



01 March 2019

Devon McCloskey  
City Planner  
City of Kenora  
60 Fourteenth St. N., 2nd Fl.  
Kenora Ontario P9N 4M9

Dear Ms. McCloskey,

As you know, we have land holdings in the area and wish to develop in the near future. We are in favour of development and are happy to see progress in this area. We do however have concerns with the amount of parking being proposed for the use as well as the reconfigurations of the Nash Road right of way.

Given the proposed size of the vacation rentals there is a strong probability that more than a single car will be utilized for each suite at any given time. From the plans provided it seems likely that overflow parking will be accommodated by parking along Nash Road to the east of the site which depending on the realignment would obstruct the entrance into any current or future resident residing east of the site.

We hope that during this review process consideration has been given to the amount of parking proposed as well as the size and realignment of the Nash Road right of way with respect to not only the current proposal but any future development to the east.

Thank you for your consideration

Regards,

A handwritten signature in black ink, appearing to read "TGA", followed by a horizontal line.

Trevor Grafton  
Planning and Design Coordinator  
Qualico Development Winnipeg Ltd.



## Devon McCloskey

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**From:** [REDACTED]  
**Sent:** Saturday, February 16, 2019 10:34 AM  
**To:** Devon McCloskey  
**Subject:** Zoning ByLaw Amendment Application - Anchor Inn

Only issue we have is with Area "C". This will impact our view of the marina & lake of which is the #1 reason we purchased our condo #7 at 35 Nash St. 2nd reason we have issue with Area "C" is the amount of traffic that already exists in the summer months, getting to & from our condo is stressful driving at 5km people walk out from parked vehicles never looking forgetting that this is a municipal road behaving like it's a sidewalk, vehicles are parked in middle of road to unload their cars to their boats, I've sent a few emails to your office with pictures with our complaints, your bylaw officer came but by the time he got there car was gone & they had left on their boat. I believe that Area "C" will only cause great frustration with its foot and vehicle activity for all residents along Nash St & Dr, also we would probably sell if we have no more or partial view of the lake. We are excited to see Anchor Inn get a refresh, it's been such an eyesore for many years, but we are not willing to lose our view of the lake/marina in the process. We are hoping you consider our comments & concerns. We cannot attend any meetings scheduled so please consider this letter as our opposition only to Area "C".

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from my iPhone6

Personal information including mailing addresses and phone numbers have been concealed by the City of Kenora in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56



# SHEWCHUK, ORMISTON, RICHARDT & JOHNSON LLP

B A R R I S T E R S   &   S O L I C I T O R S

Bruce A.J. Ormiston, B.A., LL.B.  
Rod W.W. Shewchuk, B.A., LL.B., L.U.F.  
Tyler E. Johnson, B.A., LL.B.  
Kirsti H. Ralko, H.B.Comm., J.D.  
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214 Main Street South  
P.O. Box 1970  
Kenora, Ontario P9N 3X8  
Telephone (807) 468-9828  
Fax (807) 468-5504

Please refer to file no.

February 19, 2019

**VIA EMAIL**

Devon McCloskey  
City Planner  
City of Kenora  
60 Fourteenth St. N., 2<sup>nd</sup> Fl.  
Kenora, ON      P9N 4M9

Devon McCloskey

**RE:    ZONING BYLAW AMENDMENT, FILE NUMBER D14-19-02**

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Please be advised that a submission was made in reference to File Number D14-19-01 on Friday, February 15, 2019. Post submission we were advised by you that there was an error made in the posting/publication of the Municipal Memo. The proper file number to refer to for our submission on behalf of Kenora Condominium Corporation Number Two is **D14-19-02**.

Yours truly,

FOR THE FIRM



LAWYER

BAJO/jh

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Please refer to file no.

**DELIVERED AND EMAIL**

February 15, 2019



City of Kenora  
1 Main Street South  
Kenora, ON P9N 3X2

Attention: Devon McCloskey, City Planner

**Re: Application for a Zoning ByLaw Amendment File Number D14-19-01**

We are the Solicitors for Kenora Condominium Corporation Number Two.

Enclosed please find our client's formal objection to the above named application.

Our client hereby requests a copy of the decision.

Yours Truly,

FOR THE FIRM

Bruce A. J. Ormiston

BAJO/jh

enc.

**Re: Application for a Zoning ByLaw Amendment File Number D14-19-01**

Kenora Condominium Corporation Number Two hereby files an objection to the proposed zoning changes and the proposed variances. Kenora Condominium Corporation Number Two comprises the following property:

PIN 42161-0082 (LT)

Condo Block 42802 (Kenora Condominium Plan 2)

This property is immediately to the east of the property in question.

Kenora Condominium Corporation Number Two's comments are as follows:

1. The Official Plan designates area "A" as a Commercial Development Area. Areas "B" and "C" are designated Established Areas. The Corporation submits that the proposed changes and use of area "C" would be a major change that would be incompatible with the existing land use and would not improve the quality of life for the area residents (4.1.2(e)). Established improvement policies encourage maintaining recreation and open spaces (4.1.2(d)). Development of area "C" as proposed does not meet this policy.
2. The application requests four setback reductions for area "A". It would not be appropriate to reduce setbacks in this area. Area "A" has a public road on the north, east and south sides. Reduction of setbacks would reduce the driver's visibility at intersections. The setback reductions would also detract from the green space/open space that currently exists. Development is fine but there is no need to reduce the zoning standards.
3. Both the Highway Commercial Zone (HC) and the Tourist Recreational Zone (TR) have the following provision:
  - (i) A maximum of one dwelling unit shall be permitted as an accessory use to any commercial use. The dwelling unit must be occupied by the business owner, caretaker, security guard or similar employee.

The Corporation submits that the proposed use of Area "C" is really an accessory use of Area "A".

4. The Corporation objects to any buildings being located on Area "C", as a building would detract from the open space of the area. Area "C" is currently a visually pleasant area that is compatible with the neighboring properties and uses. A commercial building on Area "C" would not be in keeping with the current situation of no significant buildings on the south side of Colonization Road in the current HC Zone.
5. The proposed area coverage reduction for Area "C" is not appropriate given the location adjacent to the Lake of the Woods. The Zoning By-law (s. 3.30) provides for setbacks from Watercourses and Waterbodies:

- (a) Subject to subsection (c), despite the provisions of the underlying zone, the minimum setbacks set forth in subsection (b) must be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the environmental quality of watercourses and water bodies.
- (b) Except for flood or erosion control works, or a public bridge or a marine facility, no building structure, including any part of a sewage system, which does not require a plan of subdivision, or Site Plan Control approval, shall be located closer than:
  - i. 20 m to the normal high water mark of any water course or water body, or
  - ii. 15 m to the top of the bank of any watercourse or water body which ever is greater.

The proposed reductions of area coverage and setbacks do not meet the requirements as set out in s. 3.30 (a) or (b). Development beside a waterbody must meet or exceed standards to ensure environmental protection. This is not a location to reduce standards. Proximity to the lake would have a negative impact on the waterfowl and add to the existing congestion in Norman Bay. Six metres would hardly be an adequate distance in high water conditions.

- 6. It would appear that Area "C" involves purchasing of City of Kenora road allowance. If so, a previous 2015 request by Kenora Condominium Corporation Number Two, long time lessors of city road allowance, to purchase said road allowance was refused. A precedent has been set by this refusal and should apply to this request as well.
- 7. Kenora Condominium Corporation Number Two also makes objection to the height of Area "C" in order to house a clubhouse, administration centre and 2 guests units. This obstruction of our view negatively impacts our property values. Area "C" is not necessary and given the size of the project can easily be housed within Area "A".