

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 June 21, 2011 7:00 P.M.

Present:

James Tkachyk Chair
Wayne Gauld Vice Chair
Alex Clark Member
Terry Tresoor Member
Vince Cianci Member
Wendy Cuthbert Member

Tara Rickaby Secretary Treasurer

Patti McLaughlin Minute Taker

Regrets: Ted Couch Member

DELEGATION: None

(i) Call meeting to order

Mr. Tkachyk called the June 21, 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

(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:

Alex Clark B09/11 Anishinaabe, as Agent for Wm. Lougheed Trucking on another file. Vince Cianci B09/11 Anishinaabe, as employee of the surveying firm.

(iv) Adoption of Minutes of previous meeting:

Adoption of minutes of previous meeting: May 17, 2011

Corrections: None

Business arising from May 17 Meeting: None

Moved by: Terry Tresoor Seconded by: Alex Clark

That the minutes of the May 17, 2011 meeting of the Kenora Planning Advisory and Committee of Adjustment be approved as distributed.

(v) Correspondence relating to applications before the Committee

• From MTO re: B09/11 – will be discussed later in meeting.

(vi) Other correspondence – None

(vii) Consideration of Applications for Minor Variance

1. A03/11 Johnston Application to permit encroachment into rear yard

Present at meeting: Dave Johnston

104 Fourth Street North

Mr. Johnston presented his application for a minor variance and is seeking relief from Sections 3.24 Permitted Yard Encroachments of the Zoning By-law – Table 3 Unenclosed deck from 2.5 m to 3.65 metres for a variance of 1.15 m. The request is for permission to increase the encroachment to 3.65 metres in order to construct a deck in the rear yard.

The Secretary-Treasurer commented that there were no objections from the Planning Department as an increase in permitted encroachment will not exceed the minimum setback of 1 metre. The increase in permitted encroachment is the preferred alternative to reducing the required rear yard. The amenity area is not affected. The topography of this lot and the one to the north, and the location of the existing accessory garage on the lot to the north drastically decrease privacy issues.

Comments from other Departments and Agencies

- The Engineering, Building, Roads and Water & Sewer Departments have no objections.
- Kenora Hydro, Kenora Fire & Emergency Services and Heritage Kenora have no objections.

Mr. Tkachyk asked the Committee members if they had any questions.

Alex Clark questioned whether the neighbours were asked for comment and Mr. Johnston replied that he had spoken with his neighbour and that he had no objections. There were no comments received from the public.

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: Wayne Gauld Seconded by: Vince Cianci

THAT Application for Minor Variance A03/11 Johnston, 104 Fourth Street North, PLAN 33, Block 3, Lots 323 and 324, for relief from Section 3.24 Permitted Yard Encroachments to increase the permitted encroachment of a deck in the rear yard from 2.5 metres to 3.65 metres, for a variance of 1.15 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

(viii) Considerations of Applications for Land Division

2. B09/11 Anishinaabe Application for Consent for a Lot Addition

Present for the meeting: Ross Johnson, Agent

P.O. Box 593, Kenora ON

Ross Johnson, Agent for William Lougheed, presented the application for consent for a lot addition to property described as Part 1, Plan 23R-3046. The property is located off of Sunnyside Road and Highway 596, north of Highway 17A (Kenora By-pass). The Application is for adding land to existing land. This application is being made as a result of a real property report which revealed that an existing structure encroaches onto the Lougheed property. The applicant wants to sever 2.4 ha from the southwest portion of property described as Plan M135, Lot 21 and FM 177, Winnipeg River. The existing lot is approximately 2.04 ha in size and the new lot will be 4.44 ha in size. The property owner intends to use the property for highway commercial uses.

The Secretary-Treasurer commented that there would be no new development simply an increase in the lot size. It would increase the buffer between other residential development and recommends the application be approved with technical conditions due to receipt of NWHU and MTO clearance letters. Further, the application has regard for the Provincial Policy Statement (2005) and complies with the intent of the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010. The Site Plan Control By-law will be applied upon an application for a building permit.

Comments from other Departments and Agencies

- The Engineering, Building, Roads and Water & Sewer Departments have no objections.
- The NWHU performed a site inspection and has no objections to the proposed lot addition. New sewage systems were recently installed on the parent property and the proposed land to be added is vacant.
- The Ministry of Transportation have no objections, other than the requirements of applicable Permits prior to the occurrence of any development/construction.

Mr. Tkachyk asked the Committee for comment.

Wayne Gauld requested clarification regarding the roads and access. Ross Johnson provided the explanation.

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: Wayne Gauld Seconded by: Terry Tresoor That Application for Consent B09/11 Anishinaabe, owner of lands FM-177, Plan M-135 Lot 21 for a lot addition to Part 1 on Plan 23R 3046, having regard to the Provincial Policy Statement (2005), and compliance with the intent of the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, per the planning report, 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.

CARRIED

7:18 p.m. Alex Clark & Vince Cianci returned to the meeting

(ix) Old Business - None

(x) New Business

- a) Future Items:
 - Qualico application for condo description anticipated for July meeting.
 - Application for Subdivision on Black Sturgeon– anticipated for August meeting
 - Zoning By-law amendment (Bilton) anticipated for July meeting for recommendation
- b) OACA Training Session held in Woodstock

The Secretary-Treasurer commented that a report on the training session held in Woodstock from May 29^{th} to June 1^{st} was forthcoming.

c) Accolades directed at Committee
Mr. Coker, who was in attendance and has been before the Committee as
both the Applicant as well as an interested Party, commented that he was
very impressed with the members of this Committee and the expertise that
they brought to the table. He felt it was a good Committee.

(xi) Adjourn

Moved by: Terry Tresoor

THAT the June 21, 2011 Planning Advisory Committee meeting be adjourned at 7:25 p.m.

MINUTES	ADOPTED AS	PRESENTED	THIS 19th	DAY OF JULY,	2011
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CHAIR	SECRETARY-TREASURER