



**PROCEEDINGS**  
for a Public Meeting  
to discuss a Proposed Zoning By-law Amendment  
**(Re: D14-21-07 - 661 Ninth Street North)**  
Tuesday, September 14, 2021  
12:00 p.m.

City Hall Council Chambers (Council Only)

Council met electronically as permitted by the City of Kenora Procedural bylaw. Citizens and our Media Partners are encouraged to watch the virtual meeting via the Public Live stream at <https://kenora.civicweb.net/Portal/>

**Present:** Mayor Daniel Reynard, Councillor G. Chaze, Councillor M. Goss, Councillor R. McMillan, Councillor A. Poirier, Councillor S. Smith, Councillor C. Van Wallegghem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Kevan Sumner, City Planner

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

Mayor Reynard asked if there were any declarations 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
- There were none declared.

**Blessing & Land Acknowledgment**

*Councillor Van Wallegghem*

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with our Indigenous people.

We give thanks for the many blessings we enjoy in the City of Kenora. We seek wisdom in our minds, clearness in our thinking, truth in our speaking and always love in our hearts, so that we may try always to unite the Citizens of Kenora. Let these principles guide us in our decision making.

---

Mayor Reynard opened the meeting and declared the purpose of public meetings is to present planning applications in a public forum as required by The Planning Act.

City Planning Staff to describe the details of the planning application. Following presentations by the applicant and our City Planner, any members of Council will be afforded an opportunity to speak and at that time, the meeting will then be opened to the public for comments and questions. The public is encouraged to read the City Planner's planning report in advance of the public meeting which may clarify questions in advance of the public meeting. Interested persons are requested to give their name and address for recording in the minutes.

Personal information collected as a result of this public hearing and on the forms provided at the meeting are collected under the authority of the *Planning Act* and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to the City Clerk.

Notice was given by publishing in the Daily Miner and News which in the opinion of the Clerk of the City of Kenora, is of sufficiently general circulation in the area to which the proposed by-law amendment would apply, and that it would give the public reasonable notice of the public meeting. Notice was also provided by mail to every owner of property within 120 metres of the subject property, prescribed persons and public bodies, and posted online on the City of Kenora portal.

An appeal may be made to the Ontario Land Tribunal not later than 20 days after the day that the giving of notice as required by section 34(18) is completed by either the applicant or person or public body who, before the by-law is passed makes oral submissions at a public meeting or written submissions to the Council, and may not be added as a party unless, in the opinion of the Tribunal there are reasonable grounds to do so. A notice of appeal can be filed with the City Clerk with the Tribunal's required fee.

An appeal may only be made on the basis that the bylaw is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform to an applicable official plan.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion. The Council of the City of Kenora will have the opportunity to consider a decision at a future meeting of Council.

Herein the applicant will have the opportunity to speak on behalf of their application, and the City Planner will provide a summation of the report and recommendation, after which anyone who wishes to speak either for or against the application, will be given the opportunity to do so, and a record will be kept of all comments.

If anyone wishes to receive the Notice of the Decision of Council, please leave your name and address with the City Planner.

### **1. Applicant Presentation**

- The applicant, Andrew Brooks will present his planning application.

In general terms they want to build a professional building on lot 2 which would be an

engineering office, a dental clinic and other occupants. This project is a joint venture between the applicant and a professional local dentist. Lot 2 that is parallel to Rugged Geometrics and future a similar building on Lot 1. Part of the purpose is the need for expansion of engineering firm and the parking required for a dental office. Lot 3 runs across the back of the lots which is overflow and storm water storage and space. The reason for rezoning is for the dental occupancy as it is not permitted in the light industrial zone. The only reason for this rezoning is for the dental portion otherwise the rezoning would not be required.

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

- City Planner, Kevan Sumner, to describe the details of the planning application.

### **Introduction**

An application has been received to change the zoning of a portion of the subject property from "ML" Light Industrial Zone to "GC" General Commercial Zone to allow the future development of the property to include uses such as clinics in a proposed two-story office building.

### **Description of Proposal**

The property owner is proposing to develop a professional building with tenants to include engineers, realtor, dental, and other medical professionals. Some of those tenants are not permitted uses under the Light Industrial Zone, but all would be permitted under the General Commercial Zone.

### **Existing Conditions**

The subject property is an approximately 1.4 ha portion of the former Abitibi Mill site that corresponds to three lots on a proposed subdivision that was approved with conditions in July, 2020, but which has not yet been given final approval. This portion of the former mill property is bordered by Ninth Street North to the north. A new road has been proposed that will border the west edge of the future lots when the subdivision is registered. There are currently no buildings on the property. Municipal sewer and water services are available from Ninth Street North.

The north portion of the property is relatively flat. The southern portion is being re-graded significantly, but generally slopes upwards towards the southeast. The property has been mostly cleared and leveled.

### **Site Visit**

On August 10<sup>th</sup>, 2021, the Planner attended the subject location to view existing conditions.

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

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

The proposed zoning amendment is generally consistent with Policies 1.1.3.2 and 1.1.3.3, as it will support the future development of a range of uses and opportunities for intensification and redevelopment, specifically on a brownfield site.

Policy 1.7.1 of the PPS states that long-term economic prosperity should be supported by: a) "promoting opportunities for economic development and community investment-readiness; and f) "promoting the redevelopment of brownfield sites."

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

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. 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.*

Policy 4.4 of the Plan states that in Commercial Development Areas, the continued development of retail commercial uses shall be promoted in order to serve the residents of the City of Kenora, Northwestern Ontario, western Canada, and the Midwestern United States.

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

The property is currently zoned "ML" Light Industrial Zone. This zone allows for a wide range of low-impact light industrial land uses as well as complementary commercial uses. The ML zone supports some of the uses proposed for the property, such as offices, but does not permit clinics and some other uses that might normally be associated with a commercial development such as is being proposed.

The proposed "GC" General Commercial Zone allows for a wide range of uses and services to meet the needs of residents, businesses and tourists. All of the proposed uses would be permitted under the GC zone.

The adjacent portion of the former Abitibi Mill site to the west of the area being re-zoned is currently designated GC. Areas to the east are zoned ML, while portions of the property to the south and further east are zoned as R3[h].

## **Results of Interdepartmental and Agency Circulation**

The proposed Zoning By-law Amendment was circulated for comment on June 28<sup>th</sup>, 2021. The following is a summary of comments received in response.

Kenora Building	No concerns
Kenora Engineering	No concerns
Kenora Environmental	No concerns
Kenora Fire and Emergency Services	No concerns
Kenora Parks and Facilities	No concerns
Kenora Roads	No concerns

Ministry of the Environment, Conservation, and Parks	The proposal does not appear to require a Record of Site Condition.
Synergy North	Depending on the situation, easements might need to be provided for servicing.

### Public Comments

Notice of the application was given in accordance with Section 34 of the Planning Act, whereby it was circulated on July 29<sup>th</sup>, 2021 to property owners within 120 metres, was published in the Municipal Memo of the newspaper on August 12<sup>th</sup> and 19<sup>th</sup>, and circulated to persons and public bodies as legislated.

The Planning Advisory Committee considered the application and passed a resolution recommending approval of the application at their meeting on August 17<sup>th</sup>, 2021. The minutes and relevant resolution from this meeting have been included in the reports to Council for their information.

As of the date of this report, no formal public comments have been received.

### Evaluation

The policies of the Official Plan leave some discretion to Council in considering the realignment of zone boundaries within a larger site such as this. The general vision for development of the former Abitibi Mill site is preserved with commercial development being oriented towards the western edge and the proposed casino site, and industrial development being located further east. This application further supports compatibility among uses in the western mill site area as the GC zone contains uses more conducive to potential commercial and residential development in neighbouring lots.

This zoning by-law amendment will facilitate the re-development of three of the lots being created on the former Abitibi Mill site, allowing the applicant to accommodate additional tenants in his proposed two-story professional building, meeting the needs of local businesses.

### Recommendation:

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-07, to change the zoning of a portion of the subject property from "ML" Light Industrial Zone to "GC" General Commercial Zone; and further

That Council gives three readings to a by-law for this purpose.

### 3. Express Interest

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

a) Is there any member of the public who wishes to speak in favour of the amendment?  
There were none.

b) Is there any member of the public who wishes to speak in opposition of the amendment?  
There were none.

#### **4. Discussion**

a) Members of Council – Discussion/Questions

There was none.

#### **5. Questions**

- Members of the Public – are there any questions of the application?

There were none.

#### **6. Close of Public Meeting**

As there are no further questions, Mayor Reynard declared this public meeting CLOSED at 12:14 p.m.