

Northshore Ridge Condominium Corporation

35 Nash St. Unit 5. Kenora.ON. P9N 3V3

September 27, 2019

Environment and Land Tribunals Ontario
Local Planning Appeal Tribunal
655 Bay St, Suite 1500
Toronto, ON
M5G 1E5

Attn: Ben Bath, Case Coordinator/Planner

Re: NOTICE OF APPEAL: LPAT File/Case No. PL190146

Dear Mr. Bath;

Further to the correspondence from the Local Planning Appeal Tribunal dated September 18, 2019 on the above noted file, the Northshore Ridge Condominium Corporation hereby appeals The City of Kenora zoning by-law amendment No. BL 41-2019 for the following reasons:

- (i) The basis of the appeal is the proposed reduction for the yard and height requirements for the front, side and rear yards for "Site A" and reduction of the front, and rear yards and increase in height for "Site C". It is proposed that all the set-backs be reduced by a minimum of 50% for Site A, and the height increased by 33%. Similar set-back reductions and an increase in height are proposed for Site C. Further, the developer proposes to increase lot coverage by 10%, reducing buffering and amenity areas. This is a significant site-specific zoning by-law amendment requested by the developer - in addition to the change in use from Highway Commercial to Tourist Recreational.

The application fails the compatibility tests set out in **Section 3.15.5 – Compatibility Criteria, and is not in conformity with the City of Kenora Official Plan**. The height and massing are out of scale for the area, the proposed development is out of character with the surrounding


neighbourhood and it is lacking in outdoor amenity areas for a development of this size.

- (ii) The proposed development proposes residential development abutting the water, which is not in conformity with **Section 3.13.3 a) iv, of the City of Kenora Official Plan** which states that any new development "*not contain sanitary facilities, pressurized water systems or dwelling units*".
- (iii) The proposed zoning makes no provision for the creation of 35 new residential units, which is the basis of the application. Multi-Unit Residential zoning is required as a permitted use, and this is not a permitted use in the proposed Tourist Recreational Zone.

In summary, this application to amend the zoning by-law to permit a thirty-five unit (35) unit residential development is not in conformity with the City of Kenora Official Plan, nor desirable and appropriate, given the proposed density & massing, the creation of residential units directly abutting the water's edge and lack of buffering and amenities between higher density and lower density residential areas.

Thank you for the opportunity to submit this appeal.

Respectfully,



James L. Cook
President
Northshore Ridge Condominium Corporation

cc: (via email only)

Allan McKittrick, QC, Solicitor for Municipality, mckits@tbaytel.net

Jon Zwickel, Contact for Applicant, jonz@innventures.ca

The Clerk, City of Kenora, hkasprick@kenora.ca