



Agenda

City of Kenora Planning Advisory Committee
Hybrid Meeting- In-Person and g via Zoom
Wednesday, April 16, 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 March 19, 2025
 - Special Meeting of March 28, 2025
- 5) Correspondence
 - None
- 6) Adjournment requests
 - None
- 7) Consideration of Application for Minor Variance
 - D13-25-04
 - D13-25-05
 - D13-25-06
- 8) Consideration of Applications for Land Division
 - D10-25-02
- 9) Recommendations to Council for Amendments
 - None
- 10) Old Business
 - None
- 11) New Business
 - None
- 12) Other
 - Update OP, Zoning By-law and CIP Review
- 13) Adjournment

Topic: Planning Advisory Committee

Time: April 16, 2025, PM 9 CT

Join Zoom Meeting

<https://us06web.zoom.us/j/83529723856?pwd=NANSX78yebRJwm4frQPm51dgtqScEx.1>

Meeting ID: 835 2972 3856

Passcode: 908965

Phone: +1 204 272 7920 Canada



Minutes
City of Kenora Virtual Planning Advisory Committee
Zoom meeting
Wednesday, March 19, 2025
6:00pm (CST)
Video Recording:

Present:

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

Chair
Vice Chair
Member
Member
Member
Member (Entered at 6:04 PM)
Member
Director of Planning and Building
Associate Planner
Planner
Secretary-Treasurer
Minute Taker

I. Call meeting to order:

The meeting was called to Order by the Chair, Tara Rickaby, at 6:00 PM Central Time, and a Land Acknowledgement was provided recognizing 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.

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

III. Additions to the Agenda: OACA Conference

The Secretary-Treasurer stated that the budget for attendance at the conference is \$6000.00. The recommendation is for Tara Vader, Tara Rickaby and Linda Mitchell to attend.

Carried

Moved by: Robert Bulman **Seconded by:** Keric Funk
In Favour: 7 **Opposed:** 0 **Abstained:** 0

IV. Approval of the minutes from previous meetings:

- a. That the minutes of the **February 19, 2025**, regular meeting be approved as distributed.

Moved By: Renee Robert **Seconded By:** Chris Price
In Favour: 7 **Opposed:** 0 **Abstained:** 0

V. Correspondence before the Committee: None

VI. Adjournment Requests – None

VII. Consideration of Applications for Minor Variance:

- i. D13-25-03 – Joseph, David & Shyla Kubisewsky
501 / 609 Sixth Avenue S.

Laura Wheatley was present to represent the application.

Associate Planner, Tara Vader, presented the Planning Report, which addressed both the Application for Minor Variance and Consent D07-25-01.

Purpose of Application: The proposed severance is to create one new residential lot, separating the two existing single-family dwellings on the subject property onto their own lots.

The Effect of Approval: This application proposes to reduce the minimum lot area by 190 m² to permit a minimum lot area of 260 m² which would apply to the proposed severed and retained lands.

Public in favour of the application: 0

Public in opposition of the application: 0

Letters in Favour: 0

Letters in Opposition: 0

Questions or comments from the Committee:

Renee Robert asked if it was an unusual occurrence to have a property that has two (2) dwellings on it.

Janis Pochailo stated that this situation took place in the distant past and back then it was not uncommon.

Decision: That the Planning Advisory Committee approves application D13-25-03 to seek relief from the City of Kenora By-law 101-2015, Section 4.1.3 (b) be approved to permit a minimum lot area of 260 m².

1. This variance shall apply to the severed and retained lands of consent application D10-25-01.

Moved By: Robert Bulman **Seconded By:** Renee Robert

In favour: 7 **Opposed:** 0 **Abstained:** 0

Approved

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.

VIII. **Consideration of Applications for Land Division:**

- a. D10-25-01 – Joseph, David & Shyla Kubisewsky
501 / 609 Sixth Avenue S.

Purpose of Application: This consent application is for the creation of one new lot. The application proposes to sever the subject property which contains two existing single-family dwellings.

The Effect of Approval: The severance would result in each single-family dwelling being on their own lot.

Public in favour of the application: 0

Public in opposition of the application: 0

Letters in Favour: 0

Letters in Opposition: 0

Questions or comments from the Committee: None (were asked in item #7)

Decision: That application D10-25-01 for consent for lot severance on property located at 501/609 Sixth Avenue South, and legally described as PCL 13378 SEC DKF; LT 121 PL M38, PIN: 42166-0139; is approved and provisional Consent be granted, subject to the following:

Expiry Period

1. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of notice of decision.

Survey/Reference Plan

2. Provide to the satisfaction of the City:
 - a. A survey showing the lot lines of the severed parcel, and
 - b. A reference plan based on an approved survey.
3. One original copy and one PDF copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.

Zoning

4. Where a violation of any City Zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the City.
5. That Minor Variance application D13-25-03 is approved permitting a minimum lot area of 260 m² for the severed and retained lots.

City Requirements

6. That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
7. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided for each parcel.
8. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal descriptions of the PINs in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form to be provide for each parcel.
9. Prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter, from the owner or the owner's Agent/Solicitor, confirming that conditions 1 through 7 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.

Reasons for Decision: The Committee has evaluated the consent application based on the City of Kenora Official Plan (2015), Zoning By-law No. 101-2015 as amended, the provisions of section 51(24) of the Planning Act and the Provincial Planning

Statement, 2024 (PPS) Section 2.2 contains policies relating to Housing. Specifically, 2.2.1 c) states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Additionally, the PPS direct that settlement areas shall be the focus of growth and development. As this application is an efficient use of land and infrastructure, and is located within the settlement area, it is supported by these policies of the PPS.

Approved

Moved By: Renee Robert **Seconded By:** Keric Funk

In favour: 7 **Opposed:** 0 **Abstained:** 0

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.

Chair, Tara Rickaby asked Andrea Campbell if she had any conflicts of interest as she entered the meeting late.

Andrea Campbell stated that she did not.

IX. Recommendations to Council for Zoning By-law Amendment:

- None

X. Old Business:

- a. None

XI. New Business:

- a. None

XII. Other

- a. Update OP, Zoning By-law and CIP Review

Janis Pochailo stated that they had 50 people sign in to the open house and that there were a lot of questions asked. They also received lots of great feedback from the public that were present.

Janis also reminded the Committee that there is presently a survey being conducted on the City of Kenora Website and that so far, the City had received 200 responses.

Janis informed the Committee that a PAC Special Meeting was being held on Friday, March 28th, 2025, at Noon via Zoom to discuss the Committee questions pertaining to the new Terms of Reference.

ix. Adjournment:

Motion for adjournment. **Moved By:** Member Keric Funk

In Favour: 7 **Opposed:** 0 **Abstained:** 0

Meeting Adjourned at 6:23 PM.

*Please refer to PAC Meeting Video for full details of all questions and responses.
[Kenora Planning Advisory Committee Meeting March 19, 2025 \(youtube.com\)](https://www.youtube.com/watch?v=Cv8b_4EhW0c)
https://youtu.be/Cv8b_4EhW0c

Minutes of the Kenora Planning Advisory Committee meeting, March 19, 2025 are approved as of April 16, 2025.

Chair, Tara Rickaby

Secretary-Treasurer, Melissa Shaw

DRAFT



Minutes
City of Kenora Virtual SPECIAL Planning Advisory Committee
Hybrid meeting
Friday, March 28, 2025
12:00pm (CST) Via Zoom
Video Recording:

Present:

Tara Rickaby
Renee Robert
Keric Funk
Christopher Price
Janis Pochailo
Melissa Shaw
Nadine Gustavson

Chair
Member
Member
Member
Director of Planning and Building
Secretary-Treasurer
Minute Taker

Regrets: Robert Bulman and Linda Mitchell

i. Call meeting to order:

The meeting was called to Order by the Chair, Tara Rickaby, at 12:00 PM Central Daylight Time, and a Land Acknowledgement was provided recognizing 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.

At 12:02 PM Committee Member Andrea Campbell entered meeting via zoom.

ii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present:

On Today's Agenda: None

From at meeting at which a member was not in attendance: None

iii. Adjournment Requests: None

iv. Consideration of Applications for Minor Variance: None

v. Consideration of Applications for Land Division: None

vi. Recommendations to Council for Amendments: None

vii. Old Business: None

viii. New Business:

1) DRAFT Planning Advisory Terms of Reference

Opening statements made by Janis Pochailo: In the fall of 2024, Council directed Administration to do a comprehensive review of By-law #74-2021, which is a by-law to establish Terms of Reference and Rules of Order and Procedure for the City of Kenora Planning Advisory Committee. This review revealed several procedure challenges as well as inconsistencies with By-law #77-2016 being a By-law for Consent, Subdivision and Condominium delegation and approval under the Planning Act.

Proposed changes by Administration include:

1. The removal of Planning Advisory Committees responsibility to make Council recommendations for Zoning By-laws and Official Plan Amendments.

It was recommended that the Planning and Building Department conducts a traditional open house, as deemed appropriate (under the *Planning Act*, an open house is optional for zoning or official plan amendments) and present their recommendations directly to Council of the City of Kenora at a Public Meeting. That PAC would be renamed as the City of Kenora Committee of Adjustment and Property Standards Committee.

2. That the Approval of Plans of Subdivision and Condominiums be delegated to the Director of Planning and Building Services.

At present the City of Kenora does not have a City Planner. It is therefore recommended that By-law #77-2016 be amended, thereby delegating the approval of Plans of Subdivision and Condominiums to the Director of Planning and Building Services and remove reference to these responsibilities from the COA terms of reference.

3. That clarification of the procedures for the consideration of amended applications was needed.

It is recommended that that the City of Kenora adopt the same procedure as the Ontario Land Tribunal as follows:

The Committee may consider an amended application for a consent or variance after the statutory public meeting. The Committee will determine whether the amended application addresses concerns raised by the public or public agencies at the statutory public meeting. If it lessens the impacts of concerns raised by the public or public agencies at the statutory public meeting, the Committee may proceed to render its decision without further public notice and circulation of materials. If the amended application does not address or increases the impacts of concerns raised by the public or public agencies at the statutory meeting, the Committee will issue fresh notice and circulate the amended application materials for a further public meeting prior to deliberating on and rendering a decision.

4. That various housekeeping changes were needed to both by-laws to eliminate duplication, make corrections and clarify current processes.

The Planning Advisory Committee reviewed and provided input on the proposed changes to the PAC Terms of Reference.

Suggested Changes by Committee Members:

Chris Price asked for an amendment to Section 15.0 to receive Honorarium before Christmas, after the December meeting. That there was no mention of a dress code. That all meetings should have a Chair.

Janis Pochailo stated that under the new Terms of Reference Section 2.50 states "Should the Vice-Chair also be unavailable for a meeting or hearing, the remaining Members will appoint a Chair at the outset of the meeting, should they have quorum to proceed."

Tara Rickaby commented that the Committee was presiding in accordance with the *Planning Act* which states all meetings must have a Chair.

15.0 – Honorarium

15.10 – An honorarium for Committee Members shall be established by Council. Payment of the honorarium shall be twice annually, after the June meeting and after the December meeting.

Requested an amendment to Section 4.0 – Regardless of retirement and including Members not returning or not reappointed.

4.40 – Retiring Members will receive a letter of appreciation on behalf of the Mayor and City Council at the end of their term if they are not reappointed, or if they voluntarily retire from their position on the Advisory Committee.

Tara Rickaby: Stated that she needed to leave the meeting at 12:50 PM and that Member Renee Robert would then chair the remainder of the meeting.

Renee Robert asked how the key changes that had been highlighted, were reflected in the Terms of Reference?

Janis Pochailo said that the previous by-law had the Committee as an Advisory Committee which by changing the name, made them no longer an Advisory Committee.

Tara Rickaby requested that in accordance with Committee Member identification cards, provided by the City of Kenora, that they should:

- 1) Amend the name of the Committee on the card, and
- 2) Identify the need for Committee Members identification being used during site visits in the Terms of Reference.

Tara Rickaby also suggested that:

- 1) Pertaining to Section 7.70 that the comment **“The Planning Staff shall put forward a motion to the Committee Members for a decision as per Section 11.0”** be **added**.
- 2) That under Section 2.0 – Roles and Responsibilities: **Add:** Committees of Adjustment operate on a “quasi-judicial” basis, meaning “like a court of law” only in a less formal setting. This means that the Committee Members are under an obligation to hear and consider all available evidence when rendering a decision. She suggested using the definition provided by OACA.
- 3) **Add right after the numbering** in Section 12.30 Minor Variance - “Committee may approve, refuse or defer applications.”
- 4) That Section 19.0 – that this section be reviewed and amendments be made to the description of duties of Secretary-Treasurer, Deputy Secretary-Treasurer and Minute Taker roles.
- 5) That Section 9.0 be amended to read “ are still **TO** be required.”

At 12:48 PM Chair Tara Rickaby left the meeting and Committee Member Renee Robert now presided over the remainder of the meeting.

Decision: Resolved that the **Planning Advisory Committee** as established under By-law 74-2021 recommends an amended Terms of Reference and Rules of Order and Procedure for the City of Kenora Committee of Adjustment and Property Standards

Committee; and further supports the delegation of Approval of Plans of Subdivision and Condominium to the Director of Planning and Building Services.

Approved

Moved by: Keric Funk **Seconded by:** Andrea Campbell
In Favour: 4 **Opposed:** 0 **Abstained:** 0

The Secretary-Treasurer indicated that it was resolved that the Planning Advisory Committee as established under By-law 74-2021 recommends an amended Terms of Reference and Rules of Order and Procedure for the City of Kenora Committee of Adjustment and Property Standards Committee; and further supports the delegation of Approval of Plans of Subdivision and Condominium to the Director of Planning and Building Services.

ix. Adjournment:

Motion for adjournment. **Moved By:** Member Chris Price

In Favour: 4 **Opposed:** 0 **Abstained:** 0

Meeting Adjourned at 12:52 PM.

**Please refer to PAC Meeting Video for full details of all questions and responses.*

[Kenora Planning Advisory Committee Special Meeting March 28, 2025 \(youtube.com\)](https://www.youtube.com/watch?v=Cv8b_4EhW0c)

https://youtu.be/Cv8b_4EhW0c

Minutes of the Kenora Planning Advisory Committee meeting, March 28, 2025 are approved as of April 16, 2025.

Chair, Tara Rickaby

Secretary-Treasurer, Melissa Shaw



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

TAKE NOTICE that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on April 16th, 2025, at 6 p.m.

As part of the meeting, PAC 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): D13-25-04
LOCATION: 342 Bruckenberger Road

PURPOSE AND EFFECT

This minor variance application is seeking relief from the City of Kenora Zoning By-law 101-2015 to permit a sleep cabin with a 6 m front yard setback. The application is seeking relief from Section 4.5.3 (k) which requires a minimum front yard (yard abutting the waterway) of 20 m for waterfront lots. The application proposes to reduce the minimum front yard by 14 m to permit a 6 m minimum front yard setback for a sleep cabin. The minor variance would enable the lawful permitting of the unpermitted structure. The subject property is designated Rural Area in the City of Kenora Official Plan and zoned 'RR' Rural Residential Zone in the City's Zoning By-law.

PAC Meeting

When: Wednesday, April 16th, 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/planning-advisory-committee.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: D13-25-04. You may also attend the PAC meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 9th, 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 Planning Advisory Committee in respect of this application, you must submit a written request to the Planning Advisory Committee 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 **D13-25-04**.

Dated at the City of Kenora this 20th day of March, 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 2022)





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: RECEIVED FEB 25 2025 <i>TRV</i> 	File Number: <u>D13-25-04</u> Roll Number: _____ Application Fee Paid: \$ <u>800.00</u> Application Deemed Complete (Date): <u>March 4, 2025</u>
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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 as per the schedule of fees By-law
- Planning Rationale
- 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

<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Site Plan Application
<input type="checkbox"/> Zoning By-law Amendment/Temporary Use	<input type="checkbox"/> Consent Application
<input type="checkbox"/> Subdivision Application	<input type="checkbox"/> Other: _____

4.0 - Applicant Information				
SUBJECT PROPERTY INFORMATION				
Civic Address	Street No.: 342	Street Name: Bruckenberg	Postal Code:	Unit Num.:
Registered Plan Number	M- 23M 949			
Legal Description	PIN 42136-0603 Lot 2, Pt 23M 949 Kenora Ontario			
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)	2			
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016 140-001-32712-0000			
OWNER/APPLICANT INFORMATION				
Check Appropriate Box:	<input type="checkbox"/> Person(s)		<input checked="" type="checkbox"/> Company	
Registered Land Owner	Surname: Brown	0838392 B.C. Ltd	First Name: Aaron	
Mailing Address	Street No.: 37610	Street Name: Dawson Road	Postal Code: V3A 2K9	Unit Num.:
City	Abbotsford		Province: B.C.	
Contact Information	Phone: 604-996-3043	Fax:		
Email	aaron.douglas.brown@gmail.com			
Acquisition Date of Subject Land	May 2012			
PLANNING AGENT/SOLICITOR INFORMATION				
Company or Firm Name	Tim Fleury UpNorth Design Co			
Name UpNorth Design Co	Surname: Fleury	First Name: Tim		
Mailing Address 21	Street No.:	Street Name: Cambrie Drive	Postal Code: P9N 4A4	Unit Num.:
City	Kenora		Province: Ontario	
Contact Information	Phone: 807-407-3559	Fax:		
Email	UPNorthdesignco@outlook.com			
MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND				
Company	N/A			
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				
A Site plan is attached with the submission				
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?				
Restricted Development Area Rural Area				
What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?				
Rural Residential				

7.0 – Nature and extent of relief required			
Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
4.5.3	2.5 10m Front yard setback	6m Front yard setback	4m 14 m

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

The proposed relief from zoning provision 4.5.3 is being requested to bring an existing sleeping cabin into compliance with the Zoning By-law. The sleeping cabin was erroneously sited over the front yard building setback for a RR zoned property.

9.0 – Property Characteristics

Frontage (metres): 77m Depth (metres): 132m Area (m² or Ha.): 8,394m²

Existing Use of subject land: Residential
Note: Legal non-conforming use applications must provide evidence to support its status to the Planning Department.

Proposed Use (if applicable): Residential

The date the subject land was acquired by the current owner: May 2012

The date the existing buildings or structures on the subject land were constructed: 2024

Length of time that the existing uses have continued? _____

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: _____

Sewage:

Municipal sewer

Private septic system/field

Communal septic system/field

Privy

Other: _____

Site Drainage:

Storm sewers

Swales

Ditches

Naturally

Other: sloping site

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	1200 sq ft	416 sq. ft.		
Total Gross Floor Area	1200 sq ft	544 sq. ft.		
Number of Storeys	1	1		
Length	30'0"	26'		
Width	40'0"	18'		
Height		12'		
Front Yard Setback	there are on	15m		
Rear Yard Setback	file in city of	8m		
Side Yard Setback	Kenora	3m		
Side Yard Setback	when built in	3m		
Date Constructed	2014	2024		
Lot Coverage (%)		0.004%		
Floor Area Ratio		0.0057%		

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
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 Policy Statement (PPS).

This application is consistent with the 2024 Provincial Policy Statement in that it does not contravene any of the key policy directives that are applicable in this context. From an ecological stand point, the proposed relief poses no adverse affects to the site, or neighbouring properties.

Given the context of Black Sturgeon Lake, the proposed relief is in keeping with the existing development of a rural residential zone.

14.0 – Additional information

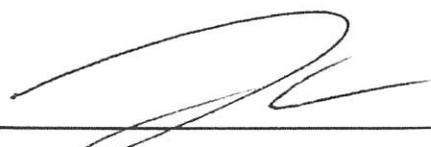
17.0 - Sworn Declaration or Affidavit

I, Aaron Brown of the City of Abbotsford in the province of British Columbia, 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 City of Abbotsford in the Province of BC this 19 day of February in the year 2025

Aaron Brown

MAR Applicant(s)



Commissioner of Oaths

JIMMY KUMAR
Barrister & Solicitor
#120 - 33456 South Fraser Way
Abbotsford, B.C. V2S 2B5

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 Planning Advisory Committee or Council members.

I/We, Aaron Brown of OESB392 B.C. Ltd 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.

MAR

Feb 24 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:

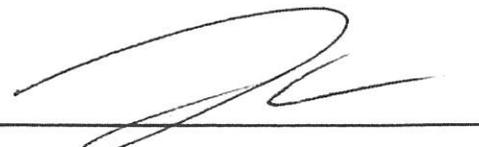
The Freedom of Information and Privacy Coordinator, City of Kenora
1 Main Street South, Kenora, ON P9N 3X7 - (807) 467-2295.

17.0 - Sworn Declaration or Affidavit

I, Aaron Brown of the city of Abbotsford in the province of British Columbia, 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.

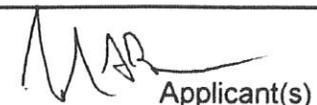
Sworn (or declared) before me at the city of Abbotsford in the Province of BC this 19 day of February in the year 2025

Aaron Brown



Commissioner of Oaths

JIMMY KUMAR
Barrister & Solicitor
#120 - 33456 South Fraser Way
Abbotsford, B.C. V2S 2B5


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 Planning Advisory Committee or Council members.

I/We, Aaron Brown of OESB392 B.C. Ltd 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.

1-19-24 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.

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

15.0 – Directions

Please provide directions to the subject property:

Take red dirt road North turn right onto
Brudenburg

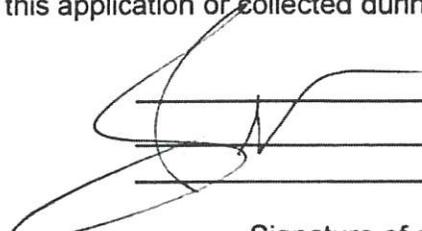
16.0 – Authorized Agent/Solicitor

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 Alex Br of 0636392 B.C.L.P., am/are the owner(s) of the land that is subject of this application for a minor variance and I/We hereby authorize

Alex Br of 0636392 B.C.L.P. 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.

Feb 24 2025
Date



Signature of owner(s)

Name and Signature of Witness

Tara Vader

From: Aaron Brown <aarondouglasbrown@gmail.com>
Sent: Friday, April 4, 2025 10:05 AM
To: Tara Vader
Subject: Fwd:

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Vader.

Please see attached my email to my contractor dated March 29 2024.

This is me enquiring that all permits for this build were acquired.

I feel this is important as part of minor variance application to further show I was not trying to be malicious in my building of this structure.

I note the meeting is April 16.

Aaron Brown.

----- Forwarded message -----

From: Aaron Brown <aarondouglasbrown@gmail.com>
Date: Fri, Mar 29, 2024 at 10:19 AM
Subject: Re:
To: Jeremy Schwartz <revolution4@hotmail.com>

Jeremy.

Thank you for the update.

We will send a cheque on Tuesday (I believe Monday is a holiday for the postal service) as this is beyond what our e-transfer can send.

A timeline of May weekend is perfect as we have no renters before that. Our first renter so far is June so there is leeway so to speak.

Just confirming that all permits (if required) are acquired and the conversation around the electrical work. Just making sure as I left that conversation a bit confused. That it will be done and arranged by you?

Aaron.

On Fri, Mar 29, 2024 at 3:17 AM Jeremy Schwartz <revolution4@hotmail.com> wrote:

Hi Aaron. We are hoping to start framing the floor week after next. Would you be able to transfer the funds for materials. I like to get all the material amounts up front so I can purchase items as we need. I keep it in a separate account dedicated to your job. The material amount including HST is 48,903. I assume this is too large of an amount to e transfer. Perhaps you could mail a check? My account will let me deposit large checks without them needing to be certified. Check would be made out to Jeremy Schwartz. Mailing address

Site 14, Box 94, RR1
Keewatin, ON
POX 1C0.

If you have other questions give me a call. We will communicate frequently once the job begins. Is there a certain timeline you were hoping to have us finished by for your renters? I imagine we would be mostly finished up by may long. But I cannot guarantee anything. Weather and other factors sometimes stretch jobs longer. But the brunt of the work would be done by that point. I have my uncle scheduled to mud and tape the drywall mid May.

Get [Outlook for Android](#)



Aaron Brown Bunkie

342 Bruckenberger Road
Kenora, ON
P9N 0E3

Project Title

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

QUALIFICATION INFORMATION
INDIVIDUAL BCIN 115439 (TIM FLEURY)

REGISTRATION INFORMATION
FIRM BCIN 119389

SIGNATURE:

Designer

UPNORTH Design Co.
21 Cambrian Drive
Kenora, ON P9N 4A4

Client

REV.	DATE	DESCRIPTION

NO.	DATE	ISSUE NOTE

Project Manager

Date

September 2024

Project ID

123456789

Sheet Title

SITE PLAN

Sheet No.

A300

NOTFORCONSTRUCTION - SEPTEMEBR 24, 2024



1 SITE PLAN
Scale: 1" = 20'-0"

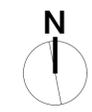
GENERAL NOTES

1. LOCATION OF BUNKIE AND SEPTIC FIELD ARE APPROXIMATE BUT WITH A HIGH DEGREE OF ACCURACY. THIS IS NOT A SURVEY BUT INTENDED TO BE USED FOR THE PURPOSES OF OBTAINING A BUILDING PERMIT.

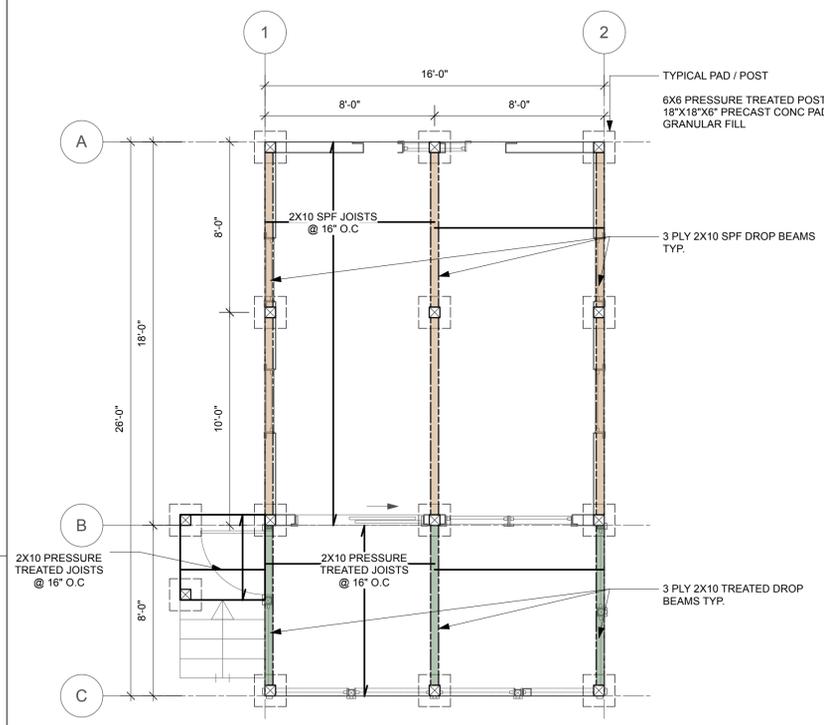
C

B

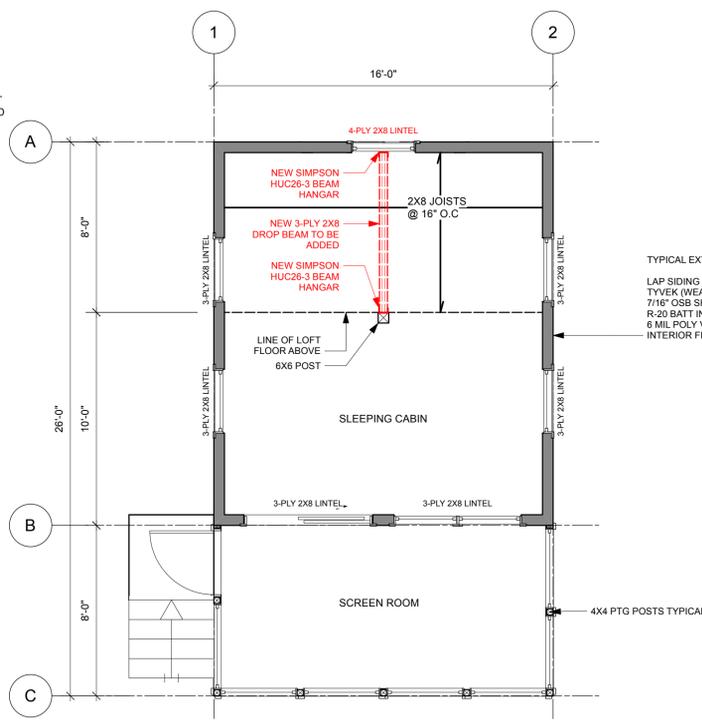
A



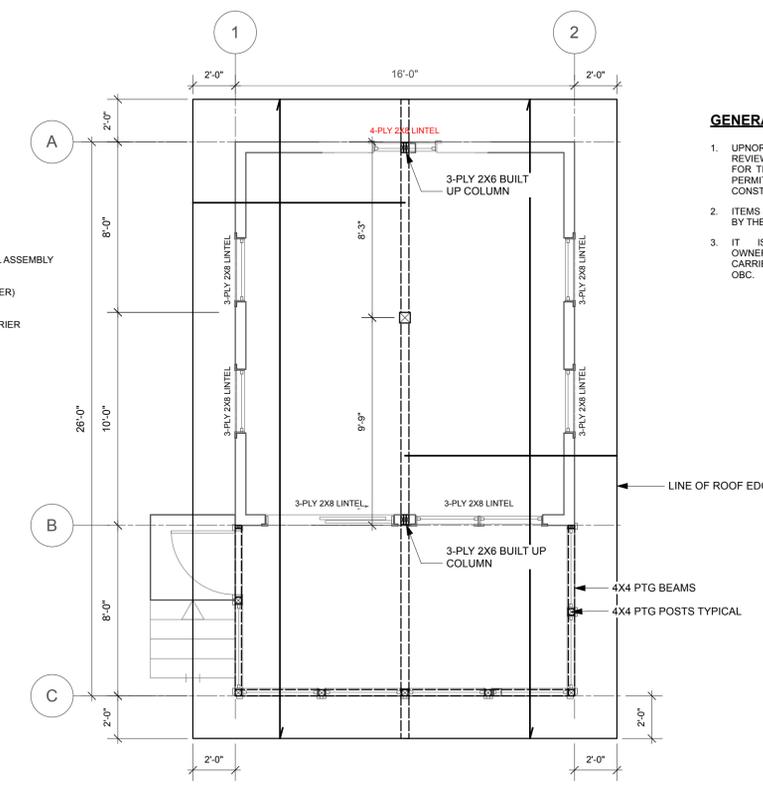
Aaron Brown Bunkie
 342 Bruckenberg Road
 Kenora, ON
 P9N 0E3



1 FOUNDATION PLAN
 Scale: 1/4" = 1'-0"



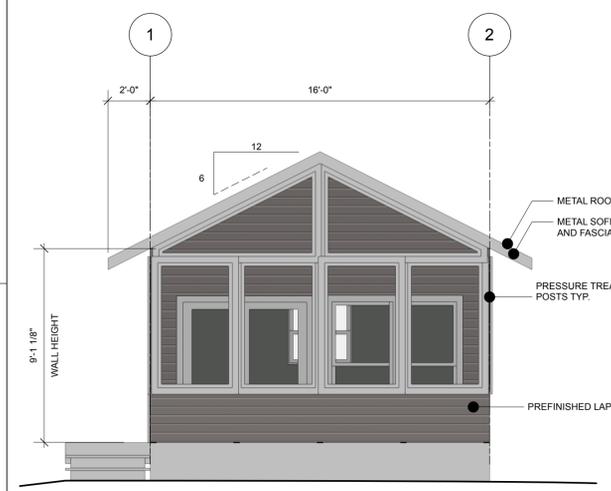
2 MAIN FLOOR PLAN / LOFT FRAMING PLAN
 Scale: 1/4" = 1'-0"



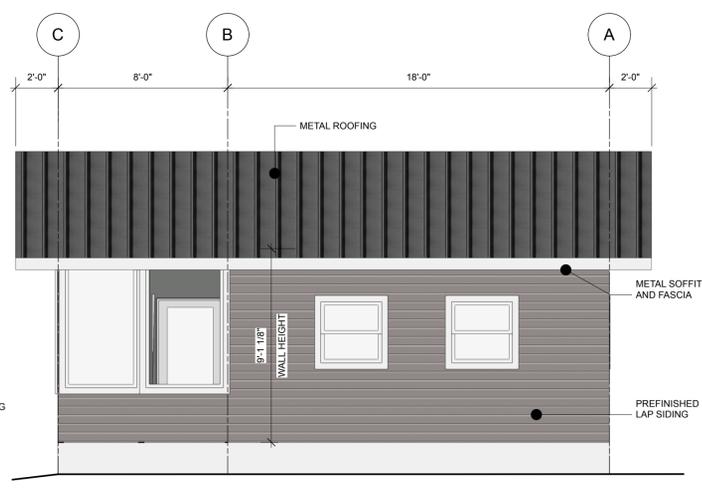
3 ROOF FRAMING PLAN
 Scale: 1/4" = 1'-0"

GENERAL NOTES

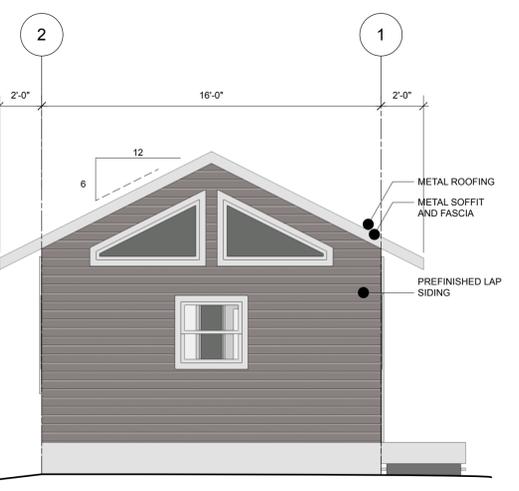
- UPNORTH DESIGN CO. WAS RETAINED TO DO A REVIEW AND DOCUMENT THE EXISTING BUNKIE FOR THE PURPOSES OF OBTAINING A BUILDING PERMIT. UPNORTH DESIGN DID NOT REVIEW THE CONSTRUCTION OF THE BUILDING.
- ITEMS IN RED ARE NEW WORK TO BE COMPLETED BY THE OWNER/CONTRACTOR.
- IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO ENSURE THE WORK CARRIED OUT IS IN CONFORMANCE WITH THE OBC.



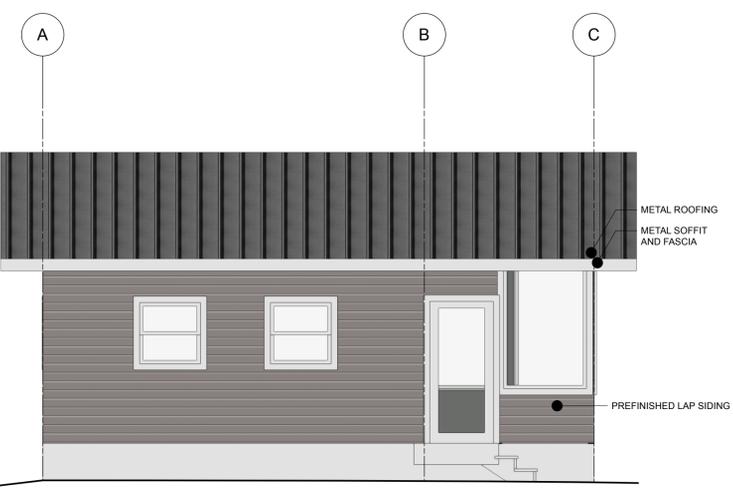
4 FRONT ELEVATION
 Scale: 1/4" = 1'-0"



5 RIGHT ELEVATION
 Scale: 1/4" = 1'-0"



6 BACK ELEVATION
 Scale: 1/4" = 1'-0"



7 RIGHT ELEVATION
 Scale: 1/4" = 1'-0"

WALL AREA - 19.2 M²
 AREA OF UNPROTECTED OPENINGS - 13.1 M²
 LIMITING DISTANCE - N/A (LAKE FACING)
 MAX AGG. AREA OF UNPROTECTED OPENINGS, % OF EXPOSING BUILDING FACE - N/A

WALL AREA - 23.1 M²
 AREA OF UNPROTECTED OPENINGS - 6.9 M²
 LIMITING DISTANCE - 5.1 M
 MAX AGG. AREA OF UNPROTECTED OPENINGS, % OF EXPOSING BUILDING FACE - 45 (29% ACTUAL)

WALL AREA - 19.2 M²
 AREA OF UNPROTECTED OPENINGS - 3.2 M²
 LIMITING DISTANCE - 120.1 M
 MAX AGG. AREA OF UNPROTECTED OPENINGS, % OF EXPOSING BUILDING FACE - N/A

WALL AREA - 23.1 M²
 AREA OF UNPROTECTED OPENINGS - 6.7 M²
 LIMITING DISTANCE - 61.9 M
 MAX AGG. AREA OF UNPROTECTED OPENINGS, % OF EXPOSING BUILDING FACE - N/A

NOT FOR CONSTRUCTION - SEPTEMBER 24, 2024

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

QUALIFICATION INFORMATION
 INDIVIDUAL BCIN 115439 (TIM FLEURY)

REGISTRATION INFORMATION
 FIRM BCIN 119389

SIGNATURE: *[Signature]*

Designer
 UPNORTH Design Co.
 21 Cambrian Drive
 Kenora, ON P9N 4A4

Client

REV.	DATE	DESCRIPTION

NO.	DATE	ISSUE NOTE

Project Manager	Drawn By	TF
Date	Reviewed By	
September 2024		
Project ID	123456789	

Sheet Title
 BUILDING PLANS,
 ELEVATIONS, SECTIONS

Sheet No.
A301



To: City of Kenora Planning Advisory Committee
From: Tara Vader, Associate Planner
Date: April 11th, 2025
Re: Minor Variance Application – File D13-25-04
Location: 342 Bruckenberger Road
Owner/Applicant: Aaron Brown (0838392 BC Ltd)

RECOMMENDATION

It is staff's opinion that the proposed variance does not meet the intent of the City of Kenora Official Plan (OP), does not maintain the general intent and purpose of the Zoning By-law, and is not considered to meet the four tests of a minor variance as outlined in Section 45(1) of the Planning Act. As a result, it is recommended that this application for minor variance, to permit a reduced front yard setback of 6 m for a sleep cabin on a waterfront lot, be **refused**.

INTRODUCTION

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit a sleep cabin with a 6 m front yard setback. The application is seeking relief from Section 4.5.3 (k) which requires a minimum front yard (yard abutting the waterway) of 20 m for waterfront lots. The application proposes to reduce the minimum front yard by 14 m to permit a 6 m minimum front yard setback for a sleep cabin.

The sleep cabin was constructed in 2024 without a building permit. The City of Kenora Building Department issued a stop work order and requested that the structure be lawfully permitted. During the zoning review of the building permit process, the sleep cabin was identified as being located within the required 20 m front yard. The applicant confirmed that the sleep cabin is located 6 m from the waterbody. The minor variance is required to enable the building permit to be approved.

The subject property is used for residential purposes and has access via Bruckenberger Road. The site is serviced by private on-site water and sewage services. The subject lands are approximately 2 acres.

REVIEW

AGENCY/PUBLIC COMMENTS

City Staff

City staff made the recommendation to ensure that storm runoff quantity and quality from the site directed to the lake do not have any adverse impacts on the lake.

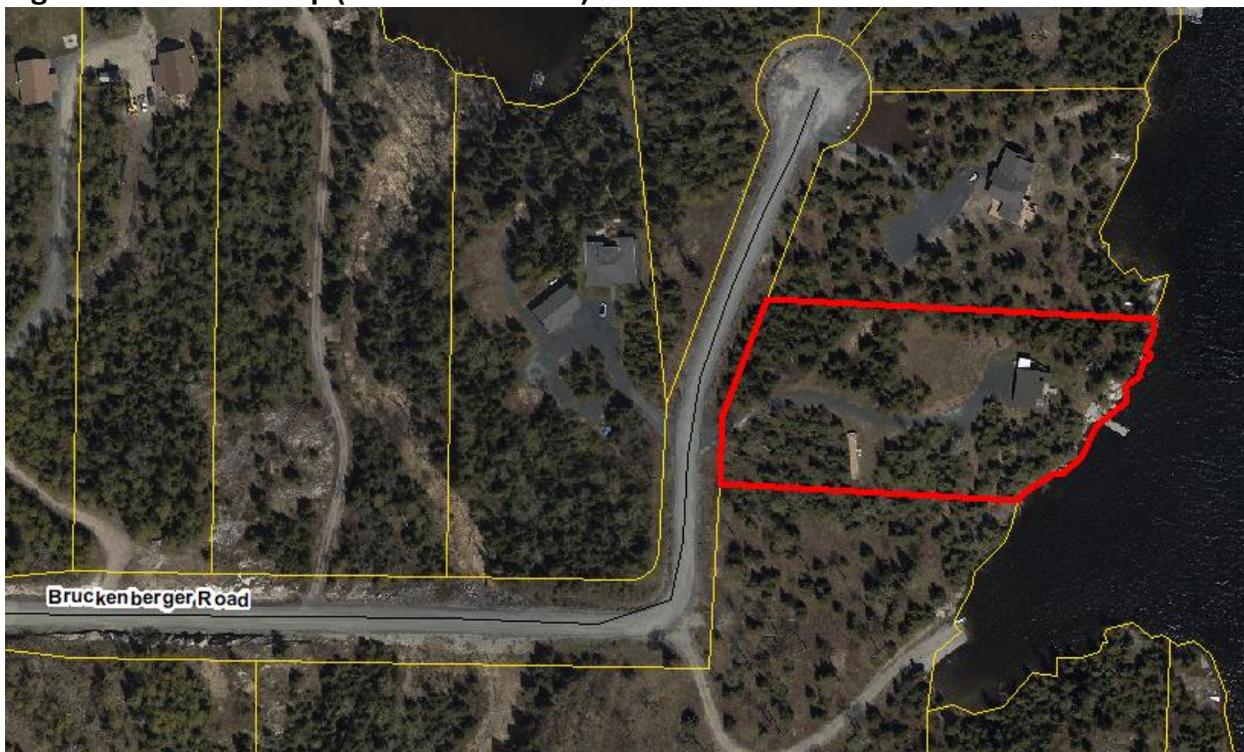
Agency

The MNR had no concerns with the application. No comments were received from other agencies.

Public

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

Figure 1. Location Map (Kenora GIS 2022)



PLANNING REVIEW

The subject property is designated Rural Area in the City of Kenora Official Plan and zoned “RR” Rural Residential Zone in the City’s Zoning By-law.

In considering an application of minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provision of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application satisfies the four tests. To be approved the requested variance must:

1. Maintain the general intent of the Official Plan,
2. Maintain the general intent and purpose of the Zoning By-law,

3. Be desirable for the appropriate development or use of the land, building or structure, and
4. Be minor.

The requested variance is recommended for refusal because it does not maintain the general intent of the City of Kenora Official Plan (OP), does not maintain the general intent and purpose of the Zoning By-law, and is not considered minor.

Does the variance maintain the intent of the Official Plan?

The City of Kenora Official Plan (OP) Section 2.2.2 contains objectives for Principle 2 – Natural Environment. The OP lists one of the objectives to limit shoreline development. The OP Section 4.8.3 contains policies for Residential Development in the Rural Area. Specifically, that development shall preserve rural character and the scenic quality of the rural landscape and shall avoid densities more appropriately found in the settlement area. As this application is proposed to encroach on the setback along the shoreline, it does not maintain the intent of these policies 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 “RR” Rural Residential zone. The RR zone allows for the development of low density single-detached, seasonal or permanent housing and compatible uses in a rural setting.

This application is seeking to permit a minimum front yard of 6 m for a sleep cabin. This is a relief request of 14 m from the permitted 20 m. The unpermitted sleep cabin was constructed within the required 20 m front yard which results in the requirement for this minor variance to enable lawful permitting of the structure. The 20 m front yard setback is from the lake. This setback is required from watercourses, waterbodies, and shore reserves. The minimum setbacks are required to be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the environmental quality of watercourses and water bodies. This application seeking a 6 m front yard for a sleep cabin does not maintain the intent of protecting the environmental quality of watercourses and water bodies.

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

The proposed variance will enable a sleep cabin with a 6 m front yard, which is a permitted use. The proposed variance enables the unpermitted sleep cabin to be lawfully permitted, which is desirable for the appropriate development of the land.

Is the variance minor?

The requested relief is to permit a sleep cabin with a 6 m setback, a total relief request of 14 m. The proposed variance is also expected to have an impact on the environmental quality of the waterbody. It is not expected to impact on the ability of adjacent neighbours to utilize

their properties for permitted uses. The variance is not considered minor in nature and impact due to the relief request of 14 m and the impact on the waterbody.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) promotes development on rural lands that can be sustained by rural service levels. The sleep cabin is proposed to be sustained by on-site services in the rural area, it is consistent with this policy of the PPS.

Figure 2. Site plan (provided by applicant)



Recommendation

As a result, it is recommended that minor variance application D13-25-04 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.5.3 (k) be refused.

Should the Planning Advisory Committee consider approving this application for minor variance, the following conditions are recommended:

1. That a Site Plan Control application be submitted and approved for the sleep cabin prior to the issuance of a Building Permit.
2. That any additional studies deemed required to support the Site Plan Control application and review be submitted.

A handwritten signature in cursive script that reads "Tara Vader".

Tara Vader
Associate Planner

April 11th, 2025



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

TAKE NOTICE that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on April 16th, 2025, at 6 p.m.

As part of the meeting, PAC 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): D13-25-05

LOCATION: Unaddressed property on Airport Road (see location map)

PURPOSE AND EFFECT

This minor variance application is seeking relief from the City of Kenora Zoning By-law 101-2015 to permit two driveways with a width of 36.6 m.

The application is specifically seeking relief from Section 3.12.2 which requires the width of any ingress or egress driveway along any street not be more than 9 m or less than 7.5 m. The application proposes to increase the width of two driveways, to a maximum width of 36.6 m, which is a relief request of 27.6 m.

The subject property is designated Residential Development Area in the City of Kenora Official Plan and the eastern part of the property is zoned 'HC[61]' Highway Commercial Exception Zone - permits the establishment of a bulk fuel sales and handling facility, including a warehouse, office space, "card lock" and fuel storage; the western part of the property is zoned 'R2(h)' Residential – Second Density Zone with a holding provision.

PAC Meeting	When: Wednesday, April 16 th , 2025, at 6:00 p.m. (CST) Location: Training Room, Operations Centre 60 Fourteenth Street North, 2 nd 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/planning-advisory-committee.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: **D13-25-05**. You may also attend the PAC meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 9th, 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 Planning Advisory Committee in respect of this application, you must submit a written request to the Planning Advisory Committee 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 **D13-25-05**.

Dated at the City of Kenora this 20th day of March, 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 2022)





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

Office Use Only	
<p>Date Stamp - Date Received:</p> <div style="border: 2px solid blue; padding: 5px; display: inline-block;"><p style="color: blue; font-weight: bold; font-size: 1.2em;">RECEIVED</p><p style="color: red; font-weight: bold; font-size: 1.2em;">MAR 20 2025</p><p style="color: blue; font-style: italic;">[Signature]</p></div>	<p>File Number: <u>D13-25-05</u></p> <p>Roll Number: <u>6016140004059000000</u></p> <p>Application Fee Paid: \$ <u>800</u> (Receipt #467468)</p> <p>Application Deemed Complete (Date): <u>March 20, 2025</u></p>

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 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

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 Planning Advisory Committee 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/Planning Advisory Committee 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.

- Official Plan Amendment
- Zoning By-law Amendment/Temporary Use
- Subdivision Application

- Site Plan Application
- Consent Application
- Other: MINOR VARIANCE

4.0 - Applicant Information

SUBJECT PROPERTY INFORMATION

Civic Address <u>UNASSIGNED</u>	Street No.:	Street Name: <u>AIRPORT RD.</u>	Postal Code:	Unit Num.:
Registered Plan Number	<u>M-</u>			
Legal Description	<u>PCL 14151 SEL DWF LOCATION 039 JAFFRAY PT 1 & 2</u>			
Reference Plan Number	<u>23R- 6798</u>			
Lot No.(s)/Block No.(s)				
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	<u>6016</u>			

OWNER/APPLICANT INFORMATION

Check Appropriate Box:	<u>Person(s) MORGAN FUELS ✓ Company</u>			
Registered Land Owner	Surname:	First Name:		
Mailing Address	Street No.:	Street Name: <u>BLACK BEAR RD</u>	Postal Code:	Unit Num.:
City <u>Stony Lake</u>	Province <u>ONTARIO</u>			
Contact Information <u>AL HOWE</u>	Phone: <u>807-738-0390</u>	Fax:		
Email	<u>AHOWE@MORGANFUELS.CA</u>			
Acquisition Date of Subject Land				

PLANNING AGENT/SOLICITOR INFORMATION

Company or Firm Name	<u>NELSON ARCHITECTURE INC.</u>			
Name	Surname: <u>NELSON</u>	First Name: <u>DAVID</u>		
Mailing Address	Street No.:	Street Name: <u>LAKEVIEW DR</u>	Postal Code: <u>P9N 0G8</u>	Unit Num.:
City <u>KENORA</u>	Province: <u>ONTARIO</u>			
Contact Information	Phone: <u>807-468-9442</u>	Fax:		

Email			
MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND			
Company	ROYAL BANK OF CANADA		
Contact Person	Surname: SPEZIALE	First Name: DEVIN	
Mailing Address	Street No.: 1159	Street Name: ALLOY DRIVE	Postal Code: P7B 6M8
Contact Information	Phone: 807-684-8313	Unit Num.: Fax:	
Email			

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

SITE PLAN

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?

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?
HC - HIGHWAY COMMERCIAL * R2 - RESIDENTIAL

7.0 – Nature and extent of relief required

Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
3.12.2(d)	INGRESS NOT MORE THAN 9m	36.6m	27.6m

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

REQUEST TO ALLOW ADEQUATE TURNING RADIUS FOR FUEL TRANSPORT VEHICLES

9.0 – Property Characteristics

Frontage (metres): _____ Depth (metres): _____ Area (m² or Ha.): _____

Existing Use of subject land: VACANT - PREVIOUSLY MIX - GRAVEL PIT

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

Proposed Use (if applicable): CARD LOCK & BULK FUEL FACILITY

The date the subject land was acquired by the current owner: 2024

The date the existing buildings or structures on the subject land were constructed: N/A

Length of time that the existing uses have continued? VACANT PREVIOUS 20 YEARS

Type of Access:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Municipal maintained road | <input type="checkbox"/> Seasonally maintained road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Private road or laneway | <input type="checkbox"/> Water | <input type="checkbox"/> 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:

- | | | |
|---|---------------------------------------|--|
| <input checked="" type="checkbox"/> Municipal water | <input type="checkbox"/> Private well | <input type="checkbox"/> Communal well |
| <input type="checkbox"/> Lake | <input type="checkbox"/> Other: _____ | |

Sewage:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Municipal sewer | <input type="checkbox"/> Private septic system/field | <input type="checkbox"/> Communal septic system/field |
| <input type="checkbox"/> Privy | <input type="checkbox"/> Other: _____ | |

Site Drainage:

- | | | |
|---|--|---|
| <input type="checkbox"/> Storm sewers | <input checked="" type="checkbox"/> Swales | <input checked="" type="checkbox"/> Ditches |
| <input checked="" type="checkbox"/> Other: <u>SITE INFILTRATION</u> | | |

Other Services:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Electricity | <input type="checkbox"/> Garbage Collection | <input type="checkbox"/> 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?

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

D14-2A-03

Status: By LSO 105-2024

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				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback		N/A		
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
Floor Area Ratio				

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area		314 m ²		
Total Gross Floor Area		486 m ²		
Number of Storeys		2		
Length		33.52 M		
Width		9.14 M		
Height		7.54 M		
Front Yard Setback		47.24 M		
Rear Yard Setback		166 M		
Side Yard Setback		26 M		
Side Yard Setback		100 M		
Date Constructed		IN DESIGN		
Lot Coverage (%)		19%		
Floor Area Ratio		.015		

*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).

2.8.1 SUPPORTING A MODERN ECONOMY
3.8 ENERGY SUPPLY .

14.0 – Additional information

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

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

17.0 - Sworn Declaration or Affidavit

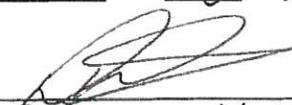
I, Darrell Morgan of the Municipality of Sioux Lookout in the province of Ontario, make oath and say (or solemnly declare) that the information required under Ontario Regulation 200/96 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the MUNICIPALITY OF SIoux LOOKOUT in the DISTRICT OF KENORA this 13 day of March in the year 2025



Commissioner of Oaths

Emmalyn Margaret Pollard, a Commissioner, etc.,
Province of Ontario, for the Government of Ontario,
Ministry of Public and Business Service Delivery.
Expires September 1, 2026.



Darrell Morgan

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 Planning Advisory Committee or Council members.

I/We, _____ 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.

March 13/25

Date

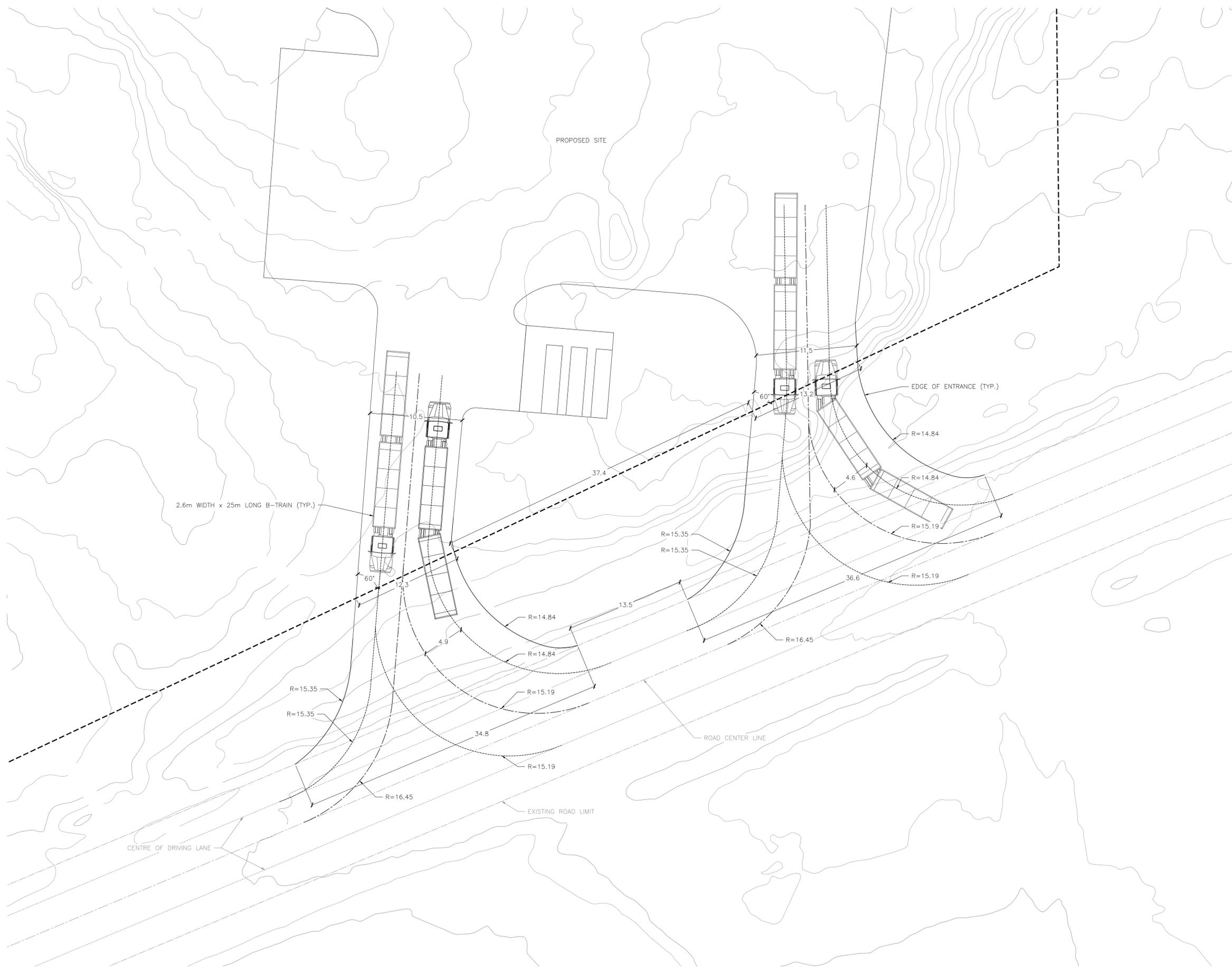


Darrell Morgan

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.



- LEGEND:**
- EDGE OF ENTRANCE
 - EXISTING TOPO CONTOURS
 - - - - PROPERTY BOUNDARY
 - - - - EXISTING ROAD LIMIT
 - - - - EXISTING ROAD CENTER LINE
 - - - - EXISTING DRIVING LANE CENTER
 - - - - PROPOSED DRIVING LANE CENTER
 - - - - PROPOSED ENTRANCE CENTER LINE

- ABBREVIATIONS:**
- R RADIUS
 - m METRES
 - (TYP.) TYPICAL

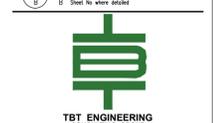
DESIGN DATA			
TRUCK TYPE	DEGREE OF TURN	MINIMUM TURNING RADIUS (m)	
		CENTRE OF AXLE	OUTSIDE FRONT WHEEL
B-TRAIN	90	12.500	10.700
	180	9.600	13.600

- NOTES:**
1. DATA FROM THIS TABLE SHOULD BE USED TO DEVELOP THE SWEEP PATH FROM THE DESIGN VEHICLE, FOR USE IN GEOMETRIC DESIGN.
 2. TAC MANUAL 2017.

NO.	REVISION	DATE
A	ISSUED FOR MINOR VARIANCE	2025/03/19

PRELIMINARY
NOT FOR CONSTRUCTION

The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.



CLIENT: MORGAN FUELS
PROJECT: KENORA CARDOCK
LOCATION: AIRPORT RD, KENORA, ON.
DRAWING TITLE: ENTRANCE PLAN

SCALE	DATE
1:200	2025-03-18
DRAWN BY	DATE
DESIGNED BY	24-082L-C01 A
CHECKED BY	

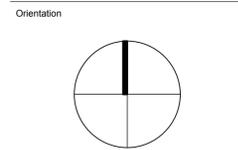
ENTRANCE PLAN
SCALE = 1:200



SITE PLAN STATISTICS
MORGAN FUELS
PARCEL 14151 AIRPORT ROAD,
KENORA, ON

ZONE PROVISIONS (HC)	RM REQUIRED	PROPOSED
HIGHWAY COMMERCIAL ZONE (HC)		
MIN. NUMBER OF PARKING SPACES	2.3 PER 100 SQM OF G.F.A. = 2	2 SPACES
-OFFICE	0.8 PER 100 SQM OF G.F.A. = 6	6 SPACES
-WAREHOUSE		
MIN. NUMBER OF BARRIER FREE PARKING SPACES	MIN. 0	1 SPACE
		TOTAL 9

No	Revisions	Date
A	ISSEUD FOR COMMENT	2024-12-17



Seal

The Contractor shall check and verify all dimensions and report all errors and omissions to the Architect (as applicable) for his/her written direction before proceeding with the Work.

A	Detail No
B	Sheet No where detailed

1 SITE PLAN
Scale: 1:480

nelsonlarchitecture inc.

Project
MORGAN FUELS DEVELOPMENT

Location
PARCEL 14151 AIRPORT ROAD,
KENORA, ON

Project No 2406 Site No Building No

For
MORGAN FUELS

Drawing Title
SITE PLAN

Scale AS NOTED Date 2024-12-17

Drawn by JA Drawing No

Designed by dN

Approved by dN 1 of 3

A201



To: City of Kenora Planning Advisory Committee
From: Ryan Haines, Planner
Date: April 11, 2025
Re: Minor Variance Application – File D13-25-05
Location: Unaddressed property on Airport Road (see location map)
Address: Unaddressed
Owner/Applicant: Morgan Fuels

Please note this report is prepared without the benefit of input from the public as may be obtained through the public meeting. The Planning Advisory Committee should carefully consider any comments and/or concerns expressed at the public meeting prior to making their decision on this application.

RECOMMENDATION

That Minor Variance Application File No. D13-25-05, requesting relief from Section 3.12.2(d) of the City of Kenora Zoning By-law No. 101-2015 to permit a driveway width of 11.5 metres along the street line (where a maximum of 9.0 metres is permitted), **be approved**, subject to the implementation of enhanced landscape buffering along the frontage to mitigate any associated visual and compatibility impacts.

INTRODUCTION

Morgan Fuels has applied for a minor variance to support its proposed bulk fuel handling facility located at Parcel 14151 Airport Road. The variance pertains to the maximum allowable driveway width as regulated by Section 3.12.2(d) of Zoning By-law No. 101-2015, which states:

“3.12.2 Automobile Service Stations

Notwithstanding any other provisions of this By-law, where Automobile Service Stations and Gas Bars are permitted in Commercial Zones, the following provisions apply:

d) *The width of any ingress or egress driveway along any street line shall not be more than 9.0 metres or less than 7.5 metres.*”

The application proposes two separate entrance driveways:

- The eastern driveway width at the street line is proposed to be 11.5 metres wide.
- The western driveway width at the street line is proposed to be 10.5 metres wide.

These driveway widths are requested to accommodate the safe ingress and egress of large fuel transport vehicles, given the operational needs of the proposed cardlock and fuel storage facility.

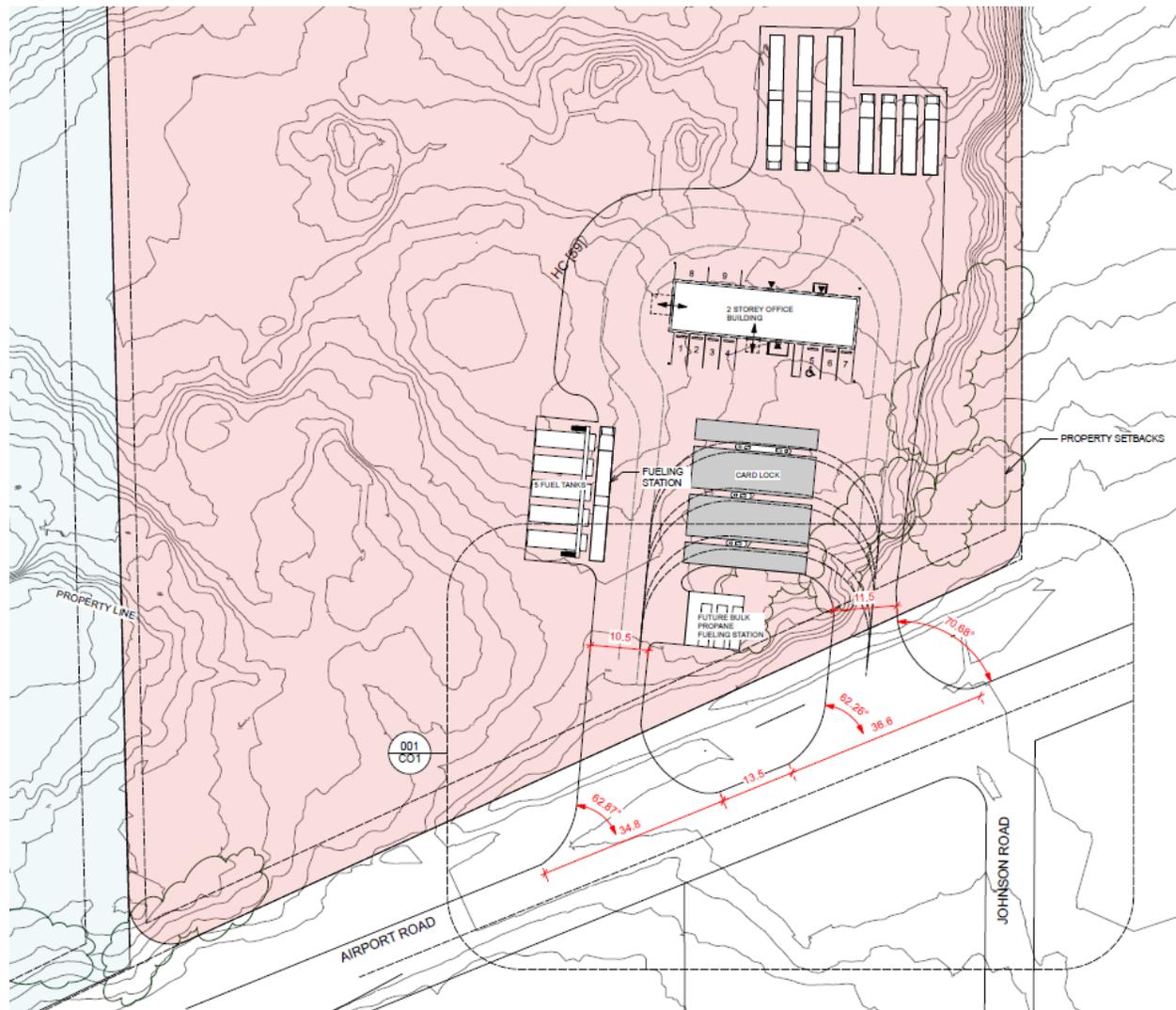
Figure 1. Location Map (Kenora GIS 2024)



SITE CONTEXT

- **Official Plan Designation:** Residential Development Area
- **Zoning:** HC[59] – Highway Commercial, Exception Zone
- **Lot Area:** Approximately 3.0 ha (7.4 acres)
- **Current Use:** Under development for commercial fuel distribution and cardlock services

Figure 2. Site Plan (provided by the applicant)



NEIGHBOURING/ADJACENT OFFICIAL PLAN DESIGNATIONS, ZONING AND USES

The Official Plan designation for the subject property in addition to all of the adjacent and neighbouring properties with frontage along the Airport Road is Residential Development Area. Residential Development Areas have been established to meet the needs of new residential development in the City to 2031.

The properties within 500 m of the subject lands that do not have frontage on the Airport Road have an Official Plan designation of Rural. Rural Areas include a variety of agricultural, residential, industrial, commercial, recreational, tourism and open space uses.

Current zoning designation for properties adjacent to and/or within 500 m of the subject lands include Rural (RU), Rural Residential (RR), Residential-First Density (R1), Light Industrial (ML), Institutional (I), and Extractive Industrial (MX) as shown in Figure 2. There are

two Light Industrial (ML) properties, one is currently home to an excavating and logging business located on Tetroe Road and the other is located on Airport Road and is owned by Transport Canada and this site was historically part of airport operations (tower site). The one Institutional zone property is currently a Place of Worship.

AGENCY/PUBLIC COMMENTS

City Staff

No comments or concerns were received from City staff regarding the application.

Agency

The MNR had no concerns with the application. No comments were received from other agencies.

Public

A member of the public expressed concern that the subject property, formerly part of a residential area, is now functioning as a Heavy Industrial site and that the proposed minor variance to expand driveway widths would intensify its industrial appearance. They recommended maintaining standard driveway widths and requiring landscape buffering, such as trees and shrubs, along Airport Road to preserve the rural residential character of the area.

Figure 3. Zoning Designations of Subject Lands and Surrounding Properties



PLANNING INTERPRETATION: "STREET LINE" AND ACCESS WIDTH

In interpreting the regulation, the “street line” refers to the lot line where the subject property abuts the public right-of-way (Airport Road)—a standard understanding in land use planning and zoning administration. This is consistent with the intent of Section 3.12.2(d), which is to regulate how much of the lot frontage is allocated to access, ensuring safe design, manageable vehicle-pedestrian interactions, and opportunities for landscaping.

While the term “driveway throat” is not used in the Zoning By-law, the Transportation Association of Canada (TAC) defines the throat as:

"The portion of a driveway extending into a site from the roadway, typically measured at the lot line or street line."

— TAC Geometric Design Guide for Canadian Roads (2017)

This supports the interpretation that the intent of Section 3.12.2(d) is to regulate driveway width at the point of transition from public to private lands (i.e., at the street line/lot line), not including curb returns or apron flares which are located in the municipal right-of-way and governed by engineering standards.

In Ontario, the term "street line" is commonly defined in municipal zoning by-laws as the boundary separating a lot from a street or public road allowance. These definitions indicate that the "street line" is interpreted as the property line where the private lot meets the public street or road allowance. This interpretation is consistent across various municipalities in Ontario.

Accordingly, the relief requested is for the 11.5 metre driveway width (or “throat”) along the street line, not for the wider apron or approach area, which measures up to 36.6 metres but falls outside the scope of the zoning regulation.

PLANNING REVIEW

Zoning By-law No. 101-2015 – Section 3.12.2(d)

The purpose of the driveway width regulation is to:

- Ensure pedestrian safety along public roads
- Maintain consistent access standards
- Preserve municipal streetscape character
- Allow for the integration of landscaped buffers and minimize hardscaping along lot frontages

Proposed Widths:

- Eastern driveway: 11.5 m
- Western driveway: 10.5 m

The proposed driveway widths exceed the 9.0 m maximum allowed under the By-law. However, the increased width is considered operationally necessary to support safe ingress and egress of long-haul fuel tankers in and out of the site. The site is designed with one-way internal circulation, and the separate entrances are designed for efficient and safe truck flow.

MINOR VARIANCE TESTS (Section 45(1) of the Planning Act)

In considering an application of minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provision of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application satisfies the four tests. To be approved the requested variance must:

1. Maintain the general intent of the Official Plan,
2. Maintain the general intent and purpose of the Zoning By-law,
3. Be desirable for the appropriate development or use of the land, building or structure, and
4. Be minor.

1. Does the variance maintain the intent of the Official Plan?

Yes. The Official Plan promotes compatible commercial development while protecting the character and function of surrounding areas. Permitted uses in the Residential Development Area include *“Residential and all housing types, commercial, retail, and institutional uses such as schools, places of worship, shall be permitted.”*

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

Yes. With enhanced buffering, the broader objectives of Section 3.12.2, to promote safety and manage visual impacts along the street, are maintained.

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

Yes. The requested relief supports efficient and safe vehicle access to a permitted commercial use that involves heavy truck traffic.

4. Is the variance minor?

Yes. The variance requested is a modest increase over the 9.0 metre maximum and will not generate adverse impacts if buffered appropriately.

MITIGATION RECOMMENDATION

Due to the proposed increase in driveway width along the street line, the total area available for landscaping along the property's Airport Road frontage is reduced. The intent of the buffering requirement is to mitigate noise, visual impacts, and land use incompatibility.

To mitigate any impacts due to the relief from the maximum driveway widths, it is recommended that prescriptive landscaping should be applied between the two driveway entrances and on either side of each driveway along the Airport Road. A minimum depth of 4.0 m should be maintained, with enhanced screening (evergreens, dense shrubs, or solid fencing) implemented to maximize visual separation. It is felt that this will improve compatibility with nearby residential properties and maintain a consistent and attractive streetscape.

RECOMMENDATION

The application seeks relief for a driveway width of 11.5 metres along the street line, exceeding the Zoning By-law maximum of 9.0 metres. With appropriate landscape buffering, the variance satisfies the four tests under the Planning Act and is **recommended for approval**, with the following conditions:

1. That the development proceed in general accordance with the Civil Entrance Plan prepared by TBT Engineering as part of this application.
2. That a landscape buffer plan be submitted and approved by the City of Kenora Planning Department as part of Site Plan Control, demonstrating:
 - a. A minimum 4.0 metre buffer between and adjacent to the driveways
 - b. Dense vegetative screening (evergreen species and/or solid fencing) to mitigate visual and compatibility impacts with Airport Road and nearby residential uses
3. That all applicable permits and approvals be obtained before construction of the entrances.

I hereby certify that this report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Ryan Haines
Planner

April 11, 2025



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

TAKE NOTICE that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on April 16th, 2025, at 6 p.m.

As part of the meeting, PAC 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): D13-25-06
LOCATION: 400 Coney Island

PURPOSE AND EFFECT

This minor variance application is seeking relief from the City of Kenora Zoning By-law 101-2015 to permit a seasonal dwelling with a 15.83 m front yard setback.

The application is seeking relief from Section 4.5.3 (k) which requires a minimum front yard (yard abutting the waterway) of 20 m for waterfront lots. The application proposes to reduce the minimum front yard by 4.17 m to permit a 15.83 m front yard setback for a seasonal dwelling. The minor variance would enable the lawful permitted of the unpermitted structure.

The subject property is designated Rural Area in the City of Kenora Official Plan and zoned 'RR' Rural Residential Zone in the City's Zoning By-law.

PAC Meeting	When: Wednesday, April 16 th , 2025 at 6:00 p.m. (CST) Location: Training Room, Operations Centre 60 Fourteenth Street North, 2 nd 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/planning-advisory-committee.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: **D13-25-06**. You may also attend the PAC meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 9th, 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 Planning Advisory Committee in respect of this application, you must submit a written request to the Planning Advisory Committee via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available electronically through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-25-06**.

Dated at the City of Kenora this 20th day of March, 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 2022)

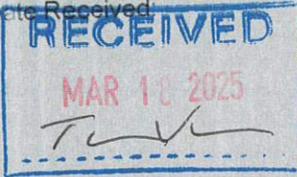




City of Kenora
Application for Minor Variance or
Permission
Section 45 of the Planning Act & Ontario
Regulation 200/96

Office Use Only

Date Stamp - Date Received:



File Number: D13-25-06

Roll Number: _____

Application Fee Paid: \$ 800.00

Application Deemed Complete (Date): March 19, 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 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

Site Plan Application

Zoning By-law Amendment/Temporary Use

Consent Application

Subdivision 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				
Reference Plan Number	23R- 3950			
Lot No.(s)/Block No.(s)	Part 1 PCL 30652			
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016 010 002 0600 0000			

OWNER/APPLICANT INFORMATION

Check Appropriate Box:	<input checked="" type="checkbox"/> Person(s)	<input type="checkbox"/> Company		
Registered Land Owner	Surname: Nuttall	First Name: Lee	Postal Code: R3M3H9	Unit Num.:
Mailing Address	Street No.:	Street Name	Province: Manitoba	
City: Winnipeg	353 Oxford St		Fax:	
Contact Information	Phone: 204-292-9018			
Email	nuttall.lee@gmail.com			
Acquisition Date of Subject Land	August, 2016			

PLANNING AGENT/SOLICITOR INFORMATION

Company or Firm Name				
Name	Surname:	First Name:		
Mailing Address	Street No.:	Street Name	Postal Code:	Unit Num.:
City			Province:	
Contact Information	Phone:	Fax:		
Email				

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

Company	Access Credit Union			
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?

Rural

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

Rural Residential

7.0 – Nature and extent of relief required			
Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
4.15.3.K	Item 20m	15.83m	4.17m

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

- Please see Planning Rationale

9.0 – Property Characteristics

Frontage (metres): _____ Depth (metres): _____ Area (m² or Ha.): 0.8 Ha

Existing Use of subject land: Seasonal Residential Cottage
 Note: Legal non-conforming use applications must provide evidence to support its status to the Planning Department.

Proposed Use (if applicable): _____

The date the subject land was acquired by the current owner: 2016

The date the existing buildings or structures on the subject land were constructed: 2024

Length of time that the existing uses have continued? N/A

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:

Discovery Center

* 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
- Lake
- Private well
- Other: _____
- Communal well

Sewage:

- Municipal sewer
- Privy
- Private septic system/field
- Other: _____
- Communal septic system/field

Site Drainage:

- Storm sewers
- Other: _____
- Swales
- Ditches

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?

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

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	46.5 m ²	6 m ²	/	/
Total Gross Floor Area	46.5 m ²	6 m ²		
Number of Storeys	1	1		
Length	6 m	2.5 m		
Width	7.6 m	2.5 m		
Height	3.6 m	2.4 m		
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed	1950's	2018		
Lot Coverage (%)	0.58%	0.075%		
Floor Area Ratio				

Proposed Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area	313.919 m ²			
Total Gross Floor Area	313.919 m ²			
Number of Storeys	1			
Length	14.6 m			
Width	6.25 m			
Height	4.8 m			
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed	2024			
Lot Coverage (%)	3.9%			
Floor Area Ratio	0.039			

- *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:

Please see planning Rationale.

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 *Lee Nuttall, Emily Nuttall* am/are the owner(s) of the land that is subject of this application for a minor variance and I/We hereby authorize _____ 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.

Lee Nuttall
Emily Nuttall

Signature of owner(s)

March 17, 2025
Date

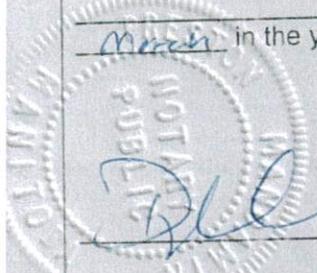
Robert Nuttall *RJ Nuttall*

Name and Signature of Witness

17.0 - Sworn Declaration or Affidavit

I, Lee Nuttall of the City of Winnipeg in the province of Manitoba, 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 City of Winnipeg in the Province of Manitoba this 17 day of March in the year 2025


[Signature]
Commissioner of Oaths
Notary Public



Lee Nuttall

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 Planning Advisory Committee or Council members.

I/We, Lee Nuttall, Emily Nuttall 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.

March 17, 2025
Date

Emily Nuttall
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.

Planning rationale for 400 Coney Island, Kenora, Ontario.

Plan Number 23R-3950

Lot No. Part 1 PCL 30652

March 14, 2025

To Whom It May Concern:

I, Lee Nuttall, registered owner of 400 Coney Island am requesting a minor variance of 4m as a result of an error on my behalf. As a young cottage owner, it has been my dream to construct a new cottage for my growing family to enjoy for generations to come. I designed the building to meet my family's needs and to maintain the Ontario Building Codes. However, in my excitement I proceeded to begin construction prior to my building permit from the City of Kenora being issued.. I applied for the permit in August, 2024 and have been in communication with the City of Kenora about any changes required for the approval of said building permit.

That being said, I made an error when I began construction thinking that the approval process would be a smooth and fast process, where in reality it has taken considerably more time on my part to complete all the required documents to get this permit. It is now waiting on the final part, which is obtaining a minor variance for the building I have already begun to build which turns out is 4 meters too close to the waterfront setback.

When I did my original measurements and planning for the build location I had planned on it being 20 meters from the setback, however once I had actually built the structure it came to my attention that the northern section of the building was indeed closer (4.17m) than I had intended since I had measured the slope distance, rather than the horizontal distance.

I ask for your forgiveness for my error in granting me a minor variance since the location of the building does not interfere with any neighboring buildings or lot lines, the physical geography of the build site does not allow for the building to be moved or altered without significant design changes, and demolition of the existing structure. The current structure does not impede the quality of the surrounding areas for neighbors and outdoor enthusiasts to enjoy as it is quite high on a hill, on a piece of the property the building was designed to fit on.

I am not a wealthy man, I work extremely hard to enjoy this magnificent property on our beautiful lake, and I am extremely grateful for the privilege to call it home, and I hope to one day retire here. Any changes to the building dimensions or design would incur significant cost, which I am sorry to say that I likely cannot afford.

I respectfully ask for your positive consideration of my minor variance application knowing that I consider myself a steward of this property and lake and I take the upmost care to respect both. I accept responsibility for my errors and ask for forgiveness knowing that I am making my best effort to fix these mistakes and conform to all local by-laws.

I look forward to your decision and hope you have compassion for my situation.

With respect,

Lee Nuttall

March 13, 2025

Lee Nuttall
353 Oxford Street
Winnipeg, MB R3M 3H9

via email: nuttall.lee@gmail.com

**Re: Project Close Report
Confirmation of Distance to Waters Edge**

This letter confirms that Barnes & Duncan has completed the work outlined in the Contract for Service dated January 21, 2025, which includes:

1. Confirming the distance from a cabin, currently under construction, on Part 1, Plan 23R-2950, to the edge of water.

The distance from the northwest corner of the subject cabin is 15.83 metres (52'), and the distance from the southwesterly corner of the subject cabin is 20.20 metres (66.3'). These distances were measured on February 26th, 2025. Please refer to the sketch below.

If you have any questions or concerns please contact me.

Sincerely,



Daniel Gautron, MLS, OLS

6 Donald Street
Winnipeg, Manitoba
R3L 0K6

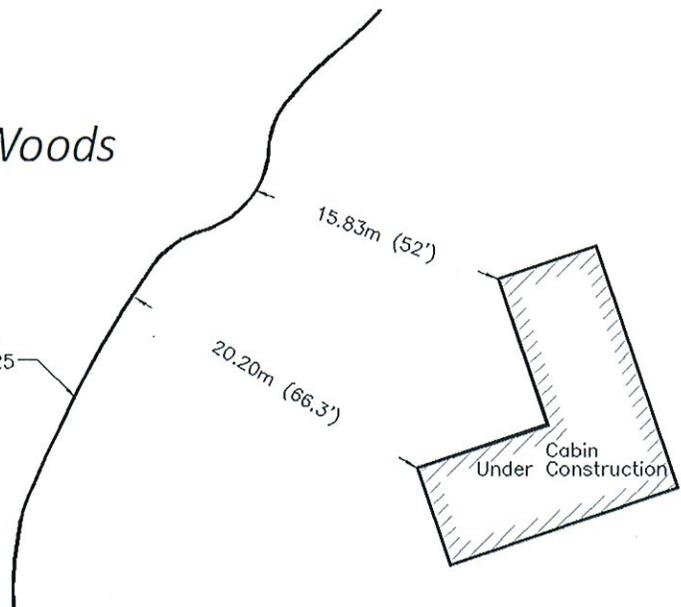
180-A, 5th St.
Morden, Manitoba
R6M 1C9

Phone: 204-284-5999
800-665-6609
Fax: 204-452-7877
Web: www.barnesduncan.com

Christian P. Korell, M.L.S.
Jesse P.S. Carels, M.L.S., C.L.S.
Kelly W. Mantik, M.L.S.
Michael E. Sippola, M.L.S.
Daniel B.J. Gautron, M.L.S., O.L.S.
Jason A. Crossley, M.L.S.
Scott J. Dunphy, M.L.S.
James E. Bailie, M.L.S.
Leslie N. McLaughlin, M.L.S.
Vince B.D. Sward, M.L.S.
Brett W. Carels, P.Eng.
Charles R. Terpstra, P.Eng.
Danica J. Broza-Swanson, P.Eng.
Justin R. Lueck, P.Eng., C.E.T.
Angela Swanson, C.E.T.
Jennifer Lim, RPP MCIP

Lake of The Woods

Waters Edge on
February 26, 2025





To: City of Kenora Planning Advisory Committee
From: Tara Vader, Associate Planner
Date: April 11th, 2025
Re: Minor Variance Application – File D13-25-06
Location: 400 Coney Island
Owner/Applicant: Lee Nuttall

RECOMMENDATION

It is staff's opinion that the proposed variance does not meet the intent of the City of Kenora Official Plan (OP), does not maintain the general intent and purpose of the Zoning By-law, and is not considered to meet the four tests of a minor variance as outlined in Section 45(1) of the Planning Act. As a result, it is recommended that this application for minor variance, to permit a reduced front yard setback of 15.83 metres for a seasonal dwelling on a waterfront lot, be **refused**.

INTRODUCTION

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit a seasonal dwelling with a 15.83 m front yard setback. The application is seeking relief from Section 4.5.3 (k) which requires a minimum front yard (yard abutting the waterway) of 20 m for waterfront lots. The application proposes to reduce the front yard by 4.17 m to permit a seasonal dwelling with a 15.93 m front yard.

Construction on the seasonal dwelling began in 2024 without a building permit. The City of Kenora Building Department issued a stop work order and requested that the structure be lawfully permitted. During the zoning review of the building permit process, it was identified that the seasonal dwelling is located within the required 20 m front yard. The applicant confirmed that the seasonal dwelling is located 15.83 m from the water. The minor variance is required to enable the building permit to be approved.

The subject property is used for seasonal residential purposes and accessed by water. The site is proposed to be serviced by private on-site water and sewage services. The subject lands are approximately 2 acres.

REVIEW

Figure 1. Location Map (Kenora GIS 2022)



AGENCY/PUBLIC COMMENTS

City Staff

City staff made the recommendation to ensure that storm runoff quantity and quality from the site directed to the lake do not have any adverse impacts on the lake.

Agency

The MNR had no concerns with the application. No comments were received from other agencies.

Public

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

PLANNING REVIEW

The subject property is designated Rural Area in the City of Kenora Official Plan and zoned “RR” Rural Residential in the City’s Zoning By-law.

In considering an application of minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provision of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application satisfies the four tests. To be approved the requested variance must:

1. Maintain the general intent of the Official Plan,
2. Maintain the general intent and purpose of the Zoning By-law,
3. Be desirable for the appropriate development or use of the land, building or structure, and
4. Be minor.

The requested variance is recommended for refusal because it does not maintain the general intent of the City of Kenora Official Plan (OP), does not maintain the general intent and purpose of the Zoning By-law, and is not considered minor.

Does the variance maintain the intent of the Official Plan?

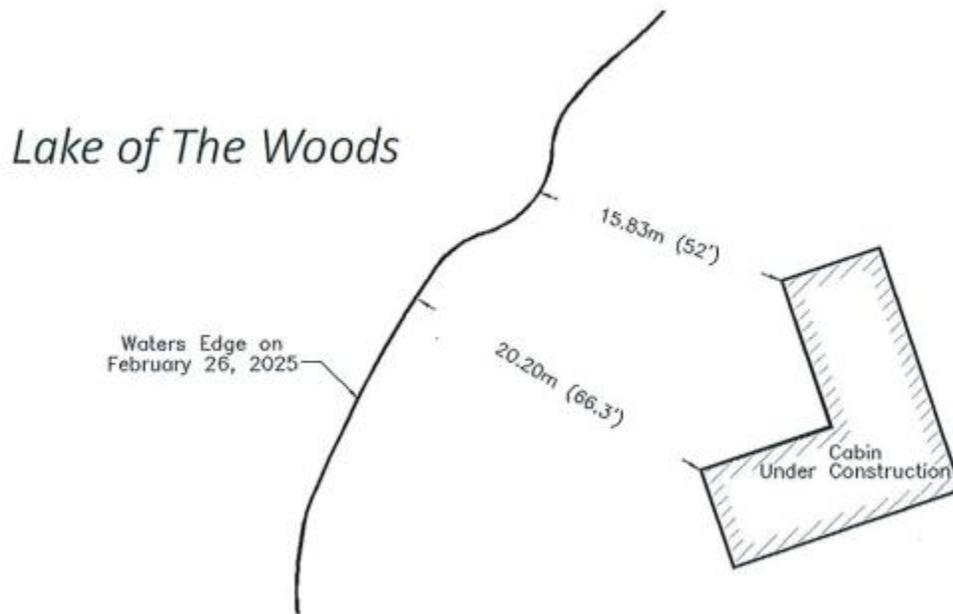
The City of Kenora Official Plan (OP) Section 2.2.2 contains objectives for Principle 2 – Natural Environment. The OP lists one of the objectives to limit shoreline development. The OP Section 4.8.3 contains policies for Residential Development in the Rural Area. Specifically, that development shall preserve rural character and the scenic quality of the rural landscape and shall avoid densities more appropriately found in the settlement area. As this application is proposed to encroach on the setback along the shoreline, it does not maintain the intent of these policies 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 “RR” Rural Residential zone. The RR zone allows for the development of low density single-detached, seasonal or permanent housing and compatible uses in a rural setting.

This application is seeking to permit a minimum front yard of 15.83 m for a seasonal dwelling. This is a relief request of 4.17 m from the permitted 20 m. The unpermitted structure began construction within the required 20 m front yard which results in the requirement for this minor variance to enable lawful permitting of the structure. The 20 m front yard setback is from the lake. This setback is required from watercourses, waterbodies, and shore reserves. The minimum setbacks are required to be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the environmental quality of watercourses and water bodies. This application seeking a 15.83 m front yard for a seasonal dwelling does not maintain the intent of protecting the environmental quality of watercourses and water bodies.

Figure 2. Site plan (provided by applicant)



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

The proposed variance will enable a seasonal dwelling with a 15.83 m front yard, which is a permitted use. The proposed variance enables the unpermitted structure to be lawfully permitted, which is desirable for the appropriate development of the land.

Is the variance minor?

The requested relief is to permit a seasonal dwelling with a 15.83 m setback, a total relief request of 4.17 m. The proposed variance is expected to have an impact on the environmental quality of the waterbody. It is not expected to have an impact on the ability of adjacent neighbours to utilize their properties for permitted uses. The variance is not considered minor in nature and impact due to the impact on the waterbody.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) promotes development on rural lands that can be sustained by rural service levels. The seasonal dwelling is proposed to be sustained by on-site services in the rural area, it is consistent with this policy of the PPS.

Recommendation

As a result, it is recommended that minor variance application D13-25-06 to seek relief from the City of Kenora By-law 101-2015, Section 4.5.3 (k) be refused.

Should the Planning Advisory Committee consider approving this application for minor variance, the following conditions are recommended:

1. That a Site Plan control application be submitted and approved for the seasonal dwelling prior to the issuance of a Building Permit.
2. That any additional studies deemed required to support the Site Plan Control application and review be submitted.



Tara Vader
Associate Planner

April 11th, 2025



**THE CORPORATION OF THE CITY OF KENORA
PLANNING ADVISORY COMMITTEE
NOTICE OF COMPLETE APPLICATION AND PUBLIC HEARING**
Section 53 of the Planning Act, RSO 1990

TAKE NOTICE that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on Wednesday, April 16th, at 6 p.m.

As part of the meeting, PAC will consider a proposed Consent under Section 53 of the Planning Act (RSO 1990), as described below and shown on the attached map.

FILE(s): D10-25-02

LOCATION: 661 Ninth Street North, Kenora, ON, P9N 2S9

PURPOSE AND EFFECT

The purpose of the consent application is for a lot addition to add a parcel of land to Lot 3, Plan 23M974, PIN 421 700 279. The subject lands are designated 'Commercial Development Area/Industrial Area' in the City's Official Plan and zoned 'General Commercial/Light Industrial' in the City's Zoning By-law.

PAC Meeting	When: Wednesday, April 16 th , 2025 at 6:00 p.m. (CST) Location: Training Room, Operations Centre 60 Fourteenth Street North, 2 nd 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/planning-advisory-committee.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: **D10-25-02**. You may also attend the PAC meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 9th, 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 Planning Advisory Committee in respect of this application, you must submit a written request to the Planning Advisory Committee via email to planning@kenora.ca.

ADDITIONAL INFORMATION

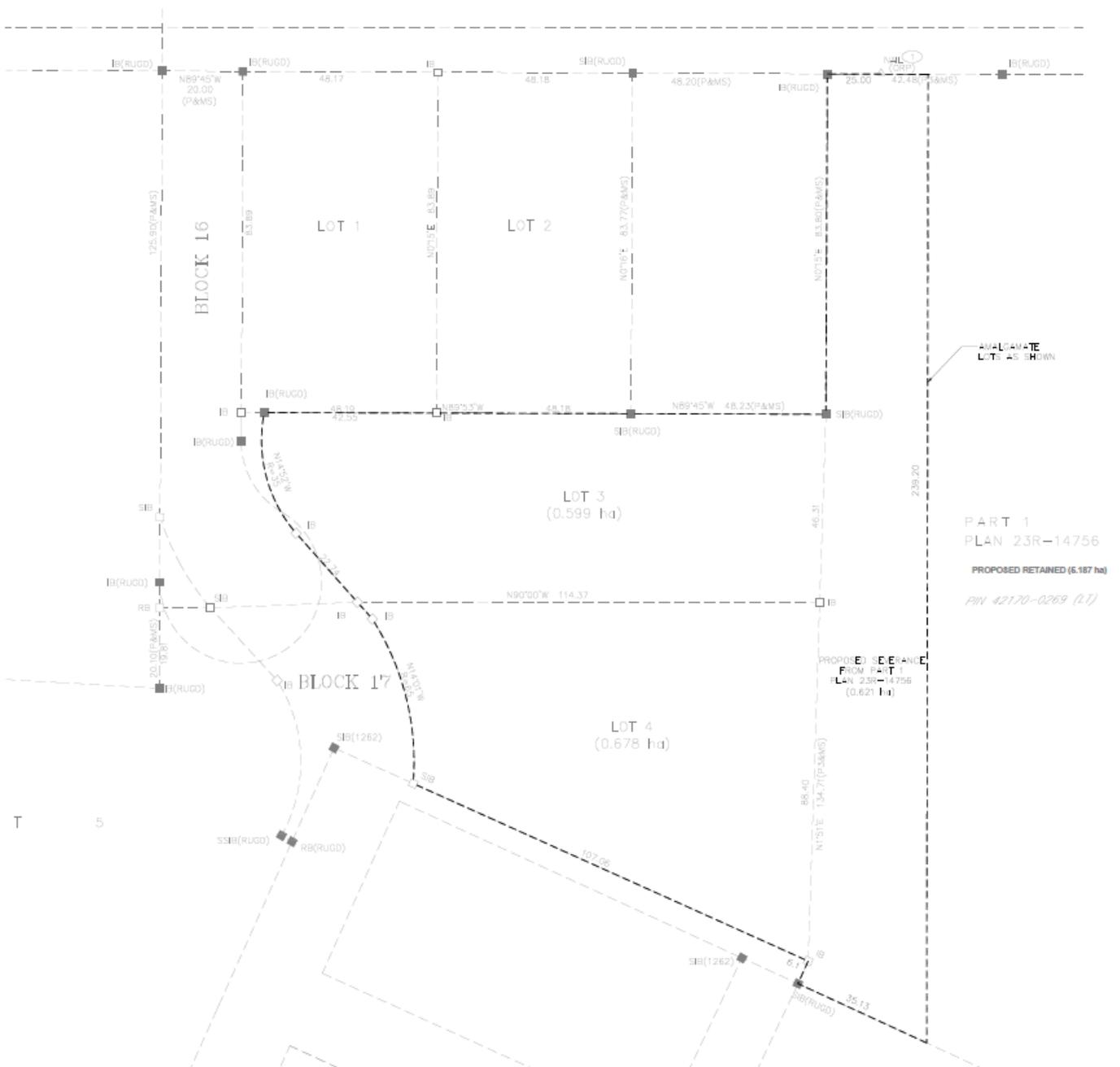
Additional information relating to the proposed consent is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D10-25-02**.

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

Ryan Haines, Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON P9N 4M9,
Phone: 807-467-2059, email: rhaines@kenora.ca

Figure 1. Location Map (Kenora GIS 2024)

Figure 2. Site Sketch (provided by Applicant)





City of Kenora
Application for Consent
Section 53 of the Planning Act & Ontario
Regulation 197/96 (as amended)

Office Use Only

Date Stamp - Date Received: 	File Number: <u>D10-25-02</u> Roll Number: <u>6016 02000913566</u> Application Fee Paid: \$ <u>1,750.00</u> Application Deemed Complete (Date): <u>March 24, 2025</u>
--	--

1.0 - Submission Requirements

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

- Pre-consultation meeting (recommended)
- 1 original copy of the completed application form
- The required application fee of (\$1,750.00 First Lot & \$400 Second and Subsequent lots) 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 - Concurrent Applications Filed

- | | |
|--|--|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Site Plan Application |
| <input type="checkbox"/> Zoning By-law Amendment/Temporary Use | <input type="checkbox"/> Minor Variance/Permission Application |
| <input type="checkbox"/> Subdivision Application | <input type="checkbox"/> Other: _____ |

3.0 - Applicant Information				
Civic Address	Street No.	Street Name	Postal Code	Unit Num.
	4441	Ninth St North	P9N 2S9	
Registered Plan Number	M-			
Legal Description	See attached Schedule A, B, C			
Reference Plan Number	23R-14756			
Lot No.(s)/Block No.(s)				
Concession Number(s)/Part Lot				
Part Numbers(s)				
Tax Roll Number	6016			
Lot Frontage (Metres)				
Depth (Metres)				
Area (Ha.)				
Check Appropriate Box:	<input type="checkbox"/> Person(s)		<input checked="" type="checkbox"/> Company	
Registered Land Owner	Surname	First Name		
	2925924 MB Ltd			
Mailing Address	Street No.	Street Name	Postal Code	Unit Num.
City			Province	
Contact Information	Phone		Fax	
Email				
Acquisition Date of Subject Land				
Company or Firm Name				
Name	Surname	First Name		
Mailing Address	Street No.	Street Name	Postal Code	Unit Num.
City			Province	
Contact Information	Phone		Fax	
Email				
Company				
Contact Person	Surname	First Name		
Mailing Address	Street No.	Street Name	Postal Code	Unit Num.
Contact Information	Phone		Fax	
Email				
4.0 - Please list the reports and/or studies that will accompany this application				

5.0 - Purpose of Consent Application

Transfer:

- Mortgage or charge Lot addition Creation of new lot(s) –
 Creation of a lot for semi-detached or row housing Number created: _____

Other:

- Right-of-way Easement Lot line adjustment/correction
 Lease Correction of title Other: _____

6.0 - Transferee

If known, state the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

2839441 Ontario Inc

If the application is for lot addition, identify the lands to which the parcel will be added (legal description).

Lot 3 Plan 23m974 PIN # 421700279

If application is for easement, identify property which will benefit (legal description).

7.0 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.)

8.0 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/Temporary Use	File No.:	Status:
Minister's Zoning Amendment	File No.:	Status:
Site Plan Application	File No.:	Status:
Consent	File No.:	Status:
Minor Variance/Permission	File No.:	Status:
Part Lot Control	File No.:	Status:
Other (please specify)	File No.:	Status:

9.0 Description of Subject Lands and Servicing Information (complete each subsection.)

		Lot1/ Easement	Lot 2	Lot 3	Lot 4	Retained/ Subject Property
9.1 Description	Frontage (m)	370.91				
	Depth (m)	235				
	Area (ha)					
9.2 Use of property	Existing Use(s)					
	Proposed Use(s)					
9.3 Buildings or Structures	Existing					
	Proposed					
9.4 Access	Provincial Highway	<input type="checkbox"/>				
	Municipal – year round	<input type="checkbox"/>				
	Municipal – seasonal	<input type="checkbox"/>				
	Other public road	<input type="checkbox"/>				
	Private right of way (provide documentatio n with application)	<input type="checkbox"/>				
	Water access*	<input type="checkbox"/>				

* Describe in Section 9.8 the parking and docking facilities to be used and the approximate distance of

theses facilities from the subject land and the nearest public road.						
		Lot1/ Easement	Lot 2	Lot 3	Lot 4	Retained/ Subject Property
9.5 Water Supply	Publicly owned and operated piped water	<input type="checkbox"/>				
	Private individual well	<input type="checkbox"/>				
	Private communal well	<input type="checkbox"/>				
	Lake or other water body	<input type="checkbox"/>				
	Other	<input type="checkbox"/>				
9.6 Sewage Disposal	Publicly owned and operated sanitary	<input type="checkbox"/>				
	Private individual septic *	<input type="checkbox"/>				
	Private communal septic *	<input type="checkbox"/>				
	Privy / grey water *	<input type="checkbox"/>				
	Other	<input type="checkbox"/>				
* A certificate of approval from the Northwestern Health Unit for the severed and retained lots is required.						
9.7 Other Services	Electricity	<input type="checkbox"/>				
	School bus service	<input type="checkbox"/>				
	Waste / recycle collection	<input type="checkbox"/>				
9.8 If access to the subject land is by other than publicly owned and maintained road, indicate 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. If access is by water only, please provide proof of arrangements for docking and vehicle parking.						

10.0 – Land Use (Please see www.kenora.ca/planning-development/related-links-and-documents/)

What is the land use designation in the City of Kenora Official Plan (2015)?

Industrial / Commercial

Does the proposal conform to the City of Kenora Official Plan (2015)?

Yes

No

If No, have you made a concurrent application for an Official Plan Amendment?

Yes

No

File Number: _____

Status: _____

What is the current zoning designation of the subject property?

General Commercial Industrial

Does the proposal conform to Zoning By-law No.101-2015, as amended?

Yes

No

If No, have you made a concurrent application for a Zoning By-law Amendment?

Yes

No

File Number: _____

Status: _____

What is the existing use of the subject land?

What is the proposed use of the subject land?

What are the uses of the abutting properties?

How long have the existing uses been present?

Has there ever been an industrial or commercial use on the subject land or adjacent land? If yes, please explain the uses:

11.0 Contamination

Yes No Unknown

Has the grading of the subject land been changed by adding earth or other material?

Has a gas station ever been located on the subject land or adjacent land at any time?

Has there been petroleum or other fuel stored on the subject land or adjacent land?

Is there any reason to believe the subject land or adjacent lands may have been contaminated by former uses (i.e. brownfields, industrial waste, etc.)?

What information did you use to determine the answers to the above questions?
If an environmental assessment has been performed please submit it with the application.

Unknown

***If the answer to any of the above questions from regarding contamination were checked yes or if there was an industrial, or commercial use, please attach a previous use inventory with this application form showing all former uses of the subject land. A soils investigation study may also be required.**

12.0 – Is the proposal 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

13.0 – Original Parcel Transfer

Has any land ever been severed from the parcel original acquired by the owner of the subject land?

Yes

No

If Yes, please indicate the date of the transfer, the name of the transferee and the uses of the severed land:

Date of Transfer: _____

Name of Transferee: _____

Use(s) of Severed Land: _____

14.0 – Significant Features Checklist

Check through the following list. Indicate under Yes, No or Unknown if a listed feature is on-site or within 500 metres. Indicate under Yes, No or Unknown if a listed development circumstance applies. Be advised of the potential information requirements.

Feature or Development Circumstance	Yes	No	Don't Know	If Yes, specify distance in metres (m)	Potential Information Needs
Non-farm development near designated urban areas or rural settlement areas		X			Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry ¹		X			Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry ²	X			130	Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry ³		X			Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site		X			Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant		X			Assess the need for a feasibility study for residential

					and other sensitive land uses.
Waste Stabilization Pond		X			Assess the need for a feasibility study for residential and other sensitive land uses.
Active Railway Line		X			Evaluate impacts within 300 metres.
Operating mine site		X			Will Development hinder continuation or expansion of operations?
Non-operational mine site within 1 kilometre of subject land			X		Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise projection (NEP) is 28 or greater		X			Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric Transformer Facility		X			Determine possible impacts within 200 metres.
High Voltage Transmission Lines		X			Consult the appropriate electric power service.
Transportation and Infrastructure corridors			X		Will corridor be protected? Noise Study Prepared?
Agricultural Operations		X			Development to comply with the Minimum Distance Separation Formulae and Official Plan.
Mineral Aggregate Resource area		X			Will development hinder access to the resource or the establishment of new resource operations?
Mineral Aggregate Operations		X			Will development hinder continuation of extraction? Noise and Dust Study completed?
Feature or Development Circumstance	Yes	No	Don't Know	If Yes, specify distance in metres (m)	Potential Information Needs
Existing Pits and Quarries		X			Will development hinder continued operation or expansion? Noise and Dust Study completed?
Mineral and Petroleum Resources		X			Will development hinder access to the resource or the

					establishment of new resource operations?
Significant Wetlands or potentially significant Wetlands		X			Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant portions of habitat of Endangered or Threatened Species		X			Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant Fish Habitat, Wildlife Habitat and areas of Natural and Scientific Interest		X			Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Sensitive Groundwater Recharge Areas, Headwaters and Aquifers		X			Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant Built Heritage Resources and Cultural Heritage Landscapes		X			Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant Archaeological Resources		X			Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Lake of the Woods: Within defined Portions of Dynamic Beach and 1:100 year flood level along connecting channels		X			Development not permitted
Lands Subject to Flooding and/or Erosions		X			Development may be permitted. Must demonstrate that hazards can be addressed.
Erosion Hazards		X			Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains		X			Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous Sites ⁴		X			Slope Study, Flood line Study.

				Demonstrate that hazards can be addressed.
Rehabilitated Mine Sites		X		Application for approval from Ministry of Northern Development and Mines should be made concurrently.
Contaminated and/or Brownfield sites			X	Assess and inventory of previous uses in areas of possible contamination.

¹Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

²Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

³Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

⁴Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography)

15.0 – Additional Information

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

We intend to sever a piece of land to use for access. It will be added to Lot 3 Plan 23m974

16.0 – Authorization of Agent or 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 292 5924 mb Ltd, am/are the owner(s) of the land that is subject of this application for a zoning by-law amendment and I/We hereby authorize Andrew Brookes 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 .

[Signature]

18 March 2025

Date
of owner(s)

Signature

[Signature]

Ursula Baziuk
Name and Signature of Witness

17.0 – Affidavit or Sworn Declaration

I, ANDREW BROOKES of the CITY OF KENORA in the province of ONTARIO, make oath and say (or solemnly declare) that the information required under Ontario Regulation 545/06 (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 in the City of Kenora - Province of Ontario this 21st day of March 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.**

[Signature]

Commissioner of Oaths

[Signature]

Applicant(s)

Schedule A
Agreement of Purchase and Sale – Commercial

This Schedule is attached to and forms part of the Agreement of Purchase and Sale between:

BUYER: 2839441 ONTARIO INC

SELLER: 2925924 Manitoba Ltd.

for the purchase and sale of 661 NINTH STREET NORTH, KENORA

dated the 17th day of January, 2025

Buyer agrees to pay the balance as follows:

subject to adjustments, to the Seller, on completion of this transaction, with funds drawn on a lawyer's trust account in the form of a bank draft, certified cheque or wire transfer using the 1+X high value payment system to set out and prescribed by the Canadian Payments Act as amended from time to time.

1. LEGAL DESCRIPTION: The legal description of the Property is PART OF PART CITY PARK, MATHEWSON STREET NORTH, CLAUDE STREET (NOW EIGHTH STREET NORTH), EIGHTH STREET (NOW SIXTH STREET NORTH), LOTS 264, 268, 269, 270, 271, 272, 273, 278, 288, 289, 391, 392, 397, 398, 399, 400, 401, 402, 428, 429, 430, 431, 432, 433, 435 AND 441, LANES ABUTTING LOTS 274 AND 273, LANE ABUTTING LOT 288, LANE ABUTTING LOT 397, LANES ABUTTING LOTS 435 TO 446, BLOCK 3, PLAN 33 AND ALL OF GERALD STREET (NOW FOURTH AVENUE NORTH), LOTS 265, 366, 367, 374, 275, 276, 277, 390, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 436, 437, 438, 439, 440, 442, 443, 444, 445 AND 446, LANE ABUTTING LOTS 393 TO 413, LANE ABUTTING LOT 418, LANE ABUTTING LOTS 422 TO 427, BLK 3, PL. 33 PARTS 1, 2 & 3 23R14756, TOGETHER WITH AN EASEMENT OVER PART CITY PARK, CLAUDE STREET (NOW EIGHTH STREET NORTH) BLOCK 3 PLAN 33 AND PART JULIUS STREET (NOW SEVENTH AVENUE NORTH) AND BLOCK 2 PLAN 158 AND PART LOTS 431 AND 432, BLOCK 3, PLAN 33 PARTS 4, 6, 7 & 8 23R14756 AS IN KN97871; TOGETHER WITH AN EASEMENT OVER PART CITY PARK, CLAUDE STREET (NOW EIGHTH STREET NORTH) BLOCK 3 PLAN 33 AND PART JULIUS STREET (NOW SEVENTH AVENUE NORTH) AND BLOCK 2 PLAN 158 PART 4 23R14756 AS IN KN97871; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 2 & 3 23R14756 AS IN KN97044, TOGETHER WITH AN EASEMENT OVER BLOCK 19, PLAN 23M974 AS IN KN11202, CITY OF KENORA.

2. CONDITIONS IN FAVOUR OF THE BUYER: This Offer is conditional upon the Buyer obtaining, at the Buyer's expense (including survey expenses) obtaining:

a) consent to sever the Property with a right-of-way over the entirety of the Property in accordance with the draft plans set out in Schedule C follows at a cost and on a timeline that is suitable to the Buyer in the Buyer's discretion.

b) all approvals and permits that the Buyer determines in its discretion are necessary for the Buyer's proposed development of the Property at a cost and on a timeline that is suitable to the Buyer in the Buyer's discretion including but not limited to an access permit from Ninth Street North.

Unless the Buyer gives notice in writing delivered to the Seller personally or in accordance with any other provisions for the delivery of notice in this Agreement of Purchase and Sale or any Schedule thereto not later than 5:00 P.M. ON THE 31ST DAY OF JANUARY 2027, that this condition is fulfilled, this Offer shall become null and void and the deposit shall be returned to the Buyer in full without deduction. The Seller agrees to sign any requisite documents required for the above condition and do all things reasonably necessary in support of the satisfaction of the condition.

The Buyer is authorized under Section 53(1) and Section 53(1.1) of the Planning Act to apply to the City of Kenora for the above noted consent for severance and a lot addition on or before the completion date.

3. CONDITIONS IN FAVOUR OF THE SELLER: This Offer is conditional upon the Seller obtaining, at the sole expense of the Buyer, a registered right-of-way over the entirety of the Property on the completion date, on terms and conditions satisfactory to the Seller in its sole discretion, for all purposes of ingress and egress, and for all types of pedestrian and vehicular traffic, with all maintenance and repair costs to be the responsibility of the Buyer as the owner of the Property.

Unless the Seller gives notice in writing delivered to the Buyer personally or in accordance with any other provisions for the delivery of notice in this Agreement of Purchase and Sale or any Schedule thereto not later than 5:00 P.M. ON THE 31ST DAY OF JANUARY 2027, that this condition is fulfilled, this Offer shall become null and void and the deposit shall be returned to the Buyer in full without deduction.

4. COMPLETION DATE AND REQUISITION DATE: Unless the parties agree otherwise in writing:

a) the Completion Date shall be the 20th Business Day following the date that each of the Buyer and the Seller have satisfied or waived its severance condition herein.

b) the Requisition Date shall be the 10th Business Day following the date that each of the Buyer satisfies or waives its severance condition herein.

This form must be initialed by all parties to the Agreement of Purchase and Sale.

INITIALS OF BUYER(S):

INITIALS OF SELLER(S):

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GRAND COUNCIL TREATY 3

9TH STREET DEVELOPMENT

9TH STREET NORTH

KENORA, ON.

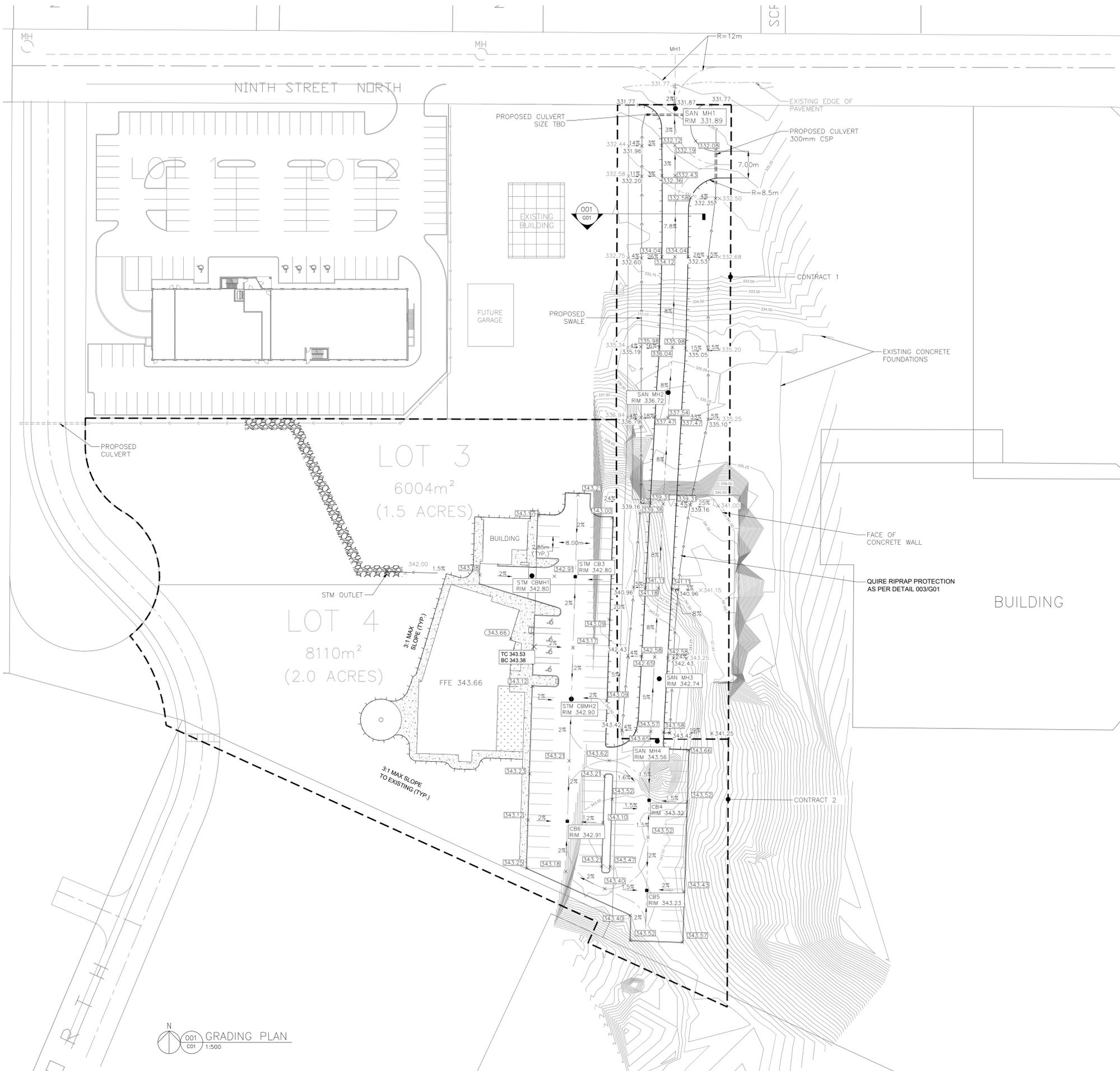
TBTE Group Project #24250

DRAWING INDEX

		REV.
24-250-C01	SITE GRADING PLAN	1
24-250-C02	SITE SERVICING PLAN	1
24-250-C03	GRADING PLAN & SITE SERVICING PLAN - CONTRACT 1	1
24-250-C04	GRADING PLAN - CONTRACT 2	1
24-250-C05	SITE SERVICING PLAN - CONTRACT 2	1
24-250-G01	DETAILS	1
24-250-G02	DETAILS	1
24-250-G03	NOTES	1



TBTE Engineering
815 Ottawa St, PO BOX 80
Keewatin, ON
POX 1C0
807.547.4445
www.tbte.ca



DRAWING NOTES

1. MAINTAIN A MINIMUM SLOPE OF 1% FOR SURFACE DRAINAGE.
2. FRONT YARD OF LOT SHALL BE GRADED TO DRAIN TOWARDS THE STREET, WHERE APPLICABLE.
3. ALL BOULEVARDS SHALL BE GRADED WITH A CONSTANT SLOPE FROM THE CURB TO STREET LIMIT.
4. MAINTAIN A MINIMUM GRADE OF 2% AWAY FROM DEVELOPMENT IN LOW TRAFFIC AREAS TO PREVENT PONDING AT FOUNDATION.
5. ENSURE FINISHED GRADE IS FREE OF RUBBLE OR CONSTRUCTION DEBRIS.
6. REMOVE ALL LOW OR HIGH SPOTS TO ENSURE PROPER DRAINAGE.
7. ALL EXCESS MATERIAL AND DEBRIS SHALL BE REMOVED FROM THE SITE.
8. ALL UNDERGROUND UTILITY LINES OR OTHER BURIED OBJECTS SHALL BE LOCATED BY THEIR RESPECTIVE AGENCIES BEFORE COMMENCING WORK AND PROTECTED BY THE CONTRACTOR THROUGHOUT THE WORK.
9. PROTECT ALL EXISTING LANDSCAPE FEATURES THAT ARE TO REMAIN WHEN POSSIBLE.
10. UNLESS OTHERWISE INDICATED ALL STANDARD CONCRETE CURBS EXCEPT FLUSH CURBS SHALL BE 150MM HIGHER THAN ASPHALT GRADES INDICATED.
11. ALL UNITS IN METERS(M) UNLESS OTHERWISE SPECIFIED.

LEGEND

- | | | | |
|----------|----------------------------|----|------------------|
| x 324.00 | PROPOSED SPOT ELEVATION | MH | NEW MANHOLE |
| x 324.00 | EXISTING SPOT ELEVATION | FH | NEW FIRE HYDRANT |
| x 024.00 | PROPOSED ASPHALT ELEVATION | — | WATER SERVICE |
| ~324.00~ | EXISTING CONTOUR LINE | — | SANITARY SERVICE |
| — | EXISTING EDGE OF PAVEMENT | — | STORM SEWER |
| --- | PROPERTY PROPERTY | ⊗ | NEW WATER VALVE |
| → | PROPOSED FLOW DIRECTION | ⊏ | SANITARY STUB |
| — | PROPOSED SWALE | | |

1	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19
0	REVISED	



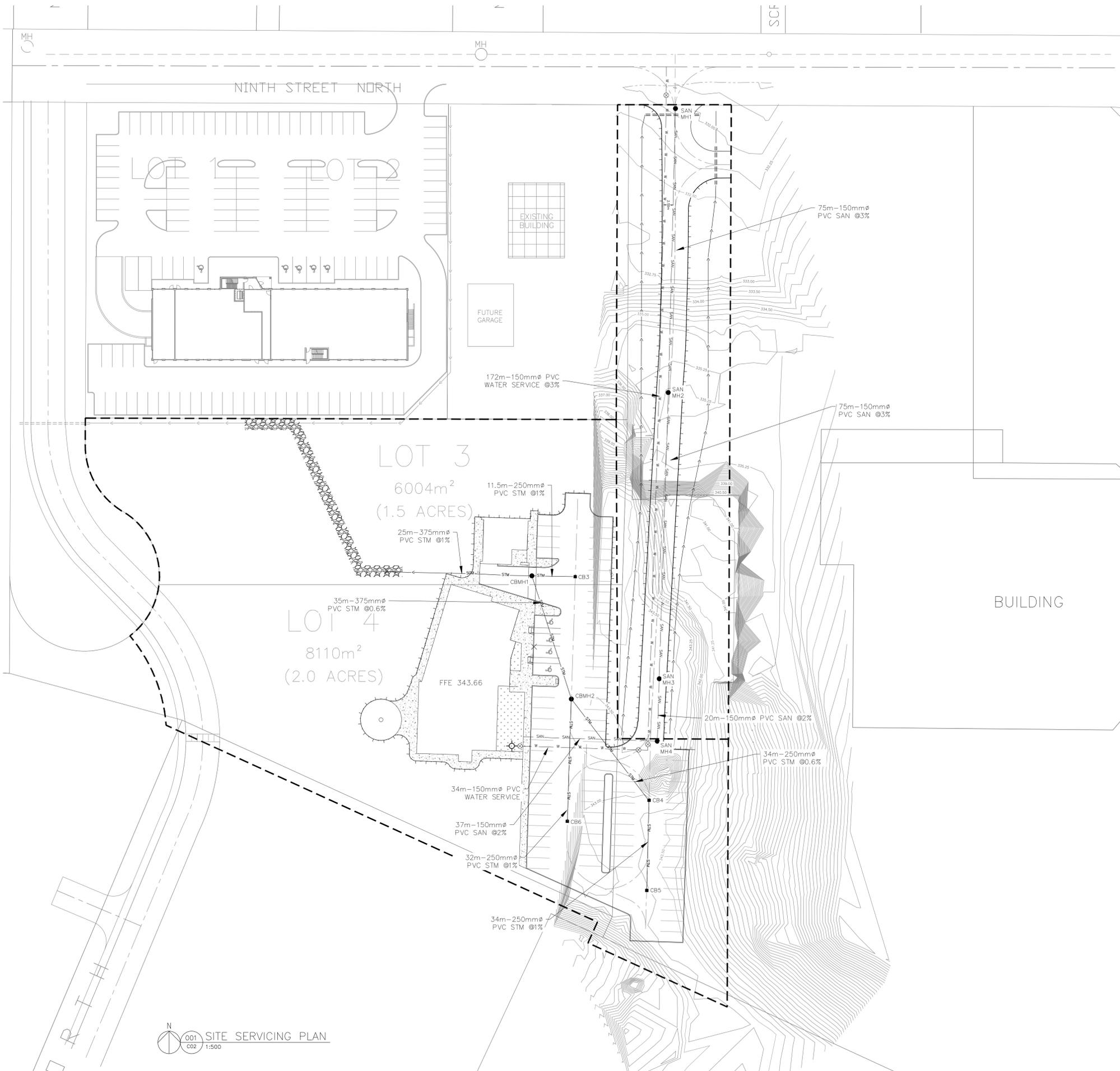
The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.

A	Detail No
B	Sheet No were studied



DATE: GRAND COUNCIL TREATY 3
 PROJECT: 9TH STREET DEVELOPMENT
 LOCATION: 9TH STREET NORTH, KENORA, ON.
 DRAWING TITLE: GRADING PLAN

SCALE: 1:500	DATE: 2024-11-07
DESIGNER: JJ/FE	DRAWING NO: 24-250-C01
CHECKER: AB	DATE: 1 of 8



DRAWING NOTES

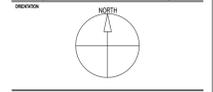
1. MAINTAIN A MINIMUM SLOPE OF 1% FOR SURFACE DRAINAGE.
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| x 024.00 | PROPOSED ASPHALT ELEVATION | — | WATER SERVICE |
| ~324.00~ | EXISTING CONTOUR LINE | — | SANITARY SERVICE |
| — | EXISTING EDGE OF PAVEMENT | — | STORM SEWER |
| --- | PROPERTY PROPERTY | ⊗ | NEW WATER VALVE |
| → | PROPOSED FLOW DIRECTION | ⊏ | SANITARY STUB |
| — | PROPOSED SWALE | | |

001 SITE SERVICING PLAN
002 1:500

1	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19
0	REVISION	

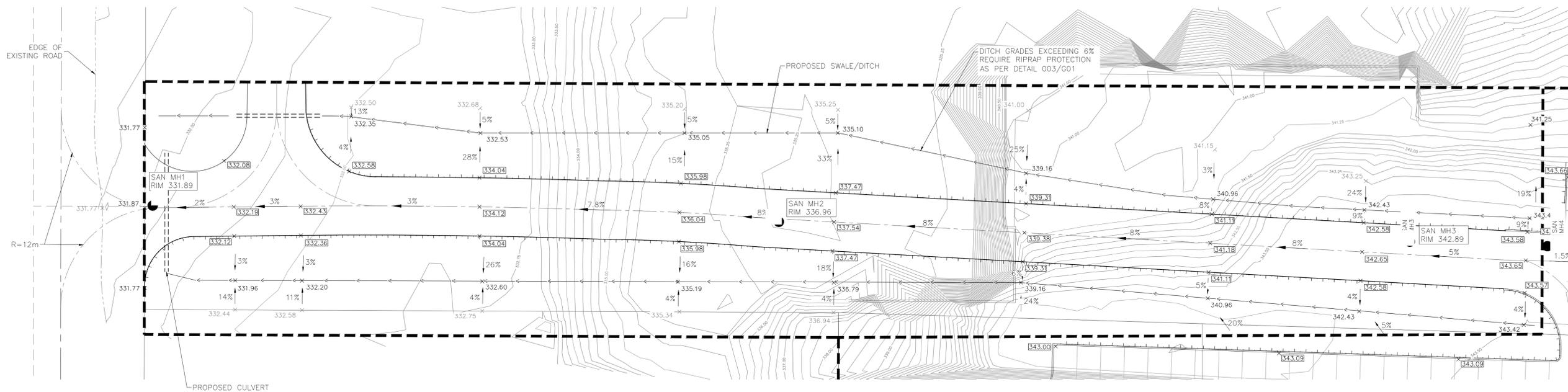


The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.

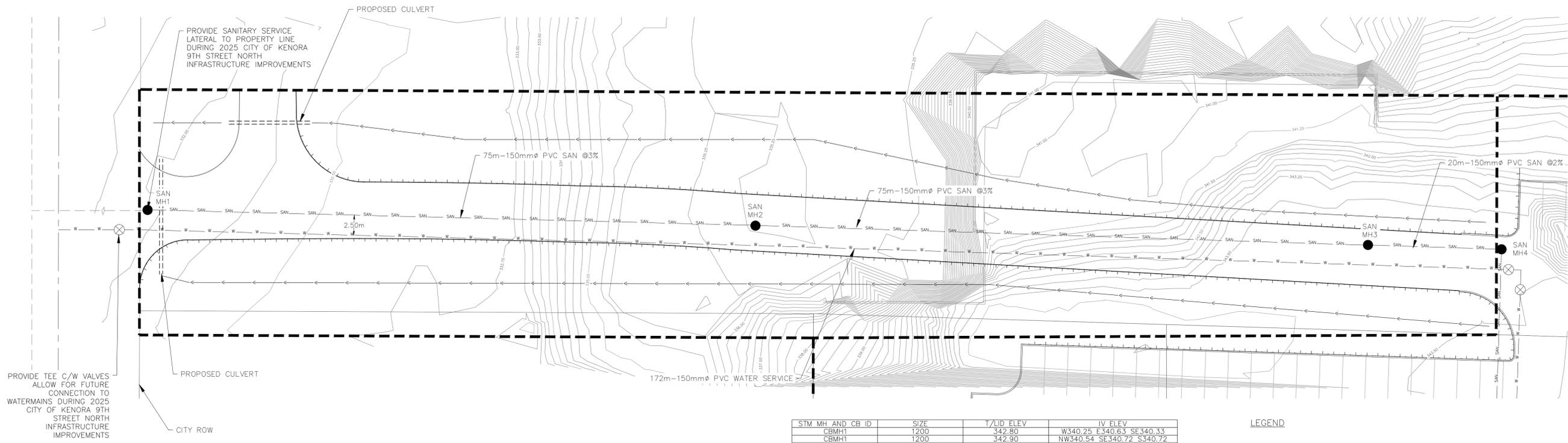


DATE: GRAND COUNCIL TREATY 3
 SHEET: 9TH STREET DEVELOPMENT
 LOCATION: 9TH STREET NORTH, KENORA, ON.
 DRAWING TITLE: SITE SERVICING PLAN

SCALE: 1:500	DATE: 2024-11-07
DESIGNER: J.E.	DRAWN BY: J.E.
CHECKED BY: J.E.	DATE: 24-250-C02
DATE: 2024-11-07	SHEET: 1
	2 of 8



- DRAWING NOTES**
1. MAINTAIN A MINIMUM SLOPE OF 1% FOR SURFACE DRAINAGE.
 2. FRONT YARD OF LOT SHALL BE GRADED TO DRAIN TOWARDS THE STREET, WHERE APPLICABLE.
 3. ALL BOULEVARDS SHALL BE GRADED WITH A CONSTANT SLOPE FROM THE CURB TO STREET LIMIT.
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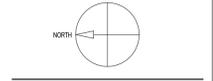


STM MH AND CB ID	SIZE	T/LID ELEV	IV ELEV
CBM#1	1200	342.80	W340.25 E340.63 SE340.33
CBM#1	1200	342.90	NW340.54 SE340.72 S340.72
CB3	900X900	342.80	W340.37
CB4	900X900	343.32	NW340.92 S340.97
CB5	900X900	343.23	N341.21
CB6	900X900	342.91	N341.04

SAN MH ID	SIZE	T/LID ELEV	IV ELEV
MH1	1200	331.89	S330.68
MH2	1200	336.96	N332.99 S334.03
MH3	1200	342.89	N336.96 S337.96
MH4	1200	343.56	N338.42 S338.45

- LEGEND**
- x 324.00 PROPOSED SPOT ELEVATION
 - x 324.00 EXISTING SPOT ELEVATION
 - x 324.00 PROPOSED ASPHALT ELEVATION
 - ~324.00~ EXISTING CONTOUR LINE
 - EXISTING EDGE OF PAVEMENT
 - PROPERTY PROPERTY
 - PROPOSED FLOW DIRECTION
 - PROPOSED SWALE
 - NEW MANHOLE
 - ⊕ NEW FIRE HYDRANT
 - WATER SERVICE
 - SANITARY SERVICE
 - STORM SEWER
 - ⊗ NEW WATER VALVE
 - └ SANITARY STUB

NO.	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19
1	REVISED	
2	REVISED	
3	REVISED	
4	REVISED	
5	REVISED	
6	REVISED	
7	REVISED	
8	REVISED	
9	REVISED	

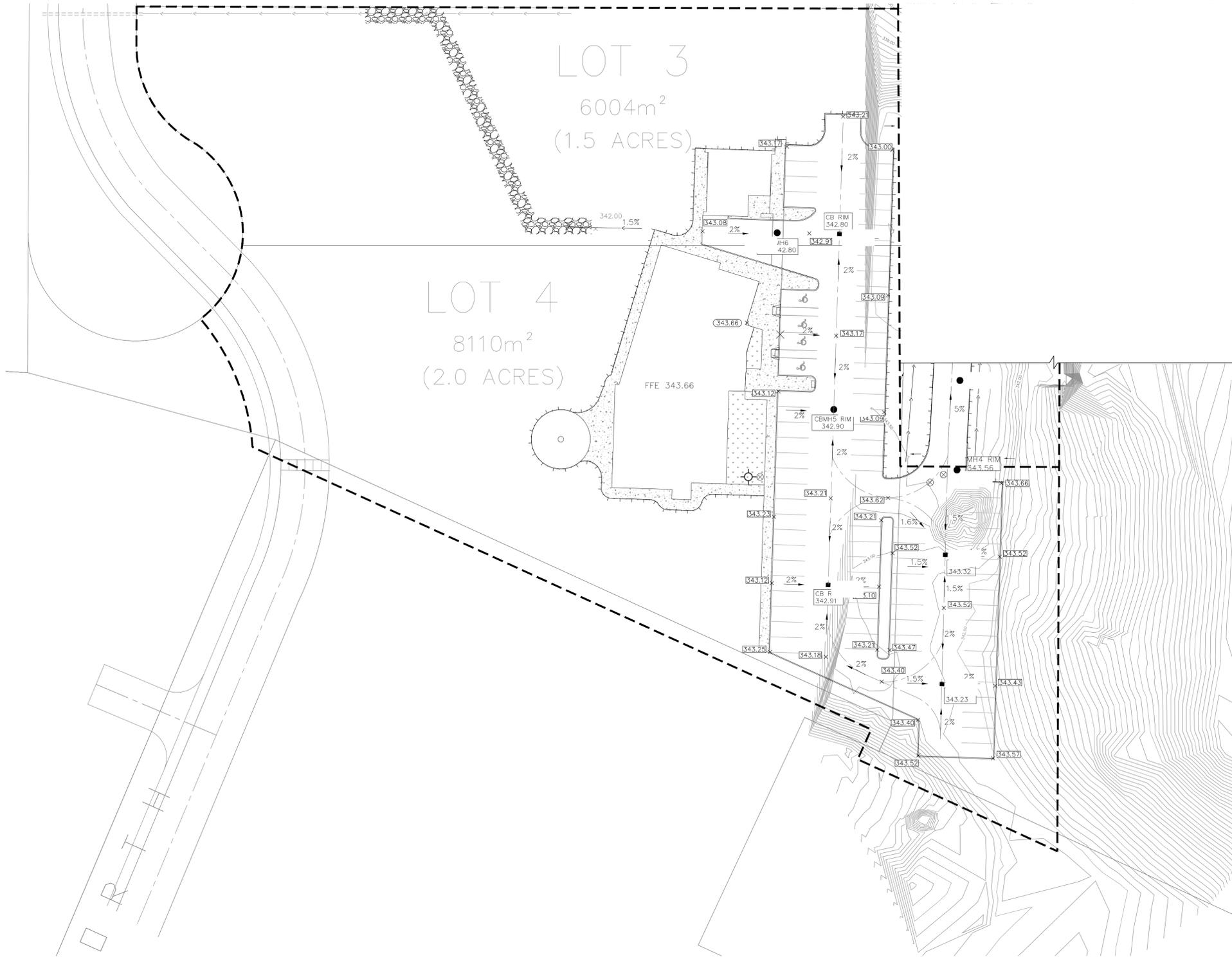


The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.



DATE: 2025-01-31
 SHEET NO: 24-250-C03
 CONTRACT: 1
 PROJECT: 9TH STREET NORTH KENORA, ON.
 DRAWING TITLE: GRADING PLAN AND SITE SERVICING CONTRACT 1

DATE	BY	SCALE
2025-01-31	AB	1:250



DRAWING NOTES

1. MAINTAIN A MINIMUM SLOPE OF 1% FOR SURFACE DRAINAGE.
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LEGEND

- | | | | |
|----------|----------------------------|----|------------------|
| x 324.00 | PROPOSED SPOT ELEVATION | MH | NEW MANHOLE |
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| --- | PROPERTY PROPERTY | ⊗ | NEW WATER VALVE |
| → | PROPOSED FLOW DIRECTION | U | SANITARY STUB |
| --- | PROPOSED SWALE | | |

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19

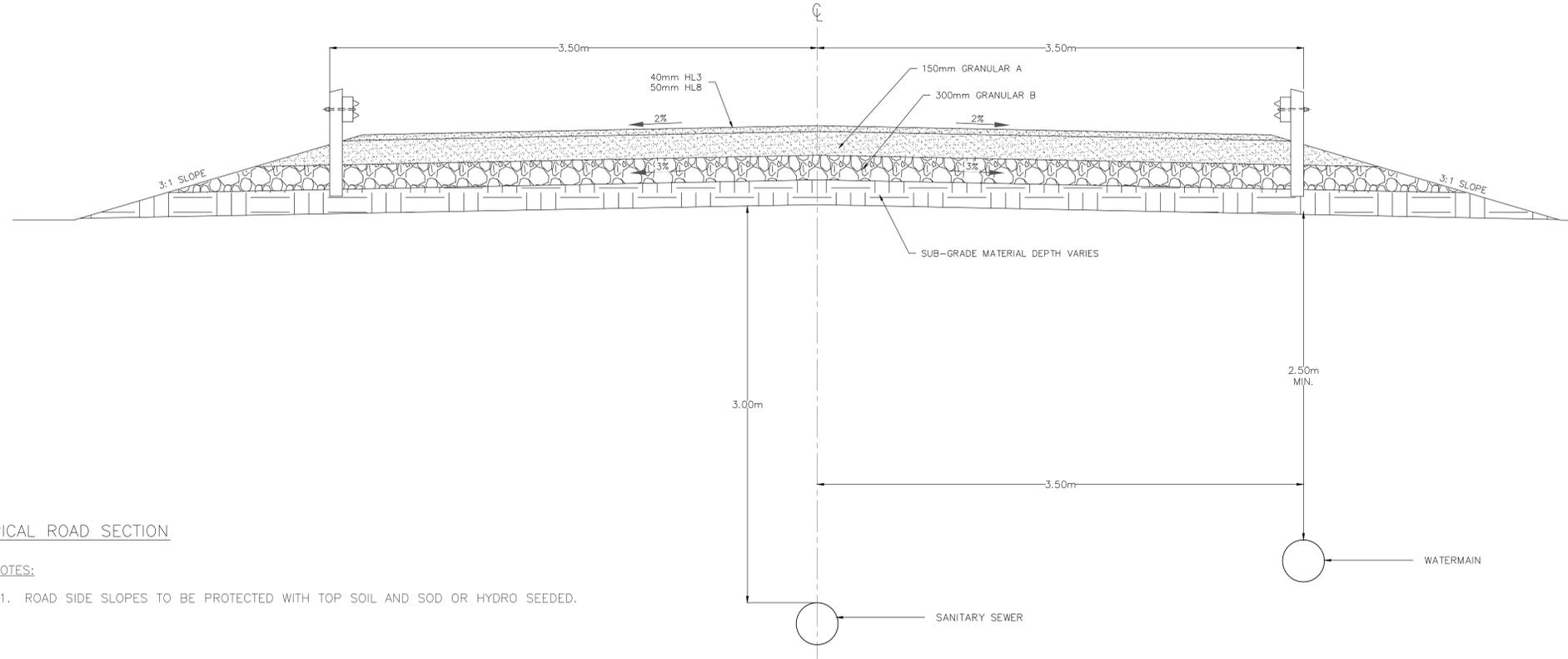


The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.



001 GRADING PLAN - CONTRACT 2
004 1:400

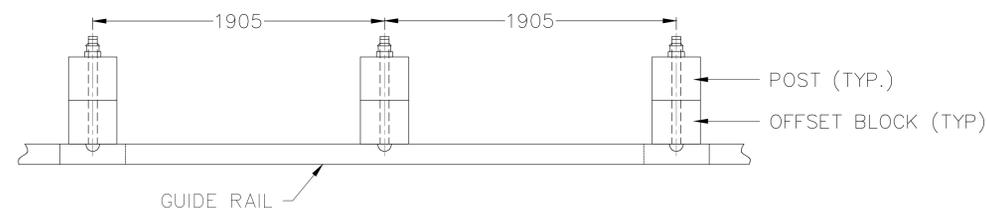
DATE	2025-01-31
SCALE	1:400
PROJECT	GRAND COUNCIL TREATY 3 9TH STREET DEVELOPMENT
LOCATION	9TH STREET NORTH KENORA, ON.
PROJECT TITLE	PROFILE VIEW CONTRACT 2
DATE	2025-01-31
SCALE	1:400
PROJECT NO.	24-250-C04
DATE	1
SCALE	4 of 8



001 TYPICAL ROAD SECTION
G01 NTS

NOTES:

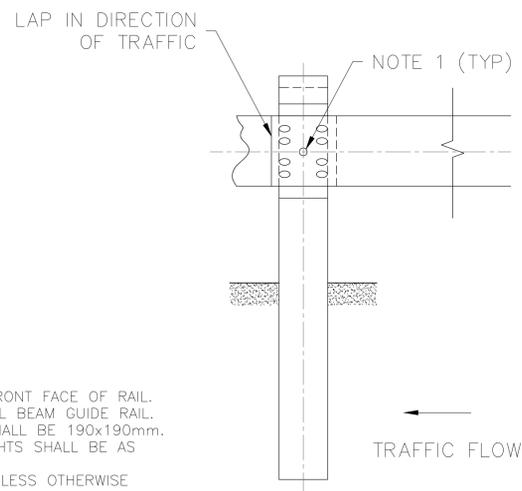
1. ROAD SIDE SLOPES TO BE PROTECTED WITH TOP SOIL AND SOD OR HYDRO SEEDED.



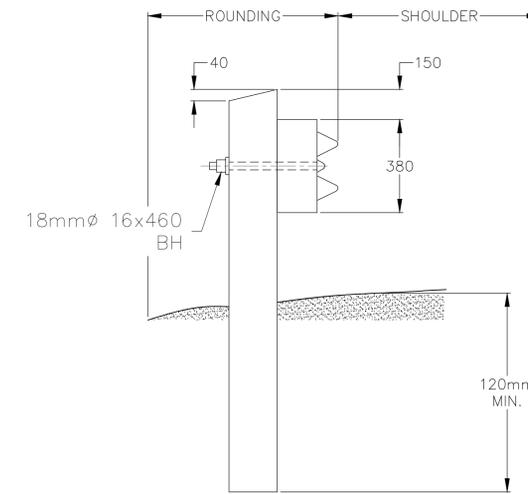
PLAN

NOTES:

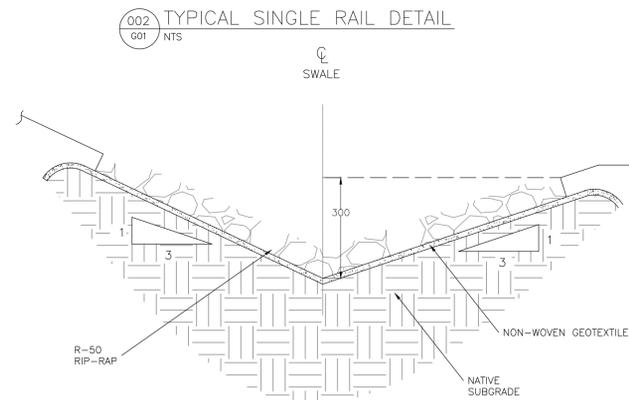
1. WASHER SHALL NOT BE INSTALLED AT FRONT FACE OF RAIL. ONE BOLT LOCATED AT CENTRE OF STEEL BEAM GUIDE RAIL.
2. WOODEN POSTS AND OFFSET BLOCKS SHALL BE 190x190mm.
3. STEEL BEAM GUIDE RAIL MOUNTING HEIGHTS SHALL BE AS SPECIFIED.
4. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN.



ELEVATION

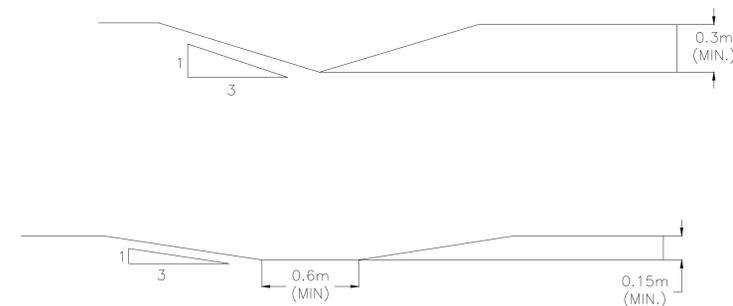


SIDE VIEW



002 TYPICAL SINGLE RAIL DETAIL
G01 NTS

003 TYPICAL RIP-RAP SWALE
G01 NTS

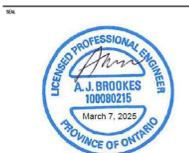


004 TYPICAL SWALE DETAIL
G01 NTS

NOTES:

1. CONTRACTOR TO TOP SOIL AND SOD OR HYDROSEED ALL SWALES.
2. VARIATION OF SWALE TO BE USED TO MINIMIZE SWALE WIDTH WHERE POSSIBLE.

1	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19
0	REVISED	DATE



The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.

A	Detail No
B	Sheet No where detailed



DATE: GRAND COUNCIL TREATY 3
PROJECT: 9TH STREET DEVELOPMENT
LOCATION: 9TH STREET NORTH, KENORA, ON.
DRAWING TITLE: DETAILS

SCALE: 1:200	DATE: 2025-01-31
DESIGNER: [Signature]	CHECKED: [Signature]
ISSUED BY: [Signature]	DATE: 24-250-G01
APPROVED BY: [Signature]	PAGE: 1
DATE: [Signature]	TOTAL: 6 of 8

Tapered top
See alternative C

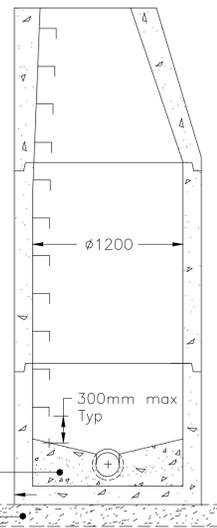
Riser sections
as required

Monolithic base with inlet
and outlet openings to suit
See alternatives A and B

Bench or sump
as specified

300mm, Typ

Granular bedding

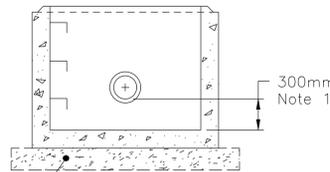


001 MAINTENANCE HOLE TYPICAL DETAIL

602 NTS

NOTES

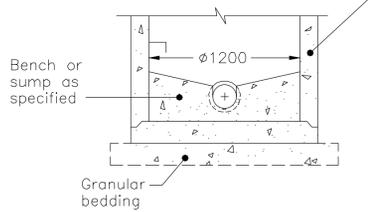
1. THE SUMP IS MEASURED FROM THE LOWEST INVERT.
2. GRANULAR BACKFILL SHALL BE PLACED TO A MINIMUM THICKNESS OF 300mm ALL AROUND THE MAINTENANCE HOLE.
3. PRECAST CONCRETE COMPONENTS SHALL BE ACCORDING TO OPSD 701.030, 701.031, OR 701.032.
4. STRUCTURE EXCEEDING 5.0m IN DEPTH SHALL INCLUDE SAFETY PLATFORM ACCORDING TO OPSD 404.020.
5. PIPE SUPPORT ACCORDING TO OPSD 708.020.
6. FOR BENCHING AND PIPE OPENING DETAILS, SEE OPSD 701.021.
7. FOR ADJUSTMENT UNIT AND FRAME INSTALLATION, SEE OPSD 704.010.
8. ALL DIMENSIONS ARE NOMINAL.
9. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SHOWN.



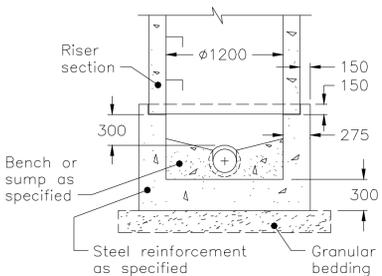
SUMP DETAIL

ALTERNATIVES

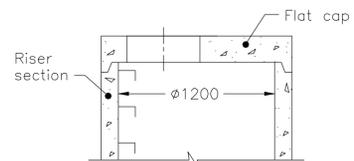
Bottom riser section with
inlet and outlet openings to suit



A PRECAST SLAB BASE

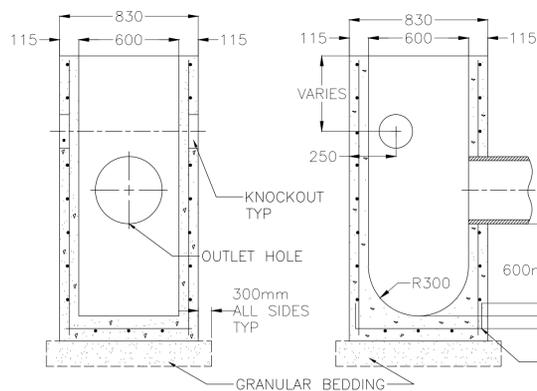
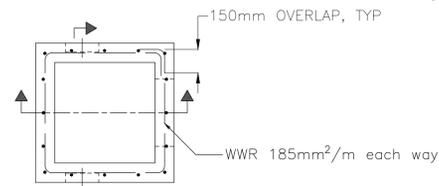


B CAST-IN-PLACE BASE



C PRECAST FLAT CAP

ALTERNATE STANDARD HEIGHTS	
ALTERNATIVE	DIMENSION
A	1980
B	1830
C	1520
D	1380

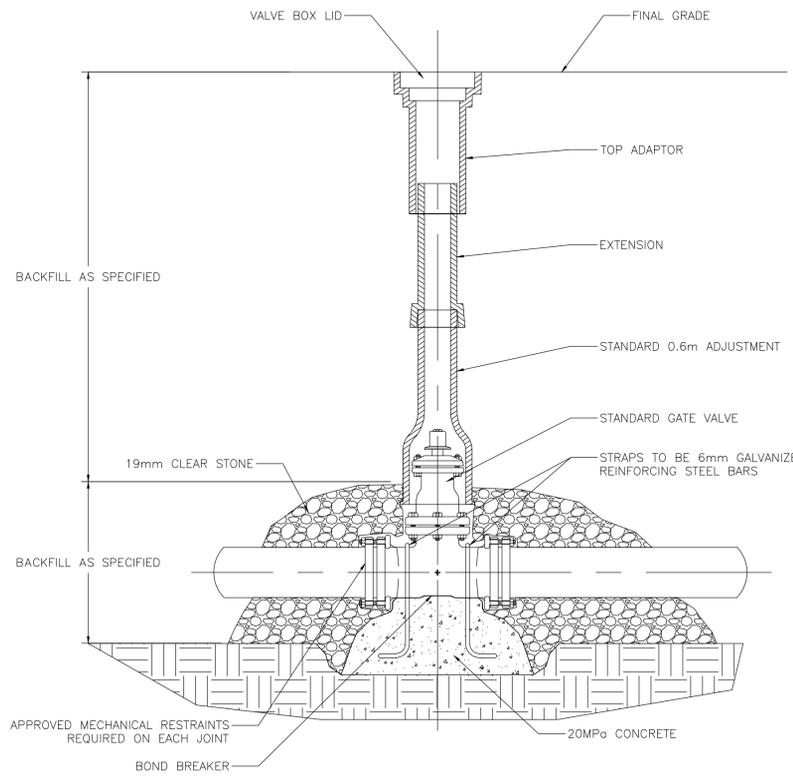


NOTES

1. CENTRE REINFORCING IN BASE SLAB AND WALLS +/- 20mm
2. GRANULAR BACKFILL SHALL BE PLACED TO A MINIMUM THICKNESS OF 300mm ALL AROUND THE CATCH BASIN.
3. FRAME, GRATE, AND ADJUSTMENT UNITS SHALL BE INSTALLED ACCORDING TO OPSD 704.020.
4. PIPE SUPPORT SHALL BE ACCORDING TO OPSD 708.020
5. PROVIDE FILTER FABRIC AT CATCH BASIN RIM ELEVATION DURING CONSTRUCTION
6. ALL DIMENSIONS ARE NOMINAL
7. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SHOWN.

002 CATCH BASIN TYPICAL DETAIL

602 NTS

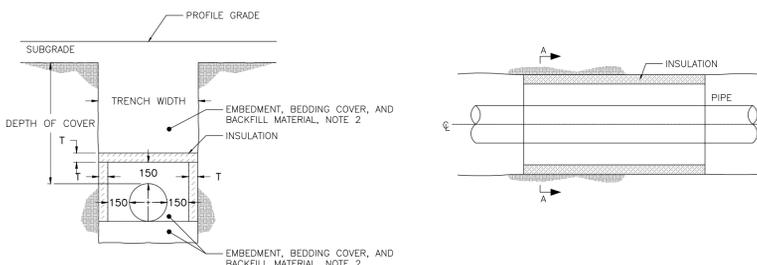


NOTES:

1. VALVE BOX TO BE ADEQUATELY BRACED WHILE BACKFILLING AND MUST REMAIN PLUMB.
2. VALVE BOX EXTENSION TO BE USED ONLY IF REQUIRED.
3. BOND BREAKER TO BE USED BETWEEN CONCRETE AND VALVE.
4. ALL CONCRETE TO BE 20MPa AT 28 DAYS.
5. 5 MINIMUM COVER OVER REINFORCING STEEL TO BE 75mm.
6. TRACER WIRE TO BE INSTALLED AS PER STANDARD DRAWING KW-102.

003 VALVE & VALVE STOP FOR 150mm TO 300mm WATER MAIN

603 NTS

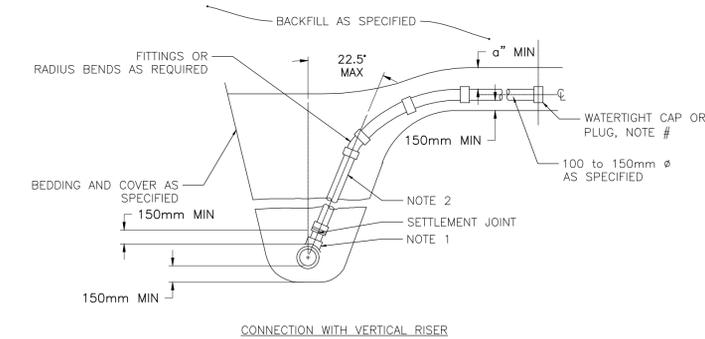
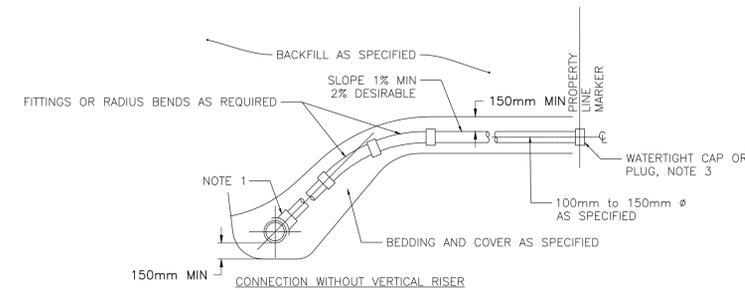


NOTES:

1. THE INSULATION MATERIAL SHALL BE EXTRUDED POLYSTYRENE ACCORDING TO OPSS 1605 WITH A MINIMUM COMPRESSIVE STRENGTH OF 275 kPa.
2. PIPE EMBEDMENT OR BEDDING, COVER, AND BACKFILL SHALL BE ACCORDING TO:
 - a) FLEXIBLE - OPSD 802.010, 802.013, 802.020, AND 802.023.
 - b) RIGID - OPSD 802.030, 802.031, 802.032, 802.033, 802.050, 802.051, 802.052, AND 802.053.
3. MINIMUM INSULATION THICKNESS SHALL BE 50mm.
4. JOINTS SHALL BE STAGGERED FOR MULTIPLE INSULATION SHEETS.
5. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN.
6. REFER TO OPSD 1109.0300

004 PIPE INSULATION DETAIL

602 NTS



NOTES

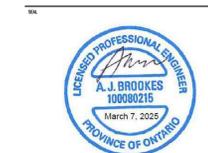
1. SEWER SERVICE CONNECTIONS TO THE MAIN PIPE SEWER SHALL BE MADE USING FACTORY MADE TEES, STRAP-ON SADDLES, OR OTHER APPROVED SADDLES.
2. VERTICAL RISERS SHALL BE AS SPECIFIED.
3. CAP OR PLUG AT PROPERTY LINE SHALL BE ADEQUATELY BRACED.

- MAINTENANCE HOLES SHALL BE USED AT THE MAIN SEWER TO CONNECT SERVICE CONNECTIONS GREATER THAN OR EQUAL TO 200mm.
- FOR NEW CONSTRUCTION, SADDLES SHALL BE INSTALLED ON THE MAIN PIPE BEFORE THAT PIPE IS LAID.
- APPROVED CUT-IN TOOL SHALL BE USED FOR FIELD MADE CONNECTIONS.
- ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN.
- REFER TO OPSD 1006.0100

001 SANITARY SEWER SERVICE CONNECTION

603 NTS

NO.	ISSUED FOR PERMIT	DATE
1	ISSUED FOR PERMIT	2025-03-07
0	ISSUED FOR COMMENT	2025-02-19
0	REVISION	DATE

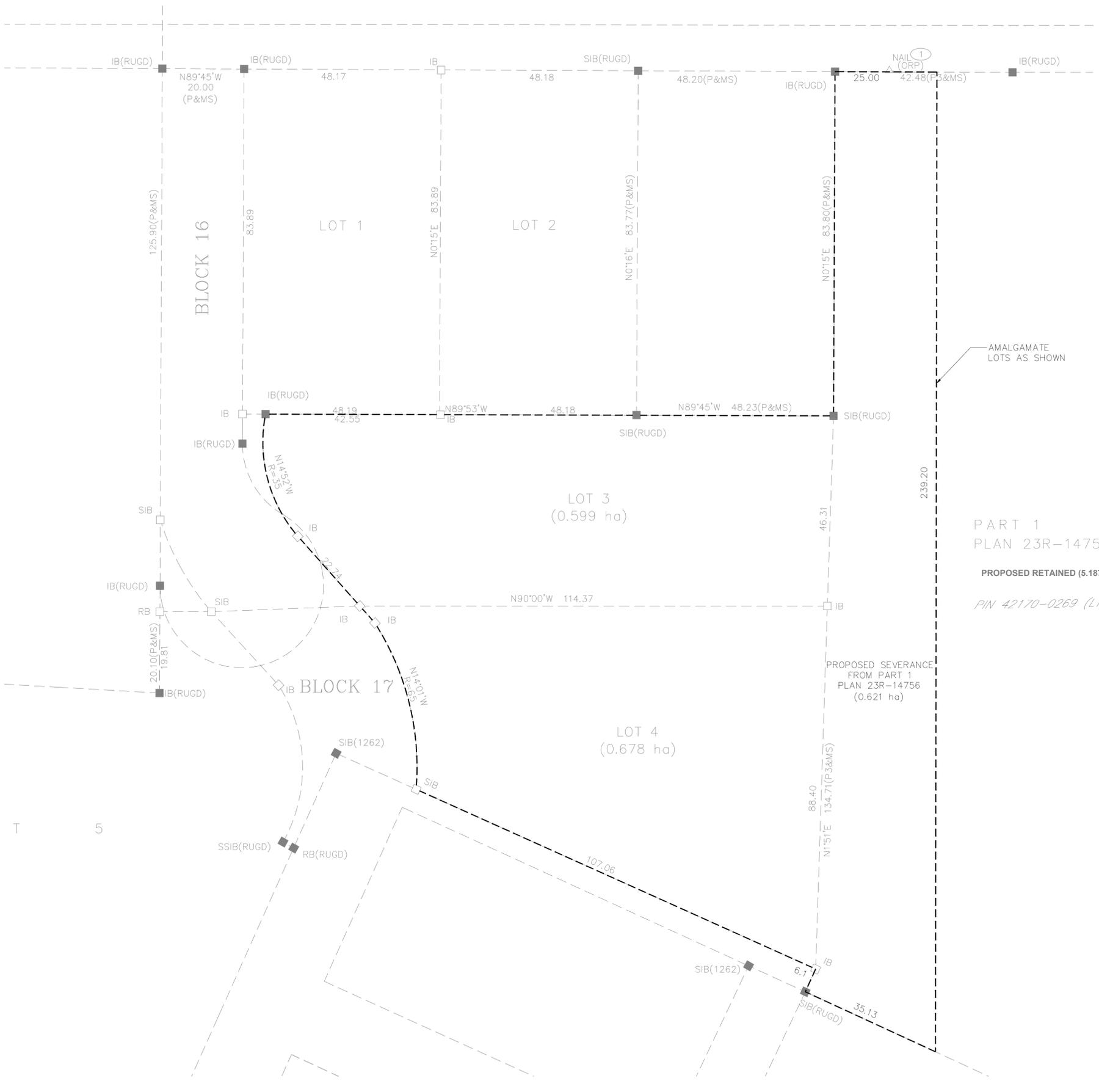


The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the work.



PROJECT: GRAND COUNCIL TRAY 3
 CLIENT: 9TH STREET DEVELOPMENT
 LOCATION: 9TH STREET NORTH, KENORA, ON.
 DRAWING TITLE: DETAILS

SCALE	DATE
1:500	2025-01-31
DESIGNER	DATE
24-250-002	1
7 of 8	



AMALGAMATE
LOTS AS SHOWN

PART 1
PLAN 23R-14756

PROPOSED RETAINED (5.187 ha)

PIN 42170-0269 (LT)

PROPOSED SEVERANCE
FROM PART 1
PLAN 23R-14756
(0.621 ha)

NO.	REVISION	DATE
0	ISSUED FOR CONSENT APPLICATION	2025/03/21
DRAWN		
		
SCALE		

The Contractor shall check and verify all dimensions and report all errors and omissions to the Engineer (as applicable) for his/her written direction before proceeding with the Work.

A Detail No.
B Sheet No. were studied



CLIENT
GRAND COUNCIL TREATY 3

PROJECT
9TH STREET DEVELOPMENT

LOCATION
9TH STREET NORTH
KENORA, ON.

PROJECT TITLE
CONSENT APPLICATION PLAN

SCALE 1:500	DATE 2025-03-20
DESIGNER JL/JFE	CHECKER AB
PROJECT NO. 24-250-C01	REV. 0
PAGE 1 of 1	

CONSENT APPLICATION PLAN
001
C01
1:500



To: City of Kenora Planning Advisory Committee
From: Ryan Haines, Planner
Date: April 11th, 2025
Re: Consent Application – File D10-25-02
Location: Lot 3, Plan 23M974
Owner/Applicant: 2925924 Manitoba Ltd.
Transferee: 2839441 Ontario Inc.
Agent: Andrew Brookes

RECOMMENDATION

That application D10-25-02 be approved and provisional consent be granted with the attached conditions.

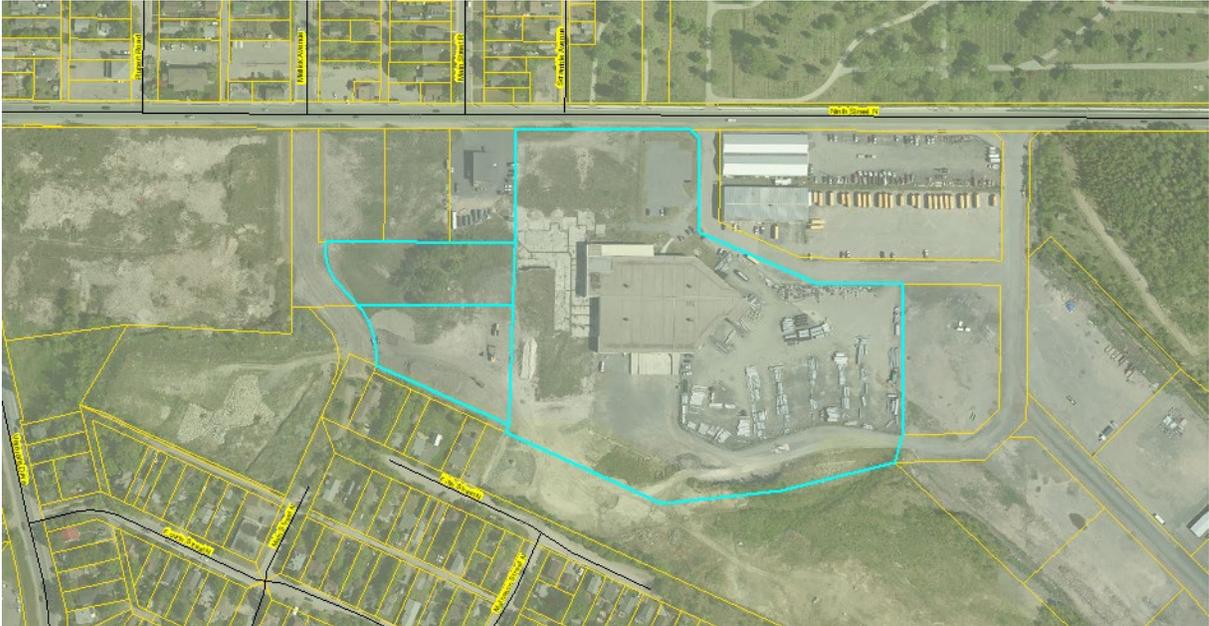
INTRODUCTION

The purpose of the consent application is to facilitate a lot addition to Lot 3 and/or Lot 4, Plan 23M974. The land to be added is from the western portion of the lot at 661 Ninth Street North, to support vehicular and site servicing access to the approved development on Mill Site Lots 3 and 4.

The lands to be added and the receiving parcel are designated 'Commercial Development Area/Industrial Area' in the City's Official Plan and are zoned General Commercial (GC) on Lot 3 and Light Industrial (ML) on Lot 4 and for the lands to the east of Lot 3 and Lot 4 to be severed to facilitate the lot addition (City of Kenora Zoning By-law No. 101-2015).

The proposed development on Mill Site Lots 3 and 4 is subject to an executed Site Plan Control Agreement (By-law 144-2023) and a Minor Variance approval (File D13-24-04) which permits construction of an office building on the site.

Figure 1. Location Map (Kenora GIS 2024)



REVIEW

This application:

- ✓ Is consistent with the Provincial Policy Statement (Section 3(5) Planning Act);
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (Section 53(1) Planning Act);
- ✓ Conforms with Section 51(24) of the Planning Act;
- ✓ Conforms to the City of Kenora Official Plan (Section 4.8);
- ✓ Complies with the City of Kenora Zoning By-law (or will comply subject to a condition of approval); and
- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.

AGENCY/PUBLIC COMMENTS

City Staff

City staff noted that the proposed lot line may intersect an existing foundation, which remains a structure under the Ontario Building Code until it is lawfully removed or repurposed. While this could affect zoning compliance for interior side yard setbacks, the matter can be addressed by the developer through revisions to the approved Site Plan Control Plan or Building Permit process. Protective fencing is in place, and it is felt that no conditions of consent are required at this time.

Agency

No objections have been received from circulated agencies.

Public

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

Figure 2. Site Sketch (provided by applicant)

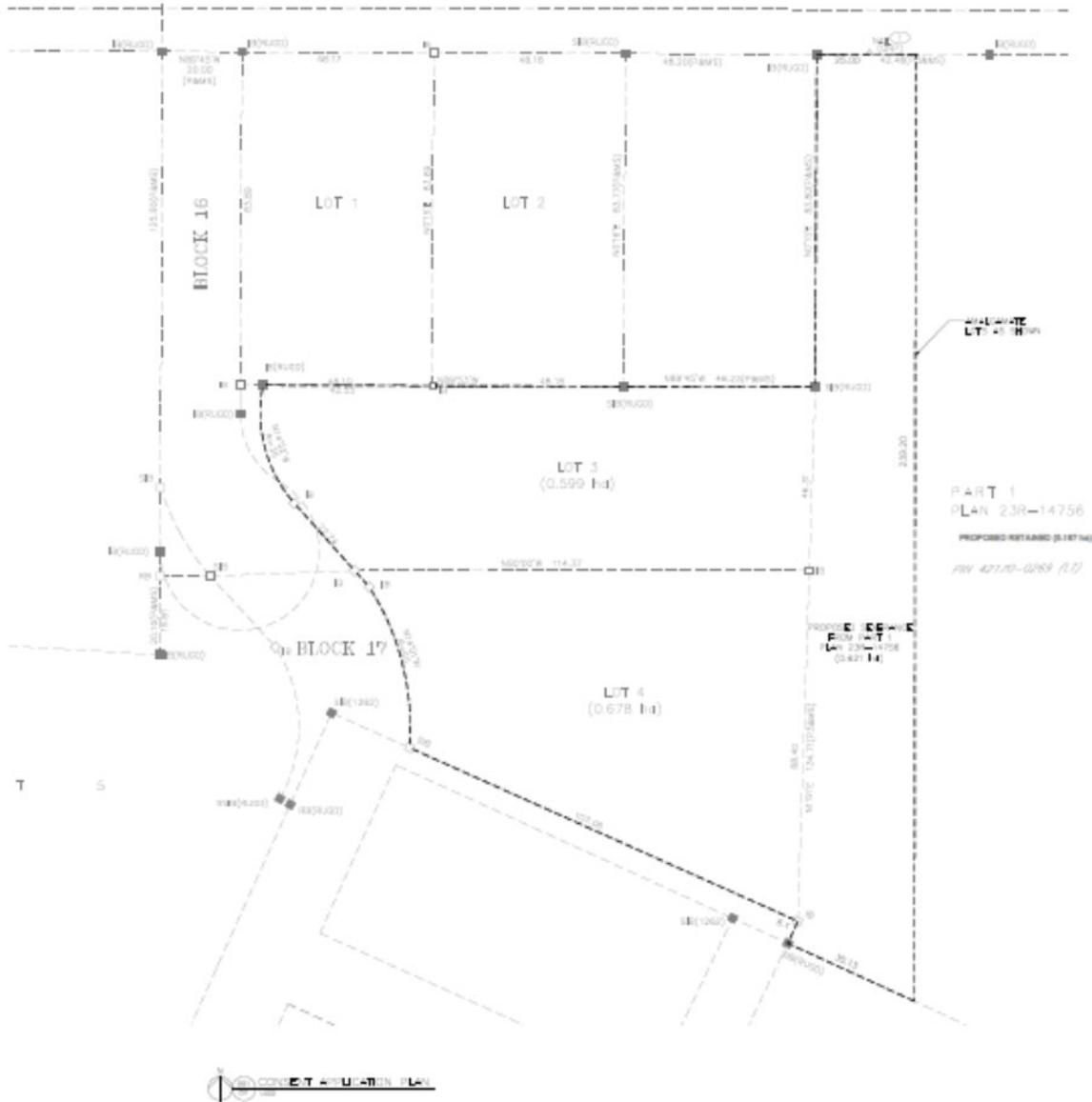


Figure 3 – View from Ninth Street North of proposed lands to be added



PLANNING REVIEW

Provincial Planning Statement (2024)

The subject lands are located within a settlement area and designated for Commercial and Industrial uses in the City of Kenora Official Plan. The proposal is consistent with the Provincial Planning Statement, 2024, which emphasizes streamlined approvals, intensification, and infrastructure optimization.

Relevant policies include:

- Section 2.1 (6) – Planning authorities shall support an appropriate range and mix of land uses, housing options...*employment*, public service facilities and other institutional uses.
- Section 2.3.1 (2) – Land use patterns in settlement areas shall support the efficient use of land, resources, and infrastructure and minimize land consumption and servicing costs.

- Section 3.1 (2) – Development on lands with existing or planned municipal infrastructure should optimize the use of existing infrastructure and consider opportunities for adaptive re-use.

Although the subject lands are not designated as an "employment area" under the definition provided in the Provincial Planning Statement, the proposed lot addition facilitates improved access to a site subject to a Site Plan Control Agreement and approved for development, contributing to more coordinated site access, circulation, and infrastructure servicing within the settlement area.

This proposal represents a logical extension of planned development and supports intensification and infrastructure efficiency in a manner consistent with the Provincial Planning Statement, 2024.

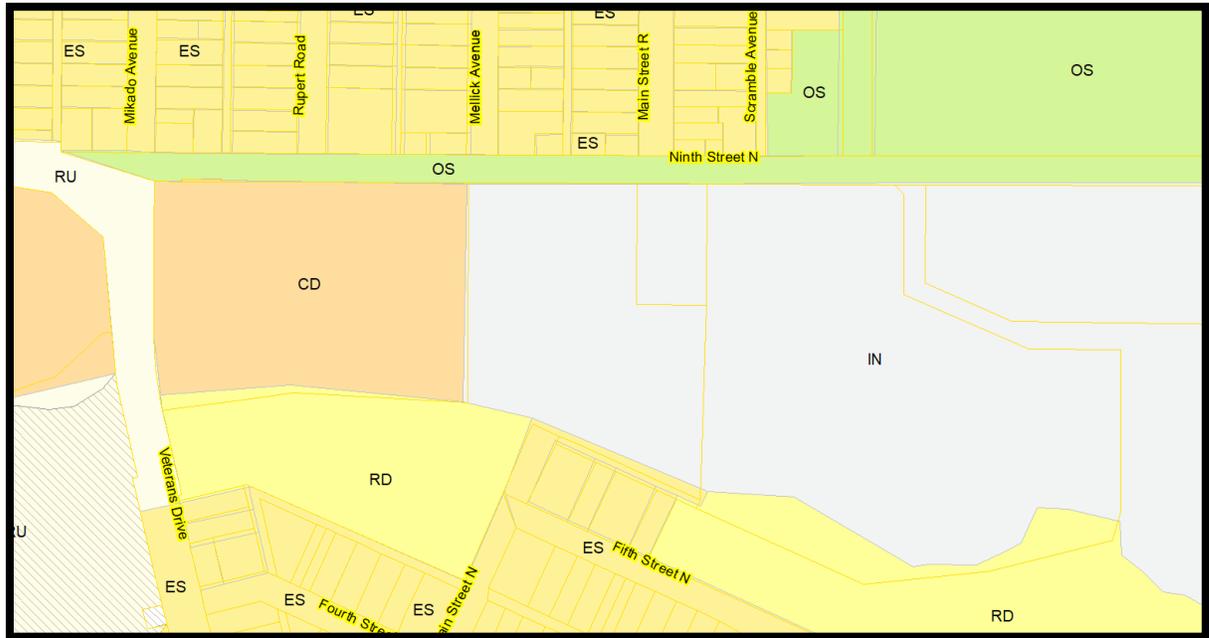
City of Kenora Official Plan

One of the 9 guiding principles of the Official Plan is to encourage new development to provide for a mix of uses in planning for complete communities, with one of the objectives of that principle being to provide opportunities for the redevelopment of the former Abitibi Mill site with employment uses.

The land use designation of the western portion of the former mill site is Commercial Development Area, while the central portion of the site is designated as Industrial Development Area (Figure 3). Policy 9.1 of the Official Plan states that, *it is intended that the boundaries of the Land Use Designations... shall be considered as general only, and are not intended to define the exact limits of such areas except in the case of roads, railways, and other physical barriers that provide definitive boundaries. Minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to this Plan.*

The subject lands are designated Commercial Development Area/Industrial Area in the Official Plan. Section 4.4 and 4.5 of the OP encourage the redevelopment of former industrial sites and the enhancement of access and services for employment uses. The proposed lot addition supports an executed Site Plan Control Agreement and is consistent with the adaptive reuse objectives outlined for the former mill site.

Figure 4. Official Plan Designations (Kenora GIS 2024)



City of Kenora Zoning By-law No. 101-2015

The lands involved in the lot addition are zoned General Commercial/Light Industrial (GC/ML). No change in use is being proposed as part of this application. Additionally, the proposal does not result in the newly created or retained lot being out of conformity with the zoning regulations (see Table 1 below):

Table 1 – Minimum Lot Requirements

	Required	Retained Lot	Merged Lot
Lot Frontage (minimum)	18 m	~ 105 m	25 m
Lot Area (minimum)	0.1 ha	~ 5 ha	~ 1.2 ha

Planning Act

Section 51(24) of the Planning Act requires regard for the public interest, conformity to policy, and suitability of the land. The application supports an active Site Plan Control Agreement with access for roads and municipal servicing, and thus meets all legislative tests.

RECOMMENDED CONDITIONS

Expiry Period

1. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of notice of decision.

Survey/Reference Plan

2. Provide to the satisfaction of the City:
 - a. A survey showing the lot lines of the severed parcel, and
 - b. A reference plan based on an approved survey.
3. Three original copies and one PDF copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.

Zoning

4. Where a violation of any City Zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the City.

Easements

5. That prior to the endorsement of the deeds, the applicant shall provide confirmation to the satisfaction of the City of Kenora that all existing easements affecting the subject lands have been accurately disclosed and addressed, and that the proposed lot addition does not compromise access or rights associated with those easements.

City Requirements

6. That the newly created parcel be consolidated on title with at least one of the adjacent lots identified as Lot 3 and Lot 4, Plan 23M974, and that a merger agreement be entered into.
7. That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
8. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided for each parcel.
9. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal descriptions of the PINs in question and containing the names of the

parties indicated on page 1 of the Transfer/Deed of Land form to be provide for each parcel.

- 10.** That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter, from the owner or the owner's Agent/Solicitor, confirming that conditions 1 through 9 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.

I hereby certify that this report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act. 1994.

A handwritten signature in black ink, appearing to read "Ryan Haines". The signature is stylized and cursive.

Ryan Haines

April 11, 2025