



NORTH AMERICA'S  
*Premier*  
BOATING DESTINATION

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 Planning Advisory Committee  
Regular Meeting held in the Operations Centre Building  
60 Fourteenth St. N., 2<sup>nd</sup> Floor  
June 17, 2014  
7:00 P.M.**

<b>Present:</b>	Wayne Gauld	Chair
	Wendy Cuthbert	Member
	Ted Couch	Member
	Terry Tresoor	Member
	Vince Cianci	Member
	Ray Pearson	Member
	Tara Rickaby	Secretary-Treasurer
	Charlotte Caron	Manager of Property and Planning
	Patti McLaughlin	Minute Taker
<b>Regrets:</b>	James Tkachyk	Member
<b>Delegation:</b>	None requested.	

**(i) Call meeting to order**

Wayne Gauld called the June 17, 2014 meeting of the Kenora Planning Advisory Committee to order at p.m.

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

**(ii) Additions to the Agenda**

- New Business – Official Plan/Zoning By-law Review & Keewatin CIP

**(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: - None

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

Adoption of minutes of previous meeting: (May 20, 2014).

**Business arising from minutes:** - None

**Discussion / Correction(s):** - None

**Moved by: Ray Pearson                      Seconded by: Ted Couch**

That the minutes of the May 20, 2014 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 - None**

**(vii) Consideration of Applications for Minor Variance****1. A07/14 Stevenson****Increase size of marine accessory structures**

Present at the Meeting:

Shaun Stevenson, Owner

Shaun Stevenson, Owner, 31 Shauna Crescent, Kenora Ontario, P9N 4K3 presented the application. He explained that he bought a lot in Golf Course Bay and would like to apply for a Minor Variance to build a larger boathouse; the same size as the existing boathouse to the south east of his property. The property is for personal use and not for business.

The Secretary-Treasurer commented that a Building Permit was issued and a survey was used as the basis for the sketch. When the Application was submitted it was received without a full sketch. When the Building Department went on-site it was discovered construction did not match what was built. The survey shows the north easterly iron bar, but the shoreline is different when compared to what is present today. Road work has been done since, and there was fill added. Letters of support were received from the adjacent neighbouring properties, including the Kenora Golf & Country Club. The Planning Department noted the change in water levels affects the use of the docks and is the reason the application is for finger docks. The Building Department commented that due to the size difference a re-issue building permit is necessary, if approval is given to the variance. The Engineering Department took into account the storm water system and advised that a retaining wall must be constructed to direct water away from the dock system; at the property owner's cost, with approvals from the City, and other necessary approvals. The retaining wall is to be owned and maintained by the property owner. The MNR provided comment indicating that no permit requirements were necessary for the construction of a single storey pipe dock, containing no living accommodations, whether it is constructed over lakebed or on dry land. A Work Permit would be required for any dredging. The proposed meets the four (4) tests. The Zoning By-law permits the construction of accessory structures, each to be a maximum size of 80m<sup>2</sup>. It is desirable and appropriate development in existing neighbourhood. Finger docks will provide access in low water. The recommendation is for approval, with conditions to submit an application for a building permit and to construct retaining wall.

The Chair asked the Owner if they had anything further to add regarding the application – Nothing was added.

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

Ray Pearson inquired as to what was the original Building Permit for. The Secretary-Treasurer commented that it showed the boat house only at 80m<sup>2</sup> in size. Ray noted the size has more than doubled. Shaun explained that it was totally his fault as he used the same foundation for all 3 components shoreline, deck, dock & boathouse and it was looked at as one. Ray suggested the existing dock could have been built further into the lake. Shaun commented that it could not be due to the way the road is built up. The Secretary-Treasurer added that it would encroach on the neighbour's view if built further into the lake. Ray noted that it was not built to sketch. Ray further noted that the letter of support from the nearest neighbour to the west approved one floating dock, but the request is for two floating docks. Shaun explained that they were in agreement with the proposed.

The Chair asked whether there was anyone present who wished to speak either for or against the application. – None heard.

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

Vince Cianci – Okay with what is proposed

Ted Couch – Okay with what is proposed

Terry Tresoor – Okay with what is proposed

Ray Pearson – No comment

Wendy Cuthbert – Fine with what is proposed. I think it would be worse if put out in front of the property. Where it is located makes the most sense.

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

That the Kenora Planning Advisory Committee approves Application for Minor Variance A07/14 Stevenson, for property described as PT LOC K 8 & waterfront reserve RP 23R 6530 PARTS 1,4 & 5 and RP 23R 6612 Part 1 PCLS 36403, 35874 & 12113, to relief from section 3.11.1c)(vi) which

restricts the size of an accessory structure for a lot abutting a navigable waterway, from 80m<sup>2</sup> to 194.83m<sup>2</sup> for a variance of 114.83m<sup>2</sup> as the approval of the application for minor variance meets the four tests for the reasons provided in the planning report, subject to the following condition:

1. Approve with condition that receipt of an application to reinstitute a building permit and an undertaking to construct a retaining wall to City specifications.

**Carried**

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

**(ix) Old Business - None**

**(x) New Business**

**a) Z01/14 Zylstra-Moore – To rezone property to TR with exceptions – recommendation**

Peter and Christine Zylstra-Moore, Owners, PO Box 683, Keewatin ON P0X 1C0, presented the application for a rezoning of property from RU-Rural to TR-Tourist Recreation in order to develop an eco-resort vacation destination focused on low-impact, environmentally sustainable recreation and accommodations. Accommodations would be limited to tents and cabins and recreation to human-powered activities. An Environmental Impact Statement (EIS) was completed and a SAR Site Assessment were completed with the following recommendations: install a culvert, protect the wetland from upstream erosion, one (1) dock structure permitted with restriction on type, no dredging etc and one water line from property with restriction on location, preparation of buffer to minimize impacts on overland flow and clean up of refuse on or near shoreline. With the absence of any identified habitat flags, it was felt that species specific surveys for the identified species at risk in the report were not required for this property.

Both Peter and Christine took turns reading key points from their Planning Rationale in support of the site being well-suited for the kind of development proposed: compatible with neighbouring land uses, minimal impact on municipal services, minimal impacts on the natural environment, clean up land and shoreline of debris left by previous owner, 5.35 hectares of land sizeable to support both business and personal residence, compatible with nearby trail systems and livestock interest would be small scale limited to chickens and goats. They showed pictures of shoreline / land cleanup to-date. Peter added that he has had discussions with the City regarding cutting and grooming ski trails into the existing municipal trail system.

There were no objections from the Canadian Pacific Railway (CPR) but they requested that the Applicant's accommodation agreement contain a clause stating that the CPR would not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way. The Secretary-Treasurer added that it will be recommended that the warning is registered on title, similar to the airport notice on most properties in Kenora.

Other points of interest were the use of composting toilets, water to be provided in 5 gallon jugs, waste water to be collected in 5 gallon buckets to be disposed of in the new septic system (which has been approved by NWHU), solar-powered LED lighting, the provision of one barrier-free cabin, water will come from Mink Bay and be treated as necessary and the number of livestock will be low and used only for consumption. Christine showed digital pictures of the clean up using computer, which will be shown at the Public Meeting.

The Secretary-Treasurer indicated that the applicants have provided the studies required for staff to make a detailed recommendation for a site specific approval and with the approval from the CPR the planning department is prepared to recommend approval. The house they will live in is existing, all tents and cabins will be further away from the CPR right-of-way. The Zoning By-law will address any environmental impact ie. goats and erosion. If the recommendation is approved by Committee it will go forward to Council in July.

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

Wendy Cuthbert inquired if get approval when would it be up and running. Peter commented that they hoped to be running by next spring.

