

The Corporation of the City of Kenora

By-law Number 140 – 2024

A Bylaw to Amend the Comprehensive Zoning Bylaw 101-2015

Whereas Section 34(1) of the *Planning Act*, R.S.O. 1990, as amended, permits the passing of zoning by-laws by the councils of local municipalities; and

Whereas it is deemed advisable and expedient to further amend By-law 101-2015;

Whereas under Section 8.4 of the City of Kenora Official Plan 2015, Site Plan Control shall be applied to all commercial, industrial, institutional and multi-residential development. The City may also require Site Plan Control in order to protect natural features, and environmental elements as designated in this Official Plan as a Special Policy Overlay;

Now therefore be it resolved that the Council of the City of Kenora enacts as follows;

1. That this By-law shall apply to the property described as PCL 25173 SEC DKF; FIRSTLY LT 4 CON 3 JAFFRAY PT 5, KR916 EXCEPT PT 1, KR1125; SECONDLY PT LT 5 CON 3 JAFFRAY PT 2, KR916; S/T LT 204349; KENORA as identified in Schedule "A".
2. The By-law 101-2015 is hereby amended by changing the zoning of the lands identified on the attached Schedule "A" from "RU" Rural Zone to "LC" Local Commercial Zone.
3. That By-law No. 101-2015 is hereby further amended by adding exception 63 to the proposed zoning for the lands identified on schedule "A" as follows:

LC [63] – Notwithstanding any other provisions of this by-law, on the property described as PCL 25173 SEC DKF; FIRSTLY LT 4 CON 3 JAFFRAY PT 5, KR916 EXCEPT PT 1, KR1125; SECONDLY PT LT 5 CON 3 JAFFRAY PT 2, KR916; S/T LT 204349; KENORA:

- a) *Mixed-use, multi-unit residential development shall be permitted with local commercial use(s) on the main floor and residential units on the upper floors;*
 - b) *The maximum building height shall be 15 metres; and*
 - c) *Employee and visitor parking shall be permitted in a required front yard adjacent to a residential zone.*
4. That By-law No. 101-2015 is hereby further amended by adding "[h]" to the proposed zoning for the land identified on schedule "A". The holding symbol may be removed when a Site Servicing Study for the purposes of addressing water, sanitary, and stormwater requirements is submitted and approved by the City;
5. That consideration be given to pedestrian connectivity within the active transportation guidelines to the City's satisfaction.

6. That the City enter into a Site Plan Control agreement with the applicant/property owner. The Site Plan Control agreement shall address required studies as identified by the City; and
7. That this By-law shall come into effect upon final passing, pursuant to Section 34 (21) of 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 15th day of October, 2024

By-law read a third and final time this 15th day of October, 2024

The Corporation of the City of Kenora:-

Andrew Poirier, Mayor

Heather Pihulak, City Clerk

City of Kenora By-law No. 140-2024

Schedule "A" – Subject Lands Highlighted in Blue



1. Subject lands legally described as PCL 25173 SEC DKF; FIRSTLY LT 4 CON 3 JAFFRAY PT 5, KR916 EXCEPT PT 1, KR1125; SECONDLY PT LT 5 CON 3 JAFFRAY PT 2, KR916; S/T LT 204349; KENORA
2. Lands to be rezoned from RU to LC [63].

Mayor

City Clerk