



PROCEEDINGS

Of a Public Meetings (2) to discuss
Amendments to Zoning By-law #160-2010
(Re: Z02/14 Whitta)
(Re: Z03/14 Robertson-Carvahlo)

Tuesday, September 2, 2014
City Council Chambers
At 11:00 a.m.

PRESENT: Councillor L. Roussin, Property & Planning Lead
Mayor D. Canfield
Councillor R. Lunny
Councillor R. McMillan
Councillor C. Gallivan
Councillor S. Smith
Karen Brown, CAO
Charlotte Caron, Property & Planning Manager
Tara Rickaby, Planning Administrator
Heather Lajeunesse, Deputy Clerk

REGRETS: Councillor R. McKay

Lead of the Property and Planning Committee, Councillor Louis Roussin, opened the meeting. This public meeting is being held by the City of Kenora Property and Planning Committee in accordance with Section 34 of the Planning Act to consider amendments to the City of Kenora Comprehensive Zoning By-law Number 160-2010, as amended. The Property and Planning Committee will make recommendations to Council with respect to whether or not the applications should be approved. The Council of the City of Kenora will make the decisions at a meeting of Council.

Councillor Roussin asked the Clerk to confirm the dates of notices given by publishing notices in the Kenora Daily Miner and News, being a newspaper that, in the opinion of the Clerk of the City of Kenora, is of sufficiently general circulation in the area to which the proposed by-law would apply that it would give the public reasonable notice of the public meeting. Heather Lajeunesse, Deputy Clerk, advised the Notices pertaining to these public meetings were provided in accordance with Planning Act requirements. The Deputy Clerk confirmed that the notices appeared in the Daily Miner & News on August 12, 2014.

Councillor Roussin explained that an appeal may be made to Ontario Municipal Board not later than 20 days after the day that the giving of notice as required by section 34(18) is

completed by either the applicant or person or public body who, before the by-law is passed makes oral submissions at a public meeting or written submissions to the Council by filing a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee prescribed under the Ontario Municipal Board Act, with the City Clerk.

Councillor Roussin stated that each Applicant/Agent will provide the background information for their applications and then the Manager of Property and Planning will provide information from the planning reports, after which anyone who wishes to speak either for or against the applications will be given the opportunity to do so, and a record will be kept of all comments.

Zoning amendment hearing #1:

(Re: Z02/14 Whitta)

Councillor Roussin indicated that if anyone wishes to receive written notice of the adoption of the By-laws is to leave their name and address with the Clerk.

Applicant Description of details:

Amanda Whitta spoke for the application, indicating and she and her husband would like to live in the residence located on the property, as well as conduct a commercial storage business on the property. They currently own a storage business and are aware of the need for further storage in Kenora. This will also be of benefit to the City as it will assist residents with compliance with current by-laws related to storing of boats, etc.

Planning Administrator Tara Rickaby Introduction:

Darren and Amanda Whitta, owners of property at 31 Villeneuve Road, CON 7J S PT LOT 3 RP KR126 PARTS 3-5 PCL 22741, purchased the property in June of 2014, and have applied to add "storage facility" as a permitted use, on the property.

The property is approximately 13 hectares in size with frontage on the Villeneuve Road and Greenwood Drive. Neither road has been transferred to the City of Kenora, or former Town of Jaffray Melick, however both are maintained by the City. There is an existing single family dwelling, garage and several outbuildings on the property, including former farm buildings on the south side of Villeneuve Road.

An Ontario Hydro easement crosses the most westerly portion of the property, from its north boundary, to its south boundary. A Bell Canada easement also crosses the subject property, in an east/west direction, intersecting the Ontario Hydro easement adjacent to the Villeneuve Road and then south westerly to the southerly edge of the property.

Description of Proposal

- Addition of storage facility as a use on the lands, currently zoned RU - Rural;
- Two areas are proposed; an indoor storage facility with access from Greenwood Drive and an open, boat/trailer storage area accessed from Villeneuve Road

Surrounding land uses are as follows:

- North: Rural residential and vacant rural (Crown)
- South: TransCanada Pipeline

- East: Vacant commercial
- West: Rural area

Provincial Policy Statement 2014

The addition of a storage facility to the rural use of the lands has regard for the PPS 2014 rural areas in municipalities and rural lands in municipalities sections, and there are no matters of provincial interest ie. natural heritage at risk.

Official Plan and Zoning By-law

The proposed use supports an existing business, and is compatible with the rural nature of the area. A portion of the property (the proposed location for the indoor storage facility) is designated as Commercial Development Area, and the balance of the lands are designated as Rural.

The property is zoned RU – Rural. Open storage, associated with another principle use, is permitted, however there is no associated principle use of the property.

The boat/trailer storage area will support the market for vehicle owners who wish to comply with the zoning by-law, by not storing boats/trailers on their property in the more urban areas of the City.

Land Use Planning Issues

Lot Size and Frontage

The lot exceeds size and frontage minimums in the RU – Rural zone with approximately 350m on the Villeneuve Road and 290m on Greenwood Drive.

Servicing

The lot is privately serviced. Additional services will not be required for the storage facility use.

Utilities

Hydro One and Bell Canada provide services.

Access

The subject property is presently accessed the Villeneuve Road. There are two separate areas proposed for two types of storage; enclosed storage will be accessed via Greenwood Drive and open boat/trailer storage from Villeneuve Road.

An entrance permit will be required for each driveway.

Natural Heritage

A previous property owner/applicant provided reports regarding species at risk and a whippoorwill assessment – no issues were identified.

Site Plan Control

Site plan control will be implemented for the two locations to ensure orderly development.

Public Comments

None received to date (August 28, 2014)

Agency Comments

None to date (August 28, 2014)

Kenora Planning Advisory Committee

The item was discussed at the regular meeting of PAC, on August 19, 2014.

That the Kenora Planning Advisory Committee, having reviewed the application, recommends that the Council of the City of Kenora approves the proposed zoning by-law amendment Z02/14 Whitta, to amend the Zoning By-law 160-2010, as amended, for the property described as 31 Villeneuve Road, CON 7J S PT LOT 3 RP KR126 PARTS 3-5 PCL 22741, City of Kenora, District of Kenora from RU to RU[31] notwithstanding any other provisions of the By-law, on lands noted by [31] on the Schedules to the By-law the lands shall be zoned to permit Rural uses and a storage facility, including structures normally incidental to the foregoing as the application is consistent with the Provincial Policy Statement (20014, and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Statutory Public Hearing: September 2, 2014 at 11:00 a.m.

Recommendation:

That the proposed zoning by-law amendment Z02/14 Whitta, to amend the Zoning By-law 160-2010, as amended, for the property described as 31 Villeneuve Road, CON 7J S PT LOT 3 RP KR126 PARTS 3-5 PCL 2274, City of Kenora, District of Kenora from RU to RU[31] notwithstanding any other provisions of the By-law, on lands noted by [31] on the Schedules to the By-law the lands shall be zoned to permit Rural uses and an indoor and an outdoor (open) storage facility, including structures normally incidental to the foregoing as the application is consistent with the Provincial Policy Statement (20014, and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Councillor Roussin asked if anyone wished to speak in favour of the amendment. Amanda Whitta has spoken in favour. Council discussions were in favour.

Councillor Roussin asked if anyone wished to speak in opposition of the amendment. There were no comments.

Councillor Roussin asked if there were any questions. Councillor Roussin asked how the storage facility relates to the planning act, in regards to the footprint on site, and if there will be a limit to how many are permitted. Tara confirmed that an application for plan control will be received and reviewed.

Councillor Roussin declared the Zoning Meeting closed at 11:11 a.m.

Zoning amendment hearing #2:

Councillor Roussin indicated that if anyone wishes to receive written notice of the adoption of the By-laws is to leave their name and address with the Clerk.

Applicant Description of details:

Jessica Carvahlo spoke for the application, indicating that she and her boyfriend Shan have recently purchased the old Skyline Store property. They have renovated the store and are now using the property solely as their primary residence. They have removed all of the commercial store equipment and gas pumps, have had an environmental assessment done which is clear. Jessica and Shan feel that re-zoning the property will fit with the zoning of surrounding areas.

Planning Administrator Tara Rickaby Introduction:

Shan Robertson and Jessica Carvahlo, owners of property at 608 Airport Road, purchased the property in the spring of 2014, and have applied to rezone the property from LC - Local Commercial to R1 – Residential, Single Density.

The property is the former the location of a convenience store and gas station, which included an accessory dwelling unit.

The property is approximately .48 hectares in size with approximately 53 m of frontage on the Airport Road and 60m on Treadway Drive. There is an existing structure on the property. The underground gas tanks, associated with the former use, were removed on 30 June 2014.

NavCanada also provided a letter of assessment which was distributed prior to the meeting, Tara read the letter, which will form part of the record in the property role.

Description of Proposal

- Rezone the property to R1 – Residential, Single Density;

Surrounding land uses are as follows:

- North: Residential
- South: Airport Road and NAV Canada site
- East: Residential
- West: Residential area

Provincial Policy Statement 2014 (PPS 2014)

This application is consistent with the PPS 2014, the property is within the identified settlement area and supports the development of land use patterns that sustain the province and municipality i.e. no new services required.

Official Plan and Zoning By-law

The area is designated Residential Development in the Official Plan, surrounding uses are residential with a recent increase in density due to municipal sewer and water service availability.

Principle 1 of the City of Kenora's Official Plan is Sustainable Development. Kenora shall promote sustainable development to enhance the quality of life for present and future generations.

This application is consistent with the following objectives of this principle:

- To promote compact development by using land efficiently and existing infrastructure.
- To direct residential development to land within the settlement area boundary by way of infilling and residential redevelopment in the Established Area and Harbourtown Centre and the Residential Development Area.
- To support infill and intensification in built up areas (e.g. Harbourtown Centre) where services exist.
- To provide opportunities for the adaptive re-use of former industrial areas and brownfield sites where the industrial use is no longer viable.

Principle 3 of the City of Kenora's Official Plan is Affordable Housing. Kenora shall support the location of affordable housing in an integrated manner within new or existing development.

This application is consistent with the following objective of this principle:

- To provide a range of housing opportunities types that shall meet the physical and financial needs of an aging population and be able to provide a timely response to housing needs associated with a diversified economy.

Although the applicants are not aging the development to R1 is creating an affordable housing unit.

As per the City of Kenora's Consolidated Zoning By-law 160-2101 the purpose of R1 is to allow for the development of single-detached housing and other compatible uses serviced by municipal water and sewer or with municipal water only. The property is serviced by a municipally maintained road and the neighbourhood is residential.

Land Use Planning Issues

Required environmental assessments have been completed, property has been assessed as suitable for residential based on requirements of the Province of Ontario.

Lot Size and Frontage

The lot exceeds size and frontage minimums in the R1 – Residential First Density zone with a size of .48 hectares and 53m frontage on the Airport Road, the requirement is 15m of frontage.

Servicing

The lot is municipally serviced for water, sewer and road. No extension of City services is required.

Utilities

Hydro One and Bell Canada provide services.

Access

The subject property is presently accessed via the Airport Road.

Natural Heritage

No issues were identified.

Site Plan Control

N/A

Comments from Municipal Staff: Comments Received

Departments Circulated

Planning Department

As per this report and the recommendation of the Planning Advisory Committee, the Planning Department supports this application.

Building Department

No comments received.

Operations Manager

No comments received.

Roads Department

No comments received.

Sewer & Water Department

No issues.

Municipal Engineer

No issues or comments.

Kenora Hydro

No concerns as not their service area.

Kenora Fire & Emergency Services

No objections.

Heritage Kenora

No comments received.

Public Comments

None received to date (August 28, 2014)

Agency Comments

None to date (August 28, 2014)

Kenora Planning Advisory Committee

The item was discussed at the regular meeting of PAC, on August 19, 2014.

That the Kenora Planning Advisory Committee, having reviewed the application, recommends that the Council of the City of Kenora approves the proposed zoning by-law amendment Z03/14 Roberston-Carvahlo to amend the Zoning By-law 160-2010, as amended, for the property described as 608 Airport Road, CON 7J S PT LOT 9 KR726;PART 6 PCL25069 City of Kenora, District of Kenora from LC Local Commercial to R1 Residential First Density notwithstanding any other provisions of the By-law, as the application is consistent with the Provincial Policy Statement (2014), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Statutory Public Hearing: September 2, 2014 at 11:00 a.m.

Recommendation:

That Council approves the proposed zoning by-law amendment Z03/14 Roberston-Carvahlo to amend the Zoning By-law 160-2010, as amended, for the property described as 608 Airport Road, CON 7J S PT LOT 9 KR726;PART 6 PCL25069 City of Kenora, District of Kenora from LC Local Commercial to R1 Residential First Density as the application is consistent with

September 2, 2014

Zoning Amendment Proceedings

Z02/14 & Z03/14

the Provincial Policy Statement (2014), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Councillor Roussin asked if anyone wished to speak in favour of the amendment. Jessica Carvahlo has spoken in favour. Council discussions were in favour.

Councillor Roussin asked if anyone wished to speak in opposition of the amendment. There were no comments.

Councillor Roussin asked if there were any questions. There were no questions.

Councillor Roussin declared the Public Meeting closed at 11:17 p.m.