



Heather L. Pihulak  
City Clerk

CERTIFIED A TRUE COPY

*Heather L. Pihulak*

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

OFFICE USE ONLY

Date Stamp - Date Received:



File Number: D14-19-02

Roll Number: 6016 1000 200 700

Application Fee Paid: \$ 1,100.00

Application Deemed Complete (Date): Feb 4/19

1.0 - Submission Requirements

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

- ☒ Pre-consultation meeting
- ☒ 1 original copy of the completed application form
- ☒ The required application fee of \$1100.00 as per the schedule of fees By-law
- ☒ Planning Rationale
- ☒ Site Plan Sketch
- ☒ Copies of required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies)
- ☒ A completed Authorization, signed by all the registered owners when an Agent is acting on behalf of the Owner(s)

2.0 - City of Kenora Application for:

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

3.0 - Concurrent Applications Filed

- ☐ Official Plan Amendment
- ☐ Minor Variance/Permission
- ☐ Subdivision Application
- ☐ Site Plan Application
- ☐ Consent Application
- ☐ Other: \_\_\_\_\_

4.0 Applicant Information				
<b>SUBJECT PROPERTY INFORMATION</b>				
Civic Address	Street No.: 551	Street Name: LAEKVIEW DRIVE	Postal Code: P9N3P6	Unit Num.:
Registered Plan Number	M- 37			
Legal Description				
Reference Plan Number	23R- 37			
Lot No.(s)/Block No.(s)	LOTS 4 & 5, LOTS 22 - 28, 32 & GOVERNMENT ROAD			
Concession Number(s)/Part Lot	N/A			
Part Numbers(s)	N/A			
Tax Roll Number	6016 37			
Lot Frontage (Metres)	LOTS 22 - 28: 62.47 [HWY#17]; LOT 4&5: 30.48 [NASH STREET]; 30.44			
Depth (Metres)	LOTS 22 - 28: ±58.74 [VARIES]; LOT 4: 43.59; LOT 5: 43.68; LOT 32: ±1			
Area (Ha.)	LOTS 22 - 28: ±0.4066; LOT 4 & 5: ±0.1793; LOT 32: ±0.1105			
PIN				
<b>OWNER/APPLICANT INFORMATION</b>				
Check Appropriate Box:	<input type="checkbox"/> Person(s) <input checked="" type="checkbox"/> Company			
Registered Land Owner	Surname: TCG Lake Ventures Corp.	First Name:		
Mailing Address	Street No.: 2627A	Street Name: Portage Avenue	Postal Code: R3J 0P7	Unit Num.:
City	Winnipeg		Province: Manitoba	
Contact Information	Phone: 204-987-3322		2nd Phone or Fax:	
Email	mchia@tpi.ca			
Acquisition Date of Subject Land	June 1, 2018			
<b>PLANNING AGENT/SOLICITOR INFORMATION</b>				
Company or Firm Name	5468796 Architecture Inc			
Name	Surname: Radulovic	First Name: Sasa		
Mailing Address	Street No.: 266	Street Name: MCDERMOT AVENUE	Postal Code: R3B0S8	Unit Num.:
City	WINNIPEG		Province: MANITOBA	
Contact Information	Phone: 2044808421		Fax: 2044808876	
Email				
<b>MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND</b>				
Company	Steinbach Credit Union			
Contact Person	Surname: Penner	First Name: Martin		
Mailing Address	Street No.: 333	Street Name: Main Street, Steinbach	Postal Code: R5G 1B1	Unit Num.:
Contact Information	Phone: 204-346-9201		Fax:	
Email	mgpenner@scu.mb.ca			

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

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

What is the current zoning of the subject land under Zoning By-law No. 101-2015 as amended?  
**Highway Commercial (HC) and Residential - Third Density Zone (R3)**

**7.0 – Proposed Zoning**

What proposed zone or zones are you seeking for the subject land?  
**Tourist Recreational (TR)**

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

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

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

The proposal is to develop a 35 unit resort, complete with docking, and a lake front clubhouse. A key element of this resort is the financial model called 'fractional ownership' with each unit contemplated as being sold in 1/10 ownership shares, this translates into 350 owners and a multiplier of accompanying visitors to the Kenora market. A structured rental component will be marketed to the traveling public thereby broadening the spectrum of visitors to the resort. A small commercial component (adjacent to Highway 17) will complement the nearby commercial offerings.

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

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

This site is not suited for Highway Commercial due to highway access concerns. The site has historically been a resort property which is more appropriate for the Tourist Recreational Zone being sought. The site is an existing landmark for Kenora and also uniquely positioned with views to and from the lake, ideal safe harbour and water access. The natural topography sloping up to the highway creates a natural 'amphitheatre' for resort units facing the lake. As a resort, this project is a perfect fit to the emergence of Kenora as a prime year-round tourism destination. 35 units with 350 owners along with their guests and families, as well as renters, visiting year around translates into a significant employment contribution at the resort and as an incremental employment factor in the Kenora service industries. It is estimated 8,000 to 10,000 guests will be drawn to Kenora over the course of a year due to this development.

**10.0 – Height and Density**

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

☒ Yes

☐ No

If yes, please provide a statement of those requirements:

The current and proposed zoning allows a maximum building height of 10 metres.

### 11.0 – Area of Settlement

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

☐ Yes

☒ No

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

### 12.0 – Employment Lands

Will the application remove land from an area of employment?

☐ Yes

☒ No

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

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

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

The subject lands are currently designated Commercial Development Area and Established Area.

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

The proposed zoning amendment of the subject land continues to comply with the Official Plan

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

☐ Yes

☒ No



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

Existing use of the subject land:

The site is currently the Anchor Inn Resort and Marina.

Proposed use of the subject land:

To develop a 35 unit resort complete with docking and a lake front clubhouse.

Length of time existing uses have continued:

The Inn was constructed in 1938 and originally called the Kenricia Kabin Kourt.

#### 14.0 – Site Suitability

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

Yes the subject lands are a suitable site and location for the requested zone. Historically the site has been a resort and marina property. The site is an existing landmark for Kenora and also uniquely positioned with views to and from the lake, ideal safe harbour and water access. The natural topography sloping up to the highway creates a natural 'amphitheatre' for resort units facing the lake.

#### 15.0 – Surrounding Land Uses

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

Yes. The use within the requested zone will not be a significant departure from the existing use and therefore have little effect on the surrounding land uses. The requested zone will allow for a significant investment in an aging resort facility, likely resulting in increased property values for surrounding properties. Please see attached Planning Rationale for a full breakdown on the compatibility of the proposed development with existing adjacent developments.

#### 16.0 Access

Type of Access:



Municipal maintained road



Seasonally maintained municipal road



Provincial highway



Private road or laneway



Water



Other public road

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

### 17.0 – Water Supply

#### Subject Property Water Supply:

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

### 18.0 – Sewage Disposal

#### Subject Property Sewage Disposal:

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

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

- A servicing options report; and
- A hydrogeological report

### 19.0 – Other Applications Under the Planning Act

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

- ☐ Yes
 ☒ No

If yes, please indicate which applications are being undertaken:

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

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

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

## 20.0 – Site Structures

### Existing Structures:

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area	All existing structures to be demolished			
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	3,100 sqm	300 sqm		
Total Gross Floor Area	4,260 sqm	600 sqm		
Number of Storeys	1 - 4	2		
Length	33.5 m - 70.5 m	15.0 m		
Width	56.0 m - 65.5 m	25.0 m		
Height	Refer to attached drawing	7.0 m		
Front Yard Setback	6.0 m	4.5 m		
Rear Yard Setback	4.5 m	6.0 m		
Side Yard Setback	2.4 m	4.5 m		
Side Yard Setback	2.4 m	4.5 m		
Date Constructed	n/a	n/a		
Lot Coverage (%)	48.8%			
Floor Area Ratio	1.08	0.167		

## 21.0 - Sketch

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

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

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

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

Elevation drawings shall also be provided if applicable.

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



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

Please state how this application is consistent with the 2014 Provincial Policy Statement (PPS).

The application is consistent with the 2014 Provincial Policy Statement policies on long-term economic prosperity as well as housing. Please see attached Planning Rationale.

**23.0 – Additional Information**

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

Please see attached Planning Rationale

**24.0 - Directions**

Please provide directions to the subject property:

551 Lakeview Drive, Kenora, ON

**25.0 – Site History**

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

Site of the Anchor Inn Resort and Marina

Please state all previous known uses of the subject land:

There is a commercial space on the property that is currently vacant. At one time was a restaurant.

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

☐ Yes

☒ No

If yes please be specific:

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

Information provided by the Lake of the Woods Museum.

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

26.0 Contamination	Yes	No	Unknown
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has a gas station ever been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any reason to believe the subject land or adjacent lands may have been contaminated by former uses (i.e. brownfields, industrial waste, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

Information provided by the Lake of the Wood Museum.

\*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.

27.0 – Subsurface Rights
Are the subsurface rights and the surface rights to the property held by the same owner?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If no, who owns the subsurface rights?
_____
If no, please have the owner complete the following declaration (Section 22.1):
<b>27.1 Authorization from the Owner of the Subsurface Rights</b> <b>(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 _____ Fax Number

## 28.0 – Significant Features Checklist

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

Feature or Development Circumstance	Yes	No	Don't Know	If yes, specify distance in metres (m)	Potential Information Needs
Non-farm development near designated urban areas or rural settlement areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		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>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry <sup>2</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry <sup>3</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive uses within 1000 metres.
Land Fill Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess the need for a feasibility study for residential and other sensitive land uses.
Active Railway Line	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	~100 m	Evaluate impacts within 300 metres.
Operating mine site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Will Development hinder continuation or expansion of operations?
Non-operational mine site within 1 kilometre of subject land	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Determine possible impacts within 200 metres.
High Voltage Transmission Lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Consult the appropriate electric power service.
Transportation and Infrastructure corridors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hwy 11/17 directly adjacent	Will corridor be protected? Noise Study Prepared?
Agricultural Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development to comply with the Minimum Distance Separation Formulae and Official Plan.
Mineral Aggregate Resource area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Will development hinder access to the resource or the establishment of new resource operations?

Mineral Aggregate Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Will development hinder continuation of extraction? Noise and Dust Study completed?
Existing Pits and Quarries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Will development hinder continued operation or expansion? Noise and Dust Study completed?
Mineral and Petroleum Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Will development hinder access to the resource or the establishment of new resource operations?
Significant Wetlands or potentially significant Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant portions of habitat of Endangered or Threatened Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Sensitive Groundwater Recharge Areas, Headwaters and Aquifers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant Built Heritage Resources and Cultural Heritage Landscapes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development not permitted
Lands Subject to Flooding and/or Erosions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development may be permitted. Must demonstrate that hazards can be addressed.
Erosion Hazards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous Sites <sup>4</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Slope Study, Flood line Study. Demonstrate that hazards can be addressed.
Rehabilitated Mine Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Application for approval from Ministry of Northern Development and Mines should be made concurrently.
Contaminated and/or Brownfield sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Assess and inventory of previous uses in areas of possible contamination.

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

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

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

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



### 29.0 – Authorization of Agent or Solicitor

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

I/We TCG Lake Ventures Corp., 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 5468796 architecture 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.

Dec. 3, 2018

Date

Signature of owner(s)

Name and Signature of Witness

### 30.0 – Affidavit or Sworn Declaration

I, Sasa Radulovic of the 5468796 Architecture in the province of Manitoba, make oath and say (or solemnly declare) that the information required under Ontario Regulation 545/06 (as amended), and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the City of Winnipeg in the Province of Manitoba this 21st day of December in the year 2018.

Commissioner of Oaths.  
Glenn Nathan Jones  
a Notary Public in and for  
the Province of Manitoba

Applicant(s) Signature

### 31.0 – Privacy Consent/Freedom of Information Declaration

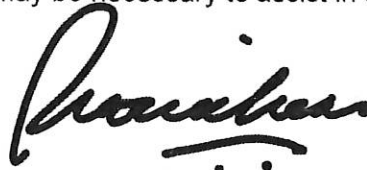
Consent of Owner(s) to the use and disclosure of personal information and to allow site visits to be conducted by City Staff and members of Council and/or the Planning Advisory Committee.

I/We, \_\_\_\_\_ 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.

\_\_\_\_\_  
Dec 3, 2018

Date



\_\_\_\_\_  
Owner(s) Signature

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

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



# Planning Rationale

## Application for Amendment to Zoning By-law

### GACC Anchor Inn

#### 1. Physical Description of the Site

The site for the proposed development is made up of the four adjacent sites (on the attached map) labelled as Primary Development Site, Eastern Lot (2 lots), and Water Lot. While these lots are separated by City Streets, they are collectively being planned as one resort property.

**Primary Development Site:** is an approximately 1 acre site zoned Highway Commercial that drops in elevation over 7M from Highway 17, down to Nash Road which runs along the waterfront (that is an overall site slope of 1:10 slope approximately). On this site is the Anchor Inn Resort and Marina with an assembly of aging (est. wood-frame 50 to 80 years old) buildings consisting of the owner's/manager's residence, the hotel office and commercial space. The commercial space was previously used for a restaurant, and more recently a shoe store, however the space has sat unused for any commercial use for the past several years. The one-storey motel units (approximately 16 units) are at the flatter lands near the water. Many have been boarded up. The owner's residence and the motel office/commercial space are one-storey buildings as seen from the highway and, as the terrain slope down to the water, the buildings appear as two-storey because of walk-out basements.

While the site is used as a very modest resort, access from the highway is difficult, seldom used, and may be perceived as dangerous because the office is close to the highway (approx. 7M). Access directly from the highway requires visitors to perpendicular park right off the highway, and on a sloping stretch of roadway. Once booked into the motel most visitors use Nash Road since it is relatively flat and accessible at a safe intersection only 60M to the west of the site. Customer parking is on an open gravel lot in front of the motel units.

North of the site, across the highway is a 4M high rock face, power lines and an undeveloped rugged landscape leading north to the rail lines. To the south of the site are Nash Road and the lake front, with a water lot with docking. To the west of the site is a parking lot with a water lot used for docking a range of craft from small (under 20') to yachts (30' to 40'). There is a small club building for storage, abutting the Anchor Inn site. To the east is a single family home (up at the highway at the north end of the adjacent site) and the 'Eastern Parking Lot' which is part of this project.

**Eastern Lot:** is two lots totalling approximately 0.44 acres. The use is a gravel parking lot on relatively flat land near the bottom of the slope. To the north is a private residence much higher up toward the highway. These two properties are separated from the Primary Development site by Nash Street, which runs north-south from the waterfront to the highway, but it does not connect to the highway because of a large grade separation. This lot is relatively hidden from the waterfront by a high natural rock outcropping with multi-family condominiums built on top (all facing the water). It is a good site for parking since

there are no water views, and no visual connection/impact to the condominium owners to the south of the parking area. Also, the residence up near the highway (to the north) can see well over the parking toward the lake. The lands to the east are a natural forested area of high-rising, uneven, rocky terrain. The current parking is rented seasonally as part of a seasonal docking (at the water lot) and dock related parking (a business run by the Anchor Inn ownership).

**Water Lot:** is approximately 0.25 acres of land with an additional off-shore docking of approximately 60 stalls, of which approximately 1/3 are protected under an overhead canopy. This lake front land has a small deck area for recreational use, as well as a small boat ramp (in poor condition). The water is relatively deep for most slips (over 6M deep). Access by boats to docking is clear and open. To the west are similar docking slips as part of another dock-rental business owned by an unrelated party. To the east are private docking slips for the condominium owners on the neighbouring property to the east.

The proposed drawings show a small 300 square meter building on the Water Lot. The proposed building is to house the reception for the resort and Grace Anne boat, check-in, administration services, and amenity spaces [multipurpose room]. The location of this facility is essential for the whole operation being in close proximity to the resort, docking, Grace Anne, and parking. We understand that this portion of the proposal will be subjected to a more detailed review by City of Kenora administration and planning, elected officials as well as the MNR, and therefore adversely affect the project timeline. At the time of this submission the full extent and the building design for the Water Lot can not be determined and will depend on the interpretation of the 'Regulated' water levels [see below under DEVELOPMENT - WATER LOT], the proposed land trade with the City of Kenora, and approvals for the development for the remainder of the property .

We hope that in interest of this application the approval of the use and proposed size proceed as a part of this application, with the final approval following the review by the planning department. We have discussed a potential of adding two resort suites on this lot and have agreed with the planner to review this option at a later date once more details are available, and once and if approved, this application be amended as required. It is important to note that the land coverage will not change with addition of the two resort suites.

This application considers all sites as part of one development, totalling 1.72 acres (6,964 sq. m.). While some access off of Highway 17 may be feasible, the City of Kenora does not encourage significant access from Highway 17 directly to the site, which is less favourable to the current Highway Commercial Zoning. The primary access is anticipated to be the much safer route to the development via Nash Road.

## **2. Description of the Site's Planning History**

These sites, buildings, and docking have been the functional lands of the Anchor Inn (and previously the Kenricia Kabin Kourt) since 1938. No relevant planning history, including previous planning approvals and/or agreements (i.e. site plan agreement, site-specific zoning by-laws etc.) or other is known to be pertinent. For the water lot, the proponent is working with MNRF to cancel the LOO and work on a new survey for MNRF to issue a long term water lot lease instead of a LOO.

## **3. Overview of the Proposal**



In keeping with Kenora's vision to be the 'Premier Boating Destination of North America' and to continue to build capacity for a tourism economy, this proposal is to develop a 35 unit resort, complete with docking, and a lake front clubhouse, that reinforces Kenora as a year-round tourism destination. A key element of this resort is the financial model called 'fractional ownership' which brings approximately 35 units into the Kenora market. With each unit contemplated as being sold in 1/10 ownership shares, this translates into 350 owners and a multiplier of accompanying visitors to the Kenora market. A structured rental component (i.e.: no owner direct rentals on AirBnB, VRBO) will be marketed to the travelling public thereby broadening the spectrum of visitors to the resort. A small commercial component (adjacent to Highway 17) will complement the nearby commercial offerings.

The living units will be high quality in materials, maintenance, and professional management, and the clubhouse will offer another level of lake front experience. All aspects of this resort add significant year round, additional employment to locals (employment projections are provided in item 6 'Justification of Project').

The intent is to re-zone the property to 'Tourist Recreational Zone (TR)' since it allows for a variety of accommodations to be established for recreational and tourism purposes.

Details of the Proposal include:

**AREA OF PROPERTIES + DENSITY / SITE COVERAGE (after trading with City of Kenora):**

Primary Development Site: 4,066 square meters [ $\pm 43,770$  square feet]

Eastern Lot: 1,794 square meters [ $\pm 19,300$  square feet]

Water Lot: 1,108 square meters [ $\pm 11,925$  square feet]

**Total Area (combined site after trades with City of Kenora): 6,968 square meters [ $\pm 75,000$  square feet].**

Primary Development Site Building Coverage: 3,083 square meters [ $\pm 33,185$  square feet]

Eastern Lot Site Building Coverage: 0 square meters [0 square feet]

Water Lot Site Building Coverage: 300 square meters [ $\pm 3,230$  square feet]

**Total Site Coverage:  $3,083/6,968 = 44\%$**

**[please refer to drawing 2 DEVELOPMENT LOTS WITH PROPOSED SETBACKS]**

\*Note: the proposal is to trade nominal slices of lands to optimize the City of Kenora lands for their roadway and utility needs as well as to create logical shapes for future land development. The area of trade is relatively balanced for both parties and to the benefit of both parties and of the overall development of all within the area. Please see attached drawing for details on property swap.

## **DEVELOPMENT**

Outlined below are the details related to the drawing package that accompanies this submission. The key elements include:

1. Primary Lot: 33 suites ranging in size from approximately 1200 (2 bedroom) - 1500 (3 bedroom) square feet, as well as 2,500 - 3,000 square feet of commercial space
2. Eastern Lots: 44 parking stalls
3. Water Lot: 3000 sq. foot clubhouse and 2 additional suites

## ARCHITECTURAL DESCRIPTION

The building component of the project will consist of a village-scale development on the Primary Development site and a smaller building on the water lot scaled and positioned so it does not obstruct views from the Primary Site. The project's configuration will follow the slope of the terrain affording views over the water for all suites enabling all to take part and enjoy the magnificent landscape. The development will be envisioned to include a variety of private and shared exterior spaces.

## FLOOR AREA RATIO

We are proposing to build 4,260 square metres total of buildings on primary site and 600 square meters on the water lot. The floor area ratio on the primary site would be 1.08 and 0.167 on the water lot.

## MASSING

Volume shown for the building is very close to 10m 'extruded' permitted volume as prescribed by the By-Law, only redistributed to allow for proposed development. This is further explained through diagrams included in our submission.

## SHARED SPACE

Also included is shared exterior green space/patio space for group events, and passive uses such as casual recreation, pet walking, gardens and social activities to be determined with input from those that will benefit from these investments.

## WATER LOT

1. Determining the buildable area for this lot is very complex and depends on the interpretation of regulated water level, current setbacks from the water as well as the future [following land trade] setbacks and R.O.W. allowance for the Nash Road. We have prepared diagrams below that depict the potential developable area based on regulated water levels and minimum floor level of the structure.
2. As reviewed with the planning department, the proposed land trade involving the existing Water Lot will result in an achieving adequate R.O.W. for the Nash Road. Area shown in green depicts the land that is above the regulated water level, and which exceeds the proposed 300 square meter footprint<sup>1</sup>. Following the proposed land trade the area that is developable will be significantly reduced [408 square meters shown in RED] resulting in a diminished development potential. As this affects the viability of the project, we are hoping that the City of Kenora will recognize the advantages gained by land trade for R.O.W. alignment and provide favourable ruling for the proposed development on the Water Lot.
3. As per discussion and the description of the proposed building for the Water Lot development consisting of administration and managerial offices, shared amenity

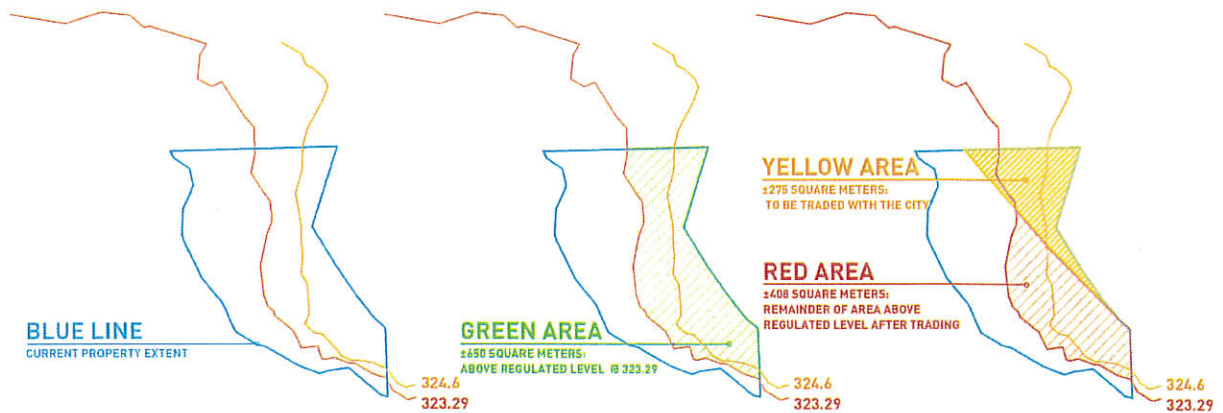
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<sup>1</sup> The legislated normal operating range for Lake of the Woods is 321.87 m to 323.47 m (1056-1061.25 ft), a range of 1.6 m (5.25 ft). There is an understanding that it is not always possible to hold the lake within this range during periods of high inflow; the legislation says that, upon reaching elevation 323.39 m (1061 ft), the lake shall be regulated to ensure that the water level does not exceed 323.85 m (1062.5 ft). In fact, the lake level has reached 324.3 m (1064 ft) on two occasions during periods of very high inflow, in 1916 and again in 1950. Due to the risk of such flooding, the IJC study had recommended that flowage easements be acquired on the lake to elevation 324.3 m (1064.0 ft). The 1925 Canada-USA Convention and Protocol required this on USA lands. In practice, although the operating range is defined as 1.6 m (5.25 ft), the average annual variation in water level has been only 0.8 m (2.6 ft). Further, the lake level has been between elevations 322.01 and 323.45 m (1056.5-1061.2 ft) 98% of time over the past 30 years.

space and two resort suites, we propose that the consideration for the setbacks and bulk for the proposed building on the Water Lot be reviewed once more information is available [as an amendment to the current application]. For the intent of this application the applicant is considering a two storey structure with administrative and amenity space on the lower level, and two suites on the upper.]Attached drawing [2 DEVELOPMENT LOTS WITH PROPOSED SETBACKS] shows a 300 square meter footprint with two 1,500 sq ft resort suites on the second floor.

323.29 [regulated LOTW water level]

324.60 [minimum floor elevation]



## PARKING

1. All shown parking is 2.85M x 6.0M minimum
2. Parking allocations as follows:

1. PRIMARY LOT	REQUIRED
33 suites ranging in size from 1,200 [2 bedroom] - 1,500 [3 bedroom] square	33
2,500 - 3,000 square feet of commercial	11
12 surface parking stalls accessible from HWY#17	
2 loading spaces [off Nash] 3.5m x 9.0m x 4.2m	0
2. EASTERN LOT	
44 parking stalls	0
3. WATER LOT	
PROGRAMME	REQUIRED
3,000 club house [up to 1,000 square feet of publicly accessible programs?]	10
Grace Anne Guests	8
2 additional suites @ 1,500 square feet each	2
Total REQUIRED parking stalls	64
Total PROVIDED parking stalls	64

Note: for the marina, slips will be used by the people staying in the resort there is no need for additional parking.

## SETBACKS

1. Setback on the HWY#17 should be 10M - asking for 6M
2. Setback on west PL should be 4.5M - asking for 2.4M (partially based on adjacent property condition]
3. Setback on east side should be 4.5M - showing range between 1.6M and 4.5M (on diagrams in red illustrating that we are maintaining 4.5M setback from the 45 foot imaginary ROW width.
4. Setback on Nash Road should be 8M - asking for 4.5M

## ZONING RELIEF BEING SOUGHT

1. Re-Zone all four properties to Tourist Recreational Zone (TR)

Current zoning is:

- Primary Development Site: Highway Commercial Zone (HC)
- Eastern Lots: Residential Third Density (R3)
- Water Lots: Highway Commercial Zone (HC)

2. Vary building height to allow building higher than 10M (Maximum building height to be 15M)

The terraced architecture has been devised to offer each unit feature windows that capture and frame a unique view of Lake of the Woods. The only available view of the lake from this site is to the south, so the cone of vision must focus to the west of the existing condominium



that sit high up on a rock outcrop, thereby blocking the view. Each unit also has a private outdoor terrace for occupants to enjoy. Once these units have been stacked and terraced to overview each other (moving up from the water to the highway) the resultant height exceeds 10M in some locations. Volume shown for the building is very close to the 10m 'extruded' permitted volume as prescribed by the by-Law, only redistributed to allow for proposed development. This is further explained through diagrams included in our submission.

The finished grade of the site varies from 324 - 330 metres above sea level. The average site elevation is therefore 327 metres above sea level. The Tourist Recreational Zone which we hope to achieve for the site has a maximum building height regulation of 10 metres which would permit a building height of 337 metres above sea level. We are seeking a maximum building height of 15 metres to allow the building height not to exceed 342 metres above sea level.

**3. Setback on the HWY#17 should be 10M - asking for 6M**

The City of Kenora encourages the use of Nash Road for site access for safety reasons related to the highway traffic. The terrain drop-off toward the lake, if a 10M setback were required, would place the development frontage well down the slope, thereby, limiting any Highway access as well as limiting the development of the units with the higher views toward the lake. The proposed 6M setback is consistent with the current building setback of the Anchor Inn, is optimal for much safer diagonal or parallel parking off of Highway 17, and enables prime view units to be included in the development. Since the area to the north is Highway, and then a rock-cliff face between the Highway and the Railway, there are no negative impacts, and only positive impacts when viewed from the lake front. As a Kenora precedent, further east on Highway 17 is the Headwaters, which is much higher than this development.

**4. Setback on west PL should be 4.5M - asking for 2.4M**

Both the Anchor Inn Resort, and the neighbouring clubhouse/utility building and parking of the marina to the west, were historically built much closer together, almost abutting each other, at the property line. Based on Construction spans and the desire for shared outdoor space a setback of 2.4M is proposed and is considered a generous distance from what is a utility use (parking & storage) of the adjacent property. Larger side-yard setbacks offer no benefit to neighbouring lands, and would shrink the outdoor communal areas to their detriment. Because of the 'utility' condition of this side yard neighbour, the public amenity value of this area is limited, if the set-back was 4.5M.

**5. Setback on east PL should be 4.5M - portion of the setback to be 1.6M**

Refer to submitted diagrams in red illustrating that we are maintaining 4.5M setback from the 'imaginary' ROW width. Similar to the east property line, based on Construction spans and the desire for optimal outdoor communal space, the design calls for a ranging setback due to the unusual property alignment along Nash street. For all intents and purposes, the proposed setback is compliant with the by-law intent, considering what we submit as a reasonable 4.5m setback from the 'imaginary' ROW width.

**6. Setback on Nash Road should be 8M - asking for 4.5M**

Since this is a resort fronting on the developed lake front (albeit with a public road), the recreational resort open space, or 'front yard' continues south of the road onto the docks and decking that extends over the water. While the units are setback 4.5M they enjoy the developed waterfront as amenity space, and there is no neighbour to the south that the development can negatively impact through encroachment. This variance enables the optimal balance of units, terraces, outdoor shared space, and lake front access.

**4. Description and Suitability of the Site**

This site is not suited for Highway Commercial due to highway access concerns. The site has historically been a resort property and comes with a marina with a unique covered dock. The site is an existing landmark for Kenora and also uniquely positioned with views to and from the lake, ideal safe harbour and water access. The natural topography sloping up to the highway creates a natural 'amphitheatre' for resort units facing the lake. As a resort, this project is a perfect fit to the emergence of Kenora as a prime year-round tourism destination. 35 units with 350 owners along with their guests and families, as well as renters, visiting year around translates into a significant employment contribution at the resort and as an incremental employment factor in the Kenora service industries. It is estimated 8,000 to 10,000 guests will be drawn to Kenora over the course of a year.

## **5. Compatibility of the Proposed Development with Existing Adjacent Developments**

The existing adjacent developments, land use designations, and anticipated impacts are:

North – Zoned Rural, is a small parcel of undeveloped land fronting Highway 17. It is difficult to access because of a minimum 3M high rock cliff along the frontage and railway to the further north. The proposed development has no impact on this land and is considered compatible.

East – Zoned R3 (multi-family), is currently a single family home with a large lot (fronting the highway) and a large parking lot servicing the Anchor Inn seasonal docking. This development will likely increase the property value and prospects for future development of the home-lot into multi-family, as contemplated by the Kenora Official Plan. This project enhances vehicle access by reconciling the City of Kenora right-of ways, thereby enabling modern roadway standards up to the property. This development has no foreseeable negative impact to the property

South – The lake front is at the south of the proposed development, and it is currently developed as seasonal docking with minor amenity space for motel guests. This proposed development completely adopts this entire water lot and upgrades the docks and outdoor spaces to modern resort standards. The proposed Water Lot Development with its amenity spaces will extend the use of the facility into the shoulder seasons increasing the appeal and usability of the lakefront. Proposed realignment of the west docking aisle will improve neighbouring docking to the west. There will be no negative impact to the private docking to the east.

West – Zoned Highway Commercial, this property was developed a few years back as a seasonal docking facility. This development will provide more open space between the properties than currently exists and will improve the docking access for the neighbour. There will be no negative impact to the private docking to the west, only positive.

## **6. Justification of Project**

This site is not suited for Highway Commercial due to highway access concerns. The site has historically been a resort property and comes with a marina with a unique covered dock. As a resort, this project is a perfect fit to the emergence of Kenora as a prime year-round tourism destination, and a community looking to increase employment opportunities. Below are provided estimates for the direct employment impact of the proposed Grace Anne Cottage Club.

## LAKE OF THE WOODS, KENORA, CANADA

### EMPLOYMENT PROJECTIONS

<u>CLUB EMPLOYMENT</u>	<u>PEAK-SEASON</u>	<u>OFF-SEASON</u>
General Manager	1	1
Concierge/Guest Services	4	4
Accounting/Administrative	2	2
Maintenance/Groundskeeping	3	2
Housekeeping	9	4
Marina Rentals/Sundry Shop	3	0
<u>YACHT EMPLOYMENT</u>		
General Manager	1	1
Chef	1	1
Captain	1	1
Business Development	1	1
Office Manager	1	1
Operations Manager	1	1
Lodge Manager	1	0
Fishing Guides, Stewards, Housekeeping	20	0
<b>FULL TIME EQUIVALENTS</b>	<b>49</b>	<b>19</b>

The ownership model will require high standards for owners, visitors and operations and building and grounds maintenance. This approach is a necessary direction for Kenora to support in their quest to become a year-round tourist destination. Kenora needs more obvious tourism offerings, as seen by the public along the image-corridor of Highway 17, a gateway into Kenora.

## 7. Impact on the Natural Environment

The existing site was completely developed several generations ago with no remaining natural components. This project will utilize indigenous plant material in the development of public spaces in order to bring back a boreal forest character.

We understand that development as shown on the Water Lot will require a review by MNR as well as the elected officials.

## **8. Impact on Municipal Services**

Based on preliminary discussions with Kenora Public Works, this project has no negative impact on municipal services (i.e. sewage collection and treatment systems, water distribution and treatment systems, utilities, roads, hydro services, parking, community facilities, parks and open spaces etc.). The intent is to maintain the existing surface drainage, catchment, and storm water discharge system currently operating at the waterfront along Nash Road.

## **9. Four Tests for Minor Variance**

While we understand that the Minor variance Tests are not required for this application we provide the following to help illustrate the relatively minor nature of the amendments sought.

### **1. Is the application minor?**

This development is a fitting replacement to the existing use as a resort. The relief asked for, if accepted, is not materially different in size, use, or impact in comparison to the same project pushed to fit the by-law exactly. This project will not negatively change the impact to the neighbours or to the environment, or to the general appearance, than if the project complied exactly with the by-law. The relief sought enhances all of the above.

### **2. Is the application desirable for the appropriate development of the lands in question?**

This is the most desirable redevelopment use, to replace an existing resort at the end of its lifecycle. This is a desirable use for tourism, employment, and for the image of Kenora. It is this site's highest and best use.

### **3. Does the application conform to the general intent of the Zoning By-law?**

The application directly conforms to the general intent of the Zoning By-law.

### **4. Does the application conform to the general intent of the Official Plan? It is important to note that to consider any application a minor variance it must meet all four tests.**

The application directly conforms to the general intent of the Official Plan.

## **10. Other Planning Approvals Required**

Next approval steps include:

- Application for Purchase or Lease of City Property (for proposed property swap)
- Minor Variance approval (unless all variances applied as part of re-zoning)
- Assign the Licence of Occupation for the Anchor Inn waterlot to TCG Lake Ventures
- Site Plan Control Application

## **11. Proposed By-law Text and Mapping (wording options below)**

### **Option 1:**

To change the regulated zoning of the properties shown on attached Schedule [XX] from HC-Highway Commercial and R3 - Residential - Third Density to TR-Tourist Recreational, and implement the following exemptions:

Notwithstanding any other provisions of this By-law, the lands noted by [XX] on the Schedules to this By-law, the following dimensional standards shall be permitted:



- a) Maximum building height: 15 metres
- b) Minimum setback from Hwy 17: 6.0 metres
- c) Minimum setback from west property line: 2.4 metres
- d) Minimum setback from east property: 1.6 metres
- e) Minimum setback from Nash Road: 4.5 metres

**Option 2:**

Notwithstanding any other provisions of this By-law, the lands noted by [XX] on the Schedules to this By-law, all uses associated with the TR-Tourist Recreational Zone shall be permitted. Furthermore, the following dimensional standards shall be permitted:

- a) Maximum building height: 15 metres
- b) Minimum setback from Hwy 17: 6.0 metres
- c) Minimum setback from west property line: 2.4 metres
- d) Minimum setback from east property: 1.6 metres
- e) Minimum setback from Nash Road: 4.5 metres

**Option 3:**

1. That all four properties be re-zoned to Tourist Recreational Zone (TR) from the current zoning as follows:
  - a. Primary Development Site: Highway Commercial Zone (HC)
  - b. Eastern Lots: Residential Third Density (R3)
  - c. Water Lot: Highway Commercial Zone (HC)
2. That Front Yard (minimum) Setback be varied from 8M to 6M
3. That Side Yard (minimum) Setback on west PL be varied from 4.5M to 2.4M
4. That Side Yard (minimum) Setback on east PL be varied from 4.5M to 1.6M
5. That Rear Yard (minimum) Setback be varied from 8M to 4.5M
6. That Permitted Building Height (maximum) be varied from 10M to 15M

## **12. Provincial Policy Statement (2014 PPS)**

PPS Policy on Long-Term Economic Prosperity (pg.19)

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;
- c) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;

d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

### 13. Proposal Conforms to General Purpose and Intent and Goals of the City of Kenora Official Plan

This proposal fits with the vision statement for the City of Kenora from the City of Kenora Official Plan 2015:

“The City of Kenora shall be an inclusive, sustainable, healthy, four- season lifestyle community with a healthy economy that welcomes all and respects the Aboriginal peoples and traditions so that generations can thrive, prosper, and contribute to meaningful lives.” (pg. 2-1)

Fits with points from:

- Principle 1 - Sustainable Development (pg. 2-1)
  - Compact development
- Principle 2 - Natural Environment (pg. 2-2)
  - The building will meet current high standards for energy efficiency
- Principle 5 - Tourist Destination (pg. 2-3)
  - “City of Kenora shall continue to expand its role as an urban, cultural service centre and tourist destination...”
- Principle 6 - Complete Communities (pg. 2-3)
  - “Encourage new development to provide for a mix of uses in planning for complete communities.”
  - “To support mixed-use neighbourhoods.”
- Principle 7 - Neighbourhood Design (pg. 2-4)
  - “Promote a desirable built form in any development...”
  - Address needs of present and future generations
  - Aspects of neighbourhood design contribute to everyday living
  - Encourage place making in any development through the implementation of public art and public spaces

The proposed development fits the intent for the Commercial Development area, and in particular:

- 4.4 Commercial Development Area (pg. 4-5)
  - The proposed commercial space satisfies the intent of: “continued development of retail commercial uses shall be promoted in order to serve the residents of the City of Kenora... Highway 17 (known locally as the Kenora By-pass)...through the City is paramount to maintaining the economic health of the commercial/retail sector of the local economy.

As per section — 4.4.1 Permitted Uses — the permitted uses include motels and hotels. The use proposed for the site will function as a hotel, and be open to public year round.

It is important to note the proposed development will rely heavily on the workforce from the surrounding area, and will provide employment as required and expected of the commercial employment lands. Please refer to the table in section 6. *Justification of Project* for detailed projection of employment opportunities. The proposed use will significantly increase employment on the site with both full and part time staff.

#### 14. How Proposal is Appropriate and Desirable Development

This site is not suited for Highway Commercial due to highway access concerns. Please refer to drawing 2: DEVELOPMENT LOTS WITH PROPOSED SETBACK for a proposed highway access to serve commercial component of the property. This proposal envisions resort and Grace Anne reception, check-in and administration services to be located in the 'Clubhouse' on the water lot, therefore alleviating the pressures and risks inherent in direct highway access, while maintaining employment on the site. The site has historically been a resort property and comes with a marina with a unique covered dock. As a resort, this project is a perfect fit to the emergence of Kenora as a prime year-round tourism destination, and a community looking to increase employment opportunities. The ownership model will require high standards for owners, visitors and operations and building and grounds maintenance. This approach is a necessary direction for Kenora to support in their quest to become a year-round tourist destination. Kenora needs more obvious tourism offerings, as seen by the public along the image-corridor of Highway 17, a gateway into Kenora.

Additionally it is worth noting that the Condominium Corporation or an equivalent strata will be in place and consist of 35[suites] - 40[clubhouse, commercial, parking, etc.]. With that in mind the exclusive elements will include but not be limited to roof decks and courtyards. The legal team is looking at the exact definitions regarding the precise type of stratification e.g. Common Element Condominium vs, Standard Condominium etc.

While the resort will have a stratified ownership, resort suites will be available as an offering to the public. The suites will be a part or a worldwide booking system allowing access to travelling public and also the loyalty programs by major fractional ownership networks that our client has entered into agreements with.

#### 15. How Official Plan Policies will be Addressed

Relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies, as follows:

- Principle 1 - Sustainable Development (pg. 2-1)
  - Compact development - this project density is approximately 20 units/acre (medium density)
- Principle 2 - Natural Environment (pg. 2-2)
  - The building will meet current high standards for energy efficiency through south orientation (passive solar) and applying building code standards for energy efficient construction and operations
- Principle 5 - Tourist Destination (pg. 2-3)
  - "City of Kenora shall continue to expand its role as an urban, cultural service centre and tourist destination..." - This project will become the premier resort in the region
- Principle 6 - Complete Communities (pg. 2-3)
  - "Encourage new development to provide for a mix of uses in planning for complete communities." - Fractured ownership will encourage units to be used throughout the year, and not vacated by seasonal dwellers only (snowbirds).
  - "To support mixed-use neighbourhoods." - this will add significant walk-up numbers to merchants along Highway 17, as well as provide nearby

- commercial/convenience offerings to those already living, working, and playing nearby
- Principle 7 - Neighbourhood Design (pg. 2-4)
  - “Promote a desirable built form in any development...” - quality architecture is valued
  - Address needs of present and future generations - fractured ownership is an emerging model for affordable living in a resort
  - Aspects of neighbourhood design contribute to everyday living - the living units, outdoor shared space and waterfront recreational landscapes will create a vibrant element to an area where previous dock-patrons parked their cars, got in their boats, and left the area.

## 16. How Proposal Complies with Other Relevant City Documents and Plans

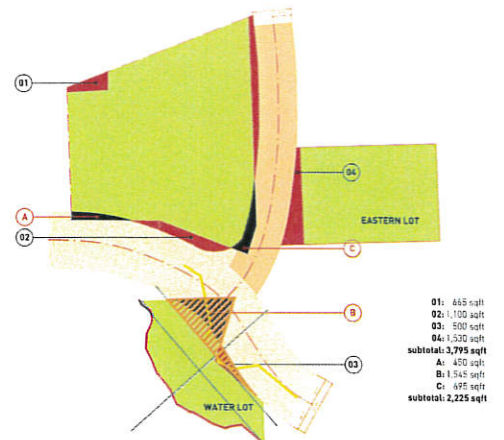
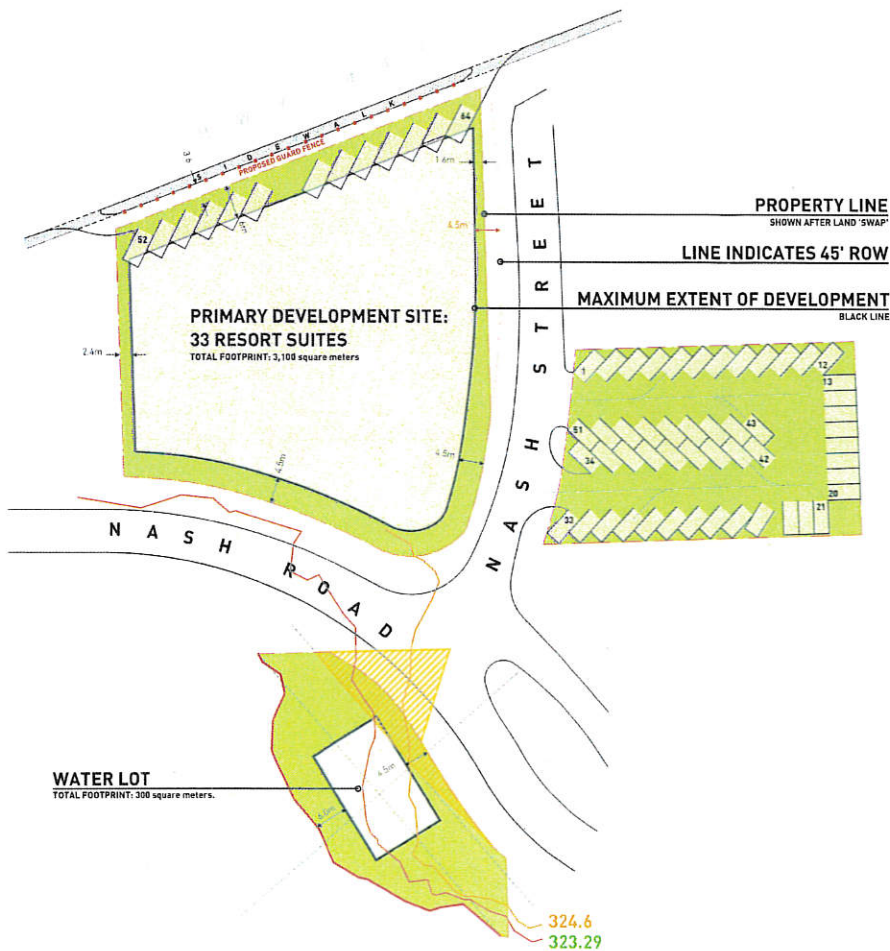
This proposal complies with Kenora’s Waterfront Development Guidelines (2009)

The Kenora Waterfront Development Guidelines are intended to protect and promote the visual and symbolic integrity of Kenora’s Lake of the Woods waterfront. The project provides:

- Public access to the waterfront (through club membership)
- Building design and configuration that will become a jewel on the Kenora waterfront skyline
- Maximum building heights: this low profile architecture fits the use and the natural setting
- Preserving critical views to and from water; a cornerstone principle of the design
- An identifiable pedestrian circulation system; this project clarifies the public corridor
- Parking standards; meets all parking requirements
- Landscaping standards; will focus on indigenous boreal planting to reinforce the resort character
- Universal accessibility: a fundamental principle of the design







#### DENSITY CALCULATION [AFTER LAND SWAP]:

PRIMARY DEVELOPMENT SITE AREA:	4,066 m <sup>2</sup>
EASTERN LOT AREA:	1,794 m <sup>2</sup>
WATER LOT AREA:	1,108 m <sup>2</sup>
<b>TOTAL:</b>	<b>6,968 m<sup>2</sup></b>

PRIMARY DEVELOPMENT BUILDING COVERAGE:	3,083 m <sup>2</sup>
EASTERN BUILDING COVERAGE:	0 m <sup>2</sup>
WATER LOT BUILDING COVERAGE:	300 m <sup>2</sup>
<b>TOTAL:</b>	<b>3,083 m<sup>2</sup></b>

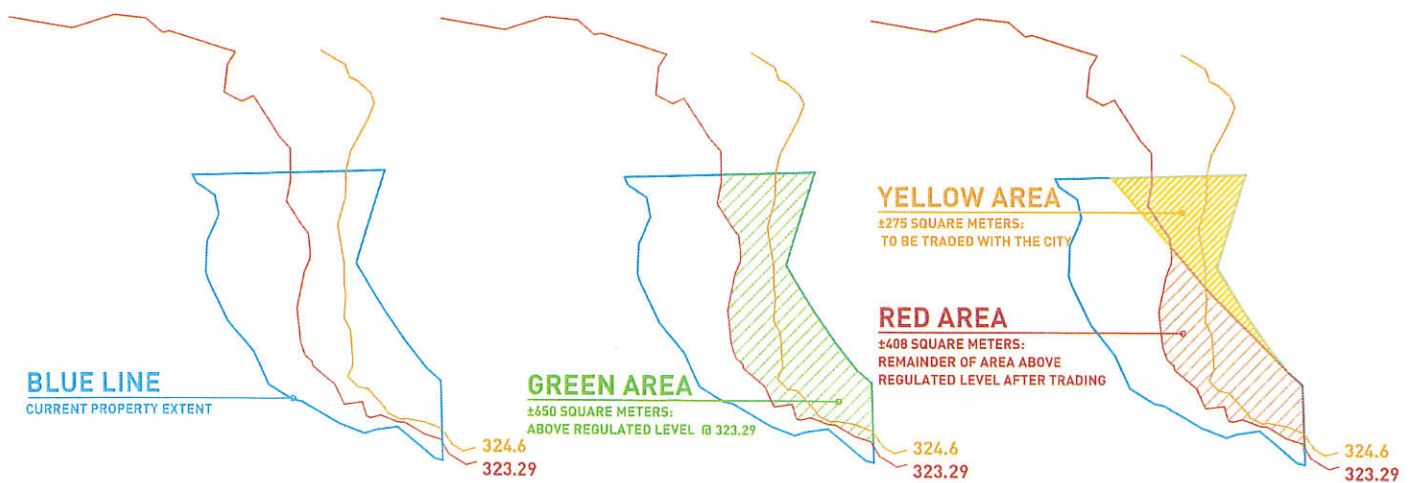
SITE COVERAGE:  $3,083/6,968 = 44\%$

## 2. DEVELOPMENT LOTS WITH PROPOSED SETBACKS

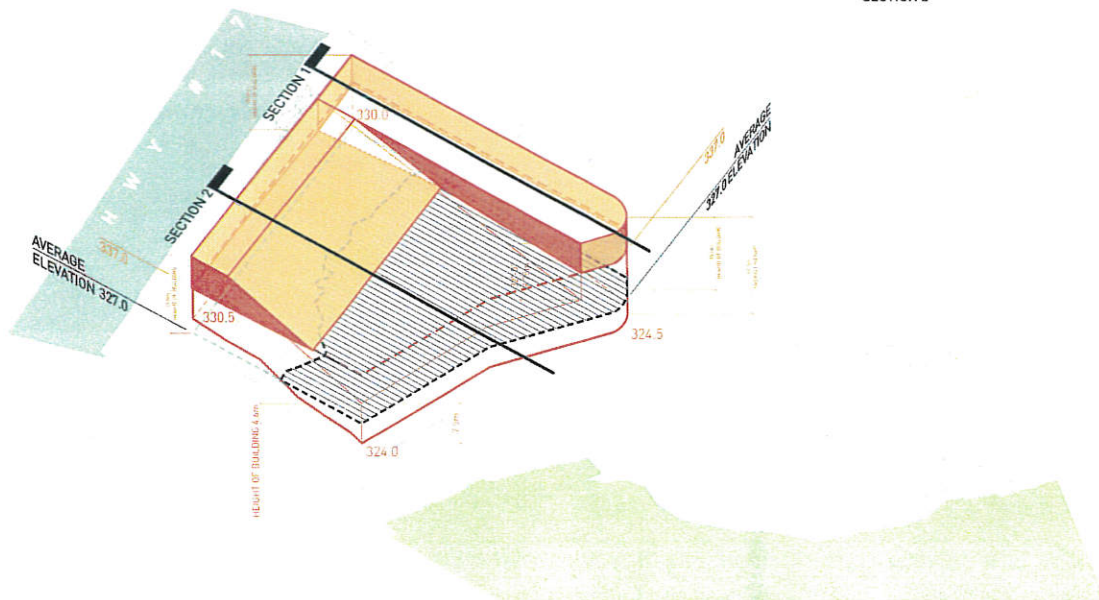
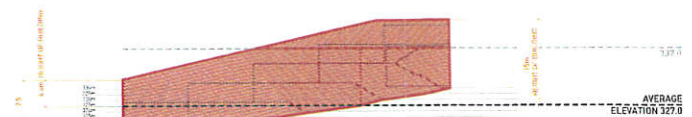
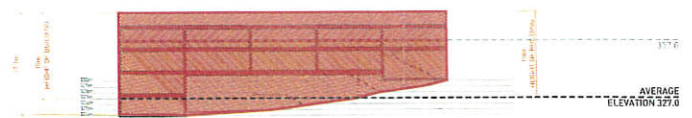




323.29 [regulated LOTW water level]  
324.60 [minimum floor elevation]







#### 4. 3D MAXIMUM EXTENT OF DEVELOPMENT



**+ SMM**