



NORTH AMERICA'S
Premier
BOATING DESTINATION

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

**Minutes
City of Kenora Planning Advisory Committee
Regular Meeting held in the Operations Centre Building
60 Fourteenth St. N., 2nd Floor
January 21, 2014
7:00 P.M.**

Present: Wayne Gauld Chair
Wendy Cuthbert Member
Ted Couch Member
Terry Tresoor Member
Vince Cianci Member
Ray Pearson Member
James Tkachyk Member
Tara Rickaby Secretary-Treasurer

Regrets: None

Delegation: None requested.

(i) Call meeting to order

Wayne Gauld called the January 21, 2014 meeting of the Kenora Planning Advisory Committee to order at 7:00 p.m.

Mr. Gauld reviewed the meeting protocol for those in attendance.

(ii) Additions to the Agenda - None

(iii) Declaration of Interest

The Chair called for declarations of conflict of interest – at this meeting or a meeting at which a member was not present: Wayne Gauld declared a conflict, as a realtor, on item a) under New Business; Change of Conditions – Landgraf.

(iv) Adoption of Minutes of previous meeting:

Adoption of minutes of previous meeting: (December 17, 2013). Two amendments were made; a) to the title block by removing "to be" before the word "held", in the second line, and b) addition of two commas on page in the sixth paragraph, page 2.

Business arising from minutes: None.

Moved by: Ted Couch Seconded by: Ray Pearson

That the minutes of the December 17, 2013 meeting of the Kenora Planning Advisory Committee and Committee of Adjustment be approved as distributed.

Carried

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

(vi) Other correspondence

a) AMO – Land use planning and appeals system consultation – Information - Distributed

(vii) Consideration of Applications for Minor Variance

1. A01/14 Ashdown**Increase maximum size of
marine accessory - boathouse**

Present for the meeting:

Alex Clark, Agent for the Property Owner

Alex Clark, Agent for Ashdown, presented the application describing the property and indicating that the proposal is to build a boathouse along the south-easterly section of the property and the purpose is to provide shelter and docking for two boats. The frontage is the location of an existing crib dock and an attached floating dock.

The boathouse is proposed to be a conventional two-stall boathouse design, consistent with the surrounding properties on Coney Island having similar facilities. The design will not disturb any Natural Heritage features of the area or create a HADD (hazardous alteration, disturbance, or destruction) to fisheries habitat.

Mr. Clark stated that the site was chosen for the boathouse because it is well suited for the location of a structure because the shoreline has a gradual slope with no in water obstacles. It is also on the easterly shoreline of Coney Island that is well protected from prevailing winds.

Mr. Clark said that boathouses are a common means of protecting boats for the residents of Coney Island. He went on to say that many of the residents spend extended periods of time at their summer properties, using their boathouse as a storage facility for boats and other summer related equipment. The properties on either side of the Ashdown property and along the shoreline have boathouse structures. The most common is the 2-stall boathouse. The immediate Ashdown senior property has a 6-stall boathouse.

Mr. Clark explained that the proposed boathouse is one storey consistent with Provincial direction from the Ministry of Natural Resources and will have a low profile roofline and will not have any structure on the upper level i.e. (gazebo, viewing platform). The structure will be compatible with the surrounding area in terms of its use and architectural design.

He stated that the proposal is consistent with the Official Plan in terms of use of waterfront properties and the allowance for boathouses and docks within the prescribed by-laws for the City of Kenora.

The site has been viewed by the consultants in regard to the potential for impact on Natural Heritage values at this location and the potential for impact on the water quality of the area. A former employee (Lyndon Kivi) with the Department of Fisheries and Oceans was present during the site assessment. He was of the opinion that this shore land did not represent an area of significant fish habitat (spawning or nursery area).

A review of known Natural Heritage features of the immediate site and adjacent properties with the local Ministry of Natural Resources and the City's Planning Department did not identify anything of significance in terms of fisheries values or other natural heritage features.

The proposed boathouse will be constructed on steel posts that will be drilled and anchored into the bedrock of the lake bottom. No additional lake bottom disturbance would be created during the construction phase. Because the lake bottom at this location is rock, very few sediments or soil particles will be released into the aquatic environment. This will not disturb the neighbours or have a negative impact on the water quality of the immediate area.

The proposal will not use or require any additional Municipal Services.

This proposal meets the four tests of approving a Minor Variance by:

1. This variance proposal meets the general intent and purpose of Kenora's Official Plan as it follows the General Development Policies of the OP, Section 3.16.2 as a permitted land use along shore lands and will follow the prescribed policies as described therein.
2. This variance proposal meets the general intent and purpose of Kenora's Zoning By-Law as it meets several of the By-law conditions: Section 2-Definitions, it meets the requirements defining a boathouse; It meets the uses of Section 3.11.1 that defines the boathouse as an Accessory Building and the appropriate setbacks of such a structure; Section 3.20 that identifies that a boathouse shall not incorporate a sleep cabin; Section 3-General Provisions, permitted yard encroachments, the boathouse location exceeds the side lot allowance; Section 3.28 that allows for the storage of boats in an area designated as Rural.

The Secretary-Treasurer confirmed much of the application information and added that the staff comments regarding the extension of lot lines into the water in front of the subject lands were reviewed and considered.

There were two letters of support received regarding the proposed development; one from each abutting neighbour. The recommendation is for approval, for the reasons stated in the planning report.

The Chair asked the Agent whether there was anything further to add regarding the application.

Mr. Clark explained the rationale for the location of the boathouse, in consideration of existing conditions. He used the same protocols used by the Ministry of Natural Resources for siting the structure.

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

Ray Pearson commented that the current situation involves family members as neighbours, but he is concerned about future owners.

Mr. Clark explained that the proposed location was decided on so that there was no disadvantage to the neighbour to the east, or to the west. He had considered moving it closer to the east lot line, however that would not be conducive for boat traffic into either boathouse.

Mr. Pearson commented that, in some cases, the existing provision of 80 m² is too small.

Mr. Tkachyk suggested that a lot addition, from the property to the west, would be helpful to regularize the subject lot.

The Chair indicated that comments from the public/proponent would no longer be accepted as the Committee would now discuss the matter and come to a decision.

Discussion took place regarding the extension of lot lines.

Moved by: James Tkachyk

Seconded by: Terry Tresoor

That the Kenora Planning Advisory Committee approves Application for Minor Variance A01/14 Ashdown, for property described as PLAN M53 PT LOTS 2, 5 designated as RP 23R8003 PART 1 PARCEL 38262, for relief from section 3.11.1 1c) (vi) which restricts the size of an accessory structure for a lot abutting a navigable waterway, from 80m² to 120.9m² for a variance of 40.9 m² as the approval of the application for minor variance meets the four tests for the reasons provided in the planning report.

Carried

(viii) Considerations of Applications for Land Division - None

(ix) Old Business - None

(x) New Business

Wayne Gauld left the room at 7:49 pm and Wendy Cuthbert assumed the Chair.

a) B08 /13 Landgraf – Request for change of conditions

Sayer Down, Agent for the Applicant, reviewed the request, indicating that the request is being made to change the condition because the well-driller cannot drill during the winter months and the financing is in the place for the property transfer.

The Secretary Treasurer reviewed the application and decision and referred to the background information provided.

Discussion took place with respect to timing of the well-drilling, and the lapsing of conditional approval. The Committee learned that the property owner has located a house on the proposed new lot and hooked it up to an existing well; the Committee originally was concerned about this occurring, which was why the condition was originally required.

Moved by: Ted Couch

Seconded by: Terry Tresoor

That the Kenora Planning Advisory Committee approves the Application for Change of Conditions re. Consent B08/13, for lands described as CON 3M C PT OF LOT 1 PCL20733 & 20140 – severed lot described as Part 1 23R 12222 (to revise the condition to require and undertaking to complete the works and financial security in the amount of a minimum of \$4200.00 be submitted to the City of Kenora; and that such security will be held by the City of Kenora until receipt of an affidavit, signed by the qualified well-driller, that the well has been drilled, and an affidavit from the owners' solicitor indicating that the new well is properly hooked up to the residential unit located on the new lot, by August 29, 2014.

Carried

Wayne Gauld returned to the meeting at 8:18 pm.

b) Election of Chair and Vice-Chair

Mr. Gauld turned the meeting over to the Secretary-Treasurer to run the election.

The Secretary Treasurer called for nominations for Chair.

Wendy Cuthbert nominated Wayne Gauld, which was seconded by Terry Tresoor.

The Secretary-Treasurer called a second and third time for nominations for Chair.

As there were no further nominations, the Secretary Treasurer declared nominations closed and asked Wayne Gauld if he would accept the nomination. Mr. Gauld accepted the nomination.

The Secretary Treasurer called for nominations for Vice-Chair.

Terry Tresoor nominated Wendy Cuthbert, which was seconded by Ted Couch.

The Secretary-Treasurer called a second and third time for nominations for Vice-Chair.

The Secretary-Treasurer asked if she would be willing to accept the nomination. Ms. Cuthbert accepted the nomination.

Ted Couch moved that nominations be closed. The Secretary-Treasurer thanked everyone.

Mr. Gauld assumed the Chair.

c) PAC Terms of Reference - Draft

The Secretary Treasurer distributed a draft document which incorporates the Committee's terms of reference and procedural by-law. She asked that the Committee members review the document and submit and comments/questions by January 31st. It is anticipated that Council will adopt the by-law in February.

Wayne Gauld reminded the Committee about the OACA Conference in May. Ray Pearson indicated interest in attending. The Secretary-Treasurer will book a room.

(xi) Adjourn

Moved by: Terry Tresoor

That the January 21, 2014 Planning Advisory Committee meeting be adjourned at 8:31pm.

Minutes adopted as presented this 18th day of February, 2014

CHAIR

SECRETARY-TREASURER