



City of Kenora  
Planning Advisory Committee  
60 Fourteenth St. N., 2<sup>nd</sup> 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  
August 16, 2011  
7:00 P.M.**

**Present:**

James Tkachyk	Chair
Wayne Gauld	Vice Chair
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 August 16, 2011 meeting of the Kenora Planning Advisory Committee to order at 7:00 p.m.

Mr. Tkachyk reviewed meeting protocol for those in attendance.

**(ii) Additions to the Agenda – None**

The Secretary-Treasurer provided a reminder that the Special Meeting scheduled for August. 25, 2011 will start at 3:00 p.m. to review an application for consent and an application for a minor variance.

**(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:

Wendy Cuthbert A06/11 Benson, as is related to the applicant

**(iv) Adoption of Minutes of previous meeting:**

Adoption of minutes of previous meeting: July 19, 2011

**Corrections:**

**(a) Page 3**

Vince Cianci recommended that the current owners sign a letter prohibiting the lot from being used for a residence. He further commented on the survey lot lines and that they should be perpendicular to the east lot line.

**To Read**

Vince Cianci recommended that the current owners sign a letter prohibiting the old house from being used for a second residence. He further commented that the width of the new lot should be set perpendicular to the east lot line.

**(b)Page 3**

Wendy Cuthbert had no issue with either the serviced lot or heat.

**To Read**

Wendy Cuthbert had no issues with either the serviced lot or the heating of the structure.

**Business arising from July 19 Meeting:** None

**Moved by: Wayne Gauld                      Seconded by: Wendy Cuthbert**

That the minutes of the July 19, 2011 meeting of the Kenora Planning Advisory and Committee of Adjustment be approved as amended.

**CARRIED**

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

**(vi) Other correspondence**

The Secretary-Treasurer provided Minutes from various OMB Hearings for the Committees review.

**(vii) Consideration of Applications for Minor Variance**

**1. A05/11 McKie                      Application to permit encroachment into rear yard**

Present for the meeting: Rocky and Lorrie McKie, 210 Front Street

Lorrie McKie presented the application for a minor variance and is seeking relief from Section 4.1.3(f) rear yard setbacks of Zoning By-law No. 160-2010, from 8 metres to 1.6 metres for a variance of 6.4 metres in order to construct an attached garage in the rear yard which is the road side of the property because it is located on a navigable waterway.

The Secretary-Treasurer commented that there were no objections from the Planning Department as the addition of the attached garage does not affect the amenity area, does not impede the neighbour's view and is characteristic of the existing neighbourhood.

Comments from other Departments and Agencies

- The Building and Water and Sewer Departments have no objections.
- The Roads Department advised that the proper locates for services will have to be done prior to construction. There were no concerns with regards to neighbouring properties. The set back from the street does not pose a problem for vision when backing out of the garage. Drainage will not be affected by construction.
- There were no objections received from Kenora Hydro, Kenora Fire & Emergency Services or Heritage Kenora.

Mr. Tkachyk asked the Committee for comment.

Wayne Gauld questioned the reference to "home occupation" from the presentation.

Lorrie McKie confirmed that there would not be a home occupation run out of the proposed attached garage.

Vince Cianci wondered if the proposed location of the garage could be set back further from the street as the proposed location will strike a new building line that could have an impact on the character of the street.

Lorrie McKie commented that the proposed location of the attached garage accommodates the existing garden area and does not impede the neighbour's view.

The Secretary-Treasurer commented that valid points were made concerning the amenity area and neighbour's view and that the required side yard setback for the attached garage is 2.5 metres.

Mr. Tkachyk asked whether or not there was anyone else present who wished to speak either for or against the application. There were no other comments.

**Moved by: Terry Tresoor      Seconded by: Wendy Cuthbert**

**THAT** Application for Minor Variance A05/11 McKie, 210 Front Street, PLAN 22 LOT 7, to reduce the rear yard (on road side) from 8 metres to 1.6 metres for a variance of 6.4 metre be approved as the approval has regard for the Provincial Policy Statement (2005) and meets the intent of both the City of Kenora Official Plan (2010) and Zoning By-law 160-2010, and is minor in nature, in accordance with the reasons provided in the staff report.

**CARRIED**

**7:25 p.m.** Wendy Cuthbert left the meeting

## **2. A06/11 Benson      Application to permit encroachment into front yard**

Present for the meeting:      Darren Benson, Portage Street

Darren Benson presented the application for a minor variance and is seeking relief from Section 4.1.3(c) front yard setbacks of Zoning By-law No. 160-2010, from 7.5 metres to 5.73 metres for a variance of 1.8 metres in order to construct a single family dwelling on a vacant lot, zoned R1 on Portage Street. He commented that they want to erect a modular home and once the length of house and deck were established the available backyard green space was limited. Since his wife runs a daycare they require more backyard space. The location is in line with the neighbours to the south.

The Secretary-Treasurer commented that there were no objections from the Planning Department as the property is located in an older residential neighbourhood and is currently vacant and the proposed relief is in character with existing setbacks. She further commented that the average of the setbacks of the two existing principle dwellings, which abut the subject land, exceeded the required front yard setback and therefore a variance was required.

Comments from other Departments and Agencies

- The Engineering, Building, Roads Departments have no objections.
- The Water & Sewer Department have no objections but noted that the lot is not serviced at this time.
- There were no objections received from Kenora Hydro, Kenora Fire & Emergency Services or Heritage Kenora.

Mr. Tkachyk asked the Committee for comment.

Vince Cianci commented that the proposed location of the modular home is satisfactory as it lines up with the neighbouring property and provides for off street parking.

James Tkachyk received clarification from Mr. Benson that the single detached dwelling is a two story structure.

Discussion ensued respecting the location of the lot line shared by lots 6 & 7. A survey ordered by the neighbour will determine the exact location of the shared lot line and depending on the outcome may require Mr. Benson to return before the Committee.

Mr. Tkachyk asked whether or not there was anyone else present who wished to speak either for or against the application. There were no other comments.

**Moved by: Ted Couch                      Seconded by: Vince Cianci**

**THAT** Application for Minor Variance A06/11 Benson, Portage Street, Lot 7 Plan 18, Block 45, to reduce to reduce the front yard from 7.5 metres to 5.73 metres for a variance of 1.8 metres be approved as the approval has regard for the Provincial Policy Statement (2005) and meets the intent of both the City of Kenora Official Plan (2010) and Zoning By-law 160-2010, and is minor in nature, in accordance with the reasons provided in the staff report.

**CARRIED**

**7:31 p.m.** Wendy Cuthbert returned to the meeting

**(viii) Considerations of Applications for Land Division - None**

**(ix) Old Business - None**

**(x) New Business**

(a) October 16<sup>th</sup>, 2011 Planning Advisory Meeting

The Secretary-Treasurer is requesting that the meeting be rescheduled to October 25<sup>th</sup> as she will be away for training on October 18<sup>th</sup>, 2011.

(b) Planning Advisory Committee – New Format

James Tkachyk requested that the Committee review the new meeting format. The main change to the format was the requirement for the presentation of the application by the Applicant requiring the Applicant to be present at the meeting.

Discussion ensued regarding the new meeting and reporting format. Members discussed the matter concerning the Planning Department's "recommendation" and that when read by the Secretary-Treasurer it could be perceived by the Applicant and Interested Parties as being automatically approved by the Committee. Members want it clarified that the recommendation is coming from the Committee as a whole and not construed as based on an opinion of staff.

The Secretary-Treasurer reminded Committee that she is also the Planning Administrator and must provide professional comment and recommendation in that capacity.

The Secretary-Treasurer further commented that under the old format her presentation of the Applicant's Planning Report could appear that the Secretary-Treasurer was representing the Applicant. The new format

requirement for pre-consultation with the Planning Administrator has produced a smoother meeting as Applicants are required to attend the meeting and are providing more detailed information in support of their application. Members agreed that the Applications received to date under the new format have been much improved.

Vince Cianci commented that he missed the provision for discussion from the old format and felt there was more thought given when the applicants weren't allowed to speak. All members agreed that the applications to date have been basic but a more complex Application would facilitate the need for discussion. The Secretary-Treasurer suggested that provisions for "discussion" could be incorporated into the new format at the time the motion is made prior to the carrying of the motion.

James Tkachyk concluded that the Committee will continue with the new format.

**(xi) Adjourn**

**Moved by: Terry Tresoor**

**THAT** the August 16, 2011 Planning Advisory Committee meeting be adjourned at 8:07 p.m.

**MINUTES ADOPTED AS PRESENTED THIS 20<sup>th</sup> DAY OF SEPTEMBER, 2011**

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**CHAIR**

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**SECRETARY-TREASURER**