



City of Kenora
Planning Advisory Committee
60 Fourteenth St. N., 2nd Floor
Kenora, Ontario P9N 4M9
807-467-2059

**MINUTES
CITY OF KENORA COMMITTEE OF ADJUSTMENT &
PLANNING ADVISORY COMMITTEE
REGULAR MEETING HELD IN THE OPERATIONS CENTRE
60 FOURTEENTH ST. N., KENORA
April 19, 2011
7:00 P.M.**

Present:

James Tkachyk	Chair
Wayne Gauld	Vice Chair
Alex Clark	Member
Terry Tresoor	Member
Ted Couch	Member
Vince Cianci	Member
Wendy Cuthbert	Member
Tara Rickaby	Secretary Treasurer
Patti McLaughlin	Minute Taker

DELEGATION: None

(i) Call meeting to order

Mr. Tkachyk called the April 19, 2011 meeting of the Kenora Planning Advisory Committee to order at 7:00 p.m.

Mr. Tkachyk reviewed Open Meeting protocol for those in attendance.

(ii) Additions to the Agenda

- a) Milligan – under Old Business
- b) Announcements – under New Business

(iii) Declaration of Interest

Mr. Tkachyk called for declarations of conflict of interest – at this meeting or a meeting at which a member was not present: None declared.

(iv) Adoption of Minutes of previous meeting:

Adoption of minutes of previous meeting: March 29, 2011
Corrections: None

Moved by: Wayne Gauld

Seconded by: Alex Clark

That the minutes of the March 29, 2011 meeting of the Kenora Planning Advisory and Committee of Adjustment be approved as distributed.

CARRIED

Business arising from March 29 Meeting - None

(v) Correspondence relating to applications before the Committee - None

(vi) Other correspondence - None

(vii) Consideration of Applications for Minor Variance – None

(viii) Considerations of Applications for Land Division

1. B05/11 Enns Application for Consent for Easement

Present for the meeting: Bill Scribilo, Acting Agent

Mr. Scribilo, representing the owners of PLAN 23M945 LOT 4, presented the application for consent for an easement over a portion of the east part of the subject lands to provide access to lands described as PLAN 23M945 LOT 3. The lands are subject to an easement in favour of Hydro One Networks Inc., for utility purposes (Part 20 Plan 23R 11401). The proposed 5 metre width of the easement for access would mirror the width of an existing easement in favour of Hydro One Networks Inc., and driveway. The proposed length of the easement for access is 88 metres.

The Secretary-Treasurer commented that a possible location for a separate driveway, for Lot 3, was reviewed on site. There is a steep grade and curve in the area, in addition to a large rock outcrop on the property. There is not a good location for an entrance according to the Operations Manager. An easement is a good alternative.

No objections. The Planning Department recommends that a condition be added to require a clearance letter from Hydro One Networks.

Mr. Tkachyk asked the Committee for comment.

Vince Cianci recommended using 5 metres from the centerline as a rule of thumb for easements for access in order to encompass the entire driveway, especially since it is a shared driveway.

Mr. Scribilo stated that Mrs. Enns is not comfortable with providing an easement in excess of 5 metres. The driveway lies solely on Lot 4 and she did not want to lose more than 5 metres.

Vince Cianci commented that this was a case where there should be reciprocal easements to protect the two owners.

Discussion ensued regarding how best to determine the easement width to ensure that the entire driveway is included, and how an easement width would impact both owners.

Wendy Cuthbert left the meeting at 7:34 p.m.

Alex Clark clarified that both property owners are in agreement with a 5 metre easement.

Mr. Scribilo stated that the owner of LOT 3 had no concern regarding the width of easement, but his client did not want to encumber her property any more than she had to.

The Secretary-Treasurer suggested a condition should be the requirement for a clearance letter from Hydro One Networks Inc. indicating no objection to the driveway location and an easement for access being laid over a portion of the existing utility easement.

Also, that the easement be a width of 5 metres (measured from the east lot line of Plan 23M 945, LOT 3, west for a length (north south) of 88 metres.

Moved by: Wayne Gauld

Seconded by: Terry Tresoor

THAT Application No. B05/11 Enns, for lands described as Lot 4 Plan 23M 945 has submitted an application, for consent for an easement over a portion of the east part the property provide access to lands described as Lot 3 Plan 23M 945 be approved under 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 easement shall be in favour of property described as PLAN 23M 945, Lot 3. and be a width of 5 metres (measured from the east lot line of Plan 23M 945, Lot 3, west) for a length (north south) of 88 metres.
- 5) That the applicant provides a clearance letter from Hydro One Networks Inc. indicating no objection to the driveway location and an easement for access being laid over a portion of the existing utility easement.

The Chair called for the vote: Four in favour, one abstention and one opposed.

CARRIED

(ix) Old Business

a) B01/11 Milligan - Request for change in conditions

The Secretary-Treasurer commented that according to the preliminary reference plan, the neighbour's garage does not encroach into the subject property, but the hydro service line does encroach and an easement in favour of Haney is required.

b) Moved by: Alex Clark

Seconded by: Terry Tresoor

THAT the Kenora Planning Advisory Committee hereby approves the request for a change to condition 6 of a decision made on March 29, 2011, to the following:

That an easement, for utility purposes, as shown on a preliminary reference plan (SK11014) as Part 2, be approved in favour of property described as CON 1M PT LOC D631 RP 23R4379 PART 2 PCL 32001; and

THAT all of the conditions of approval given continue to apply.

CARRIED

(x) New Business

- a) Electronic signage at Harbourfront – Discussion ensued regarding the pros and cons of an electronic sign on the green space near McLeod Park.
- b) James Tkachyk read 2 announcements:

- i) The City of Kenora in collaboration with FoTenn Consultants Inc., announce that they have submitted to the Ontario Professional Planners Institute the City of Kenora Official Plan and Zoning By-law Review 2010 "An Inclusive Process" for consideration under the OPPI's annual Excellence in Planning Awards Program.
- ii) The appeal period for Official Plan Amendment 1 - to amend Schedule A of the City of Kenora Official Plan by changing the designation of the subject lands from "Industrial Development Area and Rail yard" to "Industrial Development Area and Rail yard with a Future Development Area - Special Policy Area" has come and gone, without appeal.

(xi) Adjourn

Moved by: Terry Tresoor

THAT the April 19, 2011 Planning Advisory Committee meeting be adjourned at 8:00 p.m.

MINUTES ADOPTED AS PRESENTED THIS 17th DAY OF MAY, 2011

CHAIR

SECRETARY-TREASURER