



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
MEETING HELD IN THE OPERATIONS CENTRE
60 FOURTEENTH ST. N., KENORA
January 31, 2012
3:00 P.M.**

Present:

James Tkachyk	Chair
Wayne Gauld	Vice Chair
Terry Tresoor	Member
Wendy Cuthbert	Member
Tara Rickaby	Secretary-Treasurer
Nadia De Santi	FoTenn Consulting (via Telephone)
Patti McLaughlin	Minute Taker
Matt Meston	Planning Assistant

Regrets:

Ted Couch	Member
Vince Cianci	Member
Jeffrey Port	JCP Consulting representing Qualico Headwaters (Ontario) Inc.

DELEGATION: None requested

(i) Opening

The Secretary-Treasurer opened the meeting by indicating that Nadia De Santi, of FoTenn Consultants, would be joining the meeting by conference call. FoTenn prepared the planning report for the application C01/11 Qualico Headwaters (Ontario) Inc., which is the application before the Committee.

The Secretary-Treasurer advised those in attendance that Nadia DeSanti, FoTenn Consultants would be presenting the planning report. She asked the applicant to speak to the intent of the application before the Committee.

Barry Hedgecock, developer for Qualico, opened by stating that the application represents the first (Plan 23R-11882 and Part 1, Plan 23R-12033) of five phases of the Headwaters Development, which will include (5) separate buildings approved for the Abitibi Staff House property. The application is for approval to register a Plan of Condominium for Phase One, a 10-unit building. Each unit includes a docking space and dock slip as amenities.

(ii) Consideration of Applications for Land Division

1. C01/12 Qualico Headwaters (Ontario) Inc.	Plan of Condominium File No. C01/12 - Proposed Plan of Condominium
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Present for the meeting:

Barry Hedgecock, Owner / Developer
Eric Rody, Trow Associates Inc.

Nadia joined the meeting at 3:00 pm and commented that as a Phased Plan of Condominium there was no requirement for public consultation. This Phased Plan of Condominium is legalizing the requirement for access and easements and other common elements. The retained land will be developed later and is not part of the application today. The zoning is R3 [9]. Ms. De Santi referenced the Headwaters site plan and the TROW site plan with parking area detail A.

The Secretary-Treasurer interjected, stating that in order to comply with Zoning By-law No. 160-2010, the site plan requires 10 parking stalls and 2 for visitor parking. An amendment to the site plan and plan itself will be required, to indicate an additional two parking stalls, allocation for visitor parking and allocation for (1) barrier free parking stall.

Barry Hedgecock responded by saying that according to the JCP Planning Report, the parking had already met all zoning by-law requirements and said that this change is another change he was not aware of and was not sure how this had been missed, as he thought that all parking issues had been resolved.

Nadia De Santi commented that 10 spaces were required for residents and 2 for visitor spaces. She also stated that for barrier free spaces (1) would be required if the development contained 11-25 parking space. Barry Hedgecock confirmed that (12) underground spaces existed, to which Nadia stated that it could not be verified if the size of the spaces complied with the zoning by-law. Discussion took place regarding required parking versus available parking.

Ms. De Santi commented on the plan, sheet 2 of 2 prepared by TROW level A units 1-6 shows the survey certificate was left blank (part 2 sheet 1 of 1). Issues were with the drive aisle not being compliant and parking needs to meet Zoning By-law No. 160-2010 provisions (2.85 by 6 metres for each stall). Underground parking is extraneous.

Nadia De Santi questioned if surface spaces were for overflow parking. Eric Rody said that owners receive an underground parking stall and above ground parking is overflow for the residents if they need it. The Secretary-Treasurer commented that the drive aisle is functional in the underground parking but does not comply with the zoning by-law. Rick Perchuk commented that the drive aisle is just below requirement but is workable.

Nadia De Santi had no further comments and the Secretary-Treasurer commented that the draft conditions concerning parking must comply or be amended with Zoning By-law No. 160-2010.

Nadia De Santi indicated that there is an existing site plan agreement dated, July 13, 2009 to be amended along with revised site plan and the reason for that is to address changes at Lakeview Drive, as per comments from the Roads Supervisor. Nadia did not have anything else to add and asked for questions.

Rick Perchuk requested clarity regarding resident access to docking and beach over Part 2 and questioned whether it was the intent that a new corridor would be developed as a "pathway" from units to dock and beach.

Barry Hedgecock responded, saying that the owners now simply walk down the old road to the staff house. A granite trail goes down to the docks and the backside to beach; the intent for the most-part is that the road will not be changing a great deal. The cabin area may be re-worked but now it lends itself to single building. A building with 44-50 units remains the project that Qualico may consider, or a different building envelope like townhouses, for example. The access would

1, Plan 23R-12033, City of Kenora, District of Kenora, prepared by exp Geomatics Inc. shows:

- Residential building
- Twelve (12) underground parking spaces, eight (10) surface parking spaces, and four (2) visitor parking spaces

1. That the existing Development / Site Plan Agreement, dated July 13, 2009, shall be amended, signed, and executed between the Owner / Developer and the City of Kenora.

2. That any costs associated with legal reviews shall be borne by the Developer.

3. That the Developer, prior to final approval, shall submit to the City of Kenora, a digital file of the plan to be registered in a format approved by the City of Kenora, and in "pdf" format.

4. That the Developer will be responsible to pay the cash-in-lieu of the required 5% parkland dedication to the City of Kenora.

5. Private roadway access to existing Abitibi Staff House shall be provided and that a letter be received from Qualico Headwaters/the Owner/Developer indicating that such access is provided.

6. That Qualico Headwaters/the Owner/Developer provides amended wording in the declaration with respect to easements (Schedule "A"), to indicate that access/egress over Part 2 on Plan 23R 12033 and in favour of the owners of "The Current" (Part 1 Plan 23R 11882), may change or that access/egress over Part 2 of Plan 23R 12033 in whole, is satisfactory.

7. The developer shall provide a revised site plan sketch for the location of the entrance and parking layout, including stall and drive aisle dimensions, in the development agreement, and receive approval from the City of Kenora for said amendment.

8. An easement in favour of the City of Kenora for right-of-way access to, and maintenance of, the municipally owned water and sewer connections, shall be registered against the lands described as Parts 4, 6, 12, 14, and 15 inclusive on Plan 23R-11882, and Part 2 on Plan 23R 12033.

9. An easement for right-of-way access in favour of the proposed condominium lands shall be registered against the lands described as Part 2, on Plan 23R - 12033 and Parts 4 & 6, on Plan 23R 11882.

10. An easement in favour of the proposed condominium lands for right-of-way access to the docking facilities located on Part 2, Plan 23R-11882, shall be registered against Part 2, on Plan 23R-11882 and Part 2, on Plan 23R-12033.

11. An easement in favour of the proposed condominium for municipal water and sewer services shall be registered against the lands described as Part 2, on Plan 23R-12033 and Parts 4 & 6, on Plan 23R-11882.

12. The final plan for registration must be in registerable form together with all necessary instruments or plans describing an interest in the land.

13. That the Schedule "A" Declaration by Qualico Headwaters (Ontario) Inc. Legal Description form part of the Amended Site Plan Agreement and be registered on title.

14. That prior to the granting of Final Approval, the Kenora Planning Advisory Committee is to be advised by the Developer that Conditions 1 through 13 have been

carried out to its satisfaction. Clearance letters from the City of Kenora and external agencies are to be included, if applicable.

Notes to Draft Approval:

In the event that the owner fails to fulfill the conditions of draft approval on or before (three years from approval date), the approval herein granted shall lapse on (one day after three years from approval date) pursuant to the Planning Act, R.S.O. 1990, as amended.

Barry Hedgecock and Eric Rody left the meeting at 3:52pm.

Member Wayne Gauld said one concern is that in future people will be told this is no longer how to access dock and beach why not have declaration to do it now. He suggested that the issue be addressed now to have a lawyer deal with easements but Barry Hedgecock said that Qualico does not know what they doing with that piece of land yet.

Member Wendy Cuthbert raised a concern that Qualico had added (2) above ground parking stalls to be in compliance; that the underground stalls do not count. She also questioned the narrowness of the aisle and its impact.

The Secretary-Treasurer commented that with regards to the in-house initiated zoning by-law amendment that was presented for public comment on January 26, 2012, that Jeff Port, who was the only member from the public present brought up two issues; Mr. Port commented that two additional changes be made. That item number 6 inclusion of BSL lots be added as a listed zone and number 16 regarding water front lot frontage calculation for irregular and pie shaped lots be pulled for further research. This issue will be on agenda for discussion on the February 21, 2012 Planning Advisory Committee Meeting. A question was raised about the calculation method, whether the measurement was from the high mark or the property line. The Secretary-Treasurer confirmed that the property line is used in calculation.

The Secretary Treasurer stated that a video conference will be arranged for the Ontario Municipal Board Hearing: A07/ Tutura.

She also added that the Plan of Subdivision Application S01/11 Wright will be coming forward this Spring.

(iii) Adjourn

Moved by: Terry Tresoor

THAT the January 31, 2012 Planning Advisory Committee meeting be adjourned at 3:55 p.m.

MINUTES ADOPTED AS PRESENTED THIS 21st DAY OF FEBRUARY, 2012

CHAIR

SECRETARY-TREASURER