

# The Corporation of the City of Kenora

## By-law Number 76 – 2021

### **A By-law to Amend Comprehensive Zoning By-law 101-2015**

Whereas the Council may, in accordance with Section 36 of the Planning Act R.S.O 1990, c.P.13, “ the Planning Act” in a By-law passed under Section 34 of the Planning Act, by use of the holding symbol ‘h’ specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the By-law; and

Whereas the Council has determined that development of certain lands governed by this By-law should not proceed until the condition set out in this By-law is satisfied and that it is appropriate to use the holding symbol in conjunction with the said lands as hereinbefore provided; and

Whereas the Council of the Corporation of the City of Kenora passed Comprehensive Zoning By-law No. 101-2015 on December 15, 2015; and

Whereas it is advisable and expedient to amend the Corporation’s Zoning By-law Number 101-2015 as hereinafter provided;

Now therefore the Council of the Corporation of the City of Kenora Enacts as follows;

1. Notwithstanding the designation thereof in Schedule “A” to Zoning By-law 101-2015 of the Corporation of the City of Kenora, the lands as illustrated in Exhibit 1 to this amending by-law are designated as "GC[h]" General Commercial, Holding Zone in accordance with the said Exhibit 1.
2. In the case of the lands rezoned to General Commercial, Holding Zone (GC[h]), the "h" holding symbol may be removed when a Record of Site Condition for purposes of residential use is submitted to the Ministry of the Environment, Conservation and Parks;
3. Until the "h" symbol is removed from the lands referred to in Subsection (1) and in accordance with Section 36 of the Planning Act, the following provisions shall apply:
  - a. Permitted uses- every use of the land and every erection of the buildings and structures including the placement of fill, is prohibited except uses, buildings and structures legally existing on the day of passage of the By-law.
  - b. This Section does not apply to prevent:
    - i. The strengthening or restoration to a safe condition of an existing building or structure or the alteration or repair of an existing building or structure, providing such alteration or repair will not increase the height, size or volume of such building or structure or change the use thereof; and
    - ii. Repairs or alterations to an existing building or structure as may be necessary to comply with a lawful order of any statutory authority having jurisdiction over such building or structure or the use thereof.

4. That Exhibit 1 attached hereto is hereby made part of this by-law, fully and to all intents and purposes as though cited in full herein;
5. The City Clerk is authorized and directed to give notice of the passing of this By-law in accordance with the Planning Act.
6. That this By-law shall come into force as provided in the Planning Act c. 13, R.S.O. 1990, as amended, and thereupon shall be effective from the date of its final passing.

**By-law read a first and second time this 22<sup>nd</sup> day of June, 2021**

**By-law read a third and final time this 22<sup>nd</sup> day of June, 2021**

**The Corporation of the City of Kenora:-**

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**Daniel Reynard, Mayor**

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**Heather Pihulak, City Clerk**

City of Kenora By-law No. 76– 2021, amending By-law 101-2015  
**Schedule “A”**

Location Sketch (2019 Aerial Imagery)



1. 321 First Avenue South, Kenora, ON and as identified in Schedule “A”;
2. That this By-law will cause the zoning of the property as identified to be changed from “GC” General Commercial Zone and “HL” Hazard Land Zone to “GC” General Commercial Zone, to allow for development of the property.

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Mayor

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City Clerk