



PROCEEDINGS

Of a Public Meeting to discuss an
Amendment to Zoning By-law #160-2010
(Re: Z01/15 Pawlowski)

Tuesday, February 10, 2015
City Council Chambers
At 11:05 a.m.

PRESENT: Councillor S. Smith, Property & Planning Lead
Mayor D. Canfield
Councillor R. McMillan
Councillor D. Reynard
Councillor L. Roussin
Councillor C. Wasacase
Karen Brown, CAO
Charlotte Caron, Property & Planning Manager
Heather Kasprick, City Clerk

REGRETS: Councillor M. Goss

Lead of the Property and Planning Committee, Sharon Smith, 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 No. 160-2010. The Property and Planning Committee will make a recommendation to Council with respect to whether or not the applications should be approved. The Council of the City of Kenora will make the decision at a meeting of Council.

The Chair asked the Clerk to confirm the dates of notice 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. H. Kasprick, City Clerk, advised the Notices pertaining to these public meetings were provided in accordance with Planning Act requirements.

The Chair 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.

The Chair 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.

The Chair stated that each Applicant/Agent will provide the background information for their application and then the Planning Administrator will provide information from the planning report, 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.

Applicant Description of details:

Mrs. Pawlowski was present to explain the details of her application. She would like to duplex the property she owns right now to add a “granny suite” to the east side of the building which she would in turn then sell her home to her son and this would then allow her to live in the granny suite and allow the family to live together into her senior years.

Property & Planning Manager, Charlotte Caron Introduction:

Marlene Pawlowski, owner of property at 422 Rabbit Lake Road, has applied to rezone the property from R1 – Residential, Single Density to R2 – Residential Second Density. Ms. Pawlowski originally intended to make use of the secondary dwelling unit provisions of the zoning by-law, however the resultant secondary unit was not large enough to accommodate her needs.

Description of Proposal

- Rezone the property to R2 – Residential, Second Density, from R1 – Residential, Single Density;
- Construct an addition which mirrors the existing dwelling unit in order that the structure appears to be a single family dwelling.

Existing Conditions

- The property is located in an area of Rabbit Lake which is characterized by strip residential development, across Rabbit Lake Road, from the lake
- The property is approximately .23 ha with approximately 40 m of frontage on Rabbit Lake Road;
- There is an existing single family dwelling (built with a permit issued in 1985), and garage/shed;
- The property is serviced with municipal sewer and water;
- Access is over municipal property, on the north side of the property;
- There is a hydro service line, with an unregistered easement, over the property;
- There is a driveway, providing access to the property to the east, over the north east corner of the property.

Surrounding land uses are as follows:

North: Vacant, rural – municipal property
South: Rabbit Lake
East: Residential
West: Residential

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.

Section 3.4 Land Use Compatibility - Compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. Compatibility can be achieved in a variety of ways, including the provision of appropriate setbacks, buffering features, and transition in building height and massing. The mirroring of the existing dwelling is consistent with the neighbourhood, provides residential parking and amenity spaces.

Land Use Planning Issues

None.

While the Planning Department recommends that an easement, in favour of the lands to the east, is the most effective way to provide tenure for property owners who access their lands over the subject property, there is no requirement, as a result of this application, for the easement to be required.

Lot Size and Frontage

The lot exceeds size and frontage minimums in the R2 – Residential Single Density zone with a size of .23 hectares (579 m²) where the minimum is 450 m², and 40 m frontage on Rabbit Lake Road, where the requirement is 15m of frontage.

Servicing

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

Utilities

Hydro One and Bell Canada provide services.

Access

The subject property is presently accessed via the Community Centre Road and then east, over municipal property.

Natural Heritage

No issues were identified.

Site Plan Control

N/A

Comments from Municipal Staff:

Department Circulated	Comments Received
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 comments received.
Kenora Hydro	No concerns as not their service area
Kenora Fire & Emergency Services	No objections
Heritage Kenora	No comments received.

Public Comments - A concern was received on February 9th from the easterly neighbour. They request that the minimum side yard requirement be met and would appreciate any additional side yard that could be left. Charlotte confirmed that those requirements will be met in this amendment.

Agency Comments - None to date

Kenora Planning Advisory Committee

The item was discussed at the regular meeting of PAC, on January 20, 2015. The following motion was made:

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 Z01/15 Pawlowski to amend the Zoning By-law 160-2010, as amended, for the property described as 422 Rabbit Lake Road, CON 6J N PT LOT 6 PCL14924 AND PCL 11231 S, City of Kenora, District of Kenora from R1 Residential First Density to R2 – Residential Second Density; 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: Tuesday, February 10, 2015 at 11 a.m.

Recommendation:

That the Council of the City of Kenora approves the proposed zoning by-law amendment Z01/15 Pawlowski to amend the Zoning By-law 160-2010, as amended, for the property described as 422 Rabbit Lake Road, CON 6J N PT LOT 6 PCL14924 AND PCL 11231 S, City of Kenora, District of Kenora from R1 Residential First Density to R2 – Residential Second Density; 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.

Councillor Smith asked if anyone wished to speak in favour of the amendment. There were no further comments.

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

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

Councillor Smith the declared the Public Meeting closed at 11:15 a.m.