or placement of any docks or structures along the shoreline, for a minimum of 10 metres back from the shoreline of the Winnipeg River.
7. That a minor variance be approved for lot size and frontage for a Rural lot.

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

If the conditions to consent approval are not fulfilled within one year of the date on of approval of this application, and the applicant is still interested in pursuing the proposal, a new application will be required.

CARRIED

5. Application for Subdivision S01/10 Coker

The Secretary Treasurer indicated that there has been identification of the possibility of a species at risk on the property and that a biologist with MNR is working hard to determine what, if any, mitigation is required if the species is found to be on the property. There was further discussion on the possibility of a re-alignment of the proposed lot lines to accommodate the natural heritage features.

Moved by: Joyce Chevrier Seconded by: Ted Couch

That a decision on application for plan of subdivision S01/10 Coker, for property described as S ½ of Lot 7, Conc 3 of Melick Twp, City of Kenora, 23R5651 Part 2 Parcel 34297, be deferred until the Planning Advisory Committee receives the following information:

- Information with respect to management requirements for species at risk;
- Red-lined plan, if required, addressing MNR comments with respect to protection of fish nursery habitat.

CARRIED

V. Old Business:

1. Application for Consent B02/10 Kubisewsky – OMB Appeal - Notification received for July 21, 2010 hearing; letter requesting adjournment to an alternate date has gone to the OMB.
2. Application for Zoning By-law Amendment Z02/10 DeGagne – There was no appeal of the decision of Council.
3. City of Kenora Official Plan: The Secretary Treasurer reminded the Committee of the statutory public meeting to be held on Tuesday , July 6, 2010 at 10:00 a.m. in the Council Chambers.

VII. NEW BUSINESS:

1. **Questions from Property and Planning Meeting:** None

VIII. ADJOURN

Moved by: Terry Tresoor

THAT the June 15, 2010 Planning Advisory Committee meeting be adjourned at 10:22 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 20th DAY OF July, 2010

CHAIR

SECRETARY-TREASURER



**CITY OF KENORA COMMITTEE OF ADJUSTMENT
REGULAR MEETING HELD IN THE OPERATIONS CENTRE, 60
FOURTEENTH ST. N,
June 15, 2010 10:23 P.M.**

PART C COMMITTEE OF ADJUSTMENT

I. CALL MEETING TO ORDER

James Tkachyk called the June 15, 2010 City of Kenora Committee of Adjustment meeting, to order at 10:23 p.m.

II. CONFLICT OF INTEREST - None

III. MINUTES:

May 18, 2010

Moved by: Wayne Gauld Seconded by: Joyce Chevrier

THAT the minutes of the Committee of Adjustment meeting of May 18, 2010 be approved as distributed.

2. Corrections to minutes:

"Wayne will ask for opinions" was in the middle of paragraph, seemed out of place.

The Secretary Treasurer commented that it was the way the conversation occurred. No correction required.

CARRIED

Special Meeting – June 3, 2010

Moved by: Terry Tresoor Seconded by: Joyce Chevrier

THAT the minutes of the Committee of Adjustment special meeting of June 3, 2010 be approved as amended.

2. Corrections to minutes:

- Title of Minutes amended to indicate "Special Meeting"

CARRIED

2. Business Arising – None

IV. APPLICATIONS:

1. Minor Variance A07/10 Wickens

No discussion.

Moved by: Wayne Gauld Seconded by: Art Mior

THAT Application for Minor Variance A07/10 Wickens, 397D Coney Island, PLAN 23M-868, Lot 3 for relief from the provisions of Zoning By-law 160-2004, as amended, respecting the minimum setback for a sewage system from a navigable waterway, is to reduce the minimum setback from 30 metres to 25 metres, for a variance of 5 metres be approved, as the general intent of both the Official Plan (2004) and Zoning By-law 160-2004 is maintained, the application is minor and the use is appropriate.

CARRIED

2. Minor Variance A08/10 Godbout

The Committee discussed the requirement to move the stairway to the north side (back) of the proposed porch.

Vince Cianci reiterated comments from the last meeting with respect to approving encroachments rather than approving set back changes.

Moved by: Terry Tresoor Seconded by: Art Mior

That Application for Minor Variance A08/10, 412 Third Street S., PLAN 3 BLK 2 E PT LOT 72 , for relief from the provisions of Zoning By-law 160-2004 respecting the maximum permitted projection into a side yard, and the location of an unenclosed porch, to permit an addition encroachment of 1 metre into the east side yard and to permit an unenclosed porch (including the associated eavestroughs and downspouts) in the east interior side yard be approved, conditional upon the access stairway, on the north end of the unenclosed porch be located within the rear yard, The application was approved as the general intent of both the Official Plan (2004) and Zoning By-law 160-2004 is maintained, the application is minor and the use is appropriate in a residential neighbourhood.

CARRIED

3. Minor Variance A10/10 Ratuski

No discussion.

Moved by: Art Mior Seconded by: Terry Tresoor

That Application for Minor Variance A10/10, CON 2M PT LOT 15 Part 1 RP 23R5326, Carlton Road , for relief from the provisions of Zoning By-law 160-2004 respecting Section 6 – RU minimum lot size from 2 ha to 1.85 ha for a variance of .15ha and for frontage on a publically owned road in the RU zone from 90 metres to 88.39 metres for a variance of 1.61 metres be approved as the general intent of both the Official Plan (2004) and Zoning By-law 160-2004 is maintained, the application is minor and the use is appropriate in a rural area.

CARRIED

V. **OLD BUSINESS:** None

VI. **NEW BUSINESS:** None

VII. ADJOURN

Moved by: Terry Tresoor

THAT the June 15, 2010 meeting of the Kenora Committee of Adjustment be adjourned at 10:36 p.m.

CARRIED

ADOPTED AS PRESENTED THIS 20th DAY OF JULY , 2010

CHAIR

SECRETARY-TREASURER