



# A G E N D A

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

**Tuesday, December 14, 2021  
12:00 p.m.**

City Hall Council Chambers

Due to COVID-19 and the requirement for physical distancing, the public will not be permitted into meetings at this time.

Public Access to the meeting can be found on the NEW Livestream at:  
<https://kenora.civicweb.net/Portal/>

### Land Acknowledgement – Councillor Goss

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

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

#### 1. Applications Being Considered:

- a) Zoning Bylaw Amendment - D14-21-10  
Civic Address: Unaddressed Property, East of Ninth Avenue North  
Legal Description: PINs: 42169-0159, 42169-0160, 42169-0162, 42169-0163, 42169-0243, 42169-0244, and 42169-0245  
Registered Owner: 5901058 Manitoba Ltd.  
Agent: Hook, Seller & Lundin LLP (Laura Wheatley)

#### 2. Applicant Presentation(s)

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

#### 3. City Planner Report/Rationale

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

#### 4. Public Comment

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

#### 5. Questions of Council (no decision)

#### 6. Close of Public Meeting

Meeting is to be declared closed following all comments/questions



**The Corporation of the City Of Kenora  
Notice of Complete Application and Public Meeting for a  
Zoning By-law Amendment, File Number D14-21-10  
Planning Act, R.S.O 1990, c.P13, s. 34**

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

**Statutory  
Public Meeting**

When: Tuesday, December 14<sup>th</sup>, 2021 at 12:00 p.m.

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

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

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application during their regular meeting on Tuesday, December 21, 2021 at 12:00 p.m.

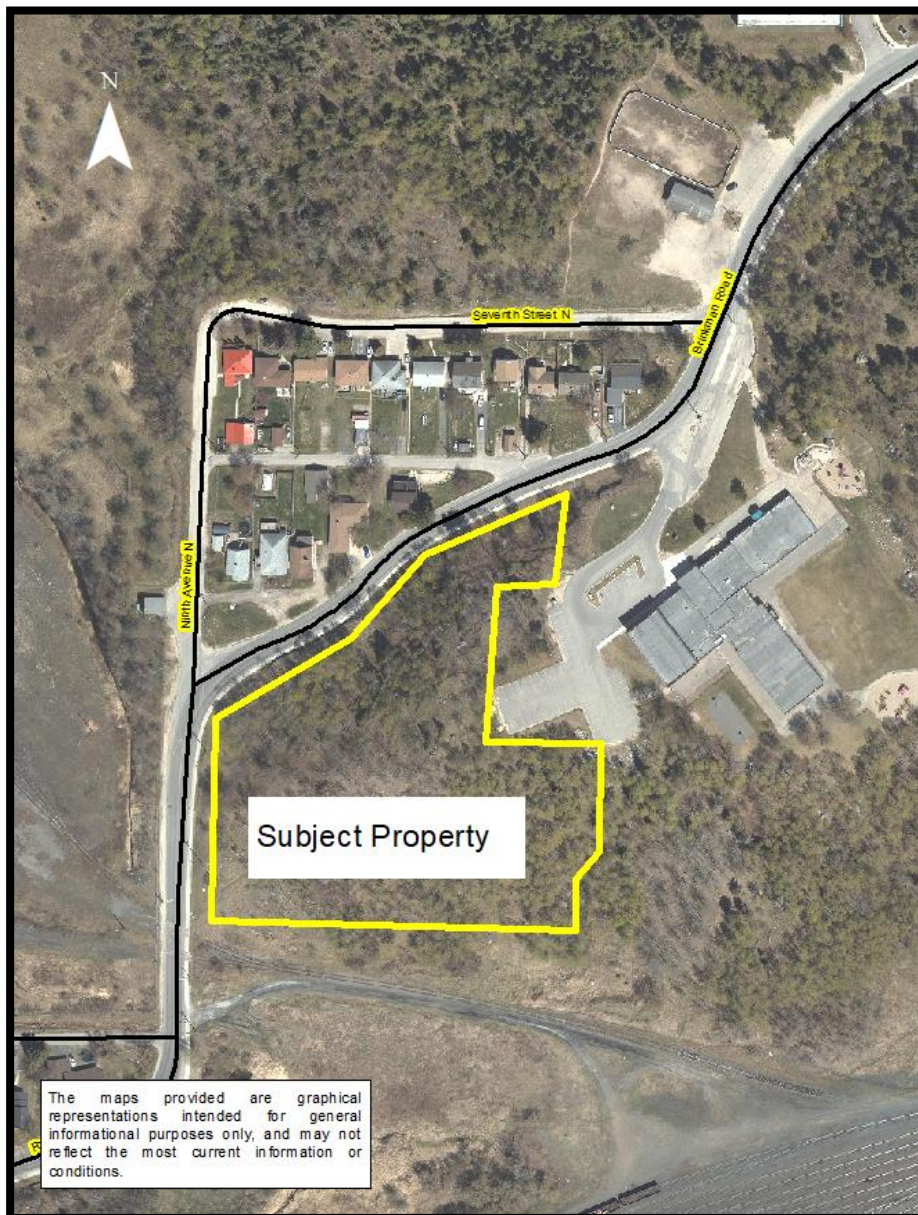
You are also invited to attend The Kenora Planning Advisory Committee (PAC), who hears applications and considers recommendations to Council, commencing at the following time and location:

**PAC Open House**

When: Tuesday, November 16, 2021 at 6:00 p.m.

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

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



**Be Advised** that the Corporation of the City of Kenora considered the Application for an Amendment to the Zoning By-law to be complete on October 25, 2021.

**Location of Property:** Unaddressed property on Ninth Avenue North and Brinkman Road, ON, as identified in the key map above.

**Purpose:** to amend the current zoning of the subject property from "RU" Rural Zone and "I" Institutional to "R3" Residential – Third Density Zone.

**Effect of Approval:** to permit the development of uses permitted within the "R3" Residential – Third Density Zone, including but not limited to multiple attached dwelling(s).

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

- a. **Submit comments in writing:** Persons wishing to provide comments for consideration at the Statutory Public Meeting may submit such comments in writing no later than Monday December 6, 2021 by email, to [planning@kenora.ca](mailto:planning@kenora.ca) or by regular mail to the address below, and quote File Number: **D14-21-10**.

Mr. Kevan Sumner, City Planner  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON P9N 3X2

- b. **Register to Speak at the PAC Virtual Meeting:** If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca) no later than noon on Friday, November 12, 2021 and quote File Number: **D14-21-10**. To register by phone please call: 807-467-2059.
- c. **Register to Speak at the Statutory Public Meeting:** If you wish to speak at the Public Meeting, you are asked to register in advance by email, to [planning@kenora.ca](mailto:planning@kenora.ca) no later than noon on November 5<sup>th</sup>, 2021 and quote File Number: **D14-21-10**. To register by phone please call: 807-467-2059.

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

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

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

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

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

Dated at the City of Kenora this 4<sup>th</sup> day of November, 2021



December 1, 2021

## Staff Report

**File No.:** D14-21-10

**To:** Kyle Attanasio, CAO

**Fr:** Kevan Sumner, City Planner

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

**Location:** Unaddressed property, east of Ninth Avenue North  
PINs: 42169-0159, 42169-0160, 42169-0162, 42169-0163,  
42169-0243, 42169-0244, and 42169-0245.

**Owner:** 5901058 Manitoba Ltd.

**Agent:** Hook, Seller & Lundin LLP (Laura Wheatley)

### Recommendation

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-10, to change the zoning of the subject property from "RU Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone; and further

That Council gives three readings to a by-law to that effect.

### 1. Introduction

An application has been received to change the zoning of the subject property from "RU" Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone, to allow for future residential development.

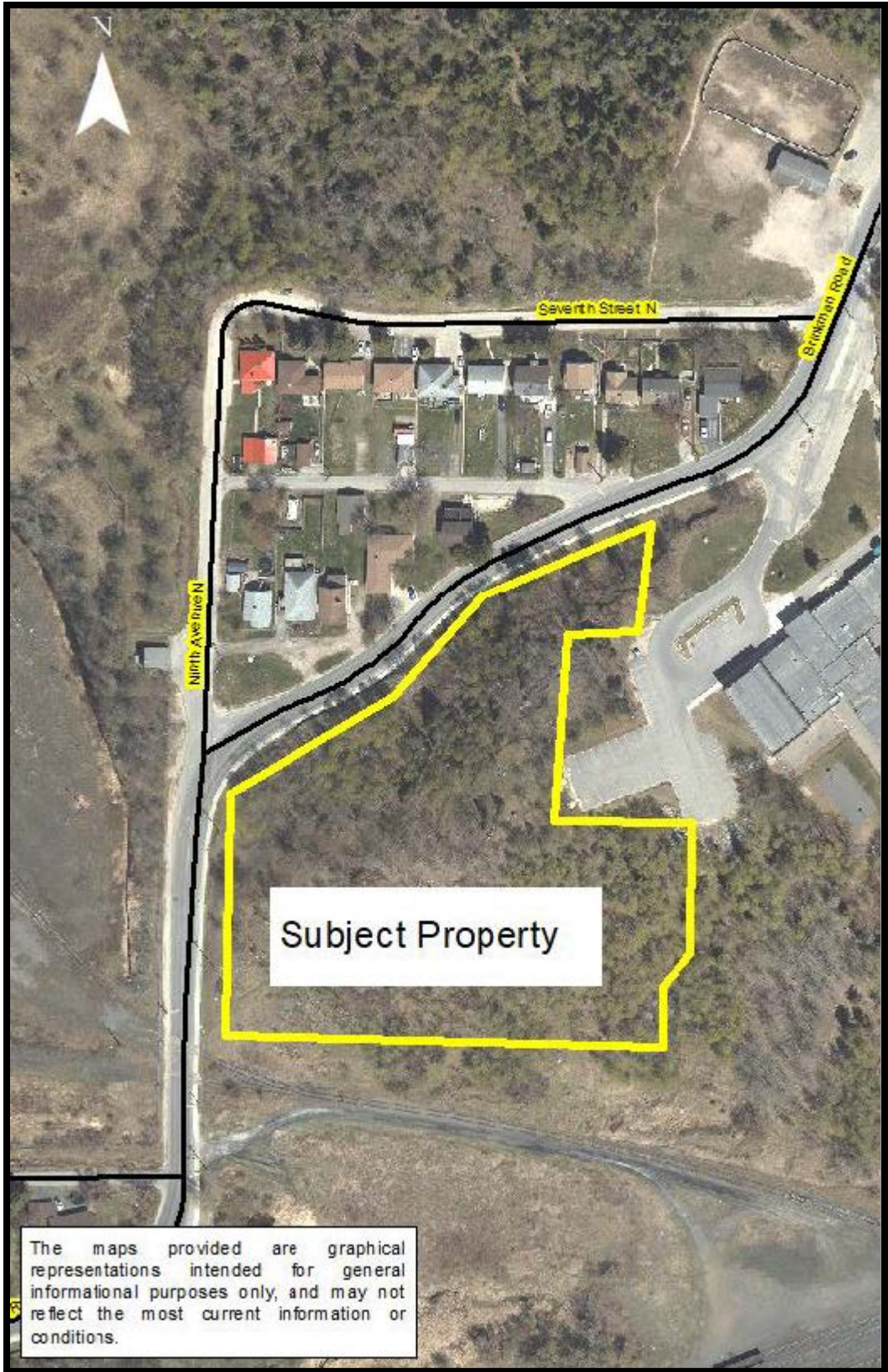
### 2. Description of Proposal

Portions of the subject property were formerly part of the larger Abitibi mill site, while others were recently acquired from the City of Kenora. Consolidation of the parcels and this zoning amendment will enable the development of multi-unit residences. The applicant has not yet prepared a site plan, but any development exceeding four residential units will be subject to site plan control and limited to medium density (40 units/net hectare).

### 3. Existing Conditions

There is no record of any prior development or use of the property, which is a rocky, sloping area between Evergreen School and the rail line which formerly serviced the main mill site to the west. The site is mostly tree-covered and slopes upward north of the rail line to a high point in the area bordering the school parking lot.





**Figure 1** - Aerial image displaying boundaries of subject site outlined in yellow.

#### 4. Site Visit

On November 10<sup>th</sup>, 2021, I attended the subject location to view existing conditions. The photo below is intended to provide a visual of the existing property.



**Figure 3** – View of property from Ninth Avenue North

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

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

The proposed zoning amendment is generally consistent with Policy 1.1.3.6, which states that new development should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.6.9.1 states that planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that their long-term operation and economic role is protected; and rail facilities and sensitive land uses are appropriately designed, buffered, and/or separated from each other in accordance with policy 1.2.6.

Policy 1.2.6 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures. Where avoidance is not possible, planning authorities shall protect the long-term viability of existing or planned industrial uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted when the following is demonstrated in accordance with provincial guidelines, standards, and procedures:

- a) There is an identified need for the proposed use;
- b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) Potential impacts to industrial uses are minimized and mitigated.



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

The land use designation of the property is Established Area (Figure 2). A small parcel at the southern edge of the property appears as Railyard on Official Plan maps. Until September, this parcel was a road allowance and would have been considered a boundary between the Established Area and Railyard designations. With the road now being closed, the location of the boundary is open to interpretation under section 9.1 of the Official Plan, which states that minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to the Plan.

The Established Area designation permits a mix of residential, commercial, industrial, and institutional uses. Residential development is encouraged as infilling or redevelopment on full municipal services. Medium density residential use is supported provided that the development is in keeping with the character of the area (Section 4.1).

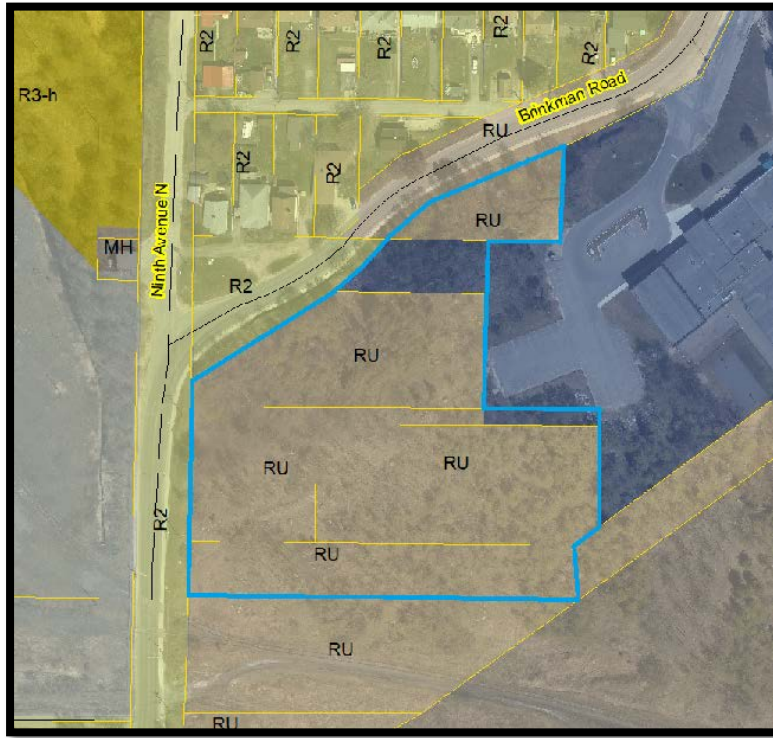
Section 3.6 of the Official Plan addresses development and redevelopment adjacent to railway corridors. Where planning approvals are required to allow for development or redevelopment near a railway corridor or rail yard, consideration is to be given to the impacts of noise and vibration. Except for limited infilling on existing lots of record new residential development is not to be permitted within 300m of a railyard. Limited residential development of a restrictive infill nature may be permitted. Applications for planning approvals for residential uses within 300m of a railway corridor shall be accompanied by a noise study. A vibration study is required for approvals within 75m of a railway.



**Figure 2** – Official Plan Mapping

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

The property is currently zoned "RU" Rural Zone and "I" Institutional Zone (Figure 3). The application proposes to change to zoning to "R3" Residential – Third Density Zone. This is required to enable the future residential redevelopment of the site. The R3 zone allows for the development of a full range of housing forms and other compatible uses serviced by municipal sewer and water.



**Figure 3 - Zoning By-law Mapping**

**6. Results of Interdepartmental and Agency Circulation**

The proposed zoning amendment was circulated for comment on October 28<sup>th</sup>, 2021. The following is a summary of comments received in response.

Building	No concerns
Community Services	No concerns
Engineering	No issues or concerns in changing the subject land to R3. Access and servicing will be of interest when the developer submits future site plans as Engineering is considering the removal of the abandoned tracks and regarding of the track area on 9th Ave N which should be discussed and coordinated with the property owners on the west and east sides of 9th Ave N.
Economic Development	The amendment supports the development of high density housing in the community.
Environmental Division	No concerns



Fire and Emergency Services	No concerns
Roads	No concerns
Water / Wastewater	No concerns. Water main is in road but sewer main would be full road crossing to hook up to.
CP Rail	<p>Thank you for the recent notice respecting the potential development in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <a href="http://www.proximityissues.ca/">http://www.proximityissues.ca/</a>.</p> <p>Should the captioned proposal receive approval, CP respectfully requests that the recommended guidelines be followed.</p>
Synergy North	At this time we have no objections or concerns. However please advise the developer to contact us at their convenience to discuss servicing options, loading requirements and our process.

**7. Public Comments**

Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated to property owners within 120 metres, published in the Municipal Memo of the Newspaper on November 4<sup>th</sup>, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee had the opportunity to consider the application at the meeting of November 16<sup>th</sup>, 2021, and has recommended the application be approved. The minutes and relevant resolution from this meeting are attached.

As of the date of this report (December 1<sup>st</sup>, 2021), no public comments have been received.

**8. Evaluation**

The proposed rezoning to R3 will allow for a full range of options for residential development. Under the policies of the Established Area, this development will be limited to medium density.

Both the Provincial Policy Statement and the Official Plan are supportive of residential infill development. This property was originally surveyed with streets and lots in a pattern typical of residential areas of the City, and the designation of the property as

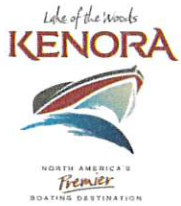
Established Area indicates that the City has envisioned this property being developed in a pattern typical of other established areas.

Both provincial and municipal policies recommend caution when development is to occur in proximity to existing rail yards and corridors. The property in question is adjacent to CP property, but the southern edge of the property is more than 100m from the closest rail line, which is a greater separation than neighbouring residential development along Third and Fourth Street North, and only slightly closer than the neighbouring school. If the proposed development is considered to be limited infilling on existing lots of record, it appears to be supported by the relevant policies.

Any future development of more than four dwelling units on the property will be subject to Site Plan Control. The Official Plan requires planning approvals to allow for residential land use within 300m to be accompanied by a noise study, but does not prescribe when a study is to be required when multiple planning applications are being brought forward prior to development. Thus, the applicants have been informed that a noise study must be submitted with their site plan control application, when detailed design can guide the study and any site improvements that may be required.

#### **Attachments**

- Complete Application for Zoning By-law Amendment
- Notice of Application and Public Meeting
- Draft minutes of November 16<sup>th</sup>, 2021 meeting of the Planning Advisory Committee
- Planning Advisory Committee resolution



**City of Kenora**  
**Application for Amendment to Zoning By-law or**  
**Temporary Use**  
 Section 34 or 39 of the Planning Act & Ontario  
 Regulation 545/06 (as amended)

**OFFICE USE ONLY**

Date Stamp - Date Received:	File Number: <u>214-21-10</u> Roll Number: <u>6016 020 006 17500</u> Application Fee Paid: \$ <u>1100</u> Application Deemed Complete (Date): <u>25 October 2021</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
- 1 original copy of the completed application form
- The required application fee of \$1100.00 as per the schedule of fees By-law
- Planning Rationale
- Site Plan Sketch
- Copies of 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:**

Zoning By-law Amendment s.34
  Temporary Use By-law s.39

**3.0 - Concurrent Applications Filed**

<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Site Plan Application
<input type="checkbox"/> Minor Variance/Permission	<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.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description	See attached.			
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/Part Lot				
Part Numbers(s)				
Tax Roll Number	6016 (see attached)			
Lot Frontage (Metres)				
Depth (Metres)				
Area (Ha.)	1.65 ha			
PIN	See attached.			

OWNER/APPLICANT INFORMATION				
Check Appropriate Box:	<input type="checkbox"/> Person(s)		<input checked="" type="checkbox"/> Company	
Registered Land Owner	Surname: 5901058 Manitoba Ltd.		First Name:	
Mailing Address	Street No.: 570	Street Name: Portage Ave	Postal Code: R3C 0G4	Unit Num.:
City	Winnipeg		Province: Manitoba	
Contact Information	Phone: 204-985-1355		2nd Phone or Fax:	
Email	marcel.chartier@capitalgroup.ca			
Acquisition Date of Subject Land	See attached.			

PLANNING AGENT/SOLICITOR INFORMATION				
Company or Firm Name	Hook, Seller & Lundin, LLP			
Name	Surname: Wheatley		First Name: Laura	
Mailing Address	Street No.: 301	Street Name: First Avenue South	Postal Code: P9N 1W2	Unit Num.: 204
City	Kenora		Province: Ontario	
Contact Information	Phone: 807-468-9831		Fax: 807-468-8384	
Email	lwheatley@hslaw.ca			

MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND				
Company	Cambrian Credit Union Limited			
Contact Person	Surname: Krahn		First Name: David	
Mailing Address	Street No.: 287	Street Name: Broadway, Winnipeg	Postal Code: R3C 0R9	Unit Num.:
Contact Information	Phone: 204-925-2625		Fax: 204-989-0040	
Email	dkrahn@cambrian.mb.ca			

5.0 Please list the reports/studies that will accompany this application
There are no reports and/or studies that will accompany this application.

**6.0 – Current Zoning (Please see [www.kenora.ca/planning](http://www.kenora.ca/planning) for schedules/maps)**

What is the current zoning of the subject land under Zoning By-law No. 101-2015 as amended?

RU - Rural and I - Institutional (PIN 42169-0243 only)

**7.0 – Proposed Zoning**

What proposed zone or zones are you seeking for the subject land?

R3 - Residential Third Density

**8.0 – Nature of Proposal (Brief Description – use rationale to provide detail)**

Please describe the reasons (purpose) and nature/extent of the proposed rezoning or temporary use request:

*\*Indicate if application is for the removal of a holding provision (H Symbol)*

The proposed zoning amendment will change the current zoning from rural and institutional to residential third density, thereby allowing for future development of multi-unit residences.

**9.0 – Reason for Zoning Amendment or Temporary Use By-law**

Please describe why it is not possible to comply with the provision of Zoning By-law No. 101-2015 as amended:

The current zoning of institutional does not allow for the residential development of the property. The current zoning of rural only permits single detached dwellings. The proposed amendment will promote housing and allow for the efficient and economic development of the property via multi-unit residences.

**10.0 – Height and Density**

Is the subject land located in an area of the City which has pre-determined minimum and maximum requirements for height and density?

Yes

No

If yes, please provide a statement of those requirements:

The subject land is located in an Established area, which pursuant to Section 4.1.2. of the Official Plan, limits development to medium density.



**11.0 – Area of Settlement**

Does the rezoning alter the boundaries of an existing area of settlement or require a new area of settlement to be implemented?

Yes

No

If yes, please provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement:

**12.0 – Employment Lands**

Will the application remove land from an area of employment?

Yes

No

If yes, please provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment:

**13.0 – Official Plan Context (Please see [www.kenora.ca/planning](http://www.kenora.ca/planning) for schedules/maps)**

a) What is the Official Plan Land Use Designation of the Subject Land?

Established Area. It is noted that a small portion of the subject property, being PIN 42169-0245, is designated as Railyard under the Official Plan. Pursuant to Section 9.1 of the Official Plan the boundaries of land use designations shall be considered as general only, and minor adjustments may be made to these boundaries for the purpose of any zoning by-law without necessitating an amendment to this plan.

b) How does the proposed zoning amendment or temporary use comply with the Official Plan?

The proposed zoning amendment complies with the Official Plan as residential use is a permitted use under the Established Area designation. The Official Plan encourages residential development.

c) Is the subject land within an area where zoning with conditions applies?

Yes

No



If answer to question (c) is yes, please provide an explanation of how the proposed amendment or temporary use complies with the Official Plan Policies relating to zoning with conditions.

Existing use of the subject land:

Vacant land

Proposed use of the subject land:

Multi-unit residential

Length of time existing uses have continued:

Unknown

#### 14.0 – Site Suitability

Are the subject lands a suitable site and location for the requested zone(s) and what are the physical characteristics of the subject land?

The subject lands are a suitable site for the requested zone as the proposed residential use would be an extension of the surrounding land uses. The subject property is irregular in shape and is a combination of gentle to low slopes up from the street level, with the remainder of the site being low sloping to uneven. The ground cover is a mix of grass, large boulders and trees.

#### 15.0 – Surrounding Land Uses

Is the requested zone compatible with surrounding land uses? In what way?

The surrounding lands are zoned R2- Residential Second Density to the north and west, I - Institutional to the east, and MH - Heavy Industrial to the south. The properties to the north and west of the subject property consists of single family residential housing, and the requested zone would allow for an extension of the residential use onto the subject property.

#### 16.0 Access

Type of Access:

Municipal maintained road

Seasonally maintained municipal 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:

### 17.0 – Water Supply

**Subject Property Water Supply:** The property is currently vacant land, however once development begins the intention is to connect to municipal services.

- Municipal water                       Private well                       Communal well  
 Lake     Other: \_\_\_\_\_

### 18.0 – Sewage Disposal

**Subject Property Sewage Disposal:**

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

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed, you are required to provide:

- A servicing options report; and
- A hydrogeological report

### 19.0 – Other Applications Under the Planning Act

Is the subject land, or land within 120 metres of the subject lands, the focus of any other applications under the planning act or has the subject property been subject to an application in the past?

- Yes     No

If yes, please indicate which applications are being undertaken:

X	Draft Plan of Subdivision	File No.: D07-20-02	Status: Conditional
	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:

If you answered yes to any of the above, please describe the land the "other" application affects, the

purpose of that application, and the effect that application will have on the amendment requested through this application:

**20.0 – Site Structures**

**Existing Structures:** There are no existing structures located on the property.

	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				

**Proposed Structures:** No conceptual site plan is available at this time.

	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				



## 21.0 - Sketch

A sketch or site plan, preferably prepared to scale by a professional shall be submitted as part of each application. The sketch or site plan must clearly demonstrate:

- (a) the boundaries and dimensions of the subject land;
- (b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- (c) the approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
  - (i) are located on the subject land and on land that is adjacent to it, and
  - (ii) in the applicant's opinion, may affect the application;
- (d) the current uses of land that is adjacent to the subject land;
- (e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- (g) the location and nature of any easement affecting the subject land.

All necessary information must be contained on one single sketch or site plan. Please see section 27.0 for a sample sketch.

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

Elevation drawings shall also be provided if applicable.

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

**22.0 – Is the plan consistent with policy statements issued under Subsection 3(1) of the Planning Act?**

Please state how this application is consistent with the 2020 Provincial Policy Statement (PPS).

The application is consistent with the 2020 PPS as it promotes efficient development and land use patterns which will sustain the financial well being of the City over the long term, also also accommodate market-based range and a mix of residential types in the Evergreen area. The proposed development also promotes the efficient expansion of the current settlement area into an adjacent area.

**23.0 – Additional Information**

Please provide any additional information that you feel would be beneficial to Staff, outside agencies or Council in evaluating the application:

Please refer to attached Planning Rationale.

**24.0 - Directions**

Please provide directions to the subject property:

Please see attached Google Maps directions. Subject property is located on the right of destination pin.

**25.0 – Site History**

What is the current use(s) of the subject land:

Vacant land

Please state all previous known uses of the subject land:

Vacant land

Has there been an industrial, commercial use or a gas station on the subject land or adjacent land, any grading change of the property by adding fill or other material, any petroleum or other fuel stored on the subject land or land adjacent to the subject land or is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site?

Yes

No

If yes please be specific:

What information did you use to determine the answers to the above questions?

Personal knowledge

\*If yes to the above, a soils investigation study including previous use inventory is required, showing all former uses of the subject land, or if appropriate, the adjacent land. This study must be prepared by a qualified consultant.

26.0 Contamination	Yes	No	Unknown
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has a gas station ever been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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.</p>			
<p>Personal knowledge</p>			
<p>*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.</p>			
27.0 – Subsurface Rights			
<p>Are the subsurface rights and the surface rights to the property held by the same owner?</p>			
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>If no, who owns the subsurface rights?            _____</p>			
<p>If no, please have the owner complete the following declaration (Section 22.1):</p>			
27.1 Authorization from the Owner of the Subsurface Rights (If subsurface rights are different from the Owner of the lands)			
<p>I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)</p>			
<p>_____ (signature)</p>		<p>_____ (date)</p>	
<p>_____ (address)</p>			
<p>_____ Telephone Number</p>	<p>_____ Email address</p>	<p>_____ Fax Number</p>	



## 28.0 – 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 <sup>1</sup>		X			Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry <sup>2</sup>		X			Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry <sup>3</sup>		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			160 m	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?
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 <sup>4</sup>		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.

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

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

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

<sup>4</sup>Hazardous 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)



**29.0 – 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 5901058 Manitoba 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 Laura Wheatley 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 .

5901058 Manitoba Ltd.  
*Marcel Chartier*  
Per: Marcel Chartier, President  
*I have the authority to bind the corporation*

10/6/2021

Date

Signature of owner(s)

DALL F. SELLER  
BARRISTER & SOLICITOR  
PUBLIC  
Name and Signature of Witness

**30.0 – Affidavit or Sworn Declaration**

I, Laura Wheatley 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 City of Kenora in the Province of Ontario this 7 day of October in the year 2021.

Commissioner of Oaths  
**CHERYL C.M. SIRAN**  
Barrister & Solicitor  
Notary Public

Applicant(s) Signature



**31.0 – 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 and members of Council and/or the Planning Advisory Committee.

I/We, 5901058 Manitoba 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.

5901058 Manitoba Ltd.

Marcel Chartier

Per: Marcel Chartier, President

I have the authority to bind the corporation  
Owner(s) Signature

10/6/2021

Date

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.

## Directions to Subject Property

← from City of Kenora, 1 Main St S, Kenora, ON P9N 3K2  
to 9th Ave N, Kenora, ON

**3 min (1.5 km)**  
via 2nd St N  
Fastest route

- ▼ Take 2nd St N and 3rd St N to 4th St N/9th Ave N  
3 min (1.5 km)
- ↙ Turn left onto McClellan Ave  
120 m
- ↙ Turn left onto Matheson St S  
160 m
- ↘ Turn right onto 1st St N  
50 m
- ↙ Turn left onto Matheson St N  
120 m
- ↘ Turn right onto 2nd St N  
400 m
- ↘ Slight right onto 3rd St N  
230 m
- ↙ Turn left onto 8th Ave N  
110 m
- ↘ Turn right at the 1st cross street onto 4th St N/9th Ave N  
300 m

**9th Ave N**  
P9N 3K2

## Description of Lands

### **PIN 42169-0159 LT 222-226 BLK 8 PL 88 S OF BRINKMAN RD; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: RU – Rural

Official Plan: Established Area

Date of Acquisition: February 25, 2011

### **PIN 42169-0243 8TH ST PL 88 BTN BRINKMAN RD & TENTH AV N EXCEPT RP12991, AKA SIXTH ST N; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: I – Institutional

Official Plan: Established Area

Date of Acquisition: October 15, 2021

### **PIN 42169-0160 LT 246-252 BLK 8 PL 88 S OF BRICKMAN RD; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: RU – Rural

Official Plan: Established Area

Date of Acquisition: February 25, 2011

### **Part of PIN 42169-0244 being LANE BLK 8 PL 88 S OF LT 243-252 DESIGNATED AS PT 1 PL 23R14828; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: RU - Rural

Official Plan: Established Area

Date of Acquisition: October 15, 2021

### **PIN 42169-0162 LT 253-255 BLK 8 PL 88; KENORA**

Current Owner: 5901058 Manitoba Ltd.



Zoning: RU - Rural

Official Plan: Established Area

Date of Acquisition: October 15, 2021

**PIN 42169-0163 LT 256-262 BLK 8 PL 88; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: RU - Rural

Official Plan: Established Area

Date of Acquisition: February 25, 2011

**PIN 42169-0245 7TH ST PL 88 AKA FIFTH ST N; KENORA**

Current Owner: 5901058 Manitoba Ltd.

Zoning: RU – Rural

Official Plan: Railyard

Date of Acquisition: October 15, 2021

**PLANNING RATIONALE  
APPLICATION FOR ZONING BY-LAW AMENDMENT**

The subject property consists of the following legal descriptions:

PIN 42169-0159 LT 222-226 BLK 8 PL 88 S OF BRINKMAN RD; KENORA

PIN 42169-0243 8TH ST PL 88 BTN BRINKMAN RD & TENTH AV N  
EXCEPT RP12991, AKA SIXTH ST N; KENORA

PIN 42169-0160 LT 246-252 BLK 8 PL 88 S OF BRICKMAN RD; KENORA

Part of PIN 42169-0244 being LANE BLK 8 PL 88 S OF LT 243-252  
DESIGNATED AS PT 1 PL 23R14828; KENORA

PIN 42169-0162 LT 253-255 BLK 8 PL 88; KENORA

PIN 42169-0163 LT 256-262 BLK 8 PL 88; KENORA

PIN 42169-0245 7TH ST PL 88 AKA FIFTH ST N; KENORA

The purpose of this application is to amend the current zoning designation from RU-Rural and I – Institutional to R3 - Residential Third Density.

At the time of the submission of this application the development plan is conceptual in nature. No site plans are available at this time nor is a comprehensive outline of the residential development. The Applicant will be further conveying these lands to a third party who intends to address any concerns regarding the development at the Site Plan stage.

**1.0 Physical Description of the Site:**

The subject property is roughly 4.1 acres in size. Access to the subject property is currently accessible via both Ninth Avenue North and Brinkman Road.

The subject property is a combination of gentle to low slopes up from front street level with the remainder of the site being low sloping to uneven. The ground cover is a mix of grass, large boulders and trees. The northerly most portion of the subject property contains a combination of rock outcropping and trees. The subject property currently has no municipal services connected, however they are available.

The current land use is vacant land, and the surrounding land uses are residential, commercial, and railyard.

## **2.0 Description of the Site's Planning History:**

The subject property consists of properties owned by 5901058 Manitoba Ltd. and the Corporation of the City of Kenora. As indicated above, 5901058 Manitoba Ltd will acquire the City owned properties on October 15, 2021. The portions owned by 5901058 Manitoba Ltd. were acquired on February 25, 2011. Prior to 5901058 Manitoba Ltd.'s ownership, the property was owned by Kenora Paper Mills Limited who was the registered owner from May 11, 1932 to February 25, 2011. The writer is not aware of any planning history with regards to the subject property.

## **3.0 Description and Overview of the Proposal:**

The applicant is proposing to amend the zoning by-law from RU – Rural and I – Institutional to R3 – Residential Third Density. This zoning amendment will allow for future development of this area, in particular the development of multi-unit residences. At this stage it is unknown the type and amount of residences that will be developed. This will be addressed at the site plan stage.

## **4.0 Compatibility of the Proposed Development with Existing Adjacent Developments**

The proposed development is compatible with the existing adjacent developments. The surrounding properties to the north and west are residential, consisting of single family residential homes.

## **5.0 Impacts on Natural Environment and Municipal Services**

There will be no adverse impact on the natural environment as a result of this zoning amendment.

There will be no adverse impact on the City's municipal services. The existing road is a municipal road, maintained year-round by the City of Kenora, and municipal services are supplied by the City of Kenora.

## **6.0 Provincial Policy Statement (2020 PPS) and Planning Act Considerations**

The proposed zoning bylaw complies with the provisions of the *Planning Act* as the proposal is in compliance with the official plan. Section 34(10) of the *Act* provides that a zoning by-law passed by a municipality may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.

Section 35.1(1) of the *Act*. States that council shall ensure that the by-laws passed under section 34 give effect to the policies described in subsection 16(3).



Section 16(3) of the *Act* provides that an official plan shall contain policies that authorize the use of additional residential units by authorizing the use of two residential units in a detached house, semi-detached house or rowhouse and the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.

Section 1.1.1 of the 2020 PPS provides that *healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the longer term; and b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation.*

The proposed zoning amendment complies with this statement as it will result in the residential development of a currently vacant area in the City of Kenora, thereby increasing the financial well-being of the City of Kenora over the longer term. The proposed development will assist in filling a void in the housing market that is currently missing in the City of Kenora.

#### **7.0 Proposal Conforms to General Purpose and Intent and Goals of the City of Kenora Official Plan**

The proposed consent is consistent with the City of Kenora Official Plan and the Ontario Provincial Policy Statement (2020) and achieves efficient development consistent with land use patterns. The Official Plan designation is Established Area, which permits residential development on full municipal services.







PLAN 23R-14828

RECORDS AND INSTRUMENTS  
DATE 2021-07-28  
APPROVED FOR THE CITY OF KENORA BY THE  
CITY ENGINEER  
DATE 2021-07-28

PART	LOT	PLAN	AREA (SQ. METERS)	AREA (SQ. FEET)
1	ALL OF LOTS 1 TO 252 (INCLUSIVE)	PLAN 88	42168.04 (4617)	0.008
2	PART OF LOT 253	PLAN 88	42168.04 (4617)	0.029
3	STREET (NOW PART OF STREET NORTH)	PLAN 88	42168.04 (4617)	0.029

PLAN OF SURVEY OF

ALL OF  
LANE SOUTH OF LOTS 243 TO  
252 (INCLUSIVE), BLOCK 8, PLAN 88  
AND PART OF  
GREY STREET (NOW SIXTH STREET NORTH)  
PLAN 88  
CITY OF KENORA  
DISTRICT OF KENORA

CR. 1001, O.L.S.  
DATE 11-1-2020  
SCALE: 1" = 20 METERS

IF RECONSTRUCTED SHOWING AREAS IN METERS AND CAN BE  
CONVERTED TO FEET BY DIVIDING BY 3.048. METERS AND CAN  
BE CONVERTED TO ACRES BY DIVIDING BY 4.047.

**BEARING NOTE.**  
BEARINGS ARE GIVEN FROM TRUE NORTH, UNLESS OTHERWISE  
SPECIFIED. POINT POSITIONS ON THE LOT AND MONUMENT IS TO BE  
DETERMINED BY THE SURVEYOR AND REFERRED TO THE  
CENTRAL MERIDIAN OF THE ZONE IN 1928 (NAD 83) DATUM.

**ROTATION NOTE.**  
FOR BEARING COMPASSES, A ROTATION OF 185° (QUADRANT) AND  
APPLIED TO BEARINGS ON P AND P1 AND A ROTATION OF 190° IS  
APPLIED TO BEARINGS ON P2 TO CONVERT TO TRUE  
BEARINGS.

**SCALE FACTOR NOTE.**  
DISTANCES ARE GIVEN AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99984.

- LEGEND**
- 1 SURVEY - SURVEY MONUMENT FOUND
  - 2 SURVEY - SURVEY MONUMENT PLACED
  - 3 SURVEY - SURVEY MONUMENT REPAIRED
  - 4 SURVEY - SURVEY MONUMENT MISSING
  - 5 SURVEY - SURVEY MONUMENT DESTROYED
  - 6 SURVEY - SURVEY MONUMENT DAMAGED
  - 7 SURVEY - SURVEY MONUMENT MOVED
  - 8 SURVEY - SURVEY MONUMENT REPLACED
  - 9 SURVEY - SURVEY MONUMENT IDENTIFIED
  - 10 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED
  - 11 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPLACED
  - 12 SURVEY - SURVEY MONUMENT IDENTIFIED AND MOVED
  - 13 SURVEY - SURVEY MONUMENT IDENTIFIED AND DAMAGED
  - 14 SURVEY - SURVEY MONUMENT IDENTIFIED AND DESTROYED
  - 15 SURVEY - SURVEY MONUMENT IDENTIFIED AND MISSING
  - 16 SURVEY - SURVEY MONUMENT IDENTIFIED AND FOUND
  - 17 SURVEY - SURVEY MONUMENT IDENTIFIED AND RECONSTRUCTED
  - 18 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND RECONSTRUCTED
  - 19 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND REPLACED
  - 20 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND MOVED
  - 21 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND DAMAGED
  - 22 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND DESTROYED
  - 23 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND MISSING
  - 24 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND FOUND
  - 25 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND RECONSTRUCTED
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  - 31 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND REPAIRED AND MISSING
  - 32 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND REPAIRED AND FOUND
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  - 49 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND REPAIRED AND REPAIRED AND REPAIRED AND RECONSTRUCTED
  - 50 SURVEY - SURVEY MONUMENT IDENTIFIED AND REPAIRED AND REPAIRED AND REPAIRED AND REPAIRED AND REPAIRED AND RECONSTRUCTED

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT  
1. - THIS SURVEY AND PLAN ARE CORRECT AND IN  
ACCORDANCE WITH THE LAND SURVEY ACT AND THE SURVEYOR'S  
REGULATIONS MADE UNDER THEM.  
2. - THE SURVEY WAS COMPLETED ON 2021-08-29

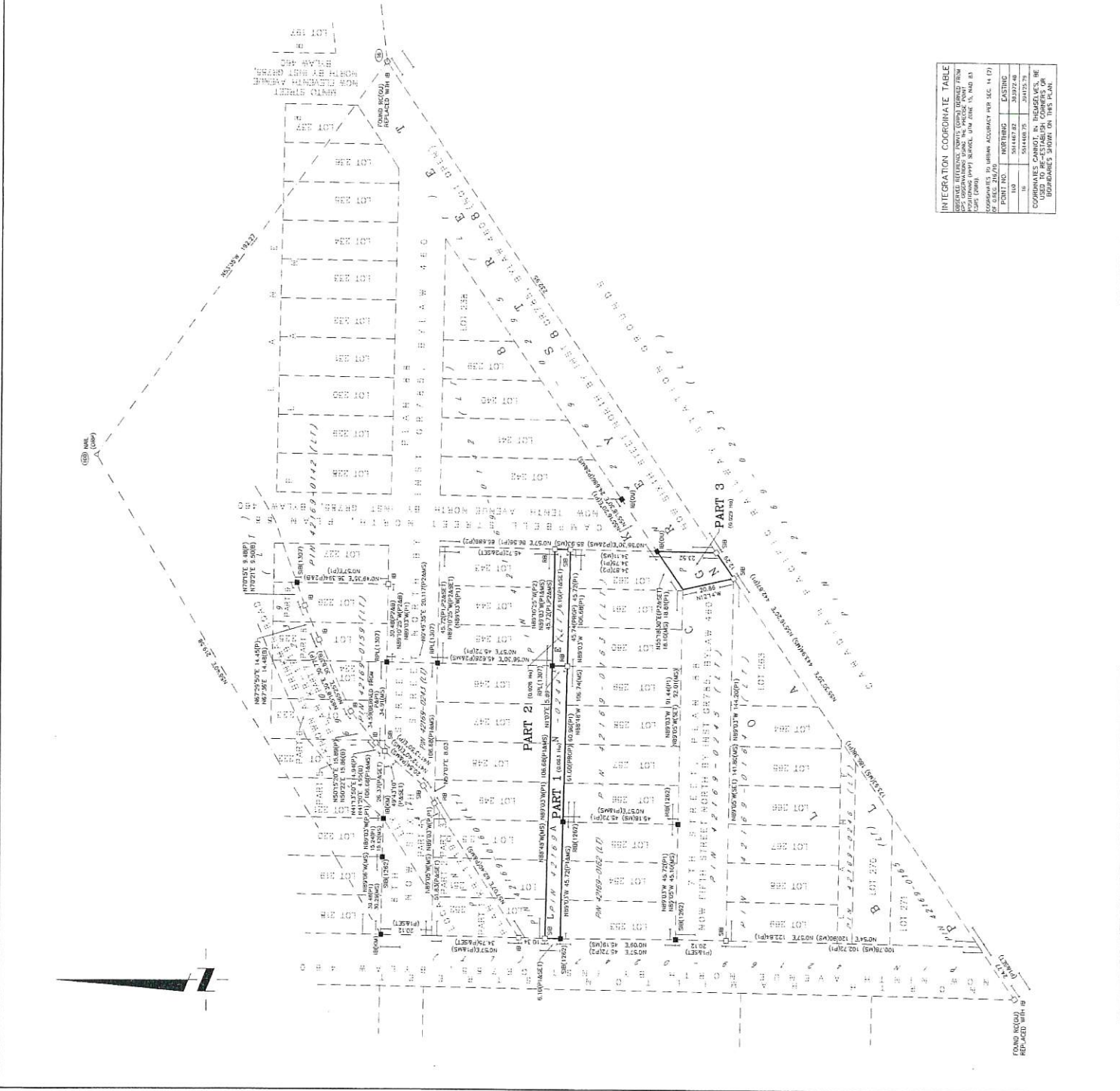
KENORA, ONTARIO  
DATE 2021-07-28

*Surveyor's Signature*  
ON-THE-ROD SURVEYOR

**RUGGED GEOMATICS INC.**  
WWW.RUGGEDGEOMATICS.COM  
131 MAIN STREET EAST  
KENORA, ONTARIO P9A 1Z9  
CANADA

**RUGGED GEOMATICS**  
ON-THE-ROD SURVEYORS  
CANADA LAND SURVEYORS

PARTY: SURETY TITLE CREW/SCOPE  
PREPARED BY: GREG BOGGS, O.L.S., C.L.S. & T.M. CONTIORS, A.L.S.  
FILE: 2021044  
DRAWN BY: TAYLOR WEBSTER



**INTEGRATION COORDINATE TABLE**

REFERENCE: REFERENCE POINTS (COORDINATES) DERIVED FROM  
GPS OBSERVATIONS USING A HIGH-PRECISION POINT  
CONTROL (HPC) SURVEY, ON THE DATE 10, 2020 AS  
COMPARISONS TO UTMN ACCURACY PER SEC. 14 (2)

POINT NO.	NORTHING	EASTING
100	551487.82	333272.48
101	551488.75	334125.78

COORDINATES CANNOT BE INCREASED, BE  
DECREASED OR DELETED FROM THE PLAN  
BOUNDARIES SHOWN ON THIS PLAN.





**Minutes  
City of Kenora Virtual Planning Advisory Committee  
Regular meeting held by way of Zoom Meeting  
Tuesday November 16, 2021  
6:00 p.m. (CST)  
Video Recording:**

**DELEGATION:**

**Present:**

**Ray Pearson  
John Barr  
John McDougall  
Bev Richards  
Tanis McIntosh  
Melissa Shaw  
Kevan Sumner  
Adam Smith  
Tessa Sobiski**

**Acting Chair  
Member  
Member  
Member  
Secretary-Treasurer  
City Planner  
Manager Development Services  
Minute Taker**

1. The Chair, Ray Pearson called the meeting to order at 6:00 p.m. A Land Acknowledgement was delivered and the meeting protocol was reviewed.
2. Additions to the Agenda – there were none.
3. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present – there were none
4. Correspondence relating to applications before the Committee – there were none.
5. Adoption of Minutes of previous meeting
  - The meeting minutes of October 19, 2021 were adopted.
6. Consideration of an Application for Consent
  - D10-21-14

The agent, Laura Wheatley presented the application for consent to an access easement over the property of 220 Lakeview Drive where Casey’s is located in order to find a legal way to recognize the access agreement that is already occurring on the property. The entrance to the Super 8 and the Casey’s property is only owned by the Casey’s property so in order for the patrons of the Super 8 to have legal access an easement needs to be created over the entrance. The agent did not see any issues with the Zoning By-law or the Official Plan as the applicant is not creating any development or requesting any changes to zoning. The agent indicated that there is a dated reference plan and they will be looking into

whether that plan can be used to accurately describe the easement. They will likely be submitting a reference plan to confirm the boundaries.

The City Planner, Kevan Sumner, presented the planning report. There were no concerns identified with registering an easement on the property. The Planner recommended that the application be approved and that provisional consent be granted, subject to conditions.

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

The Chair asked the committee members for any discussion or questions. There were none.

The Secretary-Treasurer read the recommendation.

Motion: Tanis

Seconded: Bev

That application D10-21-14 for consent, right-of-way on property located at 220 Lakeview Drive, Kenora, ON and legally described as PIN 42161-0063, City of Kenora be approved to enable an easement for right-of way over property described as PIN 42161-0063 in favour of PIN 42161-0062 as subject to the conditions as listed.

Carried.

7. Recommendation to Council
  - Amendment to the Zoning By-law
    - i. D14-21-10, Evergreen

The Agent, Laura Wheatley presented the application for a zoning amendment to change the zoning from "I" to "R3". The property is currently four acres of vacant land to the east of Ninth Avenue South and to the south of Brinkman Avenue and used to comprise of the old Mill Property. The applicant is proposing the rezoning to permit multi-unit residential housing in the future. The agent indicated that while there is currently no proposed development, the applicant would like to rezone the property "R3" in order to develop it themselves or attract marketability in the future. The agent felt that the rezoning complies with the Zoning By-law and the Official Plan.

The City Planner presented the planning report. He clarified that the PIN number 164 and 165 were portions of the property south of the area being rezoned so they don't apply to those PINs. The notice and application are correct in terms of identifying the areas being rezoned.

After interdepartmental and agency circulation, the following comments were received: Engineering had no concerns however, noted that access and servicing will be of interest when the developer submits future site plans as Engineering is considering the removal of abandoned tracks in the area. Economic Development noted that the amendment supports the development of high density housing in the community. Water and Wastewater had no concerns but indicated that the sewer

main would be full road crossing for hook up. CP Rail requested that the 2013 Proximity Guidelines be followed and Synergy North asked the developer to contact them to discuss servicing options, loading requirements and their process. The Planner recommended that the application for a Zoning By-law amendment be approved.

The Chair asked if the agent had any further comments. They did not.

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

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

Member, John Barr asked the City Planner about the noise study and the recommended attenuation measures if the noise study finds that the rail yard would exceed interior noise allowance. The Planner responded that the expectation would be that a noise study be required in conjunction with or prior to submission of a site plan control application and that recommendations from that noise study would be incorporated into the site plan and design of the buildings of the property. Once locations and orientations of buildings are determined, recommendations can be made in regards to attenuation features.

Member, Bev Richards asked the agent about the description of PIN 42169-0244 designated as Part 1. The member asked the agent about Part 2 and whether it was an omission or if would be sold to the School Board. The agent clarified that at the time of the application Part 2 hadn't been acquired. The split has now taken place however, when the application was submitted they did not have a legal description. The applicant owns Part 1 and Part 2.

Ms. Richards asked if there was intention to purchase the properties south of the subject land. The agent responded that the property south is owned by the applicant and that there is a lane that the City retained. It is zoned industrial at this time and the intention is to keep those zoned industrial and rezone the top portion. Ms. Richards asked the City Planner if the property could ever be high density if the applicant owned additional abutting land. Mr. Sumner could not rule that out however, he noted there would be additional hurdles with the southern properties, as they are designated rail yard which would require an Official Plan and Zoning By-law amendment.

Ms. Richards asked for clarification on the application referencing four dwelling units. Mr. Sumner clarified that a residential unit is a household unit which is typified by having sleeping, eating and sanitary facilities in a single unit and that site plan control is not required for four dwelling units and under.

The Secretary-Treasurer read the recommendation.

Motion: John McDougall

Seconded: Bev Richards

RESOLVED THAT the PLANNING ADVISORY COMMITTEE recommends that the Council of the Corporation of the City of Kenora approve Application for an



Amendment to the Zoning By-law, File No. D14-21-10, the subject lands are described as unassigned property, east of Ninth Avenue North PINs: 42169-0159, 42169-0160, 42169-0162, 42169-0163, 42169-0243, and 42169-0244, 42169-0245 identified in Schedule "A". The purpose of Amendment to the Zoning By-law is to change the zoning of the subject property from "RU" Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone.

The effect of this application would be to allow for future residential development. The committee here tonight has made an evaluation of the application upon its merits against the Official Plan, Zoning By-law, and the Provincial Policy Statement, 2020, and provides a recommendation to Council purely based on these matters; whereas the Committee may not have had the opportunity to hear public comments in full.

Carried

8. New Business

- OP and ZBL Review – Kevan Sumner provided an update that the Official Plan is still under Provincial review and is expected by the end of the year or early in the New Year. Work is continuing with the consultants on the Zoning By-law and draft documents have been received for review. The Technical Advisory Committee will be meeting in the first week of December to provide feedback on the early draft work and it is still on track to roll out the Zoning By-law at the same time as the Official Plan in the New Year. There will be opportunity for public feedback on those documents before they go to Council for approval.
- Holiday Luncheon – discussion about a Holiday Luncheon or Dinner.
- December meeting, date change – December 14, 2021
- Member, John Barr inquired about appointing a new Committee member. Adam Smith explained that the Committee will continue with the current members and will look at adding additional members in election year.

9. Adjourn

That the November 16, 2021 Planning Advisory Committee meeting be adjourned at 6:50p.m.

Minutes of the Kenora Planning Advisory Committee meeting, Tuesday November 16, 2021, are approved the 14<sup>th</sup> day of December, 2021.

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Chair,

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Secretary-Treasurer, Melissa Shaw



The Corporation of the City of Kenora

**PLANNING ADVISORY COMMITTEE MEETING RESOLUTION**

MOVED BY: John McDougall

SECONDED BY: Bev Richards

DATE: November 16, 2021

RESOLVED THAT the PLANNING ADVISORY COMMITTEE recommends that the Council of the Corporation of the City of Kenora approve the Application for an Amendment to the Zoning By-law, File No. D14-21-10, for subject lands described as unaddressed property, east of Ninth Avenue North PINs: 42169-0159, 42169-0160, 42169-0162, 42169-0163, 42169-0243, and 42169-0244, 42169-0245 identified in Schedule "A". The purpose of Amendment to the Zoning By-law is to change the zoning of the subject property from "RU" Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone.

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

Schedule "A"- File No. D14-21-10

