



## Agenda

City of Kenora Planning Advisory Committee  
Hybrid Meeting, In-Person and via Zoom  
Wednesday, February 19, 2025  
6:00 PM (Central Time)

- 1) Call meeting to order
- 2) Declaration of Pecuniary Interest & General Nature Thereof
  - On Today's Agenda
  - From a meeting at which a member was not in attendance.
- 3) Additions to the Agenda
- 4) Approval of Minutes:
  - January 15, 2024
- 5) Correspondence
  - None
- 6) Adjournment requests
  - None
- 7) Consideration of Application for Minor Variance
  - D13-25-02
- 8) Consideration of Applications for Land Division
  - None
- 9) Recommendations to Council for Amendments (None)
  - D14-25-02
- 10) Old Business
  - None
- 11) New Business
  - None
- 12) Other
  - Update OP, Zoning By-law and CIP Review
- 13) Adjournment

**Topic:** Planning Advisory Committee

**Time:** Feb 19, 2025, 06:00 PM Winnipeg

**Join Zoom Meeting**

<https://us06web.zoom.us/j/82850304886?pwd=UXMatWsmffz47gbDiv1jMVoQIX2wn5.1>

**Meeting ID:** 828 5030 4886

**Passcode:** 533505

**Phone:** +1 204 272 7920 Canada

DRAFT Minutes of the January 15, 2025, Meeting of PAC.



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

**Minutes**  
**City of Kenora Virtual Planning Advisory Committee**  
**Hybrid meeting**  
**Wednesday, January 15, 2025**  
**6:00pm (CST)**  
**Video Recording:**

**Present:**

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

**Chair**  
**Vice Chair**  
**Member**  
**Member**  
**Member**  
**Member**  
**Director of Planning and Building (virtually)**  
**Associate Planner**  
**Planner**  
**Secretary-Treasurer**  
**Minute Taker**

**Regrets:**

**Andrea Campbell**

***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 Pecuniary Interest by a member for this meeting or at a meeting at which a member was not present - None***

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

**i) December 18, 2024**

**Moved By:** Robert Bulman **Seconded By:** Linda Mitchell

**In Favour:** 6 **Opposed:** 0 **Abstained:** 0

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

**vi. Adjournment Requests –** None

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

i) D13-25-01 – 1000089155 Ontario Inc.

Tyler White was present to represent the application.

Associate Planner, Tara Vader, 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 two-storey dwelling. The application is seeking relief from Section 4.1.3 (d) which requires an interior side yard (minimum) of 2.5 metres for a two-storey dwelling. This application proposes to reduce the interior side yard by 1 metre to permit a 1.5 metre interior side yard.

The Effect of Approval: The requested relief is to permit a two-storey dwelling with a 1.5 metre interior side yard. 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.

Letters in Favour: 0

Letters in Opposition: 0

Questions or comments from the Committee:

Robert Bulman: There is 4 metres on the north side of the new build and they are asking for a variance on the south side, so if they shifted the build by one metre would that not eliminate the need for the variance and would also give more space between an existing dwelling and the new dwelling?

Tara Vader: The north side yard is the exterior side yard, so it abuts Lakeside Crescent. There is a different zoning requirement to allow site lines for corners. The requirement for the exterior side yard is 4 metres so that is why the Applicant is seeking one metre from the south side yard.

Questions or comments from the Public: Four (4) people were in attendance: Mark Richards, Tyler Edwards and Joe and Rhonda Pritchard. Questions revolved around blasting, drainage and elevation from the road.

Melissa Shaw showed the four guests the elevations site plans on her computer.

Hayley and Tyler White entered the meeting via zoom at 6:15:47 PM.

Tara Rickaby asked the Applicants if blasting was going to be a requirement for their build, what were the elevations from the road,

H. White: No blasting is required. As for the elevation they would have to shoot it. The water table is high but are trying to make it as flush with the road as possible.

Tara Rickaby wants the minutes to show that there is an established requirement that the elevation of the build has to be 2 or 3 feet above street level.

Decision: Approved

**Moved By:** Keric Funk

**Seconded By:** Chris Price

**In favour:** 6

**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.

viii. **Consideration of Applications for Land Division:** None

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

x. **Old Business:** None

xi. **New Business:**

i) Is election of Chair and election of Vice Chair.

Keric Funk nominates Tara Rickaby and Linda Mitchell seconds that nomination. Nomination carried. No other nominations presented.

Tara Rickaby accepts the nomination.

**In Favour:** 6

**Opposed:** 0

**Abstained:** 0

Renee Robert nominates Robert Bulman for Vice-Chair and Tara Rickaby seconds the nomination. Nomination carried. No other nominations presented.

Robert Bulman accepts the nomination.

**In Favour:** 0

**Opposed:** 0

**Abstained:** 0

**ix. Question by Tara Rickaby:** Is Mr. Stevenson still leasing the lot next to Dufresne's?

Janis Pochailo: Mr. Stevenson is still currently occupying that site.

Tara Rickaby: At one time there had been discussions about not having that site for Commercial Use and allowing the people in that subdivision to access to the lake. So was just wondering what became of those discussions.

Janis Pochailo: The gate has been removed, and there is nothing stopping the public from accessing the lake.

Tara Rickaby thanked staff for all the support they give her and the rest of the committee.

Chris Price: Can the Terms of Reference be updated as to what procedure to follow when Chair or Vice Chair are not present to lead a meeting. Procedure is to ask for volunteers in that instance and Mr. Price is not comfortable that the Terms of Reference do not state that is to be taken to choose the person to lead the meeting.

Melissa Shaw: The Panning Director is reviewing the Terms of Reference so she will have something drafted to be added in that regard.

Robert Bulman: Will there be a February meeting as he will be out of the country for that meeting?

Tara Vader: Yes, there is a February meeting.

**x. Adjournment:**

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

**In Favour:** 6      **Opposed:** 0      **Abstained:** 0

Meeting Adjourned at 6:34 PM.

Minutes of the Kenora Planning Advisory Committee meeting, January 15, 2025, are approved as of February 19, 2025.

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Chair, Tara Rickaby

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Secretary-Treasurer, Melissa Shaw

DRAFT

Application for Minor Variance File No. D13-25-02





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

**TAKE NOTICE** that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on February 19<sup>th</sup>, 2025, at 6 p.m.

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

**FILE(s):** D13-25-02

**LOCATION:** Unaddressed property at the corner of Peter Street and Joseph Street (see location map)

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**PURPOSE AND EFFECT**

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a single detached dwelling.

The application is seeking relief from Section 4.2.3 (f) which requires a minimum rear yard of 8 m. This application proposes to reduce the rear yard by 5.75 m to permit a 2.25 m rear yard.

The subject property is designated Established Area in the City of Kenora Official Plan and zoned 'R2' Residential – Second Density Zone in the City's Zoning By-law.

**PAC  
Meeting**

**When:** Wednesday, February 19<sup>th</sup>, 2025 at 6:00 p.m. (CST)

**Location:** Training Room, Operations Centre  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON

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

**PUBLIC MEETING**

Input on the proposed application is encouraged. You can provide input by speaking at the PAC meeting. You may also provide your comments in writing as follows:

**Submit comments in writing:** Persons wishing to provide comments may submit such comments in writing, by email, to [planning@kenora.ca](mailto:planning@kenora.ca) or by regular mail to the address below, and quote File Number: **D13-25-02**. Comments must be submitted by 4:30 p.m. on Wednesday, February 12<sup>th</sup>, 2025.

**FAILURE TO ATTEND**

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

**NOTICE OF DECISION**

If you wish to be notified of the decision of the Planning Advisory Committee in respect of this application, you must submit a written request to the Planning Advisory Committee via email to [planning@kenora.ca](mailto:planning@kenora.ca).

**ADDITIONAL INFORMATION**

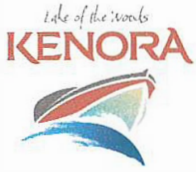
Additional information relating to the proposed minor variance is available electronically through the Planning Department, for further information please email: [tvader@kenora.ca](mailto:tvader@kenora.ca) and quote File Number **D13-25-02**.

**Dated at the City of Kenora this 23<sup>rd</sup> day of January, 2025.**

Tara Vader, Associate Planner, 60 Fourteenth St N, 2<sup>nd</sup> Floor, Kenora, ON  
P9N 4M9, Phone: 807-467-2152, email: [tvader@kenora.ca](mailto:tvader@kenora.ca).

Figure 1. Location Map (Kenora GIS 2022)

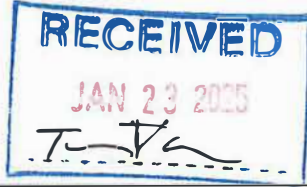




**City of Kenora**  
**Application for Minor Variance or**  
**Permission**  
Section 45 of the Planning Act & Ontario  
Regulation 200/96

**Office Use Only**

Date Stamp - Date Received:



File Number: \_\_\_\_\_

Roll Number: 6016-010-001-20105

Application Fee Paid: \$ 800.00

Application Deemed Complete (Date): Jan 23/25

**1.0 - Submission Requirements**

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

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

**2.0 - City of Kenora Application for:**

- Minor Variance s.45 (1)                       Permission s.45 (2)

**3.0 - Concurrent Applications Filed**

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



**4.0 - Applicant Information**

**SUBJECT PROPERTY INFORMATION**

Civic Address	Street No.: 65	Street Name: Peter Street	Postal Code: P9N 3R4	Unit Num.:
Registered Plan Number	M- 17			
Legal Description	PCL 8120 SEC DKF; LT 37 PL M17; LT 38 PL M17; LT 39 PL M 17			
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)	37, 38 & 39			
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016 010-001-20105-0000			

**OWNER/APPLICANT INFORMATION**

Check Appropriate Box:	<input checked="" type="checkbox"/> Person(s)	<input type="checkbox"/> Company		
Registered Land Owner	Surname: Tanner	First Name: Stephen		
Mailing Address	Street No.: 1134	Street Name: Valley Drive	Postal Code: P9N2W3	Unit Num.:
City	Kenora	Province: Ontario		
Contact Information	Phone: 807-323-1629	Fax:		
Email	s.tanner240@gmail.com			
Acquisition Date of Subject Land	August 30, 2024			

**PLANNING AGENT/SOLICITOR INFORMATION**

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

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

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

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

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

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

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?  
R2, Residential 2nd density

**7.0 – Nature and extent of relief required**

Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required
4.2.1	Rear yard (min) 8 m	Rear yard (min) 2.25 m	5.75 m

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

Due to the shallow nature of the property in question, after locating a modestly sized structure (12.8 m in width by 8.5 m in depth) in compliance with the minimum front yard of 7.5 m, there remains only 2.25 meters clearance to the rear property line.

**9.0 – Property Characteristics**

Frontage (metres): 22.86    Depth (metres): 18.25    Area (m<sup>2</sup> or Ha.): 417.2 m<sup>2</sup>

Existing Use of subject land: Vacant lot

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

Proposed Use (if applicable): Single family dwelling

The date the subject land was acquired by the current owner: August 30, 2024

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

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

**Type of Access:**

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

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

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

**Water Supply:**

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

**Sewage:**

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

**Site Drainage:**

- Storm sewers
- Swales
- Ditches
- Other: \_\_\_\_\_

**Other Services:**

- Electricity
- Garbage Collection
- School Buses

**10.0 - Easements**

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

- Yes
- No

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

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

**11.0 - Other Applications under the Planning Act**

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

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



**12.0 – Buildings/Structures on Subject Property**

Dimensions must match those indicated on the required sketch

**Existing Structures:**

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
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:**

	Principle	Accessory	Accessory	Parking
Ground Floor Area	98.85 m <sup>2</sup>			
Total Gross Floor Area	98.85 m <sup>2</sup>			
Number of Storeys	1			
Length	8.53 m			
Width	12.8 m			
Height	5 m			
Front Yard Setback	7.5 m			
Rear Yard Setback	2.25 m			
Side Yard Setback	1.5 m (interior)			
Side Yard Setback	8.56 m (exterior)			
Date Constructed	2025			
Lot Coverage (%)	23.7%			
Floor Area Ratio	0.2369			

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

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

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

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

The variance being applied for will allow the development of an undersized parcel of land to provide a single family dwelling on an otherwise unutilized lot, in keeping with the planning statement section 2.2.4: To provide an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents

**14.0 – Additional information**

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

**16.0 – Authorized Agent/Solicitor**

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

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

Signature of owner(s)

\_\_\_\_\_

Name and Signature of Witness



**17.0 - Sworn Declaration or Affidavit**

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

Sworn (or declared) before me at the Operations building in the City of Kenora this 21 day of January in the year 2025

Tara Nowell Vader

Commissioner of Oaths

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

Stephen Tanner

Applicant(s)

**18.0 – Privacy Consent/Freedom of Information Declaration**

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

I/We, Stephen Tanner 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.

January 19, 2025

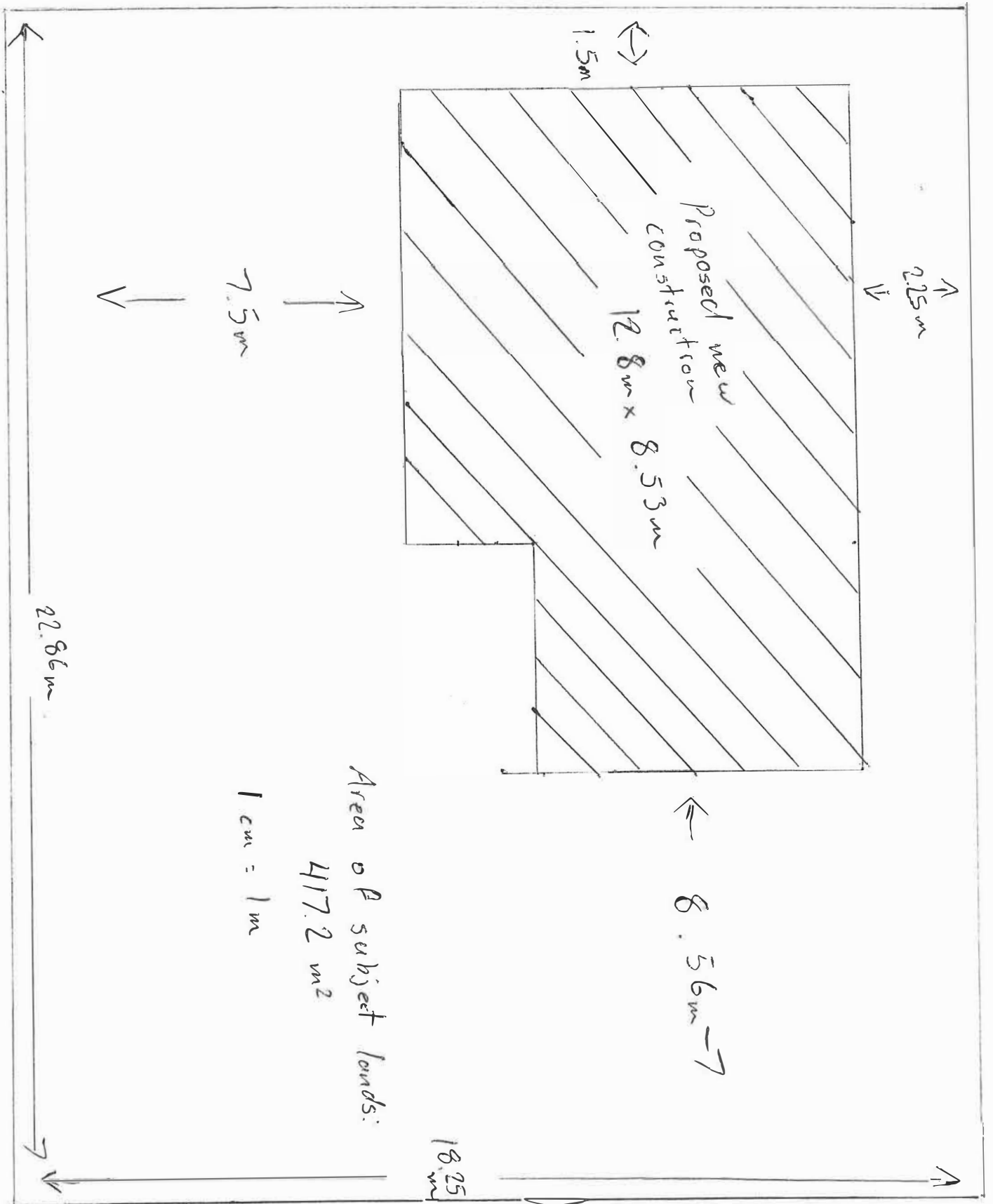
Date

Stephen Tanner

Owner(s) Signature

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

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



↑ 2.25m ↓

← 1.5m →

Proposed new construction

12.8m x 8.53m

↑

7.5m

↓

←

8.56m →

18.25m

Area of subject lands:

417.2 m<sup>2</sup>

1 cur = 1m

22.86m

Peter Street

Joseph Street

**Tara Vader**

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**From:** [REDACTED]  
**Sent:** Monday, February 10, 2025 7:42 PM  
**To:** Planning  
**Subject:** FILE: D13-25-02 RE: Unaddressed property at the corner of Peter Street & Joseph St

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear City of Kenora Planning Advisory Committee,

I am writing to formally raise a concern regarding the recent application notice we received about the proposed development at the unaddressed property at the Corner of Peter St and Joseph St. The proposal seeks to reduce the rear yard by 5.75 meters, thereby permitting a 2.25-meter rear yard.

As residents of the area, and neighbours to the unaddressed property, we are deeply concerned about the potential negative impact this change could have on the neighborhood. Specifically, reducing the rear yard to such an extent could affect privacy, increase the risk of overcrowding, and potentially compromise the properties value and overall appeal of the surrounding properties. A 2.25-meter rear yard may not provide enough space for essential outdoor activities like gardening, recreation, or for children to play safely.

We understand the importance of new development and respect the need for growth. However, we believe that the proposed reduction in rear yard space is excessive and may set an unfavorable precedent for future developments in the area.

We kindly request that the committee reconsider this application and carefully assess its long-term impact on the local community and its neighbouring residents. We are confident that there are alternative solutions that can satisfy the property owners' objectives without negatively affecting the quality of life for nearby residents.

We would like to kindly request that we be notified of the decision made by the Planning Advisory Committee (PAC) regarding the proposed reduction of the rear yard at the corner of Peter St & Joseph St. We believe it is important to stay informed about the outcome of this matter and would appreciate being updated accordingly once a decision has been made.

Thank you for your attention to this matter. We look forward to your response and a fair review of the proposal.

Sincerely,  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



To: City of Kenora Planning Advisory Committee  
From: Tara Vader, Associate Planner  
Date: February 14<sup>th</sup>, 2025  
Re: Minor Variance Application – File D13-25-02  
Location: Unaddressed property at the corner of Peter Street and Joseph Street  
Owner/Applicant: Stephen Tanner

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## **RECOMMENDATION**

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

## **INTRODUCTION**

The purpose of this minor variance application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a single detached dwelling. The application is seeking relief from Section 4.2.3 (f) which requires a minimum rear yard of 8 m. This application proposes to reduce the minimum rear yard by 5.75 m, to permit a 2.25 m rear yard.

The subject property is currently vacant residential lands and has access via Peter Street and Joseph Street. The site is serviced by municipal water and sewage service. The subject lands are approximately 375 square metres.

## **REVIEW**

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



**Figure 1. Location Map (Kenora GIS 2022)**



**AGENCY/PUBLIC COMMENTS**

**City Staff**

City staff had no concerns with the application.

**Agency**

No comments were received from other agencies.

**Public**

One public comment was received at the time of report submission. The comment outlined concerns about the potential negative impacts that the variance could have on the neighbourhood. Specifically, impacts to privacy, crowding, property values, appeal of the area, and area for outdoor activities.

**PLANNING REVIEW**

The subject property is designated “Established Area” in the City of Kenora Official Plan and zoned “R2” Residential – Second Density Zone in the City’s Zoning By-law.

### **Provincial Policy Statement**

The Provincial Planning Statement, 2024 (PPS) Section 2.2, Housing, states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents of the regional market area by permitted and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities. As this application is proposed to enable a new single detached dwelling to be constructed, this application complies with this section of the PPS. Thus, this application is supported by these policies of the PPS.

### **FOUR TESTS OF A MINOR VARIANCE**

#### **Does the variance maintain the intent of the Official Plan?**

The City of Kenora Official Plan (OP) Section 2.2.1 contains objectives for Sustainable Development, a principle of the OP. The OP states to support infill and intensification where services exist. The OP also contains policies for the Established Area designation. Section 4.1.2 states that residential development shall be encouraged through plans of subdivision, condominium and consent as infilling or redevelopment of existing uses on full municipal services. As this application is proposed to develop an existing vacant residential lot, it maintains the intent of the OP.

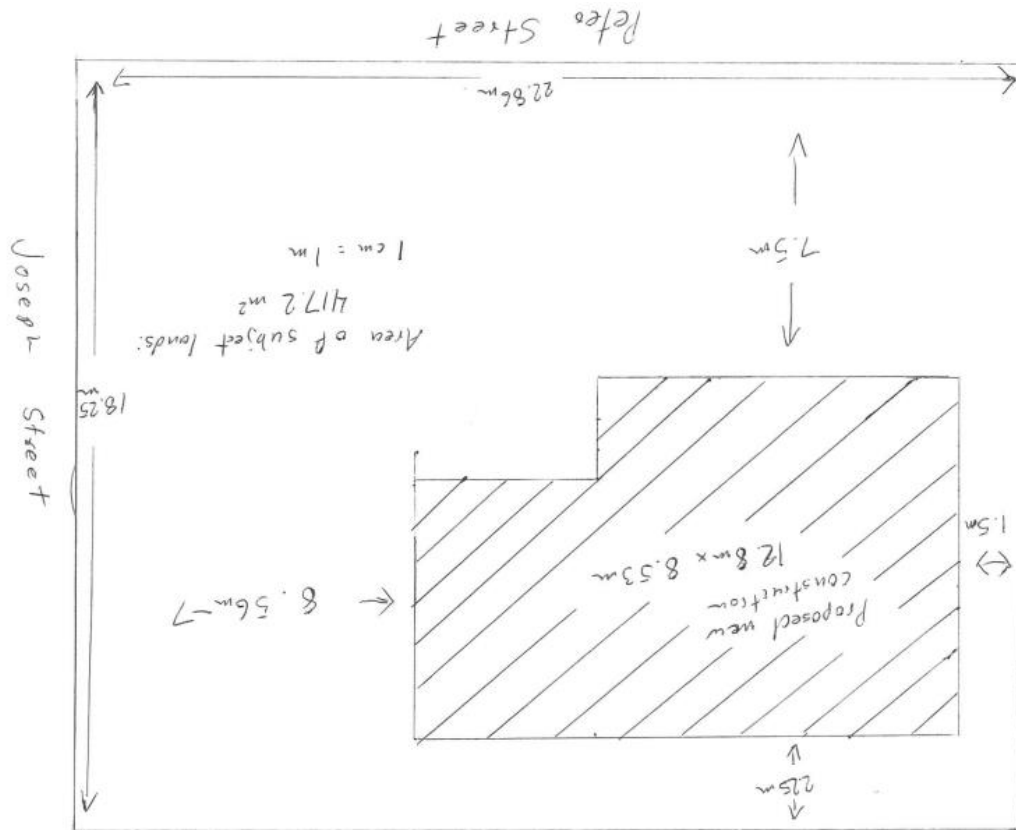
#### **Does the variance maintain the intent and purpose of the Zoning By-law?**

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the “R2” Residential – Second Density Zone. The R2 zone allows for the development of single detached, semi-detached and duplex housing, and other compatible uses on municipal water and sewer services.

For the purposes of this minor variance application, the front lot line will be considered along Peter Street. This consideration is being given as there is a previously approved minor variance on the property which utilized Peter Street as the front lot line. The previous minor variance allows for a reduced front yard setback of 3.36 m and a reduced rear yard setback of 7.32 m.

This application is seeking to permit a 2.25 m rear yard setback. This is a relief request of 5.75 m from the permitted 8 m. The reduced rear yard enables a zone compliant 7.5 m front yard and 8.5 m exterior side yard. The front and exterior side yards provide ample outdoor amenity space and parking area. The applicant has indicated that the rear of the dwelling will not have an entrance/exit, which is the rationale for maximizing the front and exterior side yards for outdoor space. The proposed variance maintains a rear yard setback of 2.25 m, providing separation from the neighbouring property to the south, and the front yard and exterior side yard provide outdoor amenity space and areas for a driveway, which maintain the intent of the Zoning By-law.

**Figure 2. Site plan (provided by applicant)**



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

The proposed variance will enable the construction of a single detached dwelling on a currently vacant property, which is a permitted use and desirable for the development of the vacant land.

**Is the variance minor?**

The requested relief is to permit a single detached dwelling with a 2.25 m rear yard. The proposed variance is not expected to have a significant impact on the surrounding area, nor will it impact the ability for adjacent neighbours to utilize their properties for permitted uses. Given the concern from a member of the public regarding privacy impacts, there is the option to impose a condition requiring the construction of a privacy fence along the rear lot line. This may reduce any reduced privacy from the proposed reduced 2.25 m rear yard. The variance is considered minor in nature and impact.

## Recommendation

As a result, it is recommended that minor variance application D13-25-02 to seek relief from the City of Kenora By-law 101-2015, Section 4.2.3 (f) be approved to permit a 2.25 m rear yard setback, subject to the following condition:

1. The proposed dwelling be constructed in general conformity with the sketch submitted with the application.

Optional:

2. A privacy fence be constructed at the expense of the applicant along the entire length of the rear lot line. The fence shall be 2.0 m in height and meet the requirements of the City of Kenora Fence By-law 163-2015. The fence shall be constructed within 24 months of the issuance of a building permit for the single detached dwelling.



**Tara Vader**

Associate Planner

February 14<sup>th</sup>, 2025



Application for an Amendment to the Zoning By-law  
File No. D14-25-02



**THE CORPORATION OF THE CITY OF KENORA  
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING  
FOR ZONING BY-LAW AMENDMENT**

Section 34 of the Planning Act, R.S.O 1990

**TAKE NOTICE** that the City of Kenora Planning Advisory Committee (PAC) will hold a regular meeting on February 19<sup>th</sup>, 2025, at 6 p.m.

As part of the meeting, PAC will hold an open house to consider a recommendation on a proposed Zoning By-law Amendment as it pertains to the City of Kenora Zoning By-law 101-2015, as described below.

**FILE(s):** D14-25-02

**LOCATION:** All lands within the City of Kenora

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To learn more about the application and provide comment, you are invited to attend the regular meeting of PAC commencing at the following time and location:

**PAC  
Meeting**

**When:** Wednesday, February 19<sup>th</sup>, 2025 at 6:00 p.m. (CST)

**Location:** Training Room, Operations Centre  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON

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

**TAKE NOTICE** that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting to consider the proposed application.

**Statutory  
Public Meeting**

**When:** Tuesday, March 4<sup>th</sup>, 2025 at 12:00 PM.

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

Members of the public interested in attending the public meeting, may attend in person, or watch the livestream meeting at: <https://www.kenora.ca/en/your-government/agenda-and-minutes.aspx>. For access to speak at the public meeting virtually, please contact the City Clerk at [hpihulak@kenora.ca](mailto:hpihulak@kenora.ca). If you attend in person, there is no need to register to attend.

The Council of the Corporation of the City of Kenora will consider a decision regarding the application during their meeting on Tuesday, March 18<sup>th</sup>, 2025, at 5:00 p.m. Access to that livestream meeting may be viewed at the link above.

**BE ADVISED** that the Corporation of the City of Kenora is proposing amendments to Zoning By-law 101-2015.

**PURPOSE**

To update section 3.23.5 Barrier-Free Parking Spaces to align with the Accessibility for Ontarians with Disabilities Act (AODA).

**EFFECT**

- Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:
  - i. Type A has a minimum width of 3.4 m and has signage that identifies the space as “van accessible”.
  - ii. Type B, which has a minimum width of 2.4 m.
  
- Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:
  - i. They must have a minimum width of 1.5 m.
  - ii. They must extend the full length of the parking space.
  - iii. They must be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or some other hard surface.
  
- The minimum number of barrier-free parking spaces required will use the calculations as outlined in the table below. All calculated minimum barrier-free parking spaces must be rounded up to the nearest whole number.

- **Required Barrier-Free Parking Spaces**

<b>Required Number of Parking Spaces</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-25	1
26-100	Four percent of the total required
101-200	1 plus three percent of total required
201-1,000	2 plus two percent total required
more than 1,000	11 plus one percent of total required

**PUBLIC MEETING**

Input on the proposed application is encouraged. You can provide input by speaking at the PAC open house and/or Statutory Public Meeting. You may also provide your comments in writing as follows:

**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 Tuesday, February 28<sup>th</sup>, 2025, by email, to [planning@kenora.ca](mailto:planning@kenora.ca), or by regular mail to the address listed below, quoting File Number: **D14-25-02**.

Ms. Tara Vader, Associate Planner  
60 Fourteenth Street North, 2<sup>nd</sup> Floor, Kenora, ON P9N 3X2

**Failure to Make Oral or Written Submission:** If a person or public body would otherwise have an ability to appeal the decision of The Council of the Corporation of the City of Kenora to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Kenora before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the City of Kenora before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**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**

Additional information relating to the proposed Zoning By-law Amendment application is available electronically through the Planning Department. For further information please contact: Tara Vader, Associate Planner: Tel: 807-467-2152 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 20<sup>th</sup> day of January, 2025**



**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: <div style="border: 2px solid blue; padding: 5px; width: fit-content; margin: 10px auto;"> <p style="margin: 0;"><b>RECEIVED</b></p> <p style="margin: 0; color: red;">JAN 22 2025</p> <p style="margin: 0; font-family: cursive;">T.V.</p> </div>	File Number: <u>D14-25-01</u> Roll Number: _____ Application Fee Paid: \$ <u>N/A</u> Application Deemed Complete (Date): <u>Jan 22/25</u>
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**Submission Requirements**

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

- Pre-consultation meeting is recommended
- 1 original copy of the completed application form
- The required application fee of \$2000.00 as per the schedule of fees By-law
- The required deposit for notification costs of \$1500.00 as per the schedule of fees By-law
- Planning Rationale (recommended)
- 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)

**City of Kenora Application for:**

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

**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: _____



1.0 Applicant Information				
SUBJECT PROPERTY INFORMATION				
Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description				
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/Part Lot				
Part Numbers(s)				
Tax Roll Number	6016			
Lot Frontage (Metres)				
Depth (Metres)				
Area (Ha.)				
PIN				
OWNER/APPLICANT INFORMATION				
Check Appropriate Box:	<input type="checkbox"/> Person(s) <input checked="" type="checkbox"/> Company: City of Kenora			
Registered Land Owner	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
City			Province	
Contact Information	Phone:		2nd Phone or Fax:	
Email				
Acquisition Date of Subject Land				
PLANNING AGENT/SOLICITOR INFORMATION				
Company or Firm Name				
Name	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
City			Province:	
Contact Information	Phone:		Fax:	
Email				
MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND				
Company				
Contact Person	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Contact Information	Phone:		Fax:	
Email				
2.0 Please list the reports/studies that will accompany this application				

**3.0 – 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?  
See Planning Advisory Committee Report Attached.

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**4.0 – Proposed Zoning**

What proposed zone or zones are you seeking for the subject land?  
See Planning Advisory Committee Report Attached.

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**5.0 – 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)*

See Planning Advisory Committee Report Attached.

**6.0 – 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:

See Planning Advisory Committee Report Attached.

**7.0 – 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 other than those set out in the Zoning By-law?

Yes

No

If yes, please provide a statement of those requirements:

**8.0 – 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?

*The Settlement Area is explained in section 1.4 off the Official Plan and identified on Schedule A of the Plan.*

Yes

No

If yes, please indicate the Official Plan policy or Official Plan Amendment dealing with this matter:

**9.0 – Employment Lands**

Will the application remove land from an area of employment?

*An area of employment means those areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.*

Yes

No

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

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

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

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

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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.

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Existing use of the subject land:

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Proposed use of the subject land:

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Length of time existing uses have continued:

**11.0 – 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?

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**12.0 – Surrounding Land Uses**

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

See Planning Advisory Committee Report Attached.

**13.0 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:

**14.0 – Water Supply**

**Subject Property Water Supply:**

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

**15.0 – Sewage Disposal**

**Subject Property Sewage Disposal:**

- Municipal sewer
- 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

**16.0 – Subject Property Drainage**

**Subject Property Site Drainage is provided by:**

- Storm Sewers
- Swales
- Ditches
- Other (Please describe)\_\_\_\_\_

\*A preliminary stormwater management report is recommended, and should be prepared concurrent with any Hydrogeological reports for submission with the application. A stormwater management plan may be required prior to final approval of a plan of subdivision or as a requirement of site plan approval.



**17.0 – 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:

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

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:

**18.0 – Site Structures**

**Existing Structures:**

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

<b>Proposed Structures:</b>				
	Principle	Accessory	Accessory	Parking
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				
Ground Floor Area				

### 19.0 - Sketch

A sketch or site plan, preferably prepared to scale by a professional shall be submitted as part of each application. A sample sketch is provided on page 4 of this document. 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.

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.

**20.0 – 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 2024 Provincial Planning Statement (PPS). A copy of the PPS may be found online at: <https://www.ontario.ca/page/provincial-planning-statement-2024>

See Planning Advisory Committee Report Attached.

**21.0 – Additional Information**

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

See Planning Advisory Committee Report Attached.

**22.0 – Site History**

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

Please state all previous known uses of the subject 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

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

\* 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.



<b>23.0 Contamination</b>	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you have answered yes to any of the above questions, please describe the use and/or activity that may have resulted in contamination:			
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.			
*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.			
<b>24.0 – Subsurface Rights</b>			
Are the subsurface rights and the surface rights to the property held by the same owner?			
<input type="checkbox"/> Yes <span style="margin-left: 150px;"><input type="checkbox"/> No</span>			
If no, who owns the subsurface rights? _____			
If no, please have the owner complete the following declaration (Section 28.1)			
<b>24.1 Authorization from the Owner of the Subsurface Rights (If subsurface rights are different from the Owner of the lands)</b>			
I, _____, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)			
_____		_____	
(signature)		(date)	
_____			
(address)			
_____		_____	
Telephone Number		Email address	

## 25.0 – 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					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>					Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry <sup>2</sup>					Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry <sup>3</sup>					Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site					Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant					Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond					Assess the need for a feasibility study for residential and other sensitive land uses.
Active Railway Line					Evaluate impacts within 300 metres.
Operating mine site					Will Development hinder continuation or expansion of operations?
Non-operational mine site within 1 kilometre of subject land					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					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					Determine possible impacts within 200 metres.
High Voltage Transmission Lines					Consult the appropriate electric power service.
Transportation and Infrastructure corridors					Will corridor be protected? Noise Study Prepared?
Agricultural Operations					Development to comply with the Minimum Distance Separation Formulae and Official Plan.
Mineral Aggregate Resource area					Will development hinder access to the resource or the establishment of new resource operations?



Feature or Development Circumstance	Yes	No	Don't Know	If yes, specify distance in metres (m)	Potential Information Needs
Mineral Aggregate Operations					Will development hinder continuation of extraction? Noise and Dust Study completed?
Existing Pits and Quarries					Will development hinder continued operation or expansion? Noise and Dust Study completed?
Mineral and Petroleum Resources					Will development hinder access to the resource or the establishment of new resource operations?
Significant Wetlands or potentially significant Wetlands					Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant portions of habitat of Endangered or Threatened Species					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					Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Sensitive Groundwater Recharge Areas, Headwaters and Aquifers					Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant Built Heritage Resources and Cultural Heritage Landscapes					Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant Archaeological Resources					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					Development not permitted
Lands Subject to Flooding and/or Erosions					Development may be permitted. Must demonstrate that hazards can be addressed.
Erosion Hazards					Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains					Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.

Feature or Development Circumstance	Yes	No	Don't Know	If yes, specify distance in metres (m)	Potential Information Needs
Hazardous Sites <sup>4</sup>					Slope Study, Flood line Study. Demonstrate that hazards can be addressed.
Rehabilitated Mine Sites					Application for approval from Ministry of Northern Development and Mines should be made concurrently.
Contaminated and/or Brownfield sites					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)

### 26.0 – 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, the undersigned, 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 Janis Pochailo 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.

Jan 22 / 2025  
Date

Tara Vader T...  
Name and Signature of Witness

\_\_\_\_\_  
\_\_\_\_\_  
Janis Pochailo  
Signature of owner(s)



**27.0 – Affidavit or Sworn Declaration**

I, Janis Pochanilo of the CITY OF KENORA in the province of ONTARIO, make oath and say (or solemnly declare) that the information required under Ontario Regulation 545/06 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the Operations Centre in the Province of Ontario this 22 day of January in the year \_\_\_\_\_.

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

Tara Nowell Vader  
Commissioner of Oaths

Janis Pochanilo  
Applicant(s) Signature(s)

**28.0 – 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, the undersigned, 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.

Jan 22 / 2025  
Date

Janis Pochanilo  
Owner(s) Signature(s)



**29.0 – Undertaking for Ontario Land Tribunal**

Where if the City of Kenora chooses to support the Application for Zoning By-law Amendment;

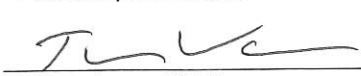
I/We undertake to pay, in accordance with By-Law 156-2021, as amended of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including all disbursements of the City, to full cost recovery in respect of preparation for and attendance at a Ontario Land Tribunal hearing, until the matter is finally resolved by the said Tribunal.

It is hereby acknowledged that "hearing" shall include all attendances before the Tribunal in respect of the said application whether in person, telephone conference call or other means as directed by the Tribunal.

Dated, in the City of Kenora this 22 day of Jan, 2025

  
\_\_\_\_\_  
Signature of Applicant or Authority to bind Corporation

Janis Pochylo  
\_\_\_\_\_  
Please print name

  
\_\_\_\_\_  
Signature of Witness

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.

### 3.23.5 Barrier-Free Parking Spaces

~~Barrier-free parking spaces shall be provided at the rate specified in Table 6, and shall meet all specifications of the *Ontario Building Code* regarding Barrier-Free Parking Design including, at a minimum:~~

- ~~a) Each barrier-free parking space shall have a minimum width of 3.7 m and a minimum length of 7 m;~~
- ~~b) If two adjacent spaces are designated for the disabled, then the total width of both spaces together shall be 6.4 m if a 1.5 m wide access aisle separates the two spaces;~~
- ~~c) If no access aisle separates the spaces, the total width of the two spaces shall be 7.4 m;~~
- ~~d) Barrier-free parking spaces shall be located on level ground within close proximity and access to the building entrance;~~
- ~~e) Barrier-free parking spaces shall be clearly marked and reserved for the exclusive use of for the exclusive use of physically disabled persons.~~

Barrier-free parking spaces shall be provided at the rate specified in Table 6, and shall meet all specifications of the *Accessibility for Ontarians with Disabilities Act*, including but not limited to *O.Reg. 413/12:INTEGRATED ACCESSIBILITY STANDARDS*, regarding Barrier-Free Parking Design including, at a minimum:

#### **a) Types of barrier-free parking spaces**

Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

- i. Type A has a wider parking space, with a minimum width of 3.4 m, and has signage that identifies the space as “van accessible”. These spaces are for people using larger mobility devices, such as wheelchairs or scooters, who need more space to enter or exit vehicles.
- ii. Type B, a standard parking space which has a minimum width of 2.4 m. These spaces are for people who do not need extra space because they do not use mobility devices or they use smaller devices, such as canes or crutches.

Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

**b) Access aisles**

<b>Required Number of Parking Spaces*</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-25	1
26-100	Four percent of the total required
101-200	1 plus three percent of total required
201-1,000	2 plus two percent total required
more than 1,000	11 plus one percent of total required

Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and

must meet the following requirements:

- i. They must have a minimum width of 1.5 m.
- ii. They must extend the full length of the parking space.
- iii. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

**c) Minimum number and type of barrier-free parking spaces**

- i. **Number** - The minimum number of barrier-free parking spaces required will use the calculations as outline in Table 6. All calculated minimum barrier-free parking spaces must be rounded up to the nearest whole number.

**Table 6: Required Barrier-Free Parking Spaces**

<b>Capacity of Public Parking Area (Number of Parking Spaces)</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-10	0
11-25	1
26-50	2
51-75	3
76-100	4
More than 100	3% of total to a maximum of 10 spaces

*\*-note that the calculation of barrier-free parking spaces must use the number of parking spaces calculated using the Zoning By-law, **Table 4: Required Parking Spaces**. Any reduction in the number of parking spaces permitted through zoning amendments, minor variances, or other planning applications cannot be used for these calculations. Barrier-free parking spaces are to be included in the total number of required parking spaces, including any permitted relief or reductions, and are not intended to increase the total number of parking spaces required for a development.*

- ii. **Type** - Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outlined in Table 6, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outline in Table 6, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.

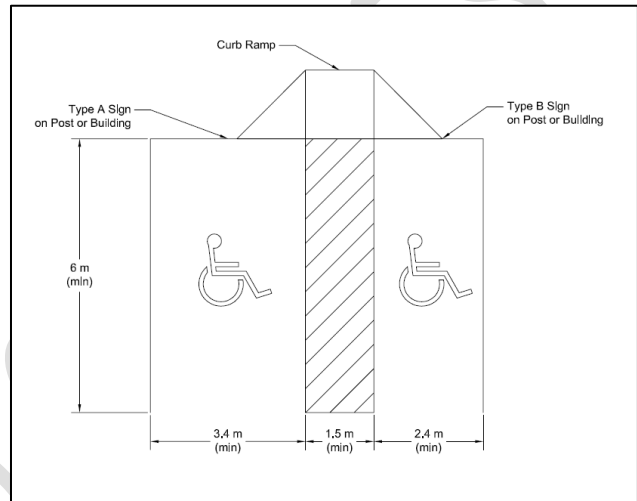
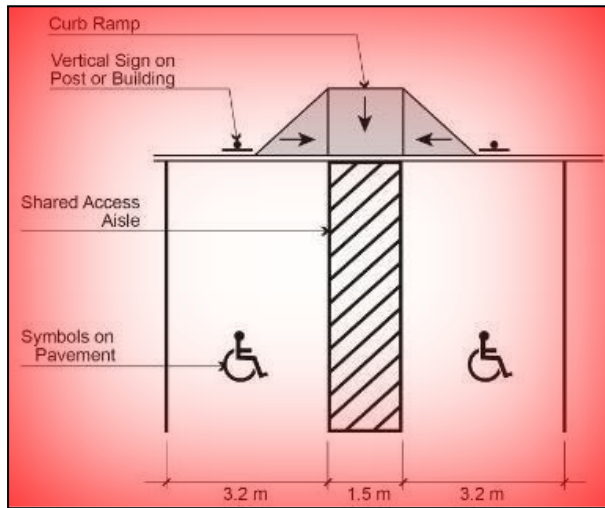
#### **d) Location of Barrier-Free Parking Spaces**

In determining the location of parking spaces for the use of persons with disabilities that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience. The following factors may be considered in determining user convenience:

- Protection from the weather.
- Security.
- Lighting.
- Comparative maintenance.
- Grading.

### e) Signage

Parking spaces for the use of persons with disabilities shall be distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*.



PROPOSED



**February 13, 2025**

## **Planning Advisory Committee – Planning Report**

**To: Planning Advisory Committee**

**Fr: Ryan Haines, Planner**

**Re: Proposed Zoning By-law Amendment for AODA Compliance**

### **1.0 Recommendation**

That the Planning Advisory Committee recommend approval of the proposed Zoning By-Law amendment to align barrier-free parking space requirements within the City of Kenora with the Accessibility for Ontarians with Disabilities Act (AODA).

### **2.0 Executive Summary**

The City of Kenora's current Zoning By-Law provisions for barrier-free parking spaces do not align with the Accessibility for Ontarians with Disabilities Act (AODA) regulations. To address this discrepancy, Council is being asked to adopt a Zoning By-Law amendment to ensure compliance with provincial standards. This amendment will standardize the dimensions and requirements for barrier-free parking spaces, ensuring they include 1.5-meter access aisles and accommodate two types of parking stalls to meet the diverse needs of individuals with disabilities. The amendment will also ensure that the required barrier-free parking spaces align with the AODA requirements.

### **3.0 Background**

The Accessibility for Ontarians with Disabilities Act (AODA) requires municipalities to ensure accessible parking spaces meet specific provincial standards. These standards address dimensions, signage, and the ratio of barrier-free spaces in new developments or redevelopments. Currently, the City of Kenora's Zoning By-Law does not meet the updated AODA requirements, resulting in a need for amendments to align with provincial regulations.

### **4.0 Discussion and Analysis**

Amending the Zoning By-Law to reflect AODA standards will achieve the following objectives:

1. Improve accessibility for residents and visitors with disabilities.
2. Minimize risks of non-compliance with provincial legislation, including potential legal challenges.
3. Reinforce the City’s commitment to inclusivity and accessibility, as outlined in its 2022–2027 Strategic Plan.

**4.1 Barrier-Free Parking Stall Dimensions**

The current Zoning By-Law (Section 3.23.5) specifies:

- A minimum width of 3.7 meters and a minimum length of 7 meters for each barrier-free parking stall.
- A combined width of 6.4 meters for two adjacent spaces if separated by a 1.5-meter access aisle.
- If no access aisle separates the spaces, the total width of the two spaces shall be 7.4 m;

However, **AODA standards require:**

- All barrier-free parking stalls must have at least one access aisle, a minimum of 1.5 m in width, which extends the entire length of the parking stall.
- Two distinct types of barrier-free parking stalls:
  - **Type A:** A minimum width of 3.4 meters, designated as "Van Accessible" with appropriate signage.
  - **Type B:** A minimum width of 2.4 meters, featuring standard accessible parking signage.

The proposed amendment will align the City’s requirements for barrier-free parking stall dimensions with these provincial standards, ensuring consistent application across all new developments and redevelopments.

**4.2 Required Barrier-Free Parking Spaces**

The current Zoning By-Law (Table 6) requires the following barrier-free parking spaces:

<b>Capacity of Public Parking Area (Number of Parking Spaces)</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-10	0
11-25	1
26-50	2
51-75	3
76-100	4
More than 100	3% of total to a maximum of 10 spaces

However, AODA standards require:

<b>Required Number of Parking Spaces</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-25	1
26-100	Four percent of the total required
101-200	1 plus three percent of total required
201-1,000	2 plus two percent total required
more than 1,000	11 plus one percent of total required

The proposed amendment will align the City’s requirements for the number of barrier-free parking spaces with these provincial standards, ensuring consistent application across all new developments and redevelopments.

#### **4.3 Applicability to Existing Developments**

The updated requirements will primarily apply to new developments and redevelopments within the City of Kenora. Existing developments, both private and public, are not mandated to retroactively comply with the new standards unless significant site alterations or redevelopment occurs. However, owners of existing developments are encouraged to voluntarily update their parking spaces to meet AODA standards, enhancing accessibility and demonstrating a commitment to inclusivity.

#### **5.0 Budget Implications**

There are no budgetary impacts associated with this amendment.

#### **6.0 Risk Analysis**

Adopting the proposed amendment mitigates the risks of non-compliance with AODA standards, which could otherwise result in legal challenges or reputational harm. The amendment is considered a low-risk, high-reward initiative that will deliver significant community benefits.

#### **7.0 Communication Plan/Notice By-Law Requirements**

The amendment process will adhere to the statutory requirements of the Planning Act, including public consultation and notifications through the Planning Advisory Committee. Comments from the Accessibility Committee, provided during a meeting held on November 21, 2024, at City Hall, have been incorporated into the revised Zoning By-Law attached to this report (Appendix A).



## **8.0 Strategic Alignment**

This initiative aligns with the following goals and principles from the City's Official Plan and Strategic Plan:

- **Principle 9 – Community and Aboriginal Engagement:** Promoting inclusivity and fostering collaboration to create a barrier-free community.
- **Accessibility and Customer Service:** Enhancing accessibility for all residents and visitors.

By aligning its Zoning By-Law with provincial standards, the City of Kenora reaffirms its dedication to building a community that is inclusive, accessible, and equitable for all.

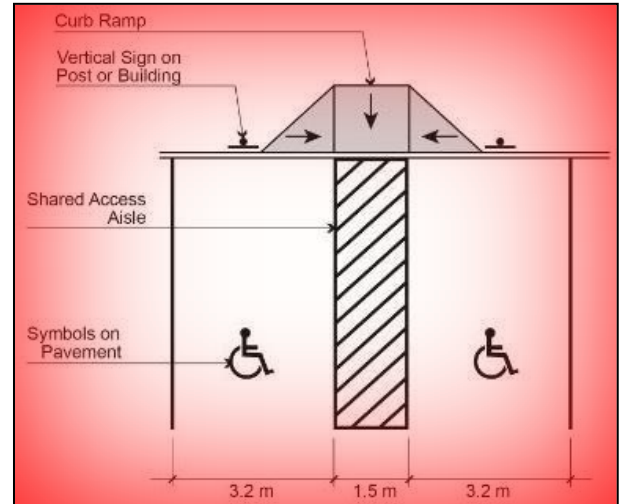
## Appendix A – Proposed Changes to Zoning By-Law

Red text and figures below to be removed, to be replaced with text and figures in black.

### 3.23.5 Barrier-Free Parking Spaces

Barrier-free parking spaces shall be provided at the rate specified in Table 6, and shall meet all specifications of the *Ontario Building Code* regarding Barrier-Free Parking Design including, at a minimum:

- a) Each barrier-free parking space shall have a minimum width of 3.7 m and a minimum length of 7 m;
- b) If two adjacent spaces are designated for the disabled, then the total width of both spaces together shall be 6.4 m if a 1.5 m wide access aisle separates the two spaces;
- c) If no access aisle separates the spaces, the total width of the two spaces shall be 7.4 m;
- d) Barrier-free parking spaces shall be located on level ground within close proximity and access to the building entrance;
- e) Barrier-free parking spaces shall be clearly marked and reserved for the exclusive use of for the exclusive use of physically disabled persons.



Barrier-free parking spaces shall be provided at the rate specified in Table 6, and shall meet all specifications of the *Accessibility for Ontarians with Disabilities Act*, including but not limited to *O.Reg. 413/12:INTEGRATED ACCESSIBILITY STANDARDS*, regarding Barrier-Free Parking Design including, at a minimum:

**a) Types of barrier-free parking spaces**

Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

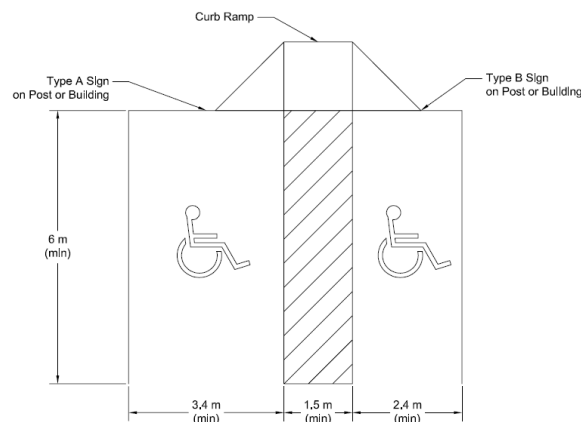
- i. Type A has a wider parking space, with a minimum width of 3.4 m, and has signage that identifies the space as “van accessible”. These spaces are for people using larger mobility devices, such as wheelchairs or scooters, who need more space to enter or exit vehicles.
- ii. Type B, a standard parking space which has a minimum width of 2.4 m. These spaces are for people who do not need extra space because they do not use mobility devices or they use smaller devices, such as canes or crutches.

Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

**b) Access aisles**

Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

- i. They must have a minimum width of 1.5 m.
- ii. They must extend the full length of the parking space.
- iii. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.



**Table 6: Required Barrier-Free Parking Spaces**

<b>Capacity of Public Parking Area (Number of Parking Spaces)</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
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**c) Minimum number and type of barrier-free parking spaces**

- i. **Number** - The minimum number of barrier-free parking spaces required will use the calculations as outlined in Table 6. All calculated minimum barrier-free parking spaces must be rounded up to the nearest whole number. The calculation of barrier-free parking spaces must use the number of parking spaces calculated using the Zoning By-law, **Table 4: Required Parking Spaces**. Any reduction in the number of parking spaces permitted through zoning amendments, minor variances, or other planning applications cannot be used for these calculations. Barrier-free parking spaces are to be included in the total number of required parking spaces, including any permitted relief or reductions, and are not intended to increase the total number of parking spaces required for a development.
- ii. **Type** - Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outlined in Table 6, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outline in Table 6, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.

#### **d) Location of Barrier-Free Parking Spaces**

In determining the location of parking spaces for the use of persons with disabilities that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience. The following factors may be considered in determining user convenience:

- Protection from the weather.
- Security.
- Lighting.
- Comparative maintenance.
- Grading.

#### **e) Signage**

Parking spaces for the use of persons with disabilities shall be distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*. Type A barrier-free parking stalls must have signage that identifies the space as “van accessible”.