

City of Kenora  
Planning Advisory Committee  
60 Fourteenth Street N., 2<sup>nd</sup> Floor  
Kenora, Ontario P9N 4M9  
807-467-2292

**Minutes**  
**City of Kenora Virtual Planning Advisory Committee**  
**Hybrid meeting**  
**Wednesday, November 20, 2024**  
**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**  
**Member**  
**Director of Planning and Building**  
**Associate Planner**  
**Planner**  
**Secretary-Treasurer**  
**Minute Taker**

**Regrets: None**

***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. Additions to the Agenda - None***

***iii. Declaration of Interest by a member for this meeting or at a meeting at which a member was not present*** – Tara Rickaby, Robert Bulman and Linda Mitchell stated a Declaration of Interest in the approval of last month's meeting minutes as they were not in attendance.

**iv. Approval of the minutes from previous meetings:**

i) P.A.C. Meeting Minutes for October 16<sup>th</sup>, 2024

**Moved By:** Andrea Campbell **Seconded By:** Renee Robert

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

**v. Correspondence before the Committee:** None

**vi. Adjournment Requests** – None

**vii. Consideration of Applications for Minor Variance:**

i) D13-24-09 – Duncan Farm – 43 Rabbit Lake Road

Mr. Keith Merkle and Ms. Susan Russell was present to represent the application.

Planner, Ryan Haines, presented the Planning Report.

Purpose of Application: The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of two apartment buildings and nine multiple attached dwellings.

The Effect of Approval: The proposed development at 43 Rabbit Lake Road supports provincial and municipal policies for sustainable growth, providing much-needed multi-family housing within Kenora's urban area. The variances requested are minor and necessary to meet modern housing needs, achieve efficient site design, and respond to local demand. The analysis also confirms that the requested variances meet the four tests and represent an appropriate balancing of development objectives with community standards.

This site plan demonstrates the developer's intent to integrate accessible amenities, provide adequate parking and access, and optimize site layout to meet variances needed for this high-density residential project.

The following condition is recommended to be included with the approval of the minor variance requests:

1. As per By-Law Number 162-2023, that a portion of the subject property, not to exceed five percent (5%) of the total area of the Land, or cash in lieu, shall be conveyed to the City for the purposes of facilitating and supporting public walking and cycling infrastructure across or adjacent to the subject lands.

It is recommended that the Planning Advisory Committee approve the requested minor variances, subject to the recommended conditions and Site Plan Control.

Public in favour of the application: 0

Public in opposition of the application: 0

Letters in Favour: 0

Letters in Opposition: 1

Questions or comments from the Committee:

Robert Bulman – What is normal size of parking stalls?

Ryan Haines – 2.85 m

Linda Mitchell – Will there be a path along the road in front of the property?

Janis Pochailo – That will be looked at farther into the development during the Site Plan stage.

Tara Rickaby – Is this a minor variance because of the length of the stalls of the barrier free parking?

Janis Pochailo – OADE states interior parking does not only apply to indoor parking.

Tara Rickaby – Are there any Natural Historic features of concern?

Ryan Haines – No

Linda Mitchell – Will sewer and water have enough pressure to provide for this development?

Janis Pochailo – This also will be studied during the Site Plan process.

Decision: Approved

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

**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.

ii) D13-24-10 – Lot 3 North Marston Drive – Brown

Mr. Cody Brown was present to represent the application.

Director of Planning, Janis Pochailo, presented the Planning Report.

**Purpose of Application:** 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 on the ground floor of a detached garage. The application is seeking relief from Section 3.28.2 (f) which requires that a sleep cabin be incorporated into the second floor of a detached garage. This application proposes to permit

a sleep cabin on the ground floor of a detached garage.

The proposed detached garage is 156.5 square metres in size. The sleep cabin would occupy approximately 44 square metres of the area with the remaining being used as garage space.

The subject property is seasonal residential with an existing cottage on the lands and has access via North Marston Drive. The site is serviced by private on-site water and sewage services. The subject lands are approximately 3 acres.

The Effect of Approval: The requested relief is to permit a sleep cabin on the ground floor of a detached garage. The proposed variance is not expected to have a significant impact on the surrounding area, nor will it impact the ability of adjacent neighbours to utilize their properties for permitted uses. The variance is considered minor in nature and impact.

Public in favour of the application: 0

Public in opposition of the application: 0

Letters in Favour: 2

Letters in Opposition: 0

Questions or comments from the Committee:

Tara Rickaby – Will the holding tank present be ample to supply the needs?

Cody Brown – Yes, it is, however, am installing a second tank to be sure.

Decision: Approved

**Moved By:** Linda Mitchell      **Seconded By:** Keric Funk

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

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

i) D10-24-09 – Canadian Tire

Harry Froussios was present to represent the application.

Director of Planning, Janis Pochailo, presented the Planning Report.

Purpose of Application: This application requests consent for a lease in excess of 21 years between CT REIT Limited Partnership (Owner) and Canadian Tire Real Estate Limited (lessee) for the lands located at 1229 Highway 17 East to enable to continued operation of the retail store. The purpose of the consent application is to facilitate a lease agreement in excess of 21 years as required by the Planning Act. The proposed leased lands are approximately 2.29 hectares in size and contain the existing Canadian Tire retail store and

service centre. The proposed retained lands are approximately 0.17 hectares in size and host the existing Gas Bar.

The subject property, municipally known as 1229 Highway 17 East, are generally located at the corner of Highway 17 East and Mikana is located on Highway 17 East. It is used for commercial purposes containing the Canadian Tire retail store, service centre, and the Gas Bar. The subject property is serviced by municipal water and sewer.

The Effect of Approval:

- ✓ 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 standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.

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:

Tara Rickaby – Any requirements for reciprocal easements?

Harry Froussios – No easement requested as part of this application.

Tara Rickaby – In accordance with the survey, can the language be changed to add the word "structure"?

Harry Froussios and Janis Pochailo – Yes, of course. Harry will have the architect note the change.

Decision:

That application D10-24-09, planning act consent for easement for 21 years or more between CT REIT Limited Partnership (Owner) and Canadian Tire Real Estate Limited (lessee) for the lands located at 1229 Highway 17 East be provisionally approved and subject to the following 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/reference plan showing the boundaries of the lease
  - b. A survey showing the location of any buildings and structures thereon.
3. The solicitor acting for the parties is to provide a registerable description of the severed parcel, a copy of an application for exemption from a reference plan, together with a copy of an Order endorsed by the Land Register (to exempt from the requirement that a reference plan be deposited) if it is determined that this cannot be approved by the Land Registrar then the alternative will be that a reference plan showing the lot lines of the severed lands will 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.

## **City Requirements**

5. A copy of the lease agreement be provided to the City of Kenora for review prior to consent being granted.
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. 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 6 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.

**Moved By:** Andrea Campbell    **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.

**ix. Recommendations to Council for Zoning By-law Amendment:** None

\*Please refer to PAC Meeting Video for full details of all questions and responses.  
[Kenora Planning Advisory Committee Meeting November 20, 2024 \(youtube.com\)](https://www.youtube.com/watch?v=Cv8b_4EhWOc)

[https://youtu.be/Cv8b\\_4EhWOc](https://youtu.be/Cv8b_4EhWOc)

**x. Old Business:** None

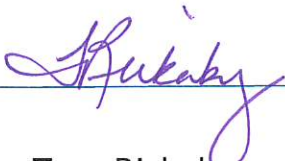
**xi. New Business:** None

**ix. Adjournment:**

Motion for adjournment. **Moved By:** Member Andrea Campbell

Meeting Adjourned at 7:15 P.M.

Minutes of the Kenora Planning Advisory Committee meeting, November 20<sup>th</sup>, 2024, are approved as of January 15<sup>th</sup>, 2025.



Chair, Tara Rickaby



Secretary-Treasurer, Melissa Shaw