



Agenda

City of Kenora Committee of Adjustment

Hybrid Meeting- In-Person and via Zoom

Wednesday, October 22, 2025

6:00 PM (Central Time)

- 1) Call meeting to order
- 2) Declaration of Pecuniary Interest & General Nature Thereof
 - On Today's Agenda
 - From a meeting at which a member was not in attendance.
- 3) Additions to the Agenda
- 4) Approval of Minutes:
 - Regular Meeting of September 17, 2025
- 5) Correspondence
 - None
- 6) Adjournment requests
 - None
- 7) Consideration of Application for Minor Variance/Permission
 - D13-25-14
 - D13-25-15
- 8) Consideration of Applications for Land Division
 - None
- 9) Old Business
 - Official Plan and Zoning By-law Update
- 10) New Business
- 11) Adjournment

Topic: City of Kenora Committee of Adjustment

Time: September 17, 2025, at 6:00 PM CT

Join Zoom Meeting

<https://us06web.zoom.us/j/89060117711?pwd=UTQKBCgz1o9h7eFLobGNnHmiNRjctH.1>

Meeting ID: 890 6011 7711

Passcode: 858008

Phone: +1 204 272 7920 Canada



Committee of Adjustment Meeting Minutes September 17, 2025- DRAFT



City of Kenora
Planning Committee of Adjustment
60 Fourteenth Street N., 2nd Floor
Kenora, Ontario P9N 4M9
Phone: 807-467-2292

**Minutes For
City of Kenora Planning Department
Committee of Adjustment
Hybrid Meeting
Wednesday, September 17, 2025
6:00 P.M. (CST)
Video Recorded**

Present:

Robert Bulman
Andrea Campbell
Keric Funk
Linda Mitchell
Christopher Price
Renee Robert
Janis Pochailo
Tara Vader
Melissa Shaw
Nadine Gustavson

Vice Chair – Acting Chair
Member
Member
Member
Member
Member
Director of Planning and Building
Associate Planner
Secretary-Treasurer
Minute Take via recording

Regrets:

Tara Rickaby

1. Call Meeting to Order:

The meeting was called to order by the Acting Chair, Robert Bulman, at 6:00 PM Central Time, and a Land Acknowledgment was provided recognising the traditional territories of Treaty Three First Nations and Metis people. The Chair stated the meeting was being recorded and that all participants agree to be recorded by choosing to attend. The Chair described the expected protocols and processes to be followed during the meeting.

2. Declaration of Interest by a Member for this meeting or at a meeting at which a member was not present: None

3. Additions to the Agenda: There was none

4. Approval of the minutes from the previous meeting(s):

- i. August 20, 2025, Committee of Adjustment Meeting

Linda Mitchell noted that under Number 8 of the minutes, the owners' name was spelled incorrectly. That the name should be Macleod.

Moved By: Renee Robert

Seconded By: Linda Mitchell

That the minutes of the August 20, 2025, Regular Meeting of Committee of Adjustments are approved as amended.

Carried.

5. Correspondence before the Committee: There was none

6. Adjournment Requests: There was none

7. Consideration of Applications for Minor Variance:

- i. D13-25-13: 14 Agate Bay – Stefan Stiller, Owner

Stefan Stiller was present to represent the application.

Associate Planner, Tara Vader, presented the Planning Report.

Purpose and Effect of the application:

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a single-detached dwelling. This application is required as the subject lands contain a rock face through the approximate middle of the property. This application is seeking relief from Section 4.1.3 (d) which requires a 2.5 m interior side yard for a 2-storey dwelling. This application proposes reducing the interior side yard by 1.0 m to permit a 1.5 m interior side yard on the west property line. As well as seeking relief from Section 4.1.3 (f) which requires an 8 m rear yard. This application proposes reducing the rear yard by 3.4 m to permit a 4.6 m rear yard.

The subject property is a vacant residential lot and has access via Agate Bay. The site is serviced by municipal water and sewage services and is approximately 990 square metres in size. There is an easement along the south and east property lines for Hydro/Telecommunications. The easement is identified on the Site Plan provided as Figure 2.

Public in favour of the application: None

Public in opposition of the application: None

Letters in favour of the application: None

Letters in opposition of the application: None

Question or comments from the Committee: None

Decision of the Committee:

Moved By: Keric Funk

Seconded By: Renee Robert

That application for minor variance, file no. D13-25-13 to seek relief from the City of Kenora By-law 101-2015, Section 4.1.3 (d) and (f) is approved to permit a 1.5 metre interior side yard on the west property line and a 4.6 metre rear yard, subject to the following conditions:

1. The proposed single-detached dwelling is constructed in general conformity with the submitted site plan.

Carried.

The Secretary-Treasurer indicated that the Applicant received approval from the Committee and identified the appeal period and stipulations that must be followed prior to the application being able to receive a building permit.

8. Consideration of Applications for Land Division: There were none

9. Old Business:

- Official Plan and Zoning By-law Update: Janis Pochailo reminded the committee that a Special Meeting was being held on September 18, 2025 at 2:00 pm.
- Update – Committee of Adjustment Terms of Reference and Property Standards Committee Terms of Reference: That both documents and all of the adjustments requested by Committee members had been reviewed by herself and legal counsel acting on behalf of The City of Kenora and were ready to be presented to City Council at the next Council meeting being held on Tuesday, September 23, 2025.

10. New Business: That Linda Mitchell, Andrea Campbell, Renee Robert and Tara Rickaby would not be available for the October 15, 2025, meeting. The Secretary-Treasurer will send out a memo to have the meeting date changed to October 22, 2025.

11. Adjournment:

Moved By: Member Keric Funk

Carried

That the September 17, 2025, Meeting of the Committee of Adjustment adjourned at 6:15 P.M. on September 17, 2025.

***Please refer to the Planning Committee of Adjustment Video for full details of all questions and responses.**

https://www.youtube.com/watch?list=PLNM-dy9KgF-Q7PoW3Tj07CJjk0xu83Jim&v=-CAkcFS_gWs&embeds_referring_euri=https%3A%2F%2Fwww.kenora.ca%2F

Minutes of the Kenora Planning Committee of Adjustment meeting, September 17, 2025, will be approved on October 22, 2025.

Chair, Tara Rickaby

Secretary-Treasurer, Melissa Shaw



Consideration of Application for Minor Variance/Permission D13-25-14



**THE CORPORATION OF THE CITY OF KENORA
COMMITTEE OF ADJUSTMENT
NOTICE OF COMPLETE APPLICATION AND PUBLIC HEARING
Section 45 of the Planning Act, RSO 1990**

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on October 22nd, at 6 p.m.

As part of the meeting, the Committee will consider a proposed Minor Variance under Section 45 of the Planning Act (RSO 1990), as described below and shown on the attached map.

FILE(s): D13-25-14
LOCATION: Unaddressed property on Lakeshore Drive

PURPOSE AND EFFECT

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a retaining wall exceeding 1,000 mm in exposed height. The application is seeking relief from Table 3: Permitted Yard Encroachments which requires a retaining wall exceeding 1,000 mm in exposed height to be no closer than 1.0 m in any yard. This application proposes reducing this requirement by 1.0 m to permit a retaining wall to be 0 m from the east and west lot lines.

The subject property is designated Established Area in the City of Kenora Official Plan and zoned 'R1' Residential – First Density Zone in the City's Zoning By-law.

COA Meeting	When: Wednesday, October 22 nd , 2025 at 6:00 p.m. (CST) Location: Training Room, Operations Centre 60 Fourteenth Street North, 2 nd Floor, Kenora, ON
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Members of the public interested in attending the meeting may attend in person, or via Zoom Meeting at: <https://www.kenora.ca/en/your-government/committee-of-adjustment.aspx>. For the link to join the meeting please access the agenda under the Agenda and Minutes section.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D13-25-14**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, October 15th, 2025.

FAILURE TO ATTEND

If you do not attend the hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-25-14**.

Dated at the City of Kenora this 24 day of September, 2025.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca.

Figure 1. Location Map (Kenora GIS 2024)





City of Kenora
Application for Minor Variance/Permission
 Section 45 of the Planning Act & Ontario
 Regulation 200/96, as amended

Applying for a Minor Variance or Permission

Minor variance decisions are made by the Kenora Committee of Adjustment (COA). The Committee has delegated authority by Council under the *Planning Act* to make land use planning decisions regarding minor variance applications, consents, plans of subdivision and condominium descriptions.

Committee of Adjustment meetings are generally held on the third Wednesday of every month at the City of Kenora Operations Centre Training Room, 60 Fourteenth Street North, 2nd Floor.

All applicants and/or agents attend the COA meeting to represent their application.

Types of Applications

Section 45(1) Minor Variance

A minor variance is a small variation from the requirements of the Zoning By-law. Where a proposal does not comply with the provisions of the Zoning by-law approval of an application for minor variance would enable a property owner to obtain a building permit. As per Section 45(1) of the *Planning Act*, there are four tests which a minor variance must meet:

Test	Criteria
Does the proposed variance meet the general intent and purpose of the City of Kenora's Official Plan?	This test takes into account the Official Plan policies that are directly associated with the proposed variance (Land use designations, special policy overlays, environmental issues, hazards etc.)
Does the proposed variance meet the general intent and purpose of the City of Kenora's Zoning By-law?	This takes into account the specific provisions of the zoning by-law that apply to the subject property, with regards to the types of uses permitted. For example, proposing to construct a commercial woodworking manufacturing shop in a residential zone would not meet the intent of the Zoning By-law even if the proposition complied with all setback, lot coverage etc. requirements.
Does the proposed variance represent an appropriate and reasonable use of the subject property?	This test takes into account the nature of the proposed variance with regards to the character of the surrounding neighbourhood.
Is the proposed variance minor in nature?	This test reviews the anticipated impact of the variance on the surrounding neighbourhood and property owners, the environment, traffic concerns etc. This is not measured in quantitative mathematical form, but in terms of the overall impact to the community. For example constructing a 500 square foot addition to a house for a private workshop compared to a 500 sq. foot addition for an auto wrecking facility are the same mathematically, however the latter has a much greater impact on the surrounding community.

Section 45(2) Permission

An application may be filed with the Committee of Adjustment for permission, which entails either of the following:

- The enlargement or extension of a legal non-conforming/non-complying building or structure; or,
- The conversion of the use of land, building or structure from a legal non-conforming use to a similar legal non-conforming use or to a use that is more compatible with the uses permitted under the Zoning By-law.

The Application Process

1. A pre-consultation with the Planning Department Staff is recommended prior to formally submitting an application. Please ensure that you call ahead to arrange an appointment with a Planner at least one week prior to your preferred meeting date.

For further information, or to make an appointment, please contact:

City of Kenora Planning Department: planning@kenora.ca

1. The complete application will be placed on the agenda for the next Committee of Adjustment meeting, which is open to the public.
2. A notice describing the proposal and providing the date, time and location of the meeting will be sent a minimum of ten (10) days prior to the hearing to neighbouring property owners and relevant agencies within 60 metres of the subject property.
3. Applicants will post a sign, provided by Planning Staff, on the subject property detailing the notice of complete application and public hearing. Staff/committee members will conduct a site visit.

For site visit purposes, please stake out on the subject property the extent of any proposed additions, using orange tape or paint.

4. The hearing of the application will take place at which time the Committee of Adjustment will render its decision. Decisions may be tabled to a future meeting and complex applications may require more than one meeting prior to obtaining approval. Staff will make a recommendation to the Committee on all applications. New conditions of approval may be added at a meeting.
5. The decision of the Committee will be circulated no later than ten (10) days from the date the decision was rendered.
6. If no appeal to the Ontario Land Tribunal (OLT) is filed within twenty (20) days of the making of the decision, the decision is final and binding.
7. If a decision is appealed the file will be sent to the Ontario Land Tribunal (OLT), who will render a final decision.

Note: Building permits or licenses, if required, will only be issued after the appeal period has ended and the conditions of approval (if any) have been fulfilled.

Planning Rationale

A Planning Rationale is a document that provides an overall description, justification and rationale for understanding the proposed development application, and is intended to help the applicant organize and provide written support for the application. The document will assist staff and the approval authority, in the assessment and recommendation for the application. A planning rationale is recommended to accompany each application.

What is the purpose of a planning rationale?

A planning rationale is recommended as part of an application in order to:

- A) Provide a clear description and understanding of the proposal
- B) Provide an opportunity, at the outset, to establish why the proposal should be considered
- C) To highlight important information specific or particular to the application (ie. special history, different circumstances, unique site conditions, etc.)
- D) To enable staff to analyze and prepare recommendations on the application

It is not intended to be a personal analysis or business case for a proposed development, rather it should examine the impact of the proposal on the surrounding area, and vice versa.

Who can prepare a planning rationale?

Depending on the complexity of the application, the information requirements can be addressed in a letter, or a longer report. The material can be prepared by the owner, an agent, the applicant or by a member of a consulting team, depending on the nature of the application.

For a complex application it is recommended that a planning professional be retained to prepare the planning rationale. The benefits to the applicant, of hiring a planning professional, can be significant in presenting the proposal in its best form, which may result in cost and time savings, as well as making the approval process as efficient as possible.

What, specifically does a planning rationale contain?

A Planning Rationale shall contain and/or address, at a minimum, the points listed below. The failure to address the following points may result in the application being considered incomplete.

- A) Provide a physical description of the site, including descriptions of current land use(s) and surrounding land uses, context and/or built form
- B) Include a description of the site's planning history, including previous planning approvals and/or agreements (ie. site plan agreement, site-specific zoning by-laws etc.) and provide copies of the pertinent documents
- C) Include a description and overview of the proposal, including any major features or attributes (such as use, height, density, parking, architectural design, natural heritage features, etc.)
- D) Describe the suitability of the site, and indicate reasons why the development is appropriate for the site and will function well to meet the needs of the intended future users
- E) Provide a detailed analysis of the compatibility of the proposed development or land use designation with the existing adjacent developments and land use designations
- F) Provide justification that the proposal is appropriate land use planning, including any details of measures that are to be used to mitigate negative impacts (such as site plan control)
- G) Describe the impact of the proposed development on the natural environment
- H) Describe the impact of the proposed development on municipal services (ie. sewage collection and treatment systems, water distribution and treatment systems, utilities, roads, hydro services, parking, community facilities, parks and open spaces etc.)
- I) Describe how your application meets the four tests for approving a minor variance

- J) Indicate whether there are other planning approvals require, and if those necessary applications have been filed (ie. Official Plan or Zoning By-law amendment, Site plan Control agreement, site plan approval, minor variance, draft plan of subdivision or condominium etc.)
- K) Indicate how the proposed development is consistent with the Provincial Planning Statement (PPS) - (2024) and provide any other Planning Act considerations that are relevant. If you are not familiar with these documents, please contact the City of Kenora Planning Department or access the City's portal, www.kenora.ca or the Ministry of Municipal Affairs and Housing website at www.mah.gov.on.ca
- L) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies
- M) Indicate whether the proposal complies with any other relevant City documents and Planning Policies/Secondary Plans etc. (Black Sturgeon Lake Capacity and Management Report, Waterfront Development Guidelines, etc.)

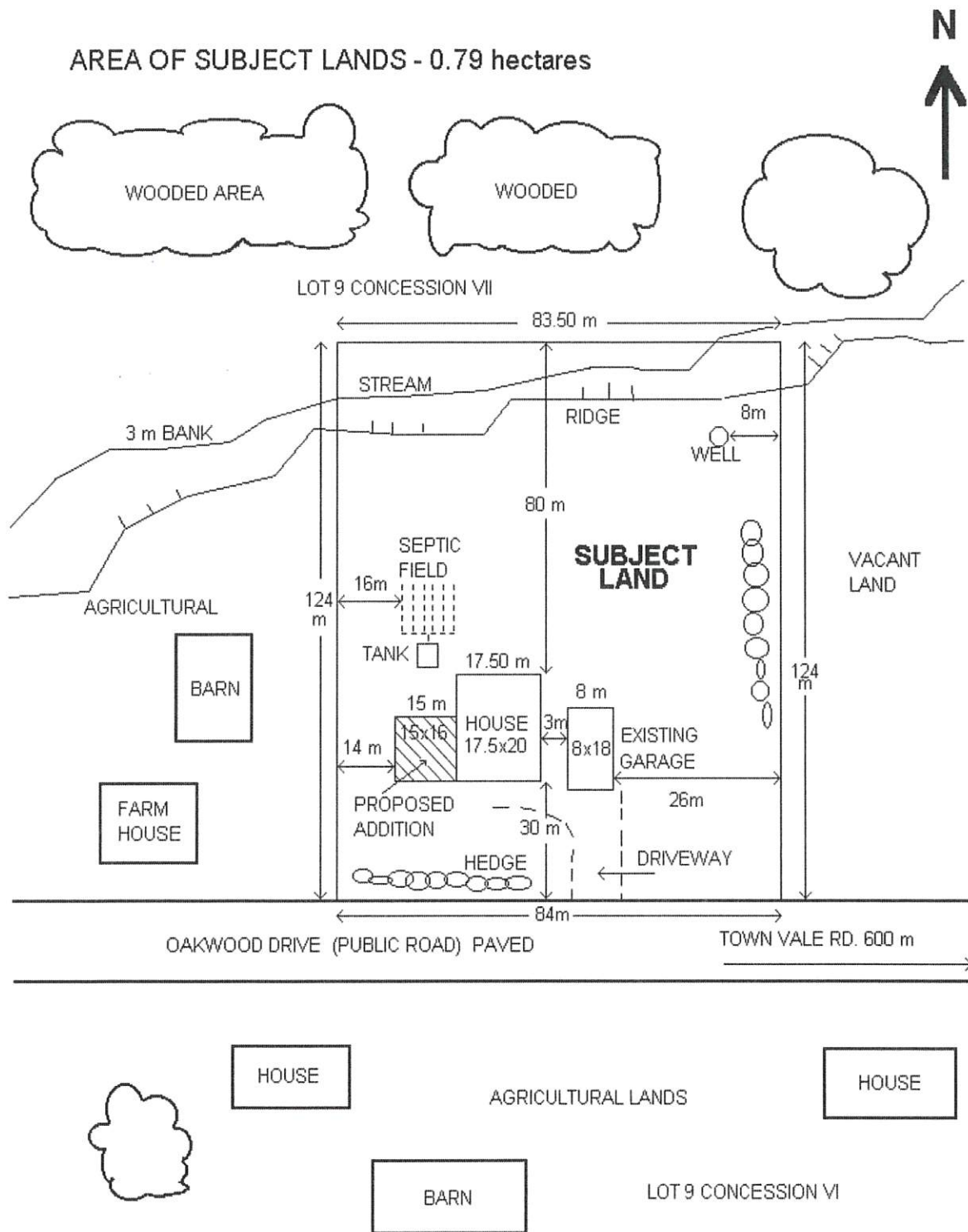
Minimum Standards for Site Plan Sketches

A sketch or site plan, preferably prepared to scale by a professional shall be submitted as part of each application. All necessary information must be contained on one single sketch or site plan. The sketch or site plan must clearly demonstrate:

- i. The boundaries and dimensions of the subject land
- ii. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, and septic tanks.
- iv. The current uses on land that is adjacent to the subject land
- v. The location, width and name of any roads within or abutting the subject lands, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. The location and nature of any easement affecting the subject land.

Applications and plans will be accepted in Metric only (1 foot = 0.3048 metres, 1 acre = 0.4046 hectares). The maximum size for the accompanying sketch/site plan shall be 11"x 17". If there is information provided on larger sizes, at least one copy shall be provided on the 11"x 17" format. Elevation drawings shall also be provided if applicable.

A copy of the most recent available survey of the subject property completed by a registered Ontario Land Surveyor (OLS) should also accompany the application.



This Application must be submitted to:

City of Kenora Planning Department – planning@kenora.ca

60 Fourteenth Street North, 2nd Floor.
Operations Centre - Kenora, ON P9N 4M9
Fax: 807-467-2246

Prescribed Information

Personal Information collected within this document will be used to assist City staff to process this application and will be made public. The information prescribed in this application is contained in Ontario Regulation 200/96 (as amended), of the Planning Act, R.S.O. 1990 (as revised).

The undersigned hereby applies to the Committee of Adjustment for the City of Kenora under Section 45 of the Planning Act, R.S.O. 1990 (as revised), for a minor variance, as described in this application..

This application also sets out other information that will assist the Committee of Adjustment in their evaluation of the application and Staff review. In the absence of this information, it may not be possible to do a complete review within the legislated timeframe for making a decision. As a result, the application may be refused.

It is the sole responsibility of the authorized agent and/or owner to ensure that this application form is complete, and that the information provided is accurate and correct. This application form will not be accepted until all required questions have been answered and all other requirements have been satisfied.



City of Kenora
Application for Minor Variance or
Permission
Section 45 of the Planning Act & Ontario
Regulation 200/96

Office Use Only

Date Stamp - Date Received:



File Number: DB-25-14

Roll Number: _____

Application Fee Paid: \$ 500.00

Application Deemed Complete (Date): Sep 22, 2025

1.0 - Submission Requirements

Note: If the information below is not received the application cannot be deemed complete.

- ☐ Pre-consultation meeting is recommended with the planning department
- ☐ 1 original copy of the completed application form
- ☐ The required application fee of \$800.00 (1), \$1,300 (2), \$1,800 (3 or more) as per the schedule of fees By-law
- ☐ Planning Rationale (recommended)
- ☐ Site Plan Sketch
- ☐ Required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies)
- ☐ A completed Authorization, signed by all the registered owners when an Agent is acting on behalf of the Owner(s)

2.0 - City of Kenora Application for:

☒ Minor Variance s.45 (1)

☐ Permission s.45 (2)

3.0 - Concurrent Applications Filed

- ☐ Official Plan Amendment
- ☐ Zoning By-law Amendment/Temporary Use
- ☐ Subdivision Application
- ☐ Site Plan Application
- ☐ Consent Application
- ☐ Other: _____

4.0 - Applicant Information

SUBJECT PROPERTY INFORMATION

Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description	Plan M171 Plot 8/9			
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016			

OWNER/APPLICANT INFORMATION

Check Appropriate Box:	☒ Person(s)	☐ Company		
Registered Land Owner	Surname: <u>Durst</u>	First Name: <u>Bryan</u>		
Mailing Address	Street No.: <u>81195</u>	Street Name: <u>Sharper Creek Ln</u>	Postal Code: <u>N0M1L0</u>	Unit Num.:
City	<u>Clinton</u>	Province	<u>Ontario</u>	
Contact Information	Phone: <u>1-519-524-0380</u>	Fax:		
Email	<u>Brydownfarm@gmail.com</u>			
Acquisition Date of Subject Land	<u>July 2021</u>			

PLANNING AGENT/SOLICITOR INFORMATION

Company or Firm Name	<u>Future Builders Limited</u>			
Name <u>Braiden</u>	Surname: <u>Sequin</u>	First Name: <u>Braiden</u>		
Mailing Address	Street No.: <u>1641</u>	Street Name: <u>Park Street</u>	Postal Code: <u>P9N1C1</u>	Unit Num.:
City	<u>Kenora</u>	Province:	<u>ON</u>	
Contact Information	Phone: <u>807-466-2127</u>	Fax:		
Email	<u>Future Builders Kenora@gmail.com</u>			

MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND

Company				
Contact Person	Surname:	First Name:		
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Contact Information	Phone:	Fax:		
Email				

5.0 - Please list the reports/studies that will accompany this application

6.0 - Land Use Designation (Please see www.kenora.ca/planning for schedules/maps)

What is the current Official Plan Designation of the subject property?

Established Area

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?

Residential 1st Density Zone

7.0 – Nature and extent of relief required

Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
4.1.3.D Table 3	1.5m (1.0m) Retaining wall	0m	1m

8.0 – Please explain the extent of the proposed variance or permission requested and why it is not possible to comply with the provisions of the Zoning By-law

Current Parking on property impedes narrow Road way, Concerns by Neighbours and emergency Vehicles. Parking on property is very close to steep slope. Parking Pad will be shared, therefore property set backs not necessary. North neighbours Retaining wall will benefit and provide additional strength.

9.0 – Property Characteristics

Frontage (metres): 13 Depth (metres): 20m Area (m² or Ha.): 250m

Existing Use of subject land: Docking / Parking

Note: Legal non-conforming use applications must provide evidence to support its status to the Planning Department.

Proposed Use (if applicable): Docking / Parking

The date the subject land was acquired by the current owner: July 2021

The date the existing buildings or structures on the subject land were constructed: Unknown

Length of time that the existing uses have continued? Unknown

Type of Access:

- ☒ Municipal maintained road
 ☐ Seasonally maintained road
 ☐ Provincial highway
☐ Private road or laneway
 ☐ Water
 ☐ Other public road

* If access is by water only, please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road:

*If access is by private road, or other public road, please state who owns the land or road, and who is responsible for its maintenance and whether it is maintained seasonally or all year. Please attach a copy of the registered easement/agreement if available.

Water Supply:☐ Municipal water☐ Private well☐ Communal well☐ Lake☒ Other: N/A**Sewage:**☐ Municipal sewer☐ Private septic system/field☐ Communal septic system/field☐ Privy☒ Other: N/A**Site Drainage:**☐ Storm sewers☐ Swales☐ Ditches☒ Other: Wetpaving Tile**Other Services:**☒ Electricity☒ Garbage Collection☒ School Buses**10.0 - Easements**

Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes☒ No

If Yes, please describe each easement and/or covenant and its effect, below:

Reference Plan Number	Instrument Number	Purpose of Easement and/or Covenant (e.g. hydro, utility, sewer, etc.)

11.0 - Other Applications under the Planning Act

Has the subject land ever been the subject of an application for approval of any of the following?

Draft Plan of Subdivision	File No.:	Status:
Condominium Description	File No.:	Status:
Official Plan Amendment	File No.:	Status:
Zoning By-law Amendment	File No.:	Status:
Minister's Zoning Amendment	File No.:	Status:
Site Plan Application	File No.:	Status:
Consent	File No.:	Status:
Minor Variance	File No.:	Status:
Part Lot Control	File No.:	Status:
Other (Please Specify)	File No.:	Status:

12.0 – Buildings/Structures on Subject Property

Dimensions must match those indicated on the required sketch

Existing Structures:*Boat house*

	Principle	Accessory	Accessory	Parking
Ground Floor Area		<i>1000 sqft</i>		
Total Gross Floor Area		<i>1,000 Sqft</i>		
Number of Storeys		<i>1</i>		
Length		<i>32'</i>		
Width		<i>33'</i>		
Height		<i>9'</i>		
Front Yard Setback		<i>8</i>		
Rear Yard Setback		<i>60'</i>		
Side Yard Setback		<i>8</i>		
Side Yard Setback		<i>13'</i>		
Date Constructed		<i>Unknown</i>		
Lot Coverage (%)		<i>36%</i>		
Floor Area Ratio				

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area				<i>900 sqft</i>
Total Gross Floor Area				
Number of Storeys				<i>2</i>
Length				<i>20'</i>
Width				<i>45'</i>
Height				
Front Yard Setback				<i>8 56'</i>
Rear Yard Setback				<i>8</i>
Side Yard Setback				<i>8</i>
Side Yard Setback				<i>8</i>
Date Constructed				<i>8</i>
Lot Coverage (%)				<i>33%</i>
Floor Area Ratio				

*Please place an asterisk next to any existing buildings that will be removed as part of the application.

*Please indicate whether the side yards are interior or exterior.

13.0 – Is the effect of the proposed variance consistent with policy statements issued under Subsection 3(1) of the Planning Act?

Please state how this application is consistent with the 2024 Provincial Planning Statement (PPS).

Yes

14.0 – Additional information

Please provide any additional information that you feel would be beneficial to the application:

Remove Existing Stair
Build Retaining Wall for safe parking
Parking pad will keep cars off street and provide safe
passage for neighbors and Emergency vehicles

16.0 – Authorized Agent/Solicitor

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We Bryan / Mary Grace Durst, am/are the owner(s) of the land that is subject of this application for a minor variance and I/We hereby authorize

Braeden Seguin to make this application on my/our behalf and to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date

Signature of owner(s)

See Attached Letter.

Name and Signature of Witness

17.0 - Sworn Declaration or Affidavit

I, Braden Seguin of the City of Kenora in the province of Ontario, make oath and say (or solemnly declare) that the information required under Ontario Regulation 200/96 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the Operations Centre City of Kenora in the Province of Ontario this 10 day of September in the year 2025


Tara Nowell Vader, a Commissioner, etc.,
Province of Ontario,
for the Corporation of the City of Kenora.
Expires September 5, 2027.


Commissioner of Oaths

Applicant(s)

18.0 - Privacy Consent/Freedom of Information Declaration

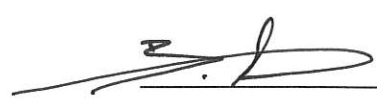
Consent of Owner(s) to the use and disclosure of personal information and to allow site visits to be conducted by City Staff, members of the Committee of Adjustment or Council members.

I/We, Braden Seguin being the registered owner(s) of the lands subject of this application, and for the purpose of the Freedom of Information and Protection of Privacy Act, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act (R.S.O. 1990 as amended) for the purposes of processing this application.

I/We also authorize and consent to representatives from the City of Kenora and the persons and public bodies conferred with under the Planning Act (R.S.O. as amended) entering upon the subject lands of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of the application.

Sept 10th/2025

Date


Owner(s) Signature

Personal information contained on this form is collected pursuant to the *Municipal Act* and will be used for the purpose of processing and approval of this application and associated applications. Questions about this collection should be directed to:

The Freedom of Information and Privacy Coordinator, City of Kenora
1 Main Street South, Kenora, ON P9N 3X7 - (807) 467-2295.



To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: October 17th, 2025
Re: Minor Variance Application – File D13-25-14 (Lot 8 and 9 Plan M171)
Location: Unaddressed property on Lakeshore Drive
Owner/Applicant: Bryan Durst / Braden Seguin

RECOMMENDATION

It is recommended that this application for minor variance be **approved** subject to the recommended conditions.

INTRODUCTION

The purpose of this application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a retaining wall exceeding 1000 mm in exposed height.

This application is seeking relief from Section Table 3: Permitted Yard Encroachments which requires a retaining wall exceeding 1000 mm in exposed height be no closer than 1.0 m in any yard. This application proposes reducing this requirement by 1.0 m to permit a retaining wall to be 0 m from the east and west lot lines.

The subject property is located on Lakeshore Drive. It has a legal non-conforming principal use as a single-storey shared boathouse. Parking on the property is an accessory use to the principal use.

REVIEW

In considering an application for minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application is minor in nature, is an appropriate use of the land, and that the development maintains the intent of the Official Plan and Zoning By-law.

Figure 1. Location Map (Kenora GIS 2024)



AGENCY/PUBLIC COMMENTS

City Staff

City staff raised a number of items upon circulation of the application. The items identified were stormwater management, property boundaries, location of sewer and water services, driveway provisions, and easements for access and maintenance.

1. Stormwater management
 - a. Site Plan Control is recommended as a condition to ensure that stormwater runoff is addressed.
2. Property boundaries
 - a. There is a recommended condition that the property boundary abutting the impacted neighbour to east be established by an Ontario Land Surveyor unless the boundary can be confirmed by existing survey stakes and/or iron bars and confirmed by City staff. The option to have the boundary confirmed by City staff is being provided as conversations with the agent indicate that a recent boundary survey has been conducted.
3. Location of sewer and water services
 - a. City staff identified that the location and depth of the sewer and water services along Lakeshore Drive were of concern. Staff met with the agent and engineer and have identified a change in construction design which

alleviates this concern. There is a recommended condition that updated drawings be submitted to the satisfaction of the City.

4. Driveway provisions

- a. As Site Plan Control is recommended, it will be reviewed and confirmed through this process that the driveway provisions of the Zoning By-law are being adhered to.

5. Easements

- a. It was identified by staff that an easement for access and maintenance purposes may be required as the subject lands (Lot 8 and 9) are not proposing a stairway and require access across the abutting property (Lot 7) to access the water. This was discussed with the property owner and they indicated no concern with proceeding without an easement.

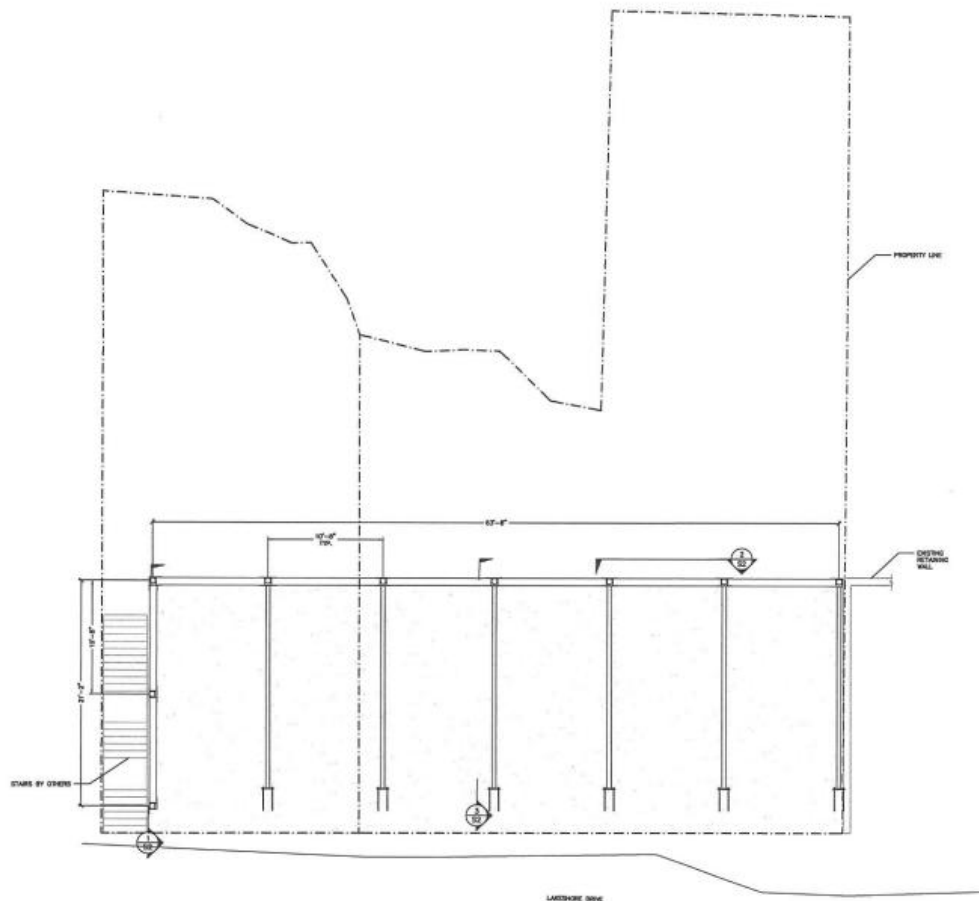
Agency

The Ministry of Natural Resources and Synergy North had no MNR concerns and no concerns with the application. No comments were received from other agencies.

Public

No comments received from members of the public at the time of report submission.

Figure 2. Site Plan (provided by applicant)



PLANNING REVIEW

The subject lands are designated Established Area in the City of Kenora Official Plan, and zoned “R1” Residential – First Density Zone in the City of Kenora Zoning By-law.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) directs settlement areas to be the focus of growth and development. As this application is for development within the settlement area, it is consistent with this section of the PPS.

FOUR TESTS OF A MINOR VARIANCE

Does the variance maintain the intent of the Official Plan

The City of Kenora Official Plan (OP) Section 2.2.7 speaks to Principle 7 – Neighbourhood Design. Two of the objectives of this principle is to promote built form that addresses the needs of present and future generations (i.e. live, work, play) and to ensure that all aspects of neighbourhood design (e.g. buildings, streetscapes, landscapes) contribute to everyday living in a positive manner. The proposed development will alleviate pressure and conflict of some of the on-street parking along Lakeshore Drive, which is a narrow roadway. The legal non-conforming principal use of the property as a boathouse result in parking as an accessory use. Removing the parking from the street to be wholly located on the property addresses the current needs of the property owner and contributes to an improvement of the streetscape. As a result, the minor variance application maintains the intent of the OP.

Does the variance maintain the intent and purpose of the Zoning By-law?

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the “R1” Residential – First Density Zone. The R1 zone allows for the development of single-detached housing and other compatible uses serviced by municipal water and sewer or with municipal water only.

This application is seeking to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east and west property lines. This is relief request of 1 m from the requires 1 m. The relief is requested to allow for a continuous retaining wall as it is proposed to be shared between Lot 7 (D13-25-15), Lot 8 and 9. The 1 m setback A condition to establish the east property boundary is recommended to ensure that the requested 0 m setback is adhered to. No comments have been received from the abutting property owner at the time of report submission. The abutting property does contain an existing retaining wall that is proposed to be aligned with the new retaining wall. It is staff’s opinion that the requested variance, subject to the recommended conditions, meets the intent of the Zoning By-law.

Is the application desirable for the appropriate development of the land, building or structure?

The proposed variance will enable parking for the subject lands to be wholly located within the property lines and alleviate on-street parking pressures, which is desirable for the area and current use of the property.

Is the variance minor?

The request relief is to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east and west lot lines. The variance can be considered minor when the scale and type of development is considered. The proposed variance is not expected to have significant impact on the surrounding area, nor will it impact the ability of adjacent neighbours to utilize their properties for permitted uses. The variance is considered minor in nature.

Recommendation – Lot 8, Plan M171

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-25-14 to seek relief from the City of Kenora Zoning By-law 101-2015, Table 3: Permitted Yard Encroachments to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east and west lot lines, subject to the following conditions:

1. That a Site Plan control application be submitted and approved for the development prior to the issuance of a Building Permit for both Lot 8 on Plan M171.
2. That the east property line shall be established by an Ontario Land Surveyor unless the boundary can be identified through survey stakes and iron bars and confirmed by City staff.
3. That the driveway shall comply with the provisions of the City of Kenora Zoning By-law Section 3.23.3 Driveway Provisions for Residential Zones.
4. An entrance permit shall be submitted and approved for the driveway.
5. That parking shall remain ancillary to the legal non-conforming principal use as a single-storey shared boathouse.
6. That updated drawings are submitted to demonstrate the revised anchoring location to the satisfaction of the City of Kenora.

Recommendation – Lot 9, Plan M171

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-25-14 to seek relief from the City of Kenora Zoning By-law 101-2015, Table 3: Permitted Yard Encroachments to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east and west lot lines, subject to the following conditions:

1. That a Site Plan control application be submitted and approved for the development prior to the issuance of a Building Permit for both Lot 9 on Plan M171.
2. That the driveway shall comply with the provisions of the City of Kenora Zoning By-law Section 3.23.3 Driveway Provisions for Residential Zones.

3. An entrance permit shall be submitted and approved for the driveway.
4. That parking shall remain ancillary to the legal non-conforming principal use as a single-storey shared boathouse.
5. That updated drawings are submitted to demonstrate the revised anchoring location to the satisfaction of the City of Kenora.

A handwritten signature in grey ink, appearing to read "Tara Vader".

Tara Vader

Associate Planner

October 17th, 2025



Consideration of Application for Minor Variance/Permission D13-25-15



**THE CORPORATION OF THE CITY OF KENORA
COMMITTEE OF ADJUSTMENT
NOTICE OF COMPLETE APPLICATION AND PUBLIC HEARING
Section 45 of the Planning Act, RSO 1990**

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on October 22nd, at 6 p.m.

As part of the meeting, the Committee will consider a proposed Minor Variance under Section 45 of the Planning Act (RSO 1990), as described below and shown on the attached map.

FILE(s): D13-25-15
LOCATION: Unaddressed property on Lakeshore Drive

PURPOSE AND EFFECT

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of an exterior stairway and a retaining wall exceeding 1,000 mm in exposed height.

The application is seeking relief from Table 3: Permitted Yard Encroachments which requires a retaining wall exceeding 1,000 mm in exposed height to be no closer than 1.0 m in any yard and exterior stairways to be not closer than 1.0 m to any lot line. This application proposes reducing this requirement by 1.0 m to permit a retaining wall to be 0 m from the east side lot line and an exterior stairway to be 0 m from the west side lot line.

The subject property is designated Established Area in the City of Kenora Official Plan and zoned 'R1' Residential – First Density Zone in the City's Zoning By-law.

**COA
Meeting**

When: Wednesday, October 22nd, 2025 at 6:00 p.m. (CST)
Location: Training Room, Operations Centre
60 Fourteenth Street North, 2nd Floor, Kenora, ON

Members of the public interested in attending the meeting may attend in person, or via Zoom Meeting at: <https://www.kenora.ca/en/your-government/committee-of-adjustment.aspx>. For the link to join the meeting please access the agenda under the Agenda and Minutes section.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D13-25-15**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, October 15th, 2025.

FAILURE TO ATTEND

If you do not attend the hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION

If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-25-15**.

Dated at the City of Kenora this 24 day of September, 2025.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca.

Figure 1. Location Map (Kenora GIS 2024)





City of Kenora
Application for Minor Variance or
Permission
Section 45 of the Planning Act & Ontario
Regulation 200/96

Office Use Only

Date Stamp - Date Received:



File Number: D13-25-15

Roll Number: _____

Application Fee Paid: \$ 800.00

Application Deemed Complete (Date): Sep 22, 2025

1.0 - Submission Requirements

Note: If the information below is not received the application cannot be deemed complete.

- ☐ Pre-consultation meeting is recommended with the planning department
- ☐ 1 original copy of the completed application form
- ☐ The required application fee of \$800.00 (1), \$1,300 (2), \$1,800 (3 or more) as per the schedule of fees By-law
- ☐ Planning Rationale (recommended)
- ☐ Site Plan Sketch
- ☐ Required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies)
- ☐ A completed Authorization, signed by all the registered owners when an Agent is acting on behalf of the Owner(s)

2.0 - City of Kenora Application for:

☒ Minor Variance s.45 (1)

☐ Permission s.45 (2)

3.0 - Concurrent Applications Filed

- ☐ Official Plan Amendment
- ☐ Zoning By-law Amendment/Temporary Use
- ☐ Subdivision Application
- ☐ Site Plan Application
- ☐ Consent Application
- ☐ Other: _____

4.0 - Applicant Information**SUBJECT PROPERTY INFORMATION**

Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description	Plan M171 lot 10 Parcel Number 13445			
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016			

OWNER/APPLICANT INFORMATION

Check Appropriate Box:	☒ Person(s)	☐ Company		
Registered Land Owner	Surname: Kathleen Ramsey	First Name: Kathleen		
Mailing Address	Street No.: 2442	Street Name: Twelfth Line	Postal Code: K0L2H0	Unit Num.:
City	Lake Field		Province Ontario	
Contact Information	Phone: 1-705-875-7370		Fax:	
Email	Kate.Ramsay@icldvd.com			
Acquisition Date of Subject Land				

PLANNING AGENT/SOLICITOR INFORMATION

Company or Firm Name	Future Builders Limited			
Name	Surname: Seguin	First Name: Braden		
Mailing Address	Street No.: 1841	Street Name: Park Street	Postal Code: P9N1C1	Unit Num.:
City	Kenora		Province: Ontario	
Contact Information	Phone: 807-966-2121		Fax:	
Email	Future Builders Kenora@gmail.com			

MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND

Company				
Contact Person	Surname:	First Name:		
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Contact Information	Phone:		Fax:	
Email				

5.0 - Please list the reports/studies that will accompany this application

--

6.0 - Land Use Designation (Please see www.kenora.ca/planning for schedules/maps)

What is the current Official Plan Designation of the subject property?

Established Area

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?

Residential 1st Density Zone

7.0 – Nature and extent of relief required

Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
4.1.3 D	1.5m (1.0m) stairs	0m	1m
4.1.3 D	1.5m (1.0m) Retaining wall	0m	1m
Table 3			

8.0 – Please explain the extent of the proposed variance or permission requested and why it is not possible to comply with the provisions of the Zoning By-law

Current Parking on Property impedes narrow road way, concerns by neighbours and Emergency vehicles. Parking on property is very close to steep slope. Parking pad will be shared therefore property set backs not necessary. South neighbour set back reduction will be necessary for stair access.

9.0 – Property Characteristics

Frontage (metres): 9 Depth (metres): 14 Area (m² or Ha.): 123m³

Existing Use of subject land: Docking / Parking

Note: Legal non-conforming use applications must provide evidence to support its status to the Planning Department.

Proposed Use (if applicable): Docking / Parking

The date the subject land was acquired by the current owner: August 2011

The date the existing buildings or structures on the subject land were constructed: August 2011

Length of time that the existing uses have continued? 14 yrs

Type of Access:

- ☒ Municipal maintained road
 ☐ Seasonally maintained road
 ☐ Provincial highway
☐ Private road or laneway
 ☐ Water
 ☐ Other public road

* If access is by water only, please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road:

*If access is by private road, or other public road, please state who owns the land or road, and who is responsible for its maintenance and whether it is maintained seasonally or all year. Please attach a copy of the registered easement/agreement if available.

Water Supply:☐ Municipal water☐ Private well☐ Communal well☐ Lake☒ Other: N/A**Sewage:**☐ Municipal sewer☐ Private septic system/field☐ Communal septic system/field☐ Privy☒ Other: N/A**Site Drainage:**☐ Storm sewers☐ Swales☐ Ditches☒ Other: weppng Tile**Other Services:**☒ Electricity☒ Garbage Collection☒ School Buses**10.0 - Easements**

Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes☒ No

If Yes, please describe each easement and/or covenant and its effect, below:

Reference Plan Number	Instrument Number	Purpose of Easement and/or Covenant (e.g. hydro, utility, sewer, etc.)

11.0 - Other Applications under the Planning Act

Has the subject land ever been the subject of an application for approval of any of the following?

Draft Plan of Subdivision	File No.:	Status:
Condominium Description	File No.:	Status:
Official Plan Amendment	File No.:	Status:
Zoning By-law Amendment	File No.:	Status:
Minister's Zoning Amendment	File No.:	Status:
Site Plan Application	File No.:	Status:
Consent	File No.:	Status:
Minor Variance	File No.:	Status:
Part Lot Control	File No.:	Status:
Other (Please Specify)	File No.:	Status:

12.0 – Buildings/Structures on Subject Property

Dimensions must match those indicated on the required sketch

Existing Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area			334 sqft	
Total Gross Floor Area				
Number of Storeys			2	
Length			65 ft	
Width			5 ft	
Height			2	
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed			2011	
Lot Coverage (%)			25%	
Floor Area Ratio				

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area			235 sqft	360 sqft
Total Gross Floor Area				
Number of Storeys			2	
Length			46 ft	
Width			4 ft	
Height				
Front Yard Setback			2	
Rear Yard Setback			2	
Side Yard Setback			2	
Side Yard Setback			2	
Date Constructed				
Lot Coverage (%)			20%	25%
Floor Area Ratio				

*Please place an asterisk next to any existing buildings that will be removed as part of the application.

*Please indicate whether the side yards are interior or exterior.

13.0 – Is the effect of the proposed variance consistent with policy statements issued under Subsection 3(1) of the Planning Act?

Please state how this application is consistent with the 2024 Provincial Planning Statement (PPS).

Yes

14.0 – Additional information

Please provide any additional information that you feel would be beneficial to the application:

Re build of Existing Stairs
Add Retaining wall for Safe parking

16.0 – Authorized Agent/Solicitor

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We Kathleen Ramsey, am/are the owner(s) of the land that is subject of this application for a minor variance and I/We hereby authorize

Bradley Segun to make this application on my/our behalf and to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date

Signature of owner(s)

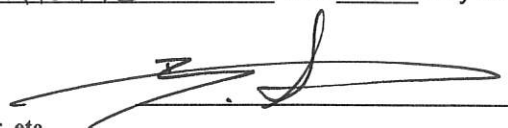
See Attached Letter

Name and Signature of Witness

17.0 - Sworn Declaration or Affidavit

I, Braden Seguin of the City of Kenora in the province of Ontario, make oath and say (or solemnly declare) that the information required under Ontario Regulation 200/96 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the Operations Centre, City of Kenora in the Province of Ontario this 10 day of September in the year 2025


Tara Nowell Vader, a Commissioner, etc.,
Province of Ontario,
for the Corporation of the City of Kenora.
Expires September 5, 2027.


Commissioner of Oaths

Applicant(s)

18.0 - Privacy Consent/Freedom of Information Declaration

Consent of Owner(s) to the use and disclosure of personal information and to allow site visits to be conducted by City Staff, members of the Committee of Adjustment or Council members.

I/We, Braden Seguin being the registered owner(s) of the lands subject of this application, and for the purpose of the Freedom of Information and Protection of Privacy Act, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act (R.S.O. 1990 as amended) for the purposes of processing this application.

I/We also authorize and consent to representatives from the City of Kenora and the persons and public bodies conferred with under the Planning Act (R.S.O. as amended) entering upon the subject lands of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of the application.

Sept 10th/2025

Date


Owner(s) Signature

Personal information contained on this form is collected pursuant to the *Municipal Act* and will be used for the purpose of processing and approval of this application and associated applications. Questions about this collection should be directed to:

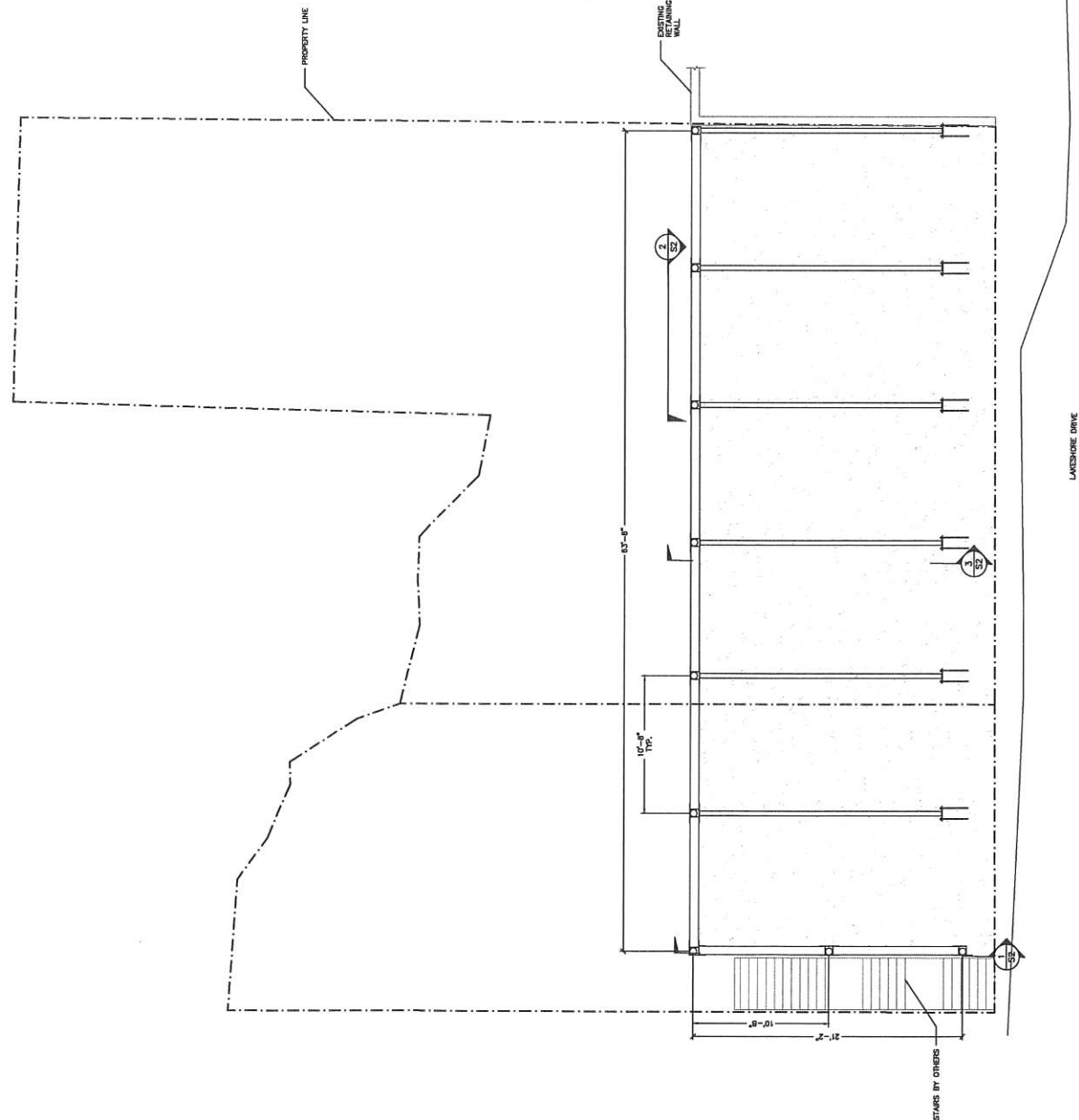
The Freedom of Information and Privacy Coordinator, City of Kenora
1 Main Street South, Kenora, ON P9N 3X7 - (807) 467-2295.

- GENERAL NOTES**
1. DRAWINGS ARE DIAGNOSTIC ONLY. DO NOT SCALE.
 2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KENORA AND/OR THE KENORA DISTRICT.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KENORA AND/OR THE KENORA DISTRICT.
 4. ALL WORK TO BE COMPLETED BY APPROPRIATELY LICENSED CONTRACTORS.
 5. ALL WORK SHALL COMPLY WITH THE MOST CURRENT CANADIAN BUILDING CODE AND ALL APPLICABLE RULES AND REGULATIONS.
 6. CONTRACTOR SHALL COMPLY WITH THE MOST CURRENT CANADIAN BUILDING CODE AND ALL APPLICABLE RULES AND REGULATIONS.
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- CONCRETE**
1. CONCRETE SHALL BE IN ACCORDANCE WITH CSA A23.1.
 2. CONCRETE SHALL BE PLACED AND FINISHED IN ACCORDANCE WITH THE SPECIFICATIONS.
 3. CONCRETE SHALL BE PLACED AND FINISHED IN ACCORDANCE WITH THE SPECIFICATIONS.
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STRUCTURAL STEEL

1. STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH CSA A508.
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13. STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH CSA A508.



RETAINING WALL - PLAN VIEW
SCALE: 1/4"=1'-0"

No.	Revision	Date
0	ISSUED FOR PERMIT	JAN 12/25 AB

CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING DIMENSIONS AND CONDITIONS AT THE OUTSET OF CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KENORA AND/OR THE KENORA DISTRICT.

APPROVED: [Signature]
TBT ENGINEERING GROUP
Kenora Phone: (807) 647-4446
E-mail: info@tbt.ca

TBT ENGINEERING GROUP
Kenora Phone: (807) 647-4446
E-mail: info@tbt.ca

RETAINING WALL
STRUCTURAL
RETAINING WALL
PLAN VIEW

Scale: AS NOTED
Drawn By: JH
Date: JUNE 2025
Calc. By: RW/AS
Proj. No.: 24-158L-S1
Rev.: 0



To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: October 17th, 2025
Re: Minor Variance Application – File D13-25-15
Location: Unaddressed property on Lakeshore Drive (Lot 10 Plan M171)
Owner/Applicant: Kathleen Ramsay / Braden Seguin

RECOMMENDATION

It is recommended that this application for minor variance be **approved** subject to the recommended conditions.

INTRODUCTION

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of an exterior stairway and a retaining wall exceeding 1,000 mm in exposed height.

The application is seeking relief from Table 3: Permitted Yard Encroachments which requires a retaining wall exceeding 1,000 mm in exposed height to be no closer than 1.0 m in any yard and exterior stairways to be not closer than 1.0 m to any lot line. This application proposes reducing this requirement by 1.0 m to permit a retaining wall to be 0 m from the east side lot line and an exterior stairway to be 0 m from the west side lot line.

The subject property is located on Lakeshore Drive. It has a legal non-conforming principal use as a dock, approximately 35 square metres in size. Parking on the property is an accessory use to the principal use.

REVIEW

In considering an application for minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application is minor in nature, is an appropriate use of the land, and that the development maintains the intent of the Official Plan and Zoning By-law.

Figure 1. Location Map (Kenora GIS 2024)



AGENCY/PUBLIC COMMENTS

City Staff

City staff raised a number of items upon circulation of the application. The items identified were stormwater management, property boundaries, location of sewer and water services, driveway provisions, and easements for access and maintenance.

1. Stormwater management
 - a. Site Plan Control is recommended as a condition to ensure that stormwater runoff is addressed.
2. Property boundaries
 - a. There is a recommended condition that the property boundary abutting the impacted neighbour to east be established by an Ontario Land Surveyor unless the boundary can be confirmed by existing survey stakes and/or iron bars and confirmed by City staff. The option to have the boundary confirmed by City staff is being provided as conversations with the agent indicate that a recent boundary survey has been conducted.
3. Location of sewer and water services
 - a. City staff identified that the location and depth of the sewer and water services along Lakeshore Drive were of concern. Staff met with the agent and engineer and have identified a change in construction design which alleviates this concern. There is a recommended condition that updated drawings be submitted to the satisfaction of the City.

4. Driveway provisions
 - a. As Site Plan Control is recommended, it will be reviewed and confirmed through this process that the driveway provisions of the Zoning By-law are being adhered to.
5. Easements
 - a. It was identified by staff that an easement for access purposes may be required as the subject lands (Lot 10) contain the only stairway proposed. This was discussed with the abutting applicant and they indicated no concern with proceeding without an easement.

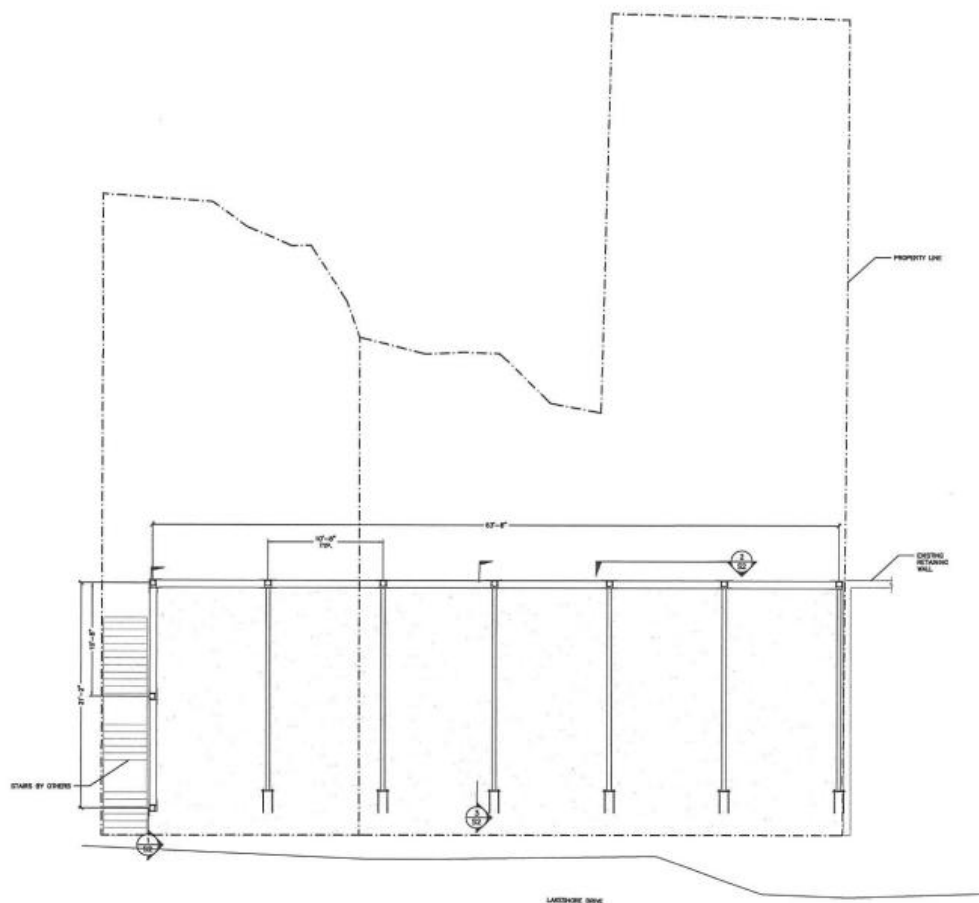
Agency

The Ministry of Natural Resources and Synergy North had no MNR concerns and no concerns with the application. No comments were received from other agencies.

Public

No comments received from members of the public at the time of report submission.

Figure 2. Site Plan (provided by applicant)



PLANNING REVIEW

The subject lands are designated Established Area in the City of Kenora Official Plan, and zoned “R1” Residential – First Density Zone in the City of Kenora Zoning By-law.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) directs [relevant PPS policy]. As this application [complies or does not comply] with [specific policy], it is [supported or not supported] by these policies of the PPS.

FOUR TESTS OF A MINOR VARIANCE

Does the variance maintain the intent of the Official Plan

The City of Kenora Official Plan (OP) Section 2.2.7 speaks to Principle 7 – Neighbourhood Design. Two of the objectives of this principle is to promote built form that addresses the needs of present and future generations (i.e. live, work, play) and to ensure that all aspects of neighbourhood design (e.g. buildings, streetscapes, landscapes) contribute to everyday living in a positive manner. The proposed development will alleviate pressure and conflict of some of the on-street parking along Lakeshore Drive, which is a narrow roadway. The legal non-conforming principal use of the property as a dock result in parking as an accessory use. Removing the parking from the street to be wholly located on the property addresses the current needs of the property owner and contributes to an improvement of the streetscape. As a result, the minor variance application maintains the intent of the OP.

Does the variance maintain the intent and purpose of the Zoning By-law?

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the “R1” Residential – First Density Zone. The R1 zone allows for the development of single-detached housing and other compatible uses serviced by municipal water and sewer or with municipal water only.

This application is seeking to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east property line and an exterior stairway to be 0 m from the west property line. This is relief request of 1 m from the required 1 m. The relief is requested to allow for a continuous retaining wall as it is proposed to be shared between Lot 10, Lot 8 and 9 (D13-25-14) and to permit an exterior stairway to access the dock. A condition to establish the west property boundary is recommended to ensure that the requested 0 m setback is adhered to. No comments have been received from the abutting property owner at the time of report submission. The abutting property does contain an existing retaining wall that is proposed to be aligned with the new retaining wall. It is staff’s opinion that the requested variance, subject to the recommended conditions, meets the intent of the Zoning By-law.

Is the application desirable for the appropriate development of the land, building or structure?

The proposed variance will enable parking for the subject lands to be wholly located within the property lines and alleviate on-street parking pressures, which is desirable for the area and current use of the property.

Is the variance minor?

The request relief is to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east and west lot lines. The variance can be considered minor when the scale and type of development is considered. The proposed variance is not expected to have significant impact on the surrounding area, nor will it impact the ability of adjacent neighbours to utilize their properties for permitted uses. The variance is considered minor in nature.

Recommendation

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-25-15 to seek relief from the City of Kenora Zoning By-law 101-2015, Table 3: Permitted Yard Encroachments to permit a retaining wall exceeding 1000 mm in exposed height to be 0 m from the east lot line and an exterior stairway to be 0 m from the west lot line, subject to the following conditions:

1. That a Site Plan control application be submitted and approved for the development prior to the issuance of a Building Permit for Lot 10 on plan M171.
2. That the west property line shall be established by an Ontario Land Surveyor unless the boundary can be identified through survey stakes and iron bars and confirmed by City staff.
3. That the driveway shall comply with the provisions of the City of Kenora Zoning By-law Section 3.23.3 Driveway Provisions for Residential Zones.
4. An entrance permit shall be submitted and approved for the driveway.
5. That parking shall remain ancillary to the legal non-conforming principal use as a dock approximately 35 square metres in size.
6. That updated drawings are submitted to demonstrate the revised anchoring location to the satisfaction of the City of Kenora.



Tara Vader
Associate Planner

October 17th, 2025