

(v) Correspondence relating to applications before the Committee

- a) A11/14 Everett Reduce side yard

Letter of Objection: From: Elisabeth Bouchard and Bernardine Kelly dated August 18th, 2014
The Secretary-Treasurer read the letter that expressed concern regarding parking and blockage of Bay Road and blocking of the western view.

(vi) Other correspondence - None**(vii) Consideration of Applications for Minor Variance****1. A11/14 Everett****Reduce side yard**

Present at the Meeting:

Stu and Linda Everett, Owners/Applicant

Stu Everett, Owner, 15 Bay Road, Kenora, Ontario, P9N 3P3, presented the application. Mr. Everett commented that the application was being made in order to change the existing deck to a three-season sunroom. He explained how the proposal meets the four tests. 1) It meets the general purpose of the Official Plan as the expansion is a residential use in a residential area. 2) It meets the intent and purpose of the Zoning By-Law as it is consistent and characteristic of the surrounding neighbourhood. The existing neighbour's house is closer to the water and both homes on the other side are farther back. It is an older development and the proposal is consistent with the area. The amenity space is present on Crown land, fronting the property. The Applicants think the project is compatible. 3) It is an appropriate and reasonable use of the subject property; as they have aged they are using the deck less and less. They do not see an impact on the neighbour's use of the water as there is a buffer of trees that screen the deck on the side that is farther back from the water and would not impact the view. There is no impact on the view for the neighbours that are back of the property as they look over the top of the house. The closest neighbour has a window located lower down, with a view of the wall, not into the window. 4) The proposal is minor in nature as the setback is met when Crown land is considered. The breakwall is 8.4 m from the sunroom, which exceeds the 7.5 m requirement. The side yard request is .1 m due to the positioning of the house, but all other requirements are met.

The Secretary-Treasurer commented that, in addition to Mr. Everett's comments, Kevin Keith, MNR recommended purchase of the property fronting the subject lands. The existing residence is legally non-complying. She made reference to the one letter of objection received. Parking is not an issue as the parking requirements are not changing. The residential use is characteristic and the proposed will add privacy. The amenity space is not reduced. A site visit made at high water determined no cresting or breaching of the retaining wall. The recommendation is for approval.

The Chair asked the Owner if they had anything further to add regarding the application – No further comment.

The Chair asked whether there was anyone present who wished to speak either for or against the application – No comment.

The Chair asked the Committee members whether they had questions regarding the application.

Wendy Cuthbert requested confirmation that the sunroom will not be any bigger than the existing deck. The Secretary-Treasurer commented that the size is the same, and commented on the eaves as permitted encroachments.

James Tkachyk inquired as to whether the property is non-complying. The Secretary-Treasurer confirmed the non-compliance, as the applicant does not own the Crown land in front. Mr. Tkachyk further questioned whether the deck or porch are meeting the setback requirement. The Secretary-Treasurer explained that the covered area becomes part of the principle dwelling. If the Everetts purchased the property in front they wouldn't need the front yard setback. She added that when the deck was built there were no setback requirements from the water.

Ray Pearson requested confirmation that the sunroom will be the same in size, which was confirmed by the Secretary-Treasurer. Terry Tresoor agreed with maintaining the same size.

support were included with the application. The setback from the road allowance has provided amenity space. No comment of objections were received from the Roads Department. The Secretary-Treasurer concluded that residential uses are permitted. The proposed has no impact on neighbouring properties and therefore the recommendation is for approval.

The Chair asked the Owner if they had anything further to add regarding the application. – No further comment.

The Chair asked whether there was anyone present who wished to speak either for or against the application – No one came forward to comment.

The Chair asked the Committee members whether they had questions regarding the application.

Ray Pearson requested clarification regarding the exterior side yard setback variance of .2 m. Main Street is the side (80.77') the front yard is Tenth Street because it measures 80'. There is an 11 m distance between the travelled portion of Tenth Street and the residence because the road is offset. If the road is changed they would be .2 m from maybe a sidewalk.

James Tkachyk expressed concern regarding the exterior side. The drawing seems to be out. Can't see the measurements on the plan.

Discussion ensued regarding the plan measurements: conversion from metric to imperial, the impact a .2 m setback could have on future changes for the area and the location of services.

Terry Tresoor commented that the proposed would make the 100 year old house look pretty good.

Wendy Cuthbert inquired as to the slope.

Ray Pearson commented that the proper dimensions are not provided and part of the deck is covered.

Discussion took place regarding status of the Tenth Street road allowance.

The Chair asked the Committee members whether they had anything further to say regarding the application, prior to making a decision.

Vince Cianci clarified that where it is Main Street is the front and Tenth Street is a side. He does not think the town will develop the area. This is the side that suits the applicants. He suggested the City will never require Tenth Street.

James Tkachyk commented that he would not support the application and suggested the City sell Mr. Sinclair 10 feet.

Wendy Cuthbert commented that she does not have a problem with it even if it was enclosed.

Wayne Gauld expressed concern regarding the enclosed but agreed that he doesn't see that area being developed differently, street wise or service wise.

Gary Sinclair commented that, from a safety perspective, the covered deck gives his son a way out of the bedroom onto the roof.

Moved by: Terry Tresoor Seconded by: Wendy Cuthbert

That the Kenora Planning Advisory Committee approves the application for minor variance A13/14 Sinclair, for property described as 101 Main Street Rideout, and described as PLAN M39 PT LOTS 1&2 LOC X21 RP 23R8460 PART 1 PCL 39402, for relief from Zoning By-law 160-2010 section 4.2.3 (c) from a required front yard Main Street setback of 7.5 m to 2.5 m for a variance of 5.0 m, and (d) from a required exterior side yard Tenth Street setback of 4.0 m to .2 m, for a variance of 3.8 m, as the approval of the application for minor variance meets the four tests for the reasons provided in the planning report; and

That application is made for a building permit for the construction of a deck, in accordance with the Ontario Building Code.

Carried

Moved by: Ray Pearson Seconded by: Wendy Cuthbert

That the Kenora Planning Advisory Committee, hereby appoints Tara Rickaby as Secretary-Treasurer for the City of Kenora Planning Advisory Committee (Land Division Committee and Committee of Adjustments), under Section 44.8 of the Planning Act; and

That the Kenora Planning Advisory Committee hereby appoints Charlotte Caron as Assistant Secretary-Treasurer, to act in the capacity of Secretary-Treasurer in case of absences or conflicts.

(x) Old Business

a) Zoning By-Law and Official Plan Review – Update

The Keewatin Neighbourhood CIP working group met in Keewatin on Wednesday, August 20th, 2014, for a-walk-about with focus on “What Keewatin is today, what it could be in the future”. Renderings were passed around. Discussed at the meeting: Affordable housing, growing the village back to what it was and the need for small service commercial enterprises. The focus is is that there is hope in revitalizing Keewatin. The Secretary-Treasurer advised that there is a survey on-line and the link will be sent to the community for feedback. She provided examples of questions asked.

The Official Plan and Zoning By-Law Review will include administrative changes based on new provincial policies. She reviewed other proposed changes and reminded the Planning Advisory Committee of the Public meeting Thursday, August 21st from 4:00 pm to 8:00 pm in the Operations Centre Training Room.

(xi) Adjourn

Moved by: Terry Tresoor

That the August 19, 2014 Planning Advisory Committee meeting be adjourned at 9:10 p.m.

Minutes adopted as presented this 16th day of September, 2014

CHAIR

SECRETARY-TREASURER