



# A G E N D A

## Public Statutory Meeting as per the requirements of the Planning Act R.S.O 1990, c.P13, s. 34

**Tuesday, May 10, 2022  
12:00 p.m.**

City Hall Council Chambers  
Livestream Link: <https://kenora.civicweb.net/Portal/>

### **Land Acknowledgement – Councillor Smith**

#### **Council Declaration of Pecuniary Interest & General Nature Thereof**

- i) On Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

#### **1. Applications Being Considered:**

- a) Zoning Bylaw Amendment: D14-22-01  
Civic Address: 371 Strecker Road  
Registered Owner: Kenora Chiefs Advisory Inc.  
Agent: JCP Planning & Development

#### **Applicant Presentation(s)**

- Each applicant (or representative) will present their planning application.

#### **2. City Planner Report/Rationale**

- City Planner to describe the details of the planning application(s).

#### **3. Public Comment**

Any person may express his or her views of the amendment and a record will be kept of all comments.

#### **4. Questions of Council (no decision)**

#### **5. Close of Public Meeting**

Meeting is to be declared closed following all comments/questions



The Corporation of the City Of Kenora  
Notice of Complete Application and Public Meeting for a  
Zoning By-law Amendment, File Number D14-22-01  
Planning Act, R.S.O 1990, c.P13, s. 34

**Take Notice** that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting, under Section 34 of the *Planning Act*, to consider a Zoning By-law Amendment as it pertains to Zoning By-law No. 101-2015, at the following time and location:

**Statutory  
Public Meeting**

When: Tuesday, May 10<sup>th</sup>, 2022 at 12:00 p.m.

Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

Council will be hosting a virtual meeting by live stream to allow for public viewing. Access to speak at the meeting can be made by registering with the City Planner at [planning@kenora.ca](mailto:planning@kenora.ca)

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application during their regular meeting on Tuesday, May 17<sup>th</sup>, 2022 at 12:00 p.m.

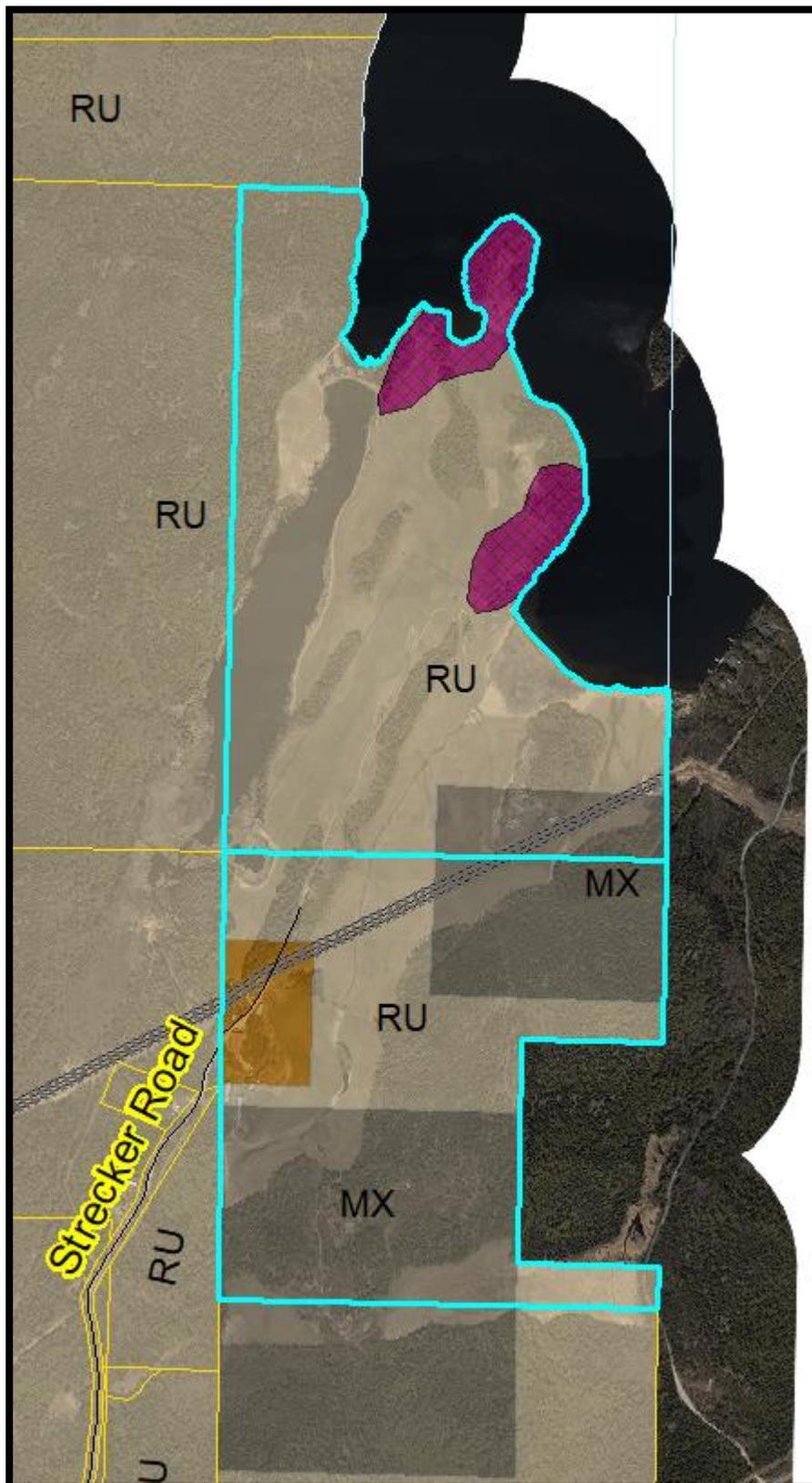
You are also invited to attend The Kenora Planning Advisory Committee (PAC), who hears applications and considers recommendations to Council, commencing at the following time and location:

**PAC Open House**

When: Tuesday, May 3<sup>rd</sup>, 2022 at 6:00 p.m.

Location: PAC will be hosting a virtual meeting via Zoom Meeting.

Access to the virtual meeting will be made available by registering with the Secretary-Treasurer at [planning@kenora.ca](mailto:planning@kenora.ca).



**Be Advised** that the Corporation of the City of Kenora considered the Application for an Amendment to the Zoning By-law to be complete on April 7<sup>th</sup>, 2022.

**Location of Property:** 371 Strecker Road, Kenora, ON, as identified in the key map above.

**Purpose:** to amend the zoning of the subject property from “RU” Rural Zone, “MX” Extractive Industrial Zone, “TR[HL]” Tourist Recreational Zone with a Hazard Land Zone Exception, and “EP” Environmental Protection Zone, to “RU[53]” Rural, Exception Zone and “EP” Environmental Protection Zone.

**Effect of Approval:** to permit the proposed redevelopment of the property to accommodate a range of uses associated with the “RU” Rural Zone, and to allow site-specific exceptions to allow for a community hall and place of assembly as permitted uses in the “RU” zone.

**Virtual Statutory Public Meeting:** Although Council meetings are being held virtually via live stream, there are still several ways in which the general public can provide input on the proposed application, as follows:

- a. **Submit comments in writing:** Persons wishing to provide comments for consideration at the Statutory Public Meeting may submit such comments in writing no later than Monday, May 2<sup>nd</sup>, 2022 by email, to [planning@kenora.ca](mailto:planning@kenora.ca) or by regular mail to the address below, and quote File Number: **D14-22-01**.  
Mr. Kevan Sumner, City Planner  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON P9N 3X2
- b. **Register to Speak at the PAC Virtual Meeting:** If you wish to speak at the PAC Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca) no later than noon on Friday, April 29<sup>th</sup>, 2022 and quote File Number: **D14-22-01**. To register by phone please call: 807-467-2059.
- c. **Register to Speak at the Statutory Public Meeting:** If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca) no later than noon on May 5<sup>th</sup>, 2022 and quote File Number: **D14-22-01**. To register by phone please call: 807-467-2059.

**Failure To Make Oral Or Written Submission:** If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the City of Kenora before the by-law is passed:

- a. the person or public body is not entitled to appeal the decision of the Council of The Corporation of the City of Kenora to the Local Planning Appeal Tribunal.
- b. the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Appeal of a decision of the Municipality in respect of this Zoning By-Law Amendment may be made by any person or public body not later than 20 days after notice of the decision is given.

**Notice of Decision:** If you wish to be notified of the decision of the Council of The Corporation of the City of Kenora in respect of the application for zoning by-law amendment, you must make a written request to Heather Pihulak, Clerk of The Corporation of the City of Kenora at 1 Main Street South, Kenora, ON P9N 3X2

**Additional Information** is available during regular office hours at the Operations Centre. Please contact Kevan Sumner, City Planner, if you require more information: Tel: 807-467-2059 or Email: [planning@kenora.ca](mailto:planning@kenora.ca)  
*Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.*

Dated at the City of Kenora this 14<sup>th</sup> day of April, 2022



May 3, 2022

Staff Report

**File No.:** D14-22-01

**To:** Kyle Attanasio, CAO

**Fr:** Kevan Sumner, City Planner

**Re:** Application for Zoning By-law Amendment

**Location:** 371 Strecker Road

**Owner:** Kenora Chiefs Advisory Inc.

**Agent:** JCP Planning & Development

**Recommendation:**

That the Application for Zoning By-law Amendment, File No. D14-22-01, to change the zoning of the subject properties from "RU" Rural Zone, "MX" Extractive Industrial Zone, "TR[HL]" Tourist Recreational Zone with a Hazard Land Exception Zone overlay, and "EP" Environmental Protection Zone, to "RU[53]" Rural, Exception Zone with permitted site-specific use of a Community Hall, Place of Assembly, and "EP" Environmental Protection Zone, should be approved only with the addition of additional site specific exceptions:

- (a) A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way.
- (b) A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way.
- (c) A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.
- (d) The addition of campground as an additional permitted use.

And further, that the amendment be approved with the addition of a "-h" holding symbol to the "RU[53]" zone, and that the "-h" holding symbol may not be removed and further development of the subject property may not occur until:

- (a) An Environmental Impact Study has been completed, with specific attention to the impact of the proposed development on the shoreline, marsh area, Black Sturgeon Lake water quality, and wildlife, fish, and/or species at risk habitats.
- (b) Confirmation has been received that the applicant has consulted with the Ministry of Northern Development, Mines, Natural Resources, and Forestry regarding the nature of the abandoned Mine Hazard Sites.
- (c) A study or studies are provided to the satisfaction of the City of Kenora, confirming that:

- a. the areas currently zoned "MX" Extractive Industrial are rehabilitated to accommodate subsequent land uses, and
- b. either aggregate resource extraction would not be feasible on the area of the property identified as Potential Aggregate Area, or that the proposed land uses create no risk for reasons of public health, public safety, and environmental impact.

## **1. Introduction**

An application has been received to change the zoning of the subject property (Figure 1) from "RU" Rural Zone, "MX" Extractive Industrial Zone, "TR[HL]" Tourist Recreational Zone with a Hazard Land Exception Zone overlay, and "EP" Environmental Protection Zone, to "RU[53]" Rural, Exception Zone with permitted site-specific use of a Community Hall and Place of Assembly, and "EP" Environmental Protection Zone.

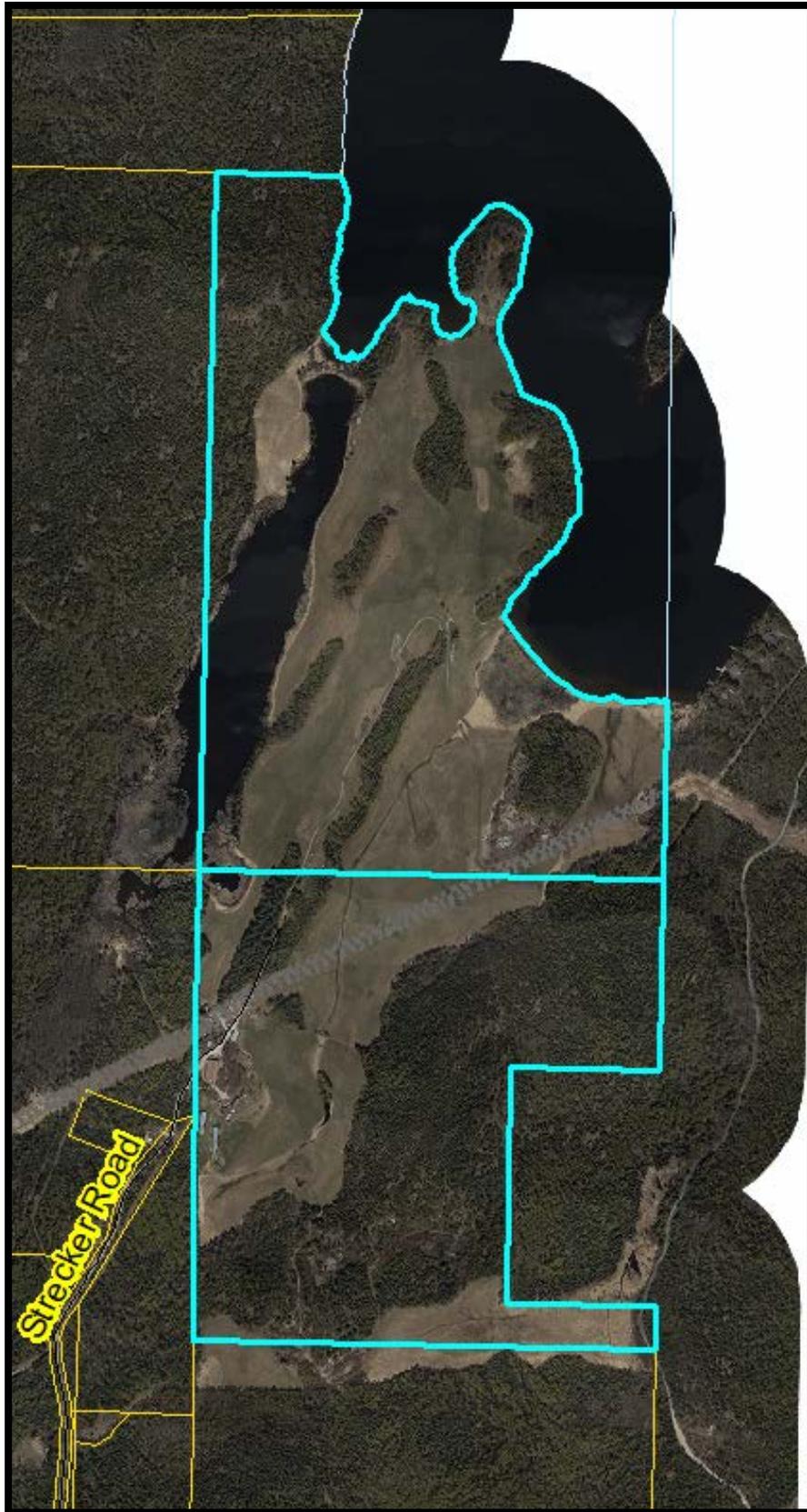
## **2. Description of Proposal**

The agent for the application states that the intended use of the property is for Indigenous Youth Programming. A review of a site plan provided by the applicants indicates that planned future uses of the property include (Figure 2):

- Equestrian therapy
- Hobby farm
- Information and welcome centre
- Recreational facilities (softball, hardball, nature play area, volleyball courts, bouldering and challenge course, disc golf course, hockey rink)
- Events area
- Lodging
- Ceremonial area
- Pow wow grounds
- Eco camp
- Dock
- Community gardens

The proposal retains areas of the property zoned EP in their current location with no changes.

The application was submitted with a Phase I Environmental Site Assessment, which is attached as information.



**Figure 1:** Subject property.

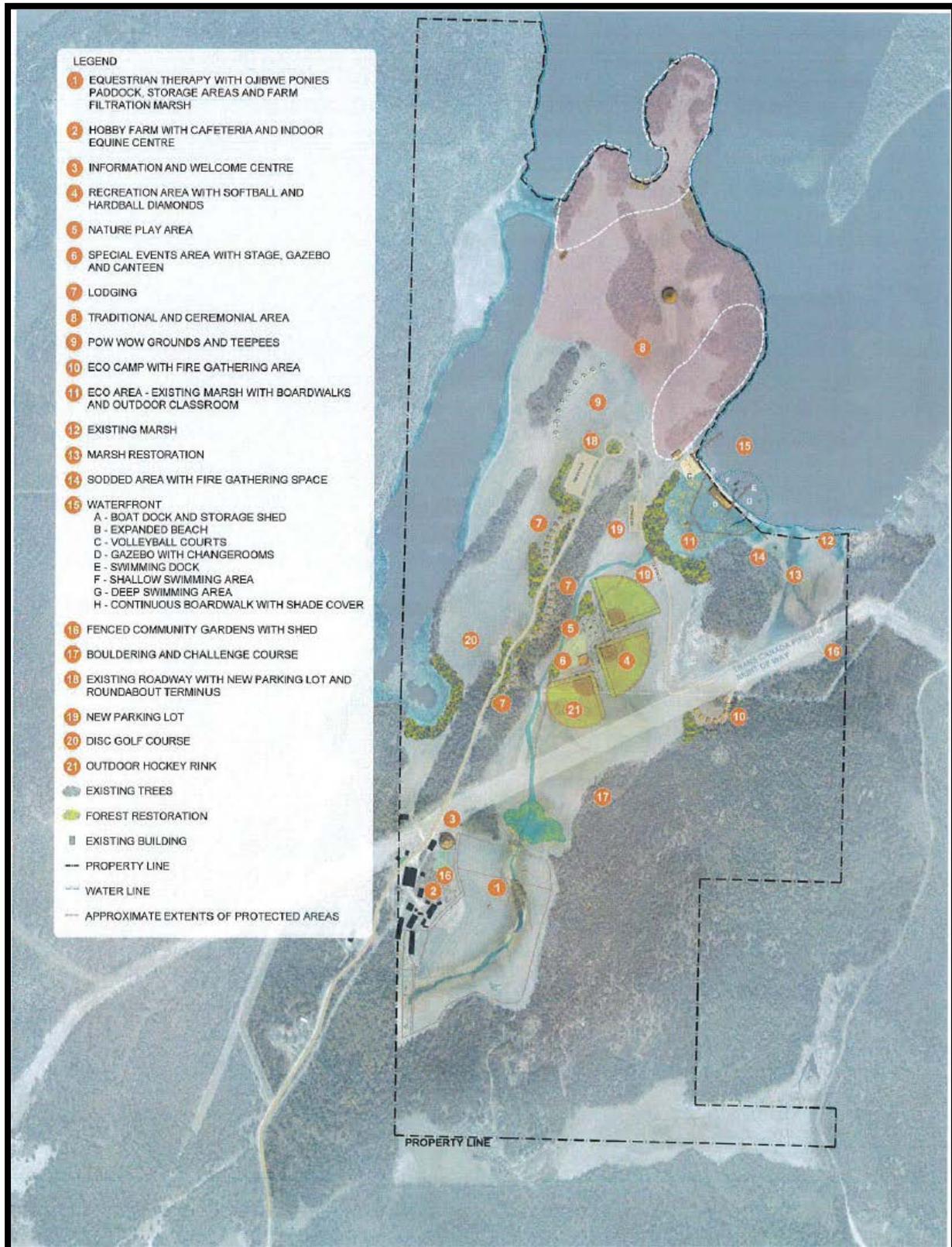


Figure 2: Master Plan, prepared by HTFC Planning & Design

### 3. Site History and Existing Conditions

The subject property is located at the north end of Strecker Road, on the shores of Black Sturgeon Lake. Measurements from the City of Kenora GIS maps indicate the property is approximately 124 hectares in area and the shoreline property line extends for approximately two kilometers. The property is transected by the TransCanada natural gas pipeline.

Two areas of the property are zoned "EP" Environmental Protection, indicating areas which have historical and natural significance. The Planning Department has been unable to locate any records to indicate the when and for what reason these areas were identified as requiring protection, but were able to trace the designation back more than 30 years through archived zoning documents.

The subject property was previously a farm. Two portions of the property, currently zoned as "MX" Extractive Industrial, were previously used for aggregate extraction. In 1992, the zoning of a portion of the property containing the yard site was amended to "CL-1" Local Commercial – Site Specific to permit the operation of a licensed dance hall and eating establishment for barn dances and similar events. The closest equivalent zone under the current by-law would be "LC" Local Commercial Zone.

In 2001, the zoning of large central portion of the property, including the area previously zoned "CL-1" and extending most of the way to the shore of the lake was amended to "TC" Tourist Commercial to allow for the establishment of an RV campsite and guest cabins, and that zoning persisted for several years until the adoption of a new zoning by-law. The closest equivalent zone under the current by-law would be "TR" Tourist Recreational Zone.

In 2004, with the adoption of a new Zoning By-law, the area zoned "TC" was reduced in size to the area now zoned "TR[HL]" and previously zoned "CL-1".

### 4. Site Visit

On April 29<sup>th</sup>, 2022, I attended the subject location to view existing conditions. The photos below are intended to provide a visual of the existing property (Figures 3 to 9).



**Figure 3 – Central Hall and Dining Facility**



Figure 4 – Dwelling, currently being expanded.



Figure 5 – Stables



Figure 6 – Southern portion of pastures, viewed from the dwelling site



**Figure 7 – TransCanada PipeLine easement, looking east from the dwelling site.**



**Figure 8 – Panoramic view of area of planned lodging, parking lot, and powwow grounds and teepees.**



**Figure 9 – Area of eco area and proposed waterfront development**

## **5. Consistency with Legislated Policy and City Directives**

### **a) Provincial Policy Statement (PPS) 2020**

Policy 1.1.4.1 states that healthy, integrated and viable rural areas should be supported by:

- (a) building upon rural character, and leveraging rural amenities and assets;
- (g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets.

Additional guidance is provided by Policy 1.1.5.3, which states that in rural lands located in municipalities, recreational, tourism and other economic opportunities should be promoted, and Policy 1.1.5.4 which states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Policy 2.1.2 directs that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Policy 2.5.2.5 states that in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- (a) Resource use would not be feasible; or
- (b) The proposed land use or development serves a greater long-term public interest; and
- (c) Issues of public health, public safety, and environmental impact are addressed.

Policy 2.5.3.1 states that progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

### **b) City of Kenora Official Plan (2015)**

The land use designation of the majority of the subject property is Rural Area. Two portions of the property corresponding with the former aggregate operations are designated as Industrial Area. The southern half of the property is identified in the Official Plan Schedule "A" as a Potential Aggregate Area, with a portion of that area being further identified on Schedule "B" as having High Mineral Resource Potential. Two Abandoned Mine Hazard Sites are located to the east of the subject property (Figure 10).

The Rural Area designation indicates lands that may include a variety of agricultural, residential, industrial, commercial, recreational, tourism, and open space uses, with limited change over the lifetime of the Plan (Section 4.8).

The Industrial Area designation is intended to identify employment areas where major industry and related enterprises are encouraged to locate in the City.

Section 5.1 directs that when potential development may have an impact on, or be impacted by, one of the natural heritage features and areas described in this section, the City of Kenora may refer to the appropriate agency for comment. Comments from the Ministry of Northern Development, Mines, Natural Resources, and Forestry may be found in section 6 of this report. Those comments recommend an Environmental Impact Study (EIS) be completed for the site. Section 8.9.2 provides direction for completion of a full site EIS.

Policy 5.5.1(a) directs that in areas shown as Potential Aggregate Area and High Mineral Resource Potential, or on adjacent lands, development which would preclude or hinder the establishment of new operations or access to the resources shall be permitted if:

- resource use would not be feasible or;
- the proposed land uses or development serves a greater long term public interest; and
- issues of public health, public safety, and environmental impact are addressed.

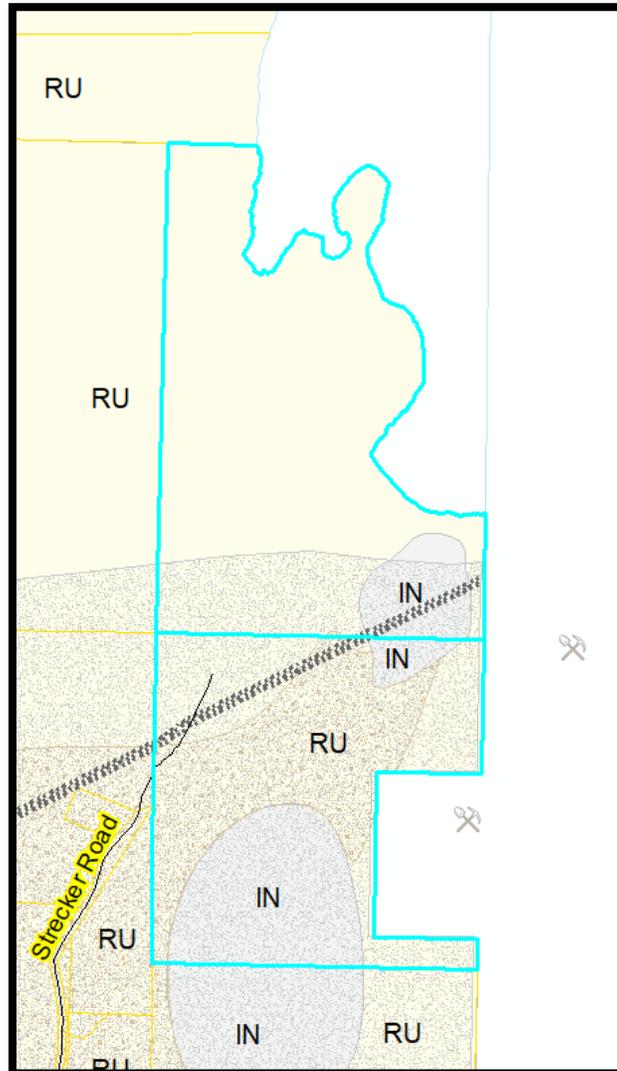
Policy 5.5.1(b) states that non-extractive land uses or developments shall be prohibited in those areas identified as having an aggregate or mineral resource potential unless it can be shown that:

- extraction would not be feasible; or
- the proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
- the proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.

Policy 5.5.1(c) directs that rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, to recognize the interim nature of the extraction and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Progressive rehabilitation should be undertaken wherever feasible.

Policy 5.5.1(g) directs that development of these areas for purposes other than resource extraction shall not be permitted in accordance with Policies 5.5.1 (a) and (b). If such development is permitted, the underlying designation will apply.

Policy 5.5.2(b) directs that the City shall require applicants for any proposed development within 1,000 metres of the Abandoned Mine Hazard Site symbol to consult with the Ministry of Northern Development and Mines regarding the nature of the hazard, and to undertake any remediation measures as legislated under the Mining Act.



**Figure 10** – Official Plan Mapping. Light hatching indicates Potential Aggregate Area, darker hatching indicates High Mineral Resource Potential. Abandoned Mine Hazard Sites are indicated with a crossed pick and shovel icon.

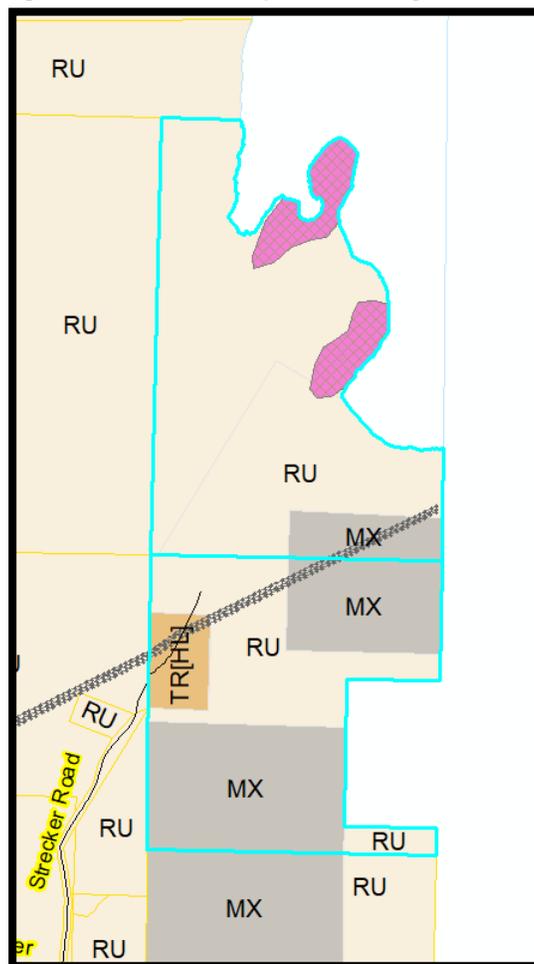
**c) Zoning By-law No. 101-2015**

The majority of the property is currently zoned "RU" Rural Zone. The historic yard site is zoned "TR[HL]" Tourist Recreational Zone with a Hazard Land Zone overlay. Two areas, located on the eastern and southern edges of the property are zoned "MX" Extractive Industrial Zone. Two shoreline areas on the northeastern part of the property are zoned "EP" Environmental Protection Zone (Figure 11). The application proposes to amend the zoning of the areas zoned "MX" and "TR[HL]" to "RU[53]" Rural, Exception Zone with a site-specific exception to allow for a Community Hall and Place of Assembly.

The "RU" zone allows for a wide range of uses and services to meet the needs of residents, businesses and tourists. The "RU[53]" zone would add Community Hall and Place of Assembly as permitted uses on the subject property. This aligns with the establishment of most of the uses identified on the master site plan, with the exception of the lodging (area 7 on the plan) and eco camp with fire gathering area (area 10). This assessment is based on the information provided, and may change as additional information is provided about each of the intended uses.

The "HL" overlay zone identifies lands which are susceptible to flooding or erosion or any other physical characteristic which could cause harm to persons or lead to the deterioration of buildings and structures. Our understanding is that the HL overlay was put in place due to the proximity of the MX zoned areas. It severely restricts the establishment of new uses in the area currently zoned TR[HL], and must be removed development of the yard site is to proceed.

The "MX" zone allows industrial uses associated with mineral and aggregate extraction and processing as well as complementary industrial and commercial uses.



**Figure 11** – Current Zoning By-law Mapping. "ML" zone is indicated in grey and the "R2" zone is indicated in light yellow. Blue hatching indicates the limits of the "HL" overlay zone and red hatching indicates the extent of the "EP" overlay zone.

## 6. Results of Interdepartmental and Agency Circulation

The proposed zoning amendment was circulated for comment on April 7<sup>th</sup>, 2022. The following is a summary of comments received in response.

Building	No concerns
Community Services	No concerns
Engineering	No concerns
Economic Development	No concerns
Environmental Division	No concerns
Fire and Emergency Services	No concerns
Parks and Facilities	No concerns
Roads	No concerns
Water / Wastewater	No concerns
Bell Canada	Bell Canada kindly requests to always be circulated on any future materials related to this development project or infrastructure/policy initiative. Please note that Bell Canada does not generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.
Ministry of Agriculture, Food, and Rural Affairs	If the project involves work on the building or facility (and requires a building permit) that houses the horse and there are more than 5 horses, then an approved nutrient management strategy (NMS) is required prior to issuing the building permit.
Ministry of Environment, Conservation, and Parks	The sewage daily design flow is under 10,000 L/day and is under the jurisdiction of the Northwestern Health Unit. They are also reviewing with our water compliance group if the drinking water system will be designated under MECP legislation. A waste area in the aerial imagery was stated by KCA to be a metals pile and was cleaned up when they acquired the property. There are no distinct Record of Site Condition (RSC) triggers, but it is ultimately the city's decision whether or not to require one.
Ministry of Northern Development, Mines, Natural Resources and Forestry	We advise that an Environmental Impact Study be requested to support this re-zoning application as provided for by Section 5.1 Natural Heritage and 8.9 Environmental impact Statement, of the Official Plan. And Environmental Impact Statement should provide greater confidence that natural heritage policies of the provincial Policy Statement are being followed. Due to the large size (121 hectares) of the subject property, diversity of habitat types, and extensive shoreline frontage (1,080 meters), the property potential

	<p>supports significant wildlife, fish, and/or species at risk habitats. The proponent may also wish to consult <a href="mailto:SAROntario@ontario.ca">SAROntario@ontario.ca</a> for advice on requirements related to species listed as Threatened or Endangered under Ontario's Endangered Species Act, 2007.</p>
<p>Northwestern Health Unit</p>	<p>Everything we have been provided right now has been under the assumption of residential use, not commercial. We will need to take a look at what is currently present and whether or not there will be impact with a change of use.</p> <p>There are currently two separate properties. So as long as they remain separate, it will allow them to have 10,000 L/day for each one.</p>
<p>TransCanada PipeLines Limited</p>	<p>TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board. As such, certain activities must comply with the Canadian Energy Regulator Act (Act) and the National Energy Board Damage Prevention Regulations (Regulations). The Act and Regulations noted can be accessed from the CER's website at <a href="http://www.rec-cer.gc.ca">www.rec-cer.gc.ca</a>.</p> <p>We understand that the purpose of the Zoning By-law Amendment is to amend the zoning of the subject lands from "RU" Rural Zone, "MX" Extractive Industrial Zone, "TR[hl]" Tourist Recreational Zone with a Hazard Land Zone Exception, and "EP" Environmental Protection Zone to "RU[53]" Rural, Exception Zone and "EP" Environmental Protection Zone. TCPL would like to request the following setback provisions be included in the Zoning By-law Amendment:</p> <ul style="list-style-type: none"> <li>(a) A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way.</li> <li>(b) A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way.</li> <li>(c) A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.</li> </ul> <p>In addition, we would like to highlight some concerns about the Black Sturgeon Lake Master Plan (dated</p>

	<p>September 22, 2021) prior to the circulation of Site Plan Applications:</p> <ol style="list-style-type: none"> <li>1. The outdoor hockey rink is located on TCPL infrastructure (groundbed) and TCPL recommends that it be relocated.</li> <li>2. There is a portion of road that is not constructed which appears to be within TCPL's right-of-way. Roads are not permitted within TCPL's right-of-way and the parallel road must be setback a minimum of 7 metres from the right-of-way.</li> <li>3. Additional details for the structures that abut TCPL's right-of-way (e.g. Information and Welcome Centre, Eco Camp with Fire Gathering Area, etc.) must be circulated for review by TCPL.</li> <li>4. Please provide TCPL with construction timelines as they become available.</li> </ol> <p>We would also like to remind the applicant of the following requirements:</p> <ol style="list-style-type: none"> <li>1. Written consent from TCPL must be obtained before any of the following: <ul style="list-style-type: none"> <li>• Construction or installing a facility across, on, along, or under a TCPL pipeline right-of-way;</li> <li>• Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres from the centerline of a pipelines);</li> <li>• Driving a vehicle, mobile equipment, or machinery across a TCPL pipeline right-of-way outside the travelled portion of a highway or public road;</li> <li>• Using any explosives within 300 metres TCPL's right-of-way; and</li> <li>• Use of the prescribed area for storage purposes.</li> </ul> </li> </ol>
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**7. Public Comments**

Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated to property owners within 120 metres, was published in the Municipal Memo of the Kenora Miner and News on April 14<sup>th</sup>, 2022, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee had the opportunity to consider recommendation for the application to Council at the meeting on May 3<sup>rd</sup>, 2022. The minutes and relevant resolution from this meeting will be forwarded to Council for their information.

As of the date of this report (May 3<sup>rd</sup>, 2022), no public comments have been received.

**8. Evaluation**

The proposed zoning amendment is appropriate to permit the future development of the property as described in the Planning Rationale and Master Site Plan, with the exception of the proposed lodging and eco camp areas.

Both the Provincial Policy Statement and the Official Plan contain policies supportive of the zoning by-law amendment, but caution that appropriate measures need to be taken in regards to development on or near former aggregate extraction sites, and in proximity to identified Mine Hazard Areas.

The master site plan identifies an equestrian therapy with Ojibwe ponies paddock, storage areas, and farm filtration marsh (area 1) and a hobby farm with cafeteria and indoor equine centre (area 2). One additional building which appears to be associated with the equestrian use appears to have been built in 2021 without a building permit. The City of Kenora is unable to assess whether any of the livestock uses require a Nutrient Management Strategy (NMS), and thus must rely on the Ministry of Agriculture, Food, and Rural Affairs as the regulatory authority. Based on the comments provided, upon application for a building permit, a NMS may be required given the Act governing an NMS is applicable law.

The master site plan identifies two potential uses which would not be permitted under the zoning amendment as requested: lodging (area 7 on the plan) and eco camp with fire gathering area (area 10). At the Planning Advisory Committee open house, it became apparent that the property owner wishes to have these uses permitted on the property, and it therefore recommended that campground be added as an additional permitted use under the "RU[53]" exception. From the information provided, I am unable to determine what zoning use to associate with the proposed lodging, which the master plan indicates will eventually consist of approximately 20 structures that were described at the PAC meeting as "eco-cabins".

The Ministry of Northern Development, Mines, Natural Resources, and Forestry has identified the need for an Environmental Impact Study in accordance with the policies of the Official Plan. While the applicant has completed a Phase 1 Environmental Site Assessment, the scope of this assessment is distinct from an Environmental Impact Statement that focuses upon impacts to natural habitats.

TransCanada PipeLines have identified a number of potential concerns regarding planned and existing development of the property.

Site Plan Control approval will be required prior to development of the property, due to the nature and scope of the proposed uses, its location on the shores of Black Sturgeon Lake, and the presence of identified environmental protection areas.

Considering the number and nature of the outstanding concerns, the application of a Holding Zone in accordance with Section 8.3.3 of the Official Plan is advisable. This Section states that where Council uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:

- a) a Site Plan Agreement, Drainage Management Plan or Subdivision Agreement as may be required has been completed between the municipality and the developer;
- b) all engineering plans and arrangements with respect to municipal services have been completed;

- c) the financial requirements of the municipality have been satisfied; and
- d) site contamination or other environmental constraints have been appropriately addressed; and
- e) an Archaeological Assessment has been performed demonstrating that development will not cause adverse impacts to archaeological resources.

### **Attachments**

- Complete Application for Zoning By-law Amendment
- Phase I Environmental Site Assessment Report
- Notice of Application and Public Meeting
- Draft minutes of the May 3<sup>rd</sup>, 2022 meeting of the Planning Advisory Committee
- Planning Advisory Committee Resolution



## **Kenora Chiefs Advisory Inc.: Application for Zoning By-Law Amendment**

### **Planning Rationale**

#### **A. Physical Description**

The subject land is located on the Strecker Road, just north of the Highway 17 By-Pass. The subject land also has frontage on Black Sturgeon Lake to the northeast. It is legally described as CON 7J, N PART LOT 16, PCL 7374, Reference Plan 23R-6564 Pts 1 & 2.

It is approximately 135 ha in size (300+ acres), and has 1,080 m. of frontage on the Black Surgeon Lake.

#### **B. Site History**

The subject property was originally a working farm for over 3 generations. There was also limited extractive industrial use - aggregate. More recently, it was an occasional venue for special events and farm operations.

#### **C. Overview of Application**

The purpose of the application is to rezone the property to Rural and Environmental Protection. The property will be utilized for Indigenous Youth Programming

#### **D. Site Suitability**

See site plan.

### **E. Compatibility**

The subject property is located in a rural area, and the low intensity use is compatible with uses in the surrounding area.

### **F. Justification**

There will be no negative land use impacts associated with this application.

### **G. Impact on Natural Resources**

None.

### **H. “Four Tests”**

The four tests do not apply in this application.

### **I. Other Planning Approvals**

There are no other planning approvals required with this application.

### **J. Site Sketch Map**

See application.

### **K. PPS 2020**

The PPS 2020 encourages low impact tourism development in rural areas. Further, the application is in compliance with the following sections of the PPS 2020:

- 1.1 Rural Land and Rural Areas in Municipalities
- 1.6 Transportation and Infrastructure Corridors
- 2.0 Natural Heritage
- 3.2 Human Made Hazards

**L. OP & ZBL Compliance**

This application is in compliance with the City of Kenora Official Plan and Zoning by-law.

**M. Appropriate & Desirable**

This application is a use that is desirable and appropriate for this area of the community.

**N. Official Plan Conformity**

This application is in conformity with the City of Kenora Official Plan.

**O. Compliance with Other City Planning Documents**

No other City of Kenora planning documents apply to this proposal.

**Respectfully Submitted;**

**Jeffrey Port, MCIP, RPP  
JCP Planning & Development**

**Professional Planning and Development Services  
123 Blindfold Bay Drive. Longbow Lake. ON P0X 1H0, Tel: 807.464.1481**



**Issued To:** Kenora Chiefs Advisory  
**Issued On:** March 25, 2022  
**Pinchin File:** 297481  
**Issuing Office:** Kenora, ON  
**Primary Contact:** Riley Charlebois

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Reviewer: \_\_\_\_\_  
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**PLANNING ADVISORY COMMITTEE MEETING RESOLUTION**

MOVED BY: John Barr

SECONDED BY: John McDougall

DATE: May 3, 2022

**RESOLVED THAT** the **PLANNING ADVISORY COMMITTEE** recommends that the Council of the Corporation of the City of Kenora approve Application for Zoning By-law Amendment, File No. D14-22-01, subject to site specific exception [53] and a Holding Zone provision. The subject identified in Application D14-22-01 are municipally known as 371 Strecker Road and identified in Schedule A.

The purpose of the Zoning By-law Amendment is to change the zoning of the subject properties from "RU" Rural Zone, "MX" Extractive Industrial Zone, "TR[HL]" Tourist Recreational Zone with a "HL"- Hazard Land Exception Zone overlay, and "EP" Environmental Protection Zone, to "RU[53]h"- Rural, Exception [53] with Holding Zone and "EP" Environmental Protection Zone.

In the case of Exception [53], the following site specific provisions shall apply:

1. Community Hall is permitted
2. Place of Assembly is permitted
3. Notwithstanding the provisions of the RU- Rural Zone and EP- Environmental Protection Zone:
  - a. A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way.
  - b. A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way.
  - c. A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.

In the case of the lands rezoned to RU [53]h, and EP- Environmental Protection, the 'h' holding symbol may be removed when:

- a) An Environmental Impact Study has been completed, with specific attention to the impact of the proposed development on the shoreline, marsh area, Black Sturgeon Lake water quality, and wildlife, fish, and/or species at risk habitats.
- b) Confirmation is received that the applicant has consulted with the Ministry of Northern Development, Mines, Natural Resources, and Forestry regarding the nature of the Abandoned Mine Hazard Sites.
- c) A study or studies are provided to the satisfaction of the City of Kenora, confirming that:
  - a. the areas currently zoned "MX" Extractive Industrial are rehabilitated to accommodate subsequent land uses, and
  - b. either aggregate resource extraction would not be feasible on the area of the property identified as Potential Aggregate Area, or that the proposed land

uses create no risk for reasons of public health, public safety, and environmental impact.

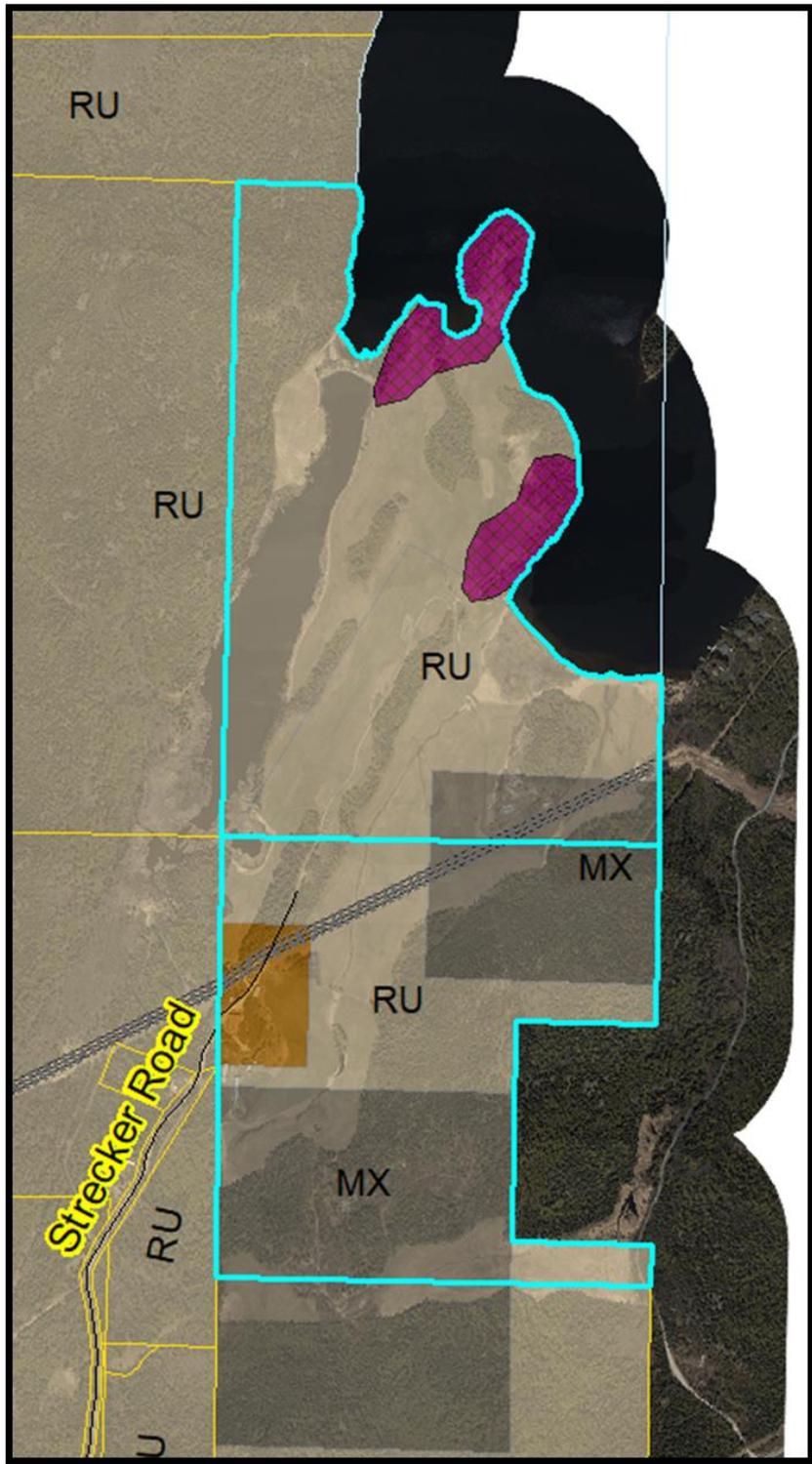
The effect of the Zoning By-law Amendment is to rezone lands to permit the future development of the property as described in the Planning Rationale submitted by JCP Planning Development, March 2022 and the Master Site Plan prepared by HTFC, Planning & Design, September 2021, with the exception of the proposed lodging and eco camp areas which are uses for which site-specific exemption was not requested within application D14-22-01.

The Committee has made an evaluation of the application upon its merits against the Official Plan (2015), Zoning By-law (101-2015), and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.

DIVISION OF RECORDED VOTE				CARRIED _____	DEFEATED _____
Declaration of Interest (*)	NAME OF PLANNING MEMBER	YEAS	NAYS		
	<b>Richards, Bev</b>		√		
	<b>Price, Chris</b>	√			
	<b>Kitowski, Robert</b>	√			
	<b>Pearson, Ray</b>	√		CHAIR	
	<b>Barr, John</b>	√			
	<b>McDougall, John</b>	√			

**Schedule A**

Subject lands, 371 Strecker Road, Kenora, ON





**Minutes**  
**City of Kenora Virtual Planning Advisory Committee**  
**Special meeting held by way of Zoom Meeting**  
**Tuesday May 3, 2022**  
**6:00 p.m. (CST)**  
**Video Recording:**

**DELEGATION:**

**Present:**

<b>Robert Kitowski</b>	<b>Chair</b>
<b>Bev Richards</b>	<b>Member</b>
<b>John Barr</b>	<b>Member</b>
<b>Ray Pearson</b>	<b>Member</b>
<b>John McDougall</b>	<b>Member</b>
<b>Chris Price</b>	<b>Member</b>
<b>Kevan Sumner</b>	<b>City Planner</b>
<b>Melissa Shaw</b>	<b>Secretary-Treasurer</b>
<b>Tessa Sobiski</b>	<b>Minute Taker</b>

- i. The Chair, Robert Kitowski called the meeting to order at 6:00 p.m. A Land Acknowledgement was delivered and the meeting protocol was reviewed.
- ii. Additions to the Agenda. There were none
- iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present. There were none.
- iv. Correspondence relating to applications before the Committee. There were none.
- v. Recommendation to Council
  - D14-22-01

The agent, Jeff Port presented the application on behalf of the applicant The Kenora Chiefs Advisory (KCA). The application is to amend the Zoning By-law for the property located at 371 Strecker Road. The property was purchased with the purpose of redevelopment for indigenous youth programming. The agent described the existing zoning on the 330 acre property which has frontage on Black Sturgeon Lake including areas with Environmental Protection "EP" designations, MX Extracted Industrial, a small Tourist Recreational and a Hazard Land Designation with the balance of the property is zoned Rural. He described the intent of the amendment is to rezone all of the property to rural as it permits a wide range of uses to suit the needs of KCA. Mr. Port noted that they plan to leave the "EP" designations. He described the proposed uses of the property as including equestrian therapy operation, hobby farm and therapeutic garden, information/orientation centre,

recreation facility including ball diamonds, skating rink, eco/wilderness cabins, ceremonial area and pow wow grounds and dock facilities. The agent noted that these uses are well spread out on the property and are of low density. The agent described the history of the property as being a multi-generational family farm which was operational up until the purchase by KCA. The property includes a number of outbuildings outlined on the site plan provided. The property is bisected by the Trans Canada Pipeline and the agent commented that the site plan has been revised to accommodate setbacks from the pipeline and that some areas will continue to be revised for the pipeline easement. The agent felt that the Provincial Policy Statement is generally supportive of this type of development in rural areas and that almost all of the uses proposed by KCA are permitted. Some exceptions were requested to be added to site specific uses including a Place of Assembly and Public Gatherings which would allow for the hosting of events and programs. The agent addressed comments received from interdepartmental and agency circulation. The property is not on municipal services and will be serviced privately from wells and septic fields and the KCA has been working with the Northwestern Health Unit to ensure septic systems are up to code. The MNRF requested an environmental impact study (EIS) that the agent thought may have been triggered by the "EP" areas and to ensure that there was no harmful effects to fish and wildlife. The property will go through SARS screening, species at risk, and KCA have retained Kenora Resource Consultants to prepare an EIS. Mr. Port discussed that the Aggregate Division of the Ministry also requires sign off due to two small gravel pits located on the property and the agent will follow up with the Ministry on this item. No comments from the public were received as of the date of meeting. The agent closed by discussing the hold designation which puts conditions on the approval of the re-zone. He indicated that they would prefer that it go ahead without a hold and will talk to the ministry and to agency leading the EIS to see if the hold can be removed before it goes to Council to eliminate the need to return to Council for another decision to remove the hold.

The City Planner, Kevan Sumner presented the planning report for zoning amendment to change the zoning from a mix of "RU, "MX" and "TR[HL]" with a Hazard Land Exception Zone overlay, and "EP", to "RU[53]", Exception Zone with permitted site-specific use of a Community Hall and Place of Assembly, and "EP". He clarified that it maintains the "EP" zone as is and changes the other zoning of the property to "RU[53]".

After interdepartmental and agency circulation, comments were received by Bell Canada, Ministry of Agriculture, Food and Rural Affairs, Ministry of Environment, Conservation and Parks, Ministry of Northern Development, Mines, Natural Resources and Forestry, Northwestern Health Unit and TransCanada Pipelines Limited. As of the date of report, no comments were received from the public. The Planner stated in his evaluation that the amendment is appropriate to permit the development as described in the Planning Rationale and Master Site plan, with the exception of the proposed lodging and eco camp areas and that the Provincial Policy Statement and Official Plan's policies are supportive of the amendment but that appropriate measures in regards to former aggregate extraction sites needs to be taken. He explained that Site Plan Control approval will be required due to

nature of scope of proposed uses, its location on Black Sturgeon Lake and the presence of "EP" areas. A Holding Zone is advised by the Planner due to the number and nature of outstanding concerns.

The City Planner recommended that the application be approved only with the addition of site specific exceptions outlined in the Planning Report and that amendment be approved with the addition of a "-h" holding symbol to the "RU[53]" zone that may not be removed and further development of the property may not occur until certain conditions are met. Mr. Sumner amended item (c) under conditions of the holding zone to read "A study or studies confirming that (a) the areas currently zoned "MX" Extractive Industrial are rehabilitated to accommodate subsequent land uses and (b) either aggregate resource extraction would not be feasible on the area of the property identified as potential aggregate area or that the proposed land uses create no risk for reasons of public health, public safety and environmental impact.

The Chair asked if the agent had anything to add. He did not but stated they will continue to work with the City and the Planning Department on the issue of the hold. He expressed that he felt this is a positive project for the City and that the Kenora Chiefs Advisory is taking a professional approach and is working with the City. He indicated that while priority will go to the KCA's programs, it will be a community based program with some areas open to the public. His final comment was that this is not just a Kenora program but also a District of Kenora program as the catchment area for indigenous youth for these programs is a large part of the Treaty Three area.

The Planner made comment regarding the Zoning By-law to clarify that due to the circumstance of the special meeting and that this resolution will be going to Council next week, the report to council will be based directly on the recommendation made by PAC members tonight.

The Chair asked if there is anyone from the public who wished to speak in favour of or against the application. There were none.

The Chair asked the members if they had any questions or discussion.

Member, John Barr asked if all the aggregate was depleted out of the pits and quarries. The agent described the two pits as small and he thought that the previous owner had been dumping fill into one and the other one appears to have some material in it however, KAC has no intention of using that material except for their own use which does not require zoning for extraction because it is their own property. The agent also believed that the owner of the property has the sole rights to the material in the pits and quarry. Mr. Barr asked how many horses they currently had on the property and what they were doing with the manure. The agent was not sure but thought they had a handful of horses.

Mr. Barr asked Mr. Sumner about condition (b) of the hold relating to consulting with the ministry regarding the Mine Hazard Site remediation and how the property owner would encourage the owner of the mine sites to remediate them. Mr. Sumner responded that discretion would be needed when working with the ministry and be

considerate of risk from those sites. The City is looking for confirmation from the ministry.

Member, Bev Richards asked who owns the roadway into the subject lands. It was confirmed that it is a municipally owned road. Ms. Richards noted that there was potential for a lot of traffic on that road for events at the site. She asked the agent about a timeline for development. The agent responded that some development has started, including the community gardens and some equine programs. Funding has been received for the ball fields and there are plans to proceed with the outdoor rink and are starting the planning for a residential treatment facility. He discussed other funding applications and that it will be a phased approach as time and resources permit. Ms. Richards asked if there was an end date. The agent speculated that it could be a ten year development plan with most being completed in the five years.

Ms. Richards asked about the lodging and accommodations. The agent discussed the treatment program and the renovation of the old residence for which a building permit has been issued. He explained the eco cabins as un-serviced wilderness cabins that will be part of the wilderness youth programs with up to eight cabins and meal and shower facilities being provided at the main building. The agent clarified that although the plan shows 21 cabins, they are looking at max of six or eight. Ms. Richards asked if this could become an income property. The agent responded that it has always been framed as a not-for-profit service delivery basis. He clarified for the member that some accommodation will be provided for some staff, for example staffing of the treatment facility.

The agent clarified for Ms. Richards that the Keno Farm building will be used for the place of assembly and will include a cafeteria and a canteen. He discussed the dock structures and that MNR approval would be dependent on the size of the docking system they install but would need a building permit from the City. He described the waterfront development including a beach and volleyball area. The marsh area has been assessed by Ryan Haines of Kenora Resource Consultants and they have advised KCA to take the best practices approach to the "EP" areas of the property. Ms. Richards asked if they had to abide by MNR rules for fires and it was clarified that they do as well as follow City of Kenora rules for fires. Storage and parking will be for their own use as related to service delivery.

Member, Ray Pearson asked for clarification from the Planner regarding the statement that the proposed zoning amendment is appropriate with the exception of the lodging and eco areas. The Planner's opinion is that what is being proposed there would not be permitted on the "RU" zone as you are only allowed one dwelling and one secondary dwelling and the campground area would not be permitted. Mr. Port disagreed and felt that this would fit under the category of a group home and would be a short term function occupied by kids staffed on a 24/7 basis. The agent suggested that eco cabins be added as a permitted use. Mr. Pearson asks how this can be approved when some items on the plan are not allowed in the proposed zones. The member asked the Planner if there is a way to add another recommendation to the holding zone that includes the site plan agreement. He noted that many areas have archeological issues and that hasn't been mentioned in this report. The agent responded that they had flagged any

issues that needed to be dealt with and archaeological issues had not been identified. The Planner explained what they can require for holding zones and that there were no identified archaeological sites on that portion.

The Planner responded to a previous point on how to permit the uses that are currently not permitted. He said that the committee is able to make recommendations to change the 53 exception. He felt the information provided was unclear in regards to the lodging and it might be best to characterize them as a resort and that campground doesn't provide for lodges or rental lodges. He suggested you could also add a new use of Eco Lodge with a definition provided by Mr. Port. Mr. Pearson asked what his recommendation would be and Mr. Sumner responded that there would be time for additional zoning amendments before that part of the project is completed and that the majority of what's being proposed is supported by the By-law amendment and his recommendation is based on application. The report is based on what was requested in the application. Mr. Pearson asked the agent if they are moving ahead with the lodging and the agent responded that they have had a preliminary meeting with an architect, KCA and a developer and it would likely be in the next phase of development. Mr. Port wanted to ensure that this use is included in the amendment.

Bev Richards asked about whether campground would open it up to RV's. The agent said the use that was discussed would be for youth programming. The potential risks of a campground use is discussed and the agent said it would only be used for short term and would not be similar to a provincial park and it's intended to be an un-serviced area and there would be no long term camping or use for the public from discussions had with KCA. Ms. Richards questioned whether that could change in the future with new leadership. The Planner commented that it could open it up to a variety of use that's considered a campground so under site specific revision there could be a further description to limit use.

Ray Pearson recommends that the eco camp, campground and lodging be included in the recommendation section 8.3.3 of the Official Plan where there's a site plan agreement so the City has some control of the size and scope of the campground developments. The Planner preferred that it be listed under permitted use with limitations. The Secretary-Treasurer read the definition of campground from the Zoning By-law.

There was discussion about wording and differing opinions regarding the recommendations. It was asked if the Planning Department and the agent could have further discussion about wording and it be voted on at the next meeting.

Member, John McDougall read the definition of a group home and felt that multiple buildings doesn't fit into a group home and expressed the need to get the wording right.

Member, John Barr suggested that a sleep cabin is a permitted use but that the definition doesn't fit what is being proposed.

The agent commented that there is agreement on 99% and felt they could come to an agreement on the rest. He commented that the definition of a group home has

been overruled by case law in the past so it does not matter if the group home meets the definition exactly as long as it meets some criteria.

Member, Robert Kitowski cautioned against making changes to the recommendation at this meeting as it eliminates the opportunity for other agencies and departments to make comment on those changes.

Mr. Sumner clarified the definition of group home and that if the Zoning amendment goes through as proposed would be supported as the use of the site but there is a limitation with multiple buildings as only one residence and one secondary dwelling or sleep cabin is permitted on a rural property. Mr. Barr commented that we can add permitted uses to the recommendation of approval but it may not capture all the uses and felt that it may be overly complicated.

Mr. McDougall discussed how the additional buildings would be permitted and felt that the group home definition wasn't a fit for multiple buildings and that the members have to go by the definitions that are provided. He felt it is a useful part of the development but that the residents and Council are owed a clear use and that it fits with zoning when making a recommendation.

The Secretary-Treasurer read the resolution that was circulated to members.

RESOLVED THAT the PLANNING ADVISORY COMMITTEE recommends that the Council of the Corporation of the City of Kenora approve Application for Zoning By-law Amendment, File No. D14-22-01, subject to site specific exception [53] and a Holding Zone provision. The subject lands identified in Application D14-22-01 are municipally known as 371 Strecker Road and identified in Schedule A. The purpose of the Zoning By-law Amendment is to change the zoning of the subject properties from "RU" Rural Zone, "MX" Extractive Industrial Zone, "TR[HL]" Tourist Recreational Zone with a "HL"- Hazard Land Exception Zone overlay, and "EP" Environmental Protection Zone, to "RU[53]h"- Rural, Exception [53] with Holding Zone and "EP" Environmental Protection Zone. In the case of Exception [53], the following site specific provisions shall apply: 1. Community Hall is permitted 2. Place of Assembly is permitted 3. Notwithstanding the provisions of the RU- Rural Zone and EP- Environmental Protection Zone: a. A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way. b. A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way. c. A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway. In the case of the lands rezoned to RU [53]h, and EP- Environmental Protection, the 'h' holding symbol may be removed when: a) An Environmental Impact Study has been completed, with specific attention to the impact of the proposed development on the shoreline, marsh area, Black Sturgeon Lake water quality, and wildlife, fish, and/or species at risk habitats. b) Confirmation is received from the Ministry of Northern Development, Mines, Natural Resources, and Forestry regarding the

nature of the Abandoned Mine Hazard Sites, and that any remediation measures have been completed as legislated under the Mining Act. c) A study or studies are provided to the satisfaction of the City of Kenora, confirming that: a. the areas currently zoned "MX" Extractive Industrial are rehabilitated to accommodate subsequent land uses, and b. either aggregate resource extraction would not be feasible on the area of the property identified as Potential Aggregate Area, or that the proposed land 2 uses create no risk for reasons of public health, public safety, and environmental impact. The effect of the Zoning By-law Amendment is to rezone lands to permit the future development of the property as described in the Planning Rationale submitted by JCP Planning Development, March 2022 and the Master Site Plan prepared by HTFC, Planning & Design, September 2022, with the exception of the proposed lodging and eco camp areas which are uses for which site-specific exemption was not requested within application D14-22-01. The Committee has made an evaluation of the application upon its merits against the Official Plan (2015), Zoning By-law (101-2015), and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.

Mr. McDougall corrected the date in the recommendation from September 2022 to September 2021.

Mr. Barr asked if the last line should be removed from condition (b) of the holding zone removal. Mr. Sumner responded that his recommendation is based on the Official Plan but that it is at the discretion of the committee to consider variations on the wording and doesn't have concern with wording suggested. No members had any concerns with this change

Secretary-Treasurer confirmed the change in wording under section (b) under "H" holding zone provision to read "confirmation has been received that the applicant has consulted with the Ministry of Northern Development, Mines, Natural Resources and Forestry regarding the nature of the abandoned mine sites".

Mr. Pearson asked Ms. Shaw to read the portion of the resolution that dealt with the lodging and eco cabins. That those items are not included in the recommendation was discussed. The agent commented that they would request that those be added in future. The Planner did not want to provide wording for additional use as it was not clear what all potential uses of the lodges would be and deferred it to the agent to provide wording.

The agent requested an amended resolution that included the use of eco cabins and lodging. Mr. Kitowski felt motions should not be changed and that voting needed to happen on the motions as presented.

Member, Ray Pearson made motion to table this resolution until the May 17<sup>th</sup> meeting given the agent and the Planner have the opportunity to clarify the recommendations. Seconded by Bev Richards. Tied vote. Five minute break to consult terms of reference for the tied vote.

Defeated.

The Chair asked for general discussion regarding the original resolution. Mr. McDougall asked for clarification on the eco cabins and that they are not permitted and would have to come back to committee again. The Chair confirmed. Mr. Pearson asked for clarification from the Planner on the same question. Mr. Sumner confirmed that if there was Zoning amendment for those uses it would come back to the Committee.

Ms. Richards asked if they would require a permit to build those structures. Mr. Sumner explained that they would require building permits and site plan control approval. Some uses wouldn't require permits but anything that required a structure would require a permit. Ms. Richards asked the agent about the time frame. The agent responded that there is some urgency. He asked the committee to consider an amendment to the recommendation to consider adding up to eight eco cabins as a permitted use. Ms. Richards had concerns that additional cabins were identified on the plan submitted by the applicant. The agent inquired about what the planning issue would be and Ms. Richards wanted to ensure that the wording is correct and that the Planner and the Committee are comfortable with it. Mr. Sumner noted the eco cabin is not a use under the Zoning By-law and suggested through the Chair that Mr. Port may suggest a use under the Zoning By-law definitions that he feels these eco cabins would be best described as.

The Chair asked the agent if he would like the committee to vote on the recommendation put forward or if he would like to defer to a later meeting. He asked the committee to make the recommendation as submitted. He noted that they will be working with the Planning Department on the use of the property.

The Chair asked for a motion on the recommendation that was read by the Secretary-Treasurer.

Motion: John Barr

Secunder: John McDougall

Carried.

vi. Adjourn

That the May 03, 2022 Planning Advisory Committee meeting be adjourned at 8:15p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday May 3, 2022 are approved the 17<sup>th</sup> day of May, 2022.

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Chair,

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Secretary-Treasurer, Melissa Shaw

DRAFT