



City of Kenora
Committee of Adjustment

Wednesday, April 15, 2026, 6:00 p.m.
City Hall Council Chambers

| | Pages |
|--|-------|
| 1. Call Meeting to Order | |
| 2. Roll Call | |
| 3. Land Acknowledgement | |
| 4. Declaration of Pecuniary Interest & General Nature Thereof | |
| • On today's agenda | |
| • From a meeting at which a Member was not in attendance. | |
| 5. Additions to the Agenda | |
| None. | |
| 6. Approval of Minutes | 2 |
| Approval of the Regular Meeting of Committee of Adjustment for March 25, 2026 | |
| 7. Correspondence | |
| None. | |
| 8. Hearings Re: Consent | |
| None. | |
| 9. Hearings Re: Minor Variances | |
| 9.1 Application for Minor Variance File- D13-26-05 | 11 |
| Water Street- Kenora Courthouse | |
| 9.2 Application for Minor Variance File- D13-26-06 | 37 |
| Beach Street, Coney Island | |
| 9.3 Application for Minor Variance File- D13-26-07 | 53 |
| Highway 17E | |
| 10. Hearings Re: Previously Deferred Matters | |
| 10.1 Application for Consent File No. D10-26-02 | 68 |
| Veterans Drive | |
| 11. Other Business | |
| 12. Adjournment | |



**City of Kenora
Committee of Adjustment Meeting
M I N U T E S**

**Wednesday, March 25, 2026
6:00 p.m.
City Hall Council Chambers**

Members Present: Tara Rickaby, Keric Funk, Linda Mitchell
Members Absent: Robert Bulman, Renee Robert
Staff Present: Tara Vader, Heather Pihulak, Janis Pochailo

- 1. Call Meeting to Order**
- 2. Roll Call**
- 3. Land Acknowledgement**

Tara Rickaby, Chair, provided a Land Acknowledgement.

 - 3.1 Rules of Procedure**
- 4. Declaration of Pecuniary Interest & General Nature Thereof**

None.
- 5. Additions to the Agenda**

None.
- 6. Approval of Minutes**

Moved by: Linda Mitchell
Seconded by: Keric Funk

That the minutes of the February 25, 2026 Regular Meeting of the Committee of Adjustment be hereby approved as amended.

7. Correspondence

8. Hearings Re: Consent

8.1 File No. D10-26-01

The representative of the Applicant, Laura Wheatley, provided an overview of the application.

Janis Pochailo, Director of Planning & Building provided a detailed review of the application.

This application for technical consent proposes to create two new light industrial zoned lots. The proposed lots are approximately 1.0 hectare in size and have proposed frontages of approximately 61 metres. The retained land is proposed to be approximately 29 hectares in size.

This application has been approved previously under D10-20-04 and D10-22-04. However, the deadline set out in Section 53(41) of the Planning Act for fulfilling the conditions of approval expired before the consent for the two lots involved in the current application could be completed.

The subject property is located on the north side of Jones Road. The land is currently utilized for the sawmill operation and contain four buildings relating to the sawmill. The proposed severed lands are currently vacant and are not utilized as part of the sawmill operation. City staff had no concerns with the application.

CPKC provided comments and recommends that the following statement be inserted in all property and tenancy agreements or future offers of purchase and sale for any dwelling units proposed on the lands " CPKC and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations of 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, CPKC will not be responsible for complaints or claims arising from the use of its facilities and/or operations on, over, or under the aforesaid right-of-way and/or yard." As the application proposes the creation of light industrial lots and there are no dwelling units being proposed, this is not a recommended condition for this consent. The comments from CPKC will be recorded and saved in the property file for the retained lands, in the case of change in ownership or the proposal of a dwelling unit.

The subject lands are designated Rural Area in the City of Kenora Official Plan, and zoned "ML" Light Industrial Zone in the City of Kenora Zoning By-law. The subject lands are approximately 31 hectares.

Mrs. Pochailo provided a planning review of the technical consent application: The Provincial Planning Statement, 2024 (PPS) directs that development on rural lands in municipalities that can be sustained by rural service levels should be promoted. As

this application proposes lots on private services, that can be sustained by existing rural service levels (e.g. roads), it complies with these policies of the PPS.

The City of Kenora Official Plan (OP) Section 4.8 contains policies for the Rural Area. The OP states a variety of agricultural, residential, industrial, commercial, recreational, tourism and open spaces uses are included in these areas.

Section 4.8.5 Industrial Uses in the Rural Area states that the primary intent is to encourage industrial use in areas designated Industrial, however certain types of industry have historically been located in Rural Areas and should continue to be allowed to do so.

Industrial uses shall be permitted in the Rural Area, subject to the policies of the OP and provided that they are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation, air emissions or other means.

Although no specific industrial use is proposed through this severance, the subject lands are zoned appropriately for such uses. Any future industrial development would also be subject to site plan control, ensuring compliance with the OP's policies for Industrial Uses in the Rural Area. As a result, the severance application conforms to the OP.

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the "ML" Light Industrial Zone. Section 4.9 of the By-law states that the ML zone allows for a wide range of low-impact light industrial land uses as well as complementary commercial uses. Additionally, the proposal does not result in the retained lot being out of conformity with the zoning regulations.

Section 51(24) of the Planning Act provides items that regard must be had to in the consideration of a proposed severance to be approved. These include whether the severance conforms to the OP, the suitability of the land for the proposed development, and that the application is not premature and is in the public interest. The application meets the requirements of this Planning Act section.

As a result, it is recommended that the Committee of Adjustment approve this consent application and grant conditional consent approval with conditions.

The Chair asked for any person from the public who may wish to speak in favour of or against the application, there were none.

The Chair asked the Committee for questions, the Chair asked if there was a Hydro easement required over Part 3, both the Agent and the Planner noted that comments nor a request were not received from Hydro.

The Secretary-Treasurer read the Motion and confirmed that condition #6 has been removed from the recommendation striking the following condition:

~~6. That the cash equivalent of 2% of the land, based on the current value assessment, be provided as required under the City of Kenora Official Plan (2015) Policy 8.11.4 (e).~~

As a result of the recommendation from the Director of Planning and Building, Janis Pochailo, as the original application came forward in advance of the Parkland Dedication By-law being in full force and effect.

Motion Number: 2

Moved by: Linda Mitchell

Seconded by: Keric Funk

That application D10-25-06 for consent, lot creation, on property with civic address 111 Jones Road, and legally described as PIN: 421770546, PART MINING LOCATION 556P JAFFRAY SAVE AND EXCEPT PART 1 23R14816 CITY OF KENORA, to enable the creation of two (2) new lots, 1.0 hectare in size, with 61 m of frontage along Jones Road and zoned light industrial within the Kenora Zoning By-law 101-2015, is hereby given provisional approval subject to the conditions outlined in the planning report.

CARRIED

8.2 File No. D10-26-02

Motion Number: 3

Moved by: Keric Funk

Seconded by: Linda Mitchell

Motion to defer to the April 15, 2026 Committee of Adjustment Meeting.

CARRIED

9. Hearings Re: Minor Variances

9.1 File No. D13-26-03

Ben Reynolds from the KDSB was present to provide an overview of the application.

Janis Pochailo, Director of Planning & Building detailed the planning application.

The purpose of the minor variance application is to seek relief from sections of the City of Kenora Zoning By-law to permit a multi-building residential development on the subject lands. The application is seeking relief from:

The subject property is located on the south side of Railway Street and currently contains a single-detached dwelling. The property contains an easement along the west property line for access and an easement along the east property line for Bell Canada. There is an identified provincially significant wetland on the south part of the property. The subject property is not serviced by municipal sewer and water and requires an extension of these services. The proposed developed includes approximately 112 dwelling units contained in a 3-storey apartment building and multiple 2-3 storey townhomes. The proposed units will include a range of 1-, 2-, and 3-bedroom layouts and include a mix of standard and barrier free units. The site plan includes provision of an

internal road network, sidewalks, parking, amenity space, and stormwater management infrastructure.

In considering an application for minor variance, City staff indicated that the developer must demonstrate compliance with Ontario Building Code requirements for sufficient water flow for proposed occupancy. Additionally, staff indicated that a study may be required to determine if the sewer lift station and water are able to support this development. A recommended condition is that the developer enter into an agreement with the City for the provision of services to the satisfaction of the City. This will ensure that the City is provided with the required information to satisfy staff's comments and that municipal services are extended in a satisfactory manner.

The Ministry of Natural Resources provided comments on the application recommending that an Environmental Impact Statement (EIS) be prepared to support the proposed development. The MNR recommended that the EIS demonstrate how there will be no negative impacts on the wetland or its ecological function caused by the development. It should also define the limits of the proposed development relative to the boundary of the PSW. The developer submitted a previous EIS report that was completed in 2016, and a Phase Two ESA which identified the wetland as a provincially significant waterbody and recommended a 30 m buffer from the limit of the wetland as this area is environmentally sensitive. The proposed site plan aligns with the recommendations of these studies and further provides a 10 m setback from the 30 m buffer. A recommended condition of this variance is the implementation of the recommendations contained in the EIS.

CPKC provided comments on the applications and provided a recommended condition to be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the proposed buildings. This condition was also recommended in the Noise Feasibility Study submitted by the applicant. A recommended condition of this variance is that the recommendations of the Noise Feasibility Study be implemented. No comments were received from other agencies.

The subject lands are designated Established Area in the City of Kenora Official Plan, and zoned "R3 [39]" Residential – Third Density exception zone [39] in the City of Kenora Zoning By-law.

This application contributes directly to the objectives of the Provincial Planning Statement by providing new and diverse housing options, including barrier-free units, within an existing developed area. As such, the proposal supports the goals of the PPS and is consistent with its policies.

Staff evaluated the application against the four-tests,

The City of Kenora Official Plan (OP) Section 2.2.1 establishes Principle 1 – Sustainable Development, which directs residential development to land within the settlement area boundary by way of infilling and residential redevelopment in the Established Area, Harbourn Centre, and Residential Development Area. The proposed development supports this direction by intensifying a lot within the

settlement area, representing compact development and enabling a range of housing types to meet the affordable housing objectives of the Official Plan, 2015.

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the "R3 [39]" Residential – Third Density exception zone. The R3 zone allows for the development of a full range of housing forms and other compatible uses serviced by municipal sewer and water. Exception zone [39] permits a side yard of 0 m, exterior side yard of 0.35 m, lot coverage of 55%, and allows for frontage on a private road.

This application is seeking to permit up to 10 residential buildings on a lot, reducing the minimum frontage requirement for multiple-attached and stacked dwellings to 2.5 m/unit, and reducing the minimum gross floor area of multiple-attached and stacked dwellings to 60 m².

The relief requested to permit up to 10 residential buildings on a lot would allow the construction of an apartment building and a range of multiple-attached dwellings, both of which are permitted uses in the R3 zone. The subject property is a large lot which has the ability to accommodate a range of development. The relief request of an additional residential buildings does not result in the development exceeding lot coverage, it is proposed to be developed in a cohesive manner with planned parking, internal road network, and amenity area, and would allow the development of permitted uses.

The relief request to permit a reduced minimum lot frontage for multiple-attached and stacked dwellings of 2.5 m/unit would allow the proposed layout containing an internal road network, sufficient parking, amenity area, and the desired housing types. The minimum frontage requirement is intended to ensure adequate access and serviceability. The subject lands are large, narrow and deep, which results in reduced frontage on the municipal roadway. The exception zone [39] permits frontage on the interior private road network, which the developer has utilized as part of their site layout. The relief request of 3.5 m/unit to enable the interior road network to be permitted as proposed, is considered to meet access requirements, while also allowing for sufficient parking and amenity area, and is considered to maintain the intent of the Zoning By-law.

The relief request to permit minimum gross floor area of 60 m²/unit for multiple-attached and stacked dwellings is to allow the developer to utilize the CMHC Housing Design Catalogue which provides pre-designed, code-compliant housing. The reduction of 5m²/unit is a modest reduction and maintains sufficient living space for a functional dwelling and is considered to maintain the intent of the Zoning By-law.

The proposed variances will enable the development of an apartment building and several multiple-attached/stacked dwellings which are permitted uses on the subject lands. The variances support diverse housing, compact development, and enables flexibility of the overall development to satisfy parking requirements, provide amenity area, and utilize the lot efficiently. The application is desirable for the appropriate development of the land.

The variances can be considered minor when the scale and type of development is considered. The proposed variances are not expected to have significant impact on the surrounding area, nor will it impact the ability of adjacent neighbours to utilize their properties for permitted uses.

The Planning report recommended that the Committee of Adjustment approve minor variance application D13-26-03 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 3.13.1 to permit up to 10 residential buildings on a lot, Section 4.3.3 a) to permit a minimum lot frontage of 2.5 m/unit for multiple-attached/stacked dwellings, and Section 4.3.3 g) to permit a minimum gross floor area of 60 m²/unit for multiple attached/stacked dwellings be approved, subject to the following conditions:

1. That the developer enter into an agreement with the City for the provision of municipal services to the satisfaction of the City.
2. That the developer adheres to the recommendations as identified in the Noise Feasibility Study.
3. That the developer adheres to the recommendations as identified in the EIS and maintains the 30 m environmentally sensitive area identified in the Phase Two ESA and all development be located outside of this area.

The Chair asked if there were any members of the Public who wish to speak in support or in opposition of the application or opposed to the application?

Mr. Earl Rattai mentioned had a hard time hearing the Directors Planning reports, and sought to clarify the targeted occupancy for the buildings.

Mr. Ben Reynolds, KDSB clarified that there was no established target for whom can apply, family, singles and couples. In an effort to secure funding, KDSB will have to demonstrate levels of affordability. As of right now it is I not a dedicated senior's development and not a rent geared to income development. KDSB will own and directly manage the property.

Mr. E. Rattai made reference to the proposed sewer and water infrastructure extension and wondered where it may extend to. Mrs. Pochailo confirmed that the City would be undertaking additional road upgrades on Railway in 2026 and anticipate an agreement with KDSB to extend services to their property, but not beyond the KDSB site.

Rob Herbacz- 45 Herbackz Road

Mr. Herbacz questioned if the city would be changing the culver, which runs through Gould Road just past Herbacz Road, and which has been flooded every year. The Chair confirmed that the SPC Application would include drainage planning.

Mr. Herbacz wondered if there may be walking trails to Gould Road. Mr. Reynolds confirmed that the wetland is considered a provincially significant wetland, as such no development is permitted.

The Committee was asked for questions, Member Mitchell sought clarification on the number of buildings. Mr. Reynolds clarified the total is 8, but the request is to ask for 10 in the event there are last minute design changes required.

Member Funk questioned the request to reduce unit size was for single-bedroom units, only, or all unit types. Mr. Reynolds, KDSB confirmed that in order to be able to access the CMHC catalogue, the relief is required as many of the designs are below the Zoning By-law provisions.

Motion Number: 4

Moved by: Keric Funk

Seconded by: Linda Mitchell

THAT minor variance application D13-26-03 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 3.13.1 to permit up to 10 residential buildings on a lot, Section 4.3.3 a) to permit a minimum lot frontage of 2.5 m/unit for multiple-attached/stacked dwellings, and Section 4.3.3 g) to permit a minimum gross floor area of 60 m²/unit for multiple attached/ stacked dwellings is approved and subject to the following conditions:

1. That the developer enter into an agreement with the City for the provision of municipal services to the satisfaction of the City.
2. That the developer adheres to the recommendations as identified in the Noise Feasibility Study.

That the developer adheres to the recommendations as identified in the EIS and maintains the 30 m environmentally sensitive area identified in the Phase Two ESA and all development be located outside of this area.

CARRIED

9.2 File No. D13-26-04

Paul and Lorrie Jones attended virtually and provided an overview of the application.

The purpose of the minor variance application is to permit the construction of a dwelling with a reduced gross floor area. The application is seeking relief from City of Kenora Zoning By-law Section 4.5.3 g) which requires a minimum gross floor area of 80 m². The application is proposing reducing the requirement to permit a minimum gross floor area of 56 m², a total relief request of 24 m².

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

The subject property is located on Acheson Way and has frontage on the Winnipeg River. It is currently vacant and it is proposed to be utilized residentially. The subject property is proposed to be serviced by private, on-site services.

The application was evaluated against the four-tests of a Minor Variance; The proposed variance would enable a smaller primary dwelling, serviced by private servicing, and would allow for potential future development which would be required to conform with the Secondary Dwelling Unit provisions of the OP. As a result, the minor variance application maintains the intent of the Official Plan.

This application sought to permit a reduced minimum gross floor area of 56 m². This is a relief request of 24 m² from the required 80 m². The relief is requested to permit current development of the property and the potential for future

development in accordance with the Secondary Dwelling Unit provisions of the Zoning By-law. A minimum gross floor area of 56 m² maintains sufficient size to provide functional living space and would not impact the residential character of the area. It is staff's opinion that the requested variance meets the intent of the Zoning By-law.

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

The variance can be considered minor when the scale and type of development is considered.

The recommended of the Planning report, was that the Committee of Adjustment approve minor variance application D13-26-04 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.5.3 (g) be approved to permit a minimum gross floor area of 56 m², subject to the condition(s), that:

1. That the dwelling be constructed in general conformity with the submitted site plan.

The Chair asked for comments from the public, there were none.

The Chair sought comments from the Committee, who commended the applicants on their development.

Motion Number: 5

Moved by: Linda Mitchell

Seconded by: Keric Funk

That Application D13-26-04 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.5.3 (g) be approved to permit a minimum gross floor area of 56 m², subject to the following conditions:

1. That the dwelling be constructed in general conformity with the submitted site plan.

CARRIED

10. Hearings Re: Previously Deferred Matters

11. Other Business

12. Adjournment

Meeting adjourned at 6:55 p.m.



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

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on April 15th, at 6 p.m. (CST), please see the details including the **new meeting location** below.

As part of the meeting, the Committee 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): D13-26-05
LOCATION: 216 Water Street

PURPOSE AND EFFECT

The purpose of the minor variance application is to request permission under Section 45(2) of the *Planning Act* to permit the construction of an addition on an existing legal non-conforming structure. Section 4.14.3 (f) of the Zoning By-law requires a maximum lot coverage of 40%. This application is seeking to enlarge the structure from the existing lot coverage of 60% to a maximum lot coverage of 71.6%. Section 4.14.3 (g) requires a minimum rear yard of 10 m. This application requires permission to enlarge the northeast corner of the structure with an 8.5 m rear yard.

The subject lands are designated Harbourtown Centre in the City's Official Plan and zoned 'I' Institutional Zone with a 'HL' Hazard Lands overlay in the City's Zoning By-law.

| | |
|--------------------|--|
| COA Meeting | When: Wednesday, April 15 th , 2026, at 6:00 p.m. (CST) Location: Council Chambers, City Hall 1 Main Street South, Kenora, ON |
|--------------------|--|

Members of the public interested in attending the meeting may attend in person, or watch the livestream meeting at via Zoom Meeting at: <https://www.kenora.ca/your-government/agenda-and-minutes/>. For access to speak at the public hearing virtually, please contact Planning at planning@kenora.ca. If you attend in person, there is no need to register to attend.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D13-26-05**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 8th, 2026.

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 Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-26-05**.

Dated at the City of Kenora this 18th day of March, 2026.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca

Figure 1. Location Map (Kenora GIS 2024)





| | |
|---|--------------------|
| City of Kenora Application for Minor Variance or Permission Section 45 of the Planning Act & Ontario Regulation 200/96 | |
| Fees: | |
| Minor Variance Application (1) | \$800 |
| Minor Variance Application (2) | \$1,300 |
| Minor Variance Application (3 or more) | \$1,800 |

| Office Use Only | |
|-----------------------------|--|
| Date Stamp - Date Received: | File Number: <u>D13-26-05</u> Roll Number: <u>-030-001-03400-000</u> Application Fee Paid: \$ <u> </u> Application Deemed Complete (Date): <u> </u> |

| 1.0 - Submission Requirements |
|--|
| Note: If the information below is not received the application cannot be deemed complete. |
| <input checked="" type="checkbox"/> Pre-consultation meeting is recommended with the planning department <input checked="" type="checkbox"/> 1 original copy of the completed application form <input checked="" type="checkbox"/> The required application fee of \$800.00 (1), \$1,300 (2), \$1,800 (3 or more) as per the schedule of fees By-law <input checked="" type="checkbox"/> Planning Rationale (recommended) <input checked="" type="checkbox"/> Site Plan Sketch <input checked="" type="checkbox"/> Required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies) <input checked="" type="checkbox"/> 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: |
|---|
| <input type="checkbox"/> Minor Variance s.45 (1) <input checked="" type="checkbox"/> Permission s.45 (2) |


| 3.0 - Concurrent Applications Filed |
|---|
| <input type="checkbox"/> Official Plan Amendment <input checked="" type="checkbox"/> Site Plan Application <input type="checkbox"/> Zoning By-law Amendment/Temporary Use <input type="checkbox"/> Consent Application <input type="checkbox"/> Subdivision Application <input checked="" type="checkbox"/> Other: <u>Minor Variance Application</u> |

| 4.0 - Applicant Information | | | | |
|---|---|-------------------------------|-------------------------------------|------------|
| SUBJECT PROPERTY INFORMATION | | | | |
| Civic Address | Street No.: 216 | Street Name: Water Street | Postal Code: P9N 1S4 | Unit Num.: |
| Registered Plan Number | M- 3; 42163-0240 | | | |
| Legal Description | Lot 20-21 BLK 1 PL 3; PT LT 24 BL 1 PL 3 AS IN RP9715; S/T R20440; KENORA | | | |
| Reference Plan Number | 23R- 3 | | | |
| Lot No.(s)/Block No.(s) | 20,21, Block 1 on Registered Plan #3 | | | |
| Concession Number(s)/PT LOT | | | | |
| Part Numbers(s) | | | | |
| Tax Roll Number | 6016 -030-001-03400-000 | | | |
| OWNER/APPLICANT INFORMATION | | | | |
| Check Appropriate Box: | <input type="checkbox"/> | Person(s) | <input checked="" type="checkbox"/> | Company |
| Registered Land Owner | Surname: INFRASTRUCTURE ONTARIO | | First Name: | |
| Mailing Address | Street No.: #2000 | Street Name: 1 DUNDAS WEST | Postal Code: M5G 1Z5 | Unit Num.: |
| City | TORONTO | | Province ON | |
| Contact Information | Phone: C - 249.885.3652 | | Fax: | |
| Email | Hithin.Moorkoth@colliersprojectleaders.com | | | |
| Acquisition Date of Subject Land | Unknown | | | |
| PLANNING AGENT/SOLICITOR INFORMATION | | | | |
| Company or Firm Name | Atria Architects & Engineers Inc. | | | |
| Name | Surname: | | First Name: | |
| Mailing Address | Street No.: 36 | Street Name: By Pass Court | Postal Code: M1T 1L1 | Unit Num.: |
| City | Toronto | | Province: ON | |
| Contact Information | Phone: 416 304 0155 | | Fax: | |
| Email | pqa@archatria.ca | | | |
| MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND | | | | |
| Company | No Mortgages, Encumbrances or Charges on Subject Land | | | |
| 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 | | | | |
| 1. Planning Rationale 2. Site Plan Drawings - Existing and Proposed 3. Survey Drawing of the subject Property | | | | |
| 6.0 – Land Use Designation (Please see www.kenora.ca/planning for schedules/maps) | | | | |
| What is the current Official Plan Designation of the subject property? Harbour Town Centre | | | | |

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?

I - (HL)

7.0 – Nature and extent of relief required

| Section of Zoning By-law No. | Zoning Provision | Proposed Provision | Relief Required |
|------------------------------|----------------------------------|--|---------------------|
| 4.14.3 (g) | 10 m (existing courthouse 4.5 m) | 8.5 m (SPOE Addition) | 1.5 metres |
| 4.14.3 (g) | 10 metres - Rear Yard | 4.5(Existing Courthouse) | 5.5 metres |
| | |  | |
| 4.14.3 (g) | Maximum 40% Coverage | 71.6% | 11.6% (31.6% total) |

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

Permission Requested from the City COA for (1) reduced rear yard setback for the Addition and the original Courthouse as described above and (2) Increased coverage of the Site in excess of the maximum allowable of 40% coverage. Original Coverage was non compliant at $1812/2995 = 60\%$. With the 335 sq m SPOE Addition the Total footprint area is 2147sq m divided by 2995 sq m existing Site Area provided = 71.6% or 31.6% increase over allowable coverage.

9.0 – Property Characteristics

Frontage (metres): 55.91 M Depth (metres): 49 M Area (m² or Ha.): 2995 sq m

Existing Use of subject land: Institutional (Ontario Superior Courthouse)

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

Proposed Use (if applicable): Institutional (Ontario Superior Courthouse)

The date the subject land was acquired by the current owner: Unknown

The date the existing buildings or structures on the subject land were constructed: c~ 1910, 1969, 1993

Length of time that the existing uses have continued? 111 Years

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?

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

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 | 1455 SQ M | | | |
| Total Gross Floor Area | 3649 SQ M | | | |
| Number of Storeys | 2 STOREYS & BASEMENT | | | EXISTING |
| Length | IRREGULAR | | | |
| Width | IRREGULAR | | | |
| Height | 14.128 M | | | |
| Front Yard Setback | UNKNOWN - IN THE LAKE | | | |
| Rear Yard Setback | EXISTING 4.5 M | | | |
| Side Yard Setback | EXISTING NORTH 4.13 M | | | |
| Side Yard Setback | 4.13 M | | | |
| Date Constructed | C ~ 1910, 1969 AND 1993 | | | |
| Lot Coverage (%) | 60% | | | |
| Floor Area Ratio | | | | |

Proposed Structures:

| | Principle | Accessory | Accessory | Parking |
|------------------------|-------------------------------|-----------|-----------|---------|
| Ground Floor Area | 335 SQ M | | | |
| Total Gross Floor Area | 455 SQ M | | | |
| Number of Storeys | 1 STOREY AND BASEMENT | | | |
| Length | East West 19.00 METRES | | | |
| Width | 10.032 METRES | | | |
| Height | 9.275 M TO TOP OF PEAKED ROOF | | | |
| Front Yard Setback | UNKNOWN IN THE LAKE | | | |
| Rear Yard Setback | 8.5 M | | | |
| Side Yard Setback | NORTH - 4.31 M | | | |
| Side Yard Setback | SOUTH - EXISTING | | | |
| Date Constructed | NOT CONSTRUCTED YET | | | |
| Lot Coverage (%) | WITH ADDITION 71.6% | | | |
| Floor Area Ratio | | | | |

*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).

Yes - Application is Consistent with the Provincial Planning Statement

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

Atria Architects & Engineers Inc. 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.

Colliers Project Leaders

Refer attached Letter

3/10/26

Date

Signature of owner(s)

Name and Signature of Witness

17.0 - Sworn Declaration or Affidavit

I, Paul Quiterio of the City of Toronto 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 _____ in the _____ this _____ day of _____ in the year _____

Atria Architects & Engineers Inc

Paul Quiterio OAA

Commissioner of Oaths

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 Committee of Adjustment or Council members.

I/We, Refer Colliers Letter attached herein regarding Section 18. 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.

Refer Colliers signature attached herein regarding Section 18.

On last Page of this document

3/10/26

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.

17.0 - Sworn Declaration or Affidavit

I, Paul Quiterio of the City of Toronto 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 CITY OF SCARBOROUGH in the ON, CANADA this 12th day of MARCH in the year 2026



Tauqeer Hayat, Tauqeer Hayat
a Commissioner etc., Province of Ontario, for Futunesense Immigration & Citizenship Services Inc., for work done while a member in a good standing of the College of Immigration and Citizenship Consultants and for Citizenship Act and Immigration and Refugee Protection Act matters only. Expires September 27, 2027.

Atria Architects & Engineers Inc

Paul Quiterio OAA

Paul Quiterio

Commissioner of Oaths

Applicant(s)

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3/10/26

Date

Owner(s) Signature

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1 Main Street South, Kenora, ON P9N 3X7 - (807) 467-2295.

17.0 - Sworn Declaration or Affidavit

I, _____ of the _____ in the province of _____, 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 _____ in the _____ this _____ day of _____ in the year _____

Colliers Project Leaders Inc.
Refer Attached Colliers Authorization Letter

Commissioner of Oaths

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 Committee of Adjustment or Council members.

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3/11/26

Date

Leah Rossini

Colliers Project Leaders Inc - Refer Authorization Letter

Leah Rossini

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 – Minor Variance Application submitted to Committee of Adjustment – City of Kenora
Reference - Kenora Superior Courthouse – Single Point of Entry Addition (SPOE Addition) 216 Water Street Kenora, ON

-
Attention – Ms Tara Vader, Associate Planner, City of Kenora

10 March 2026

-
Distribution –

Ryan Haines – Planner City of Kenora

Jon Taylor – CBO City of Kenora

Leah Rossini - Colliers Project Leaders

Hithin Moorkoth – Colliers Project Leaders

Brittany Hammond - Colliers Project Leaders

Paul Quiterio – Atria Architects & Engineers Inc

Varuna Quiterio – Atria Architects & Engineers Inc

Manish Ramnathkar - Atria Architects & Engineers Inc.

Rializa Tolentino - Atria Architects & Engineers Inc.

Below are the **Planning Rationale Points** addressed as per the Kenora list of items that need to be covered.

Attention – Members of the Committee of Adjustment, City of Kenora Planning Department

Proposed SPOE Design Concept –

Reference – New Kenora CH Proposed SPOE Addition Design – The project proposes to add a Single Point of Entry(SPOE) to the Kenora Courthouse, to accommodate Ministry of the Attorney General Program needs. An Addition complementing the Beaux Arts Style of the existing heritage property is proposed to be added. The SPOE is a ministry of the Attorney General necessity for all provincial courthouses to ensure the safety of the judicial process and the Public entering the Courthouse areas. This project is very significant and, due to the urgency, there is a need is to implement it as soon as possible.

1. **Site, Land Uses, Surrounding Land Uses & Context –**

- i.) **Site** - The Kenora Courthouse Site and Buildings are accessed off Water Street and the considerably elevated Courthouse Main Entrance Area is accessed off a set of exterior Stairs that are centred symmetrically on the East façade of the original 1910 Courthouse Building.

- a) The Site is very sharply sloped from Water Street down to the Lake of the Woods and is underlain by a basaltic Bedrock that is the foundation of the group of structures comprising the Courthouse.
 - b) Water Street, running North South, in itself has a considerable gradient from North and sloping down Southwards.
 - c) The Site & Building has been used as a Courthouse since it was first constructed around 1910
 - ii.) Surrounding Land Uses – As indicated by the Orientation shown
 - a) South - The OPP main Offices in Kenora are just to the South of the Courthouse and share the Property
 - b) North – There is an existing Social Services Building just to the North of the Courthouse. This building serves the needs of assisting folks in need of assistance.
 - c) East of the Site – Water Street running North & South and forming the East border of the Property. There is on-street parking along the sidewalk.
 - d) East of Water Street – A Parking lot, A local Church, several light commercial structures
 - e) West of the Courthouse Buildings – Lake of the Woods
 - iii.) Context & Built Form –
 - a) Context - The main goal of the proposed project is to establish a Single Point of Entry(SPOE) security checkpoint for the Kenora Courthouse. This is a program need of the Ministry of the Attorney General(MAG). The rationale for this need is born out of security and the public's access to the judicial process. In order to keep the building secure, and for the public to have access a single point of entry where security for the courtroom can be maintained and dangerous items can be screened for at the entry point. This is a critical ministry wide initiative meant to safeguard the security of the judicial process, while maintaining secure access for the public.
 - b) Built Form - The new construction and addition to the existing courthouse will serve to screen the 1969-71 Addition which is an existing, modern, Addition to the original building. The 1969 Building is completely behind the Original Courthouse Structure and is connected at the Main Floor and Basement levels. The new SPOE addition will serve as a complementary new Entrance to the existing Beaux-Arts façade – with many complimentary details. The new addition will complement the existing neoclassical style and detailing. The original design features of the courthouse will be retained with the symmetry of the roofs, in particular being complimented by the planned Addition.
 - iv.) There are also buried services in Water Street to potentially contend with along here.
2. Description of the site's planning history, including previous planning approvals and/or agreements –
- i.) The History of the Site in regard to the Planning Process and Site Plan Agreements is unknown. The previous known significant construction, an Elevator and Lobby expansion was completed in 1993. No information is available from the Owner.

3. Description and overview of the proposal including any major features or attributes (such as use, height, density, parking, architectural design, natural heritage features, etc)
 - i.) Use – The SPOE Addition forms the new Judicial Entrance, a new Barrier Free Public entrance and the reinstatement of a required Exit from the Basement areas through the planned Addition.
 - ii.) Height – This will be a 1 Storey and basement Addition that will be set back about 3 meters from the existing building alignment on Water Street.
 - iii.) Density – Unaffected N/A
 - iv.) Parking – Existing Parking spaces are retained. There is no site availability for additional parking
 - v.) Architectural Design - Heritage – The exterior Design elements that are planned to be incorporated use the Architectural Heritage language and components already used on the façade of the main Courthouse Building. A roof profile for the SPOE Addition has also been developed, in the project, that relates to the pitched roofs of the existing courthouse.
 - vi.) Reserved
4. Suitability of the site, and reasons why the development is appropriate for the site and will function well to meet the needs of the intended future users –
 - i.) The existing Site is the Site of the existing, functioning, Courthouse and is on the same property. Access to the use of the Courthouse is enhanced. This enhanced access applies to the Public, Judiciary, Staff and persons with disabilities.
5. Detailed analysis of the compatibility of the proposed development or land use designation with the existing adjacent developments and land use designations –
 - i.) The planned Addition is not a new Function and simply moves the Existing entrance function over from the centre of the original courthouse to a much more appropriately positioned location.
 - ii.) The planned SPOE Addition has no impact on the adjacent developments and land use designations.
6. Justification that the proposal is appropriate land use planning, including any details of measures that are to be used to mitigate negative impacts (such as site plan control) –
 - i.) The SPOE Addition does not have any apparent negative impacts on the site and adjacent areas and as such no mitigation measures should be necessary.
 - ii.) Reserved
7. Impact of the proposed development on the natural environment –
 - i.) There is no apparent adverse impact on the natural environment
8. Impact of the proposed development on municipal services (ie. sewage collection and treatment systems, water distribution and treatment systems, utilities, roads, hydro services, parking, community facilities, parks and open spaces etc.
 - i.) The existing Municipal Infrastructure will be re-used and as such there is no impact on the Municipal Services
9. Description – How the application meets the four tests for approving a Minor Variance –
 - i.) The proposed development appears consistent with the City's Official Plan.

- ii.) The proposed development appears consistent with the City's Zoning Bye Laws. There is no change of zoning.
 - iii.) The proposed 2 variances, reduced rear yard set-back and increased allowable Site coverage, do represent an appropriate use of the existing property
 - iv.) The proposed variance is indeed minor in nature and fall within the definition of Minor Variance..
10. Planning approvals Requirements, and if necessary applications have been filed (ie. Official Plan or Zoning By-law amendment, Site plan Control agreement, site plan approval, minor variance, draft plan of subdivision or condominium etc.)
- i.) No other Applications have been filed
 - ii.) Site Plan Application will be filed at the time of Building Permit Application
 - iii.) Minor Variance application is being filed now
11. Proposed development is consistent with the Provincial Planning Statement
12. General policies and site-specific land use designations and policies -
- i.) The proposed development is planned to stay consistent with the City's site-specific land use designations, zoning and policies
13. The development proposal, as far as we are aware, complies with other relevant City documents and PlanningPolicies/Secondary Plans

Paul Quiterio OAA

ATRIA ARCHITECTS & ENGINEERS INC.



Courthouse Building Complex on the West Side of Water Street:

- 1. Courthouse has the dark pitched, shingled roofs**
- 2. 1969 and 1993 buildings have white roofs**
- 3. Dashed red rectangle indicates the location of the Proposed SPOE Entrance Addition**

NOTE

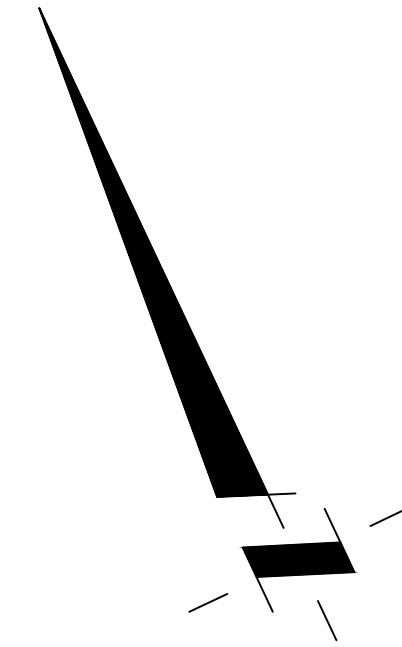
THE BEST EVIDENCE OF THE ORIGINAL WATERSIDE LIMIT OF LOTS 20 AND 21, BLOCK 1, PLAN 3 IS THE WATER'S EDGE AS SHOWN ON SAID PLAN AND FURTHER SHOWN ON PLAN 23R-5186.

PLAN 3 WAS SURVEYED PRIOR TO THE FLOODING OF LAKE OF THE WOODS AS A RESULT OF THE CONSTRUCTION OF THE ROLLERWAY DAM AT THE OUTLET OF THE LAKE.

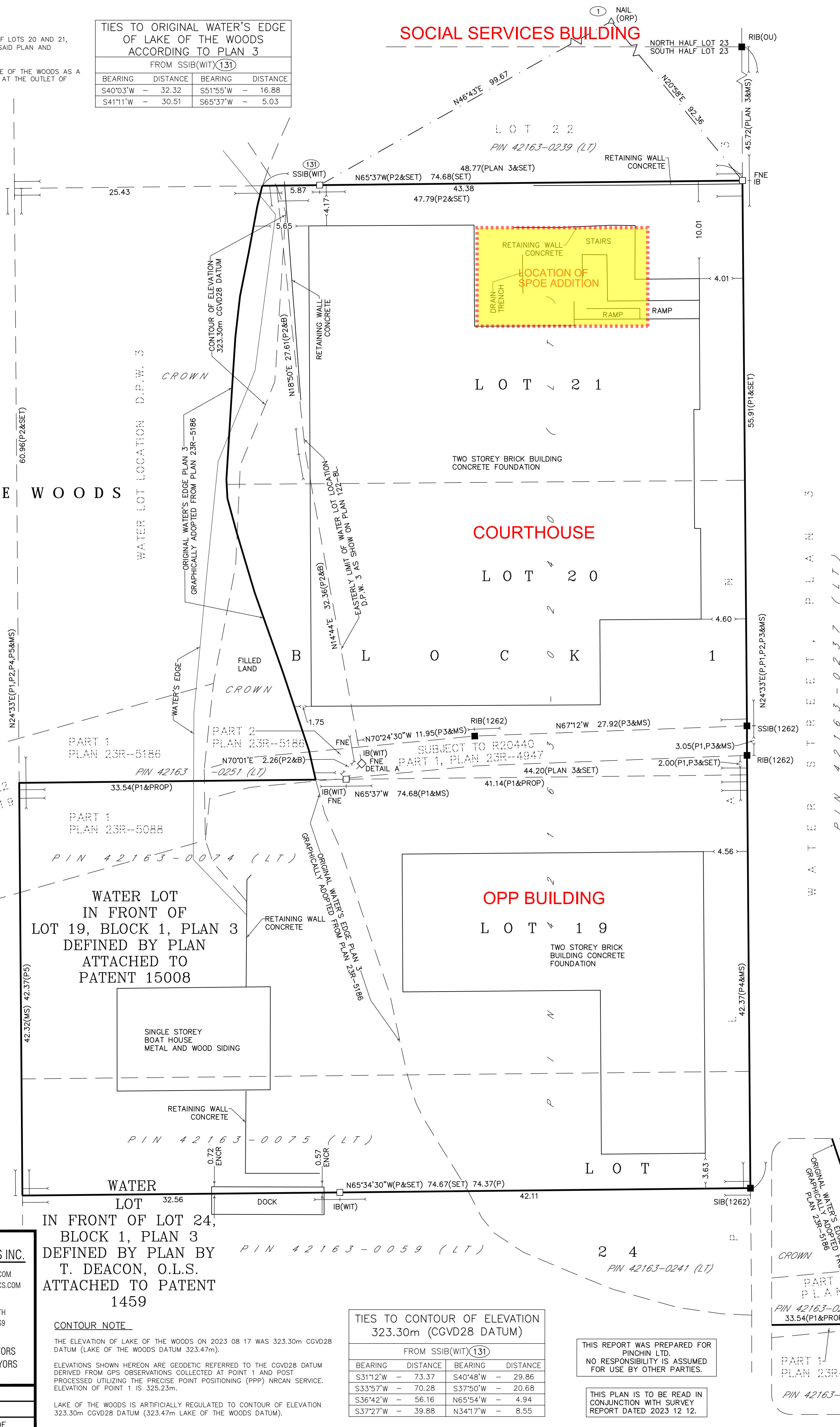
TIES TO ORIGINAL WATER'S EDGE OF LAKE OF THE WOODS ACCORDING TO PLAN 3

| FROM SSIB(WIT)(131) | | | |
|---------------------|----------|----------|----------|
| BEARING | DISTANCE | BEARING | DISTANCE |
| S40°03'W | 32.32 | S51°55'W | 16.88 |
| S41°11'W | 30.51 | S65°37'W | 5.03 |

SOCIAL SERVICES BUILDING



LAKE OF THE WOODS



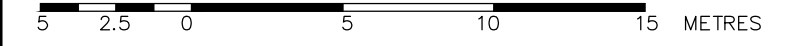
**SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY OF**

ALL OF
LOT 19 TO 21, INCLUSIVE
 PART OF
LOT 24
BLOCK 1, PLAN 3
 ALL OF
**WATER LOT IN FRONT OF LOT 19,
 BLOCK 1, PLAN 3**
 PART OF
**WATER LOT IN FRONT OF LOT 24,
 BLOCK 1, PLAN 3**
LAKE OF THE WOODS
CITY OF KENORA

DISTRICT OF KENORA

ERIC RODY, OLS

SCALE 1 : 250



METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471.

BEARING NOTE

BEARINGS AND COORDINATES ARE UTM GRID, DERIVED FROM STATIC GPS OBSERVATIONS PROCESSED USING NATURAL RESOURCES CANADA PRECISE POINT POSITIONING ON NAIL 1 AND MONUMENT 131 TO YIELD A GRID BEARING OF N 46°43' E, NAD 83 CSRS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 15 (93° W LONGITUDE) (2010).

ELEVATION NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC REFERRED TO THE CGVD28 DATUM DERIVED FROM GPS OBSERVATIONS COLLECTED AT POINT 1 AND POST PROCESSED UTILIZING THE PRECISE POINT POSITIONING (PPP) NRCAN SERVICE. ELEVATION OF POINT 1 IS 325.23m.

ROTATION NOTE

FOR BEARING COMPARISONS, A ROTATION OF 1°11' (CLOCKWISE) WAS APPLIED TO BEARINGS ON P, P1, P2 AND P3 TO CONVERT TO UTM BEARINGS.

SCALE FACTOR NOTE

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999695.

LEGEND

- DENOTES - SURVEY MONUMENT FOUND
- DENOTES - SURVEY MONUMENT PLANTED
- RIB DENOTES - ROUND IRON BAR
- IB DENOTES - IRON BAR
- SSIB DENOTES - SHORT STANDARD IRON BAR
- SIB DENOTES - STANDARD IRON BAR
- WIT DENOTES - WITNESS MONUMENT
- 1262 DENOTES - ROSS M. JOHNSON, O.L.S.
- P DENOTES - PLAN OF SURVEY OF PART OF LOT 24, BLOCK 1, PLAN 3 AND PART OF THE WATER LOT IN FRONT OF LOT 24, BLOCK 1, PLAN 3 BY R. JOHNSON, O.L.S. DATED FEBRUARY 10, 2000 (FILE 5178)
- P1 DENOTES - PLAN 23R-5186
- P2 DENOTES - PLAN OF WATER LOCATION D.P.W. 3 BY G. WRIGHT DATED MAY 1, 1968
- P3 DENOTES - PLAN 23R-4947
- P4 DENOTES - PLAN 23R-5088
- P5 DENOTES - PLAN OF WATER LOT OPPOSITE LOT 19, BLOCK 1, PLAN 3 ATTACHED TO PATENT 15008
- FNE DENOTES - FOUND NO EVIDENCE
- ENC DENOTES - SCALE BREAK
- MS DENOTES - MEASURED
- B DENOTES - BALANCED PLAN INFORMATION
- PROP DENOTES - PROPORTIONED
- ENCR DENOTES - ENCROACHMENT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
2. - THE SURVEY WAS COMPLETED ON 2023 12 08

KENORA, ONTARIO

DATE: _____

ERIC RODY
 ONTARIO LAND SURVEYOR

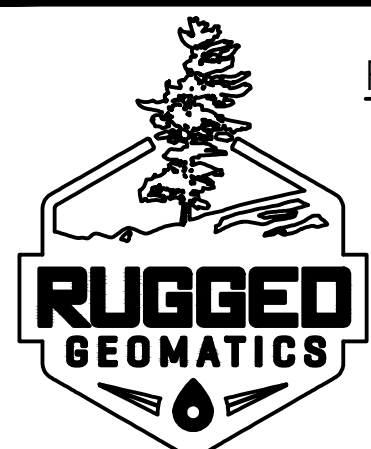
INTEGRATION COORDINATE TABLE

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 15, NAD 83 CSRS (2010).

COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10.

| POINT NO. | NORTHING | EASTING |
|-----------|------------|-----------|
| 1 | 5513778.89 | 392569.31 |
| 131 | 5513710.58 | 392496.77 |

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



RUGGED GEOMATICS INC.

WWW.RUGGEDGEOMATICS.COM
 ERIC.RODY@RUGGEDGEOMATICS.COM
 (807) 468-8516

3-619 NINTH STREET NORTH
 KENORA, ONTARIO, P9N 2S9
 CANADA

ONTARIO LAND SURVEYORS
 CANADA LANDS SURVEYORS

PARTY CHIEF: CAMERON LONGE

CHECKED BY: ERIC RODY, O.L.S., C.L.S.

FILE: SK23104

DRAWN BY: TAYLOR MCBRIDE

**WATER LOT
 IN FRONT OF
 LOT 19, BLOCK 1, PLAN 3
 DEFINED BY PLAN
 ATTACHED TO PATENT
 15008**

SINGLE STOREY
 BOAT HOUSE
 METAL AND WOOD SIDING

OPP BUILDING

TWO STOREY BRICK
 BUILDING CONCRETE
 FOUNDATION

COURTHOUSE

TWO STOREY BRICK BUILDING
 CONCRETE FOUNDATION

SOCIAL SERVICES BUILDING

LOT 22

PIN 42163-0239 (LT)

LOT 21

LOT 20

LOT 19

LOT 24

LOT 20

LOT 19

**WATER
 LOT
 IN FRONT OF LOT 24,
 BLOCK 1, PLAN 3
 DEFINED BY PLAN BY
 T. DEACON, O.L.S.
 ATTACHED TO PATENT
 1459**

CONTOUR NOTE

THE ELEVATION OF LAKE OF THE WOODS ON 2023 08 17 WAS 323.30m CGVD28 DATUM (LAKE OF THE WOODS DATUM 323.47m).

ELEVATIONS SHOWN HEREON ARE GEODETIC REFERRED TO THE CGVD28 DATUM DERIVED FROM GPS OBSERVATIONS COLLECTED AT POINT 1 AND POST PROCESSED UTILIZING THE PRECISE POINT POSITIONING (PPP) NRCAN SERVICE. ELEVATION OF POINT 1 IS 325.23m.

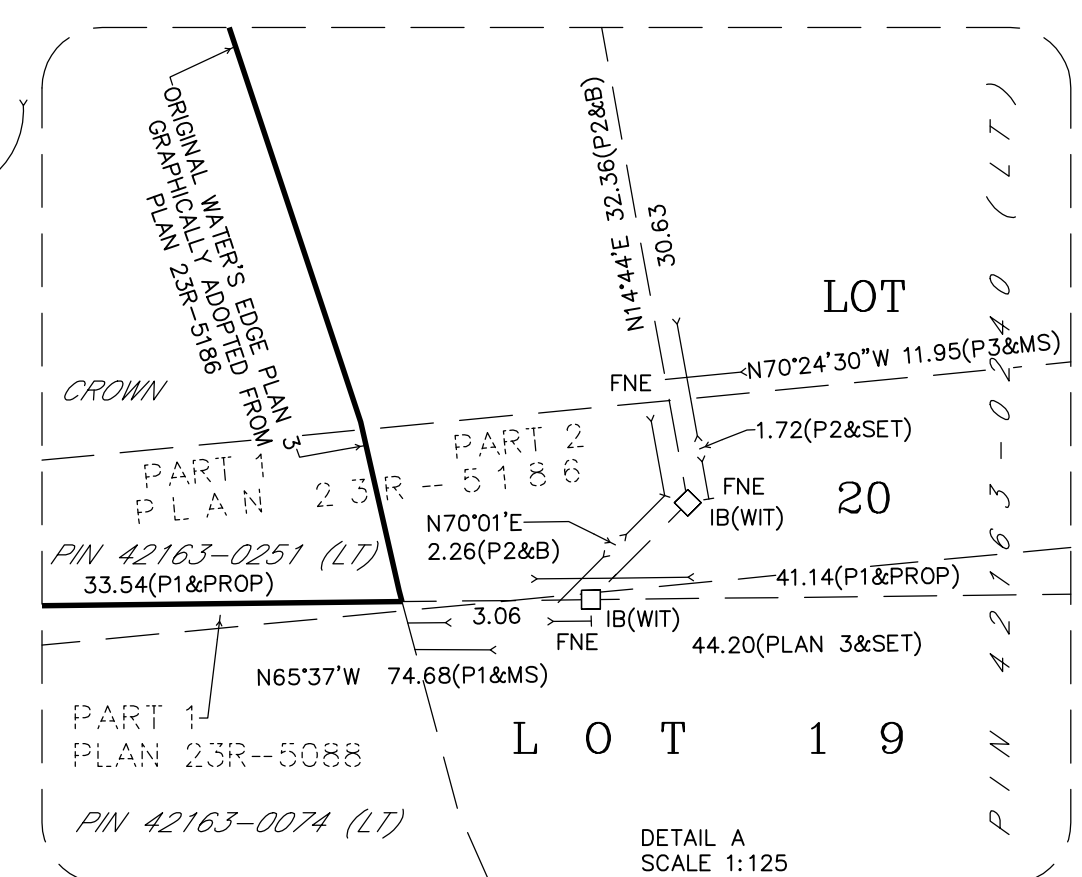
LAKE OF THE WOODS IS ARTIFICIALLY REGULATED TO CONTOUR OF ELEVATION 323.30m CGVD28 DATUM (323.47m LAKE OF THE WOODS DATUM).

**TIES TO CONTOUR OF ELEVATION
 323.30m (CGVD28 DATUM)**

| FROM SSIB(WIT)(131) | | | |
|---------------------|----------|----------|----------|
| BEARING | DISTANCE | BEARING | DISTANCE |
| S31°12'W | 73.37 | S40°48'W | 29.86 |
| S33°57'W | 70.28 | S37°50'W | 20.68 |
| S36°42'W | 56.16 | N65°54'W | 4.94 |
| S37°27'W | 39.88 | N34°17'W | 8.55 |

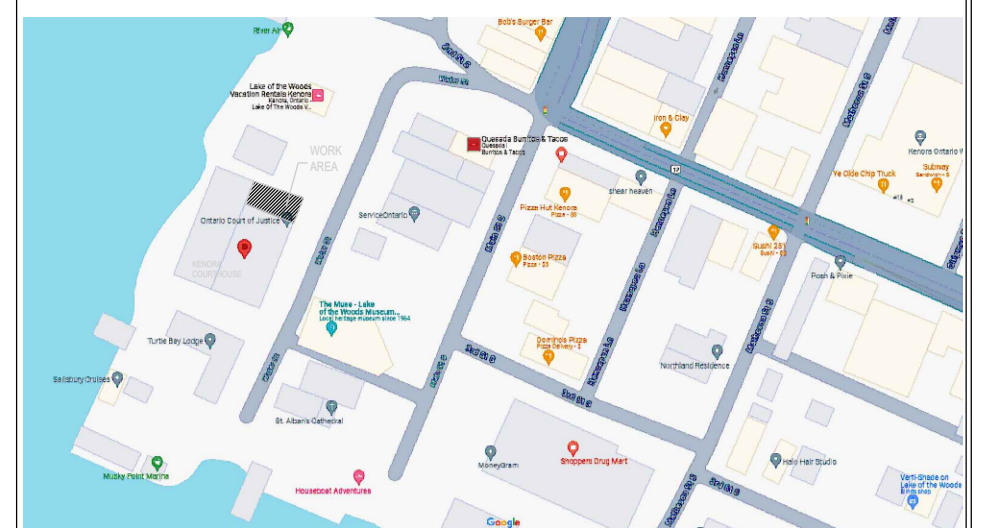
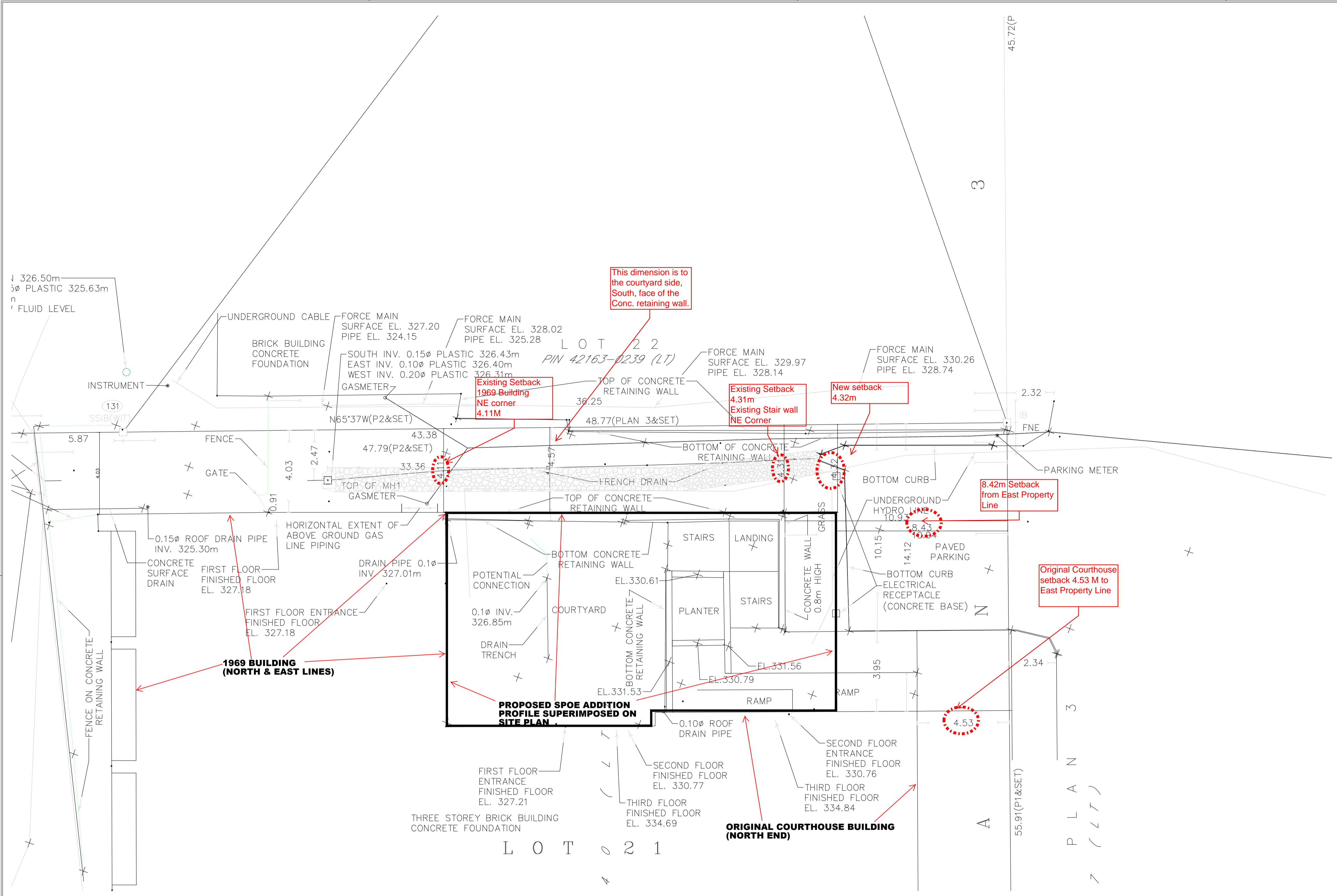
THIS REPORT WAS PREPARED FOR
 PINCHIN LTD.
 NO RESPONSIBILITY IS ASSUMED
 FOR USE BY OTHER PARTIES.

THIS PLAN IS TO BE READ IN
 CONJUNCTION WITH SURVEY
 REPORT DATED 2023 12 12.



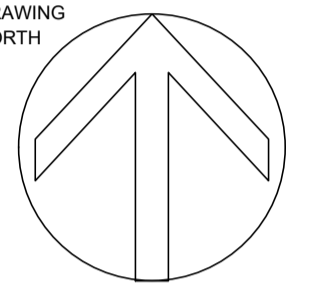
**ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-67258**


THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 IN ACCORDANCE WITH
 REGULATION 1026, SECTION 29(3).



KEY PLAN

| No | Revisions | Date |
|----|---------------------------|----------|
| 5 | 99% DESIGN REVIEW | 20260202 |
| 4 | REVISED 66% DESIGN REVIEW | 20250116 |
| 3 | 66% DESIGN REVIEW | 20251223 |
| 2 | REVISED 33% DESIGN REVIEW | 20241210 |
| 1 | 33% DESIGN REVIEW | 20231215 |

Orientation: 

Seal: 

The Contractor shall check and verify all dimensions and report all errors and omissions to the IO-Owner's/MBS Designee (as applicable) for his/her written direction before proceeding with the Work.

| | |
|---|-------------------------|
| A | Detail No |
| B | Sheet No where detailed |

- ARCHITECTURE AND MECHANICAL CONSULTANT**
ATRIA ARCHITECTS & ENGINEERS INC.
36 BY PASS COURT TORONTO, ONT. M1T 1L1
TEL-416 304 0155 FAX-416 264 2485
- STRUCTURAL CONSULTANT**
GRAVITY ENGINEERING
28 Logan Ave., Unit 11, Toronto, M4M 2M8 O: 437-888-3185
- ELECTRICAL CONSULTANT**
e-LUMEN INTERNATIONAL INC.
595 Cityview Blvd., Suite 204/205, Vaughan, L4H3M7
O: 905-417-6881
- SECURITY CONSULTANT**
LEA CONSULTING LTD.
625 Cochrane Drive, 5th Floor, Markham ON. L3R9R9
O: 647-995-5017



Ministry PSF Number

PROJECT
KENORA COURTHOUSE – SINGLE POINT OF ENTRY

LOCATION
216 WATER STREET
KENORA, ON. P9N 1S4
City No: 1103746 – 274133 Building No

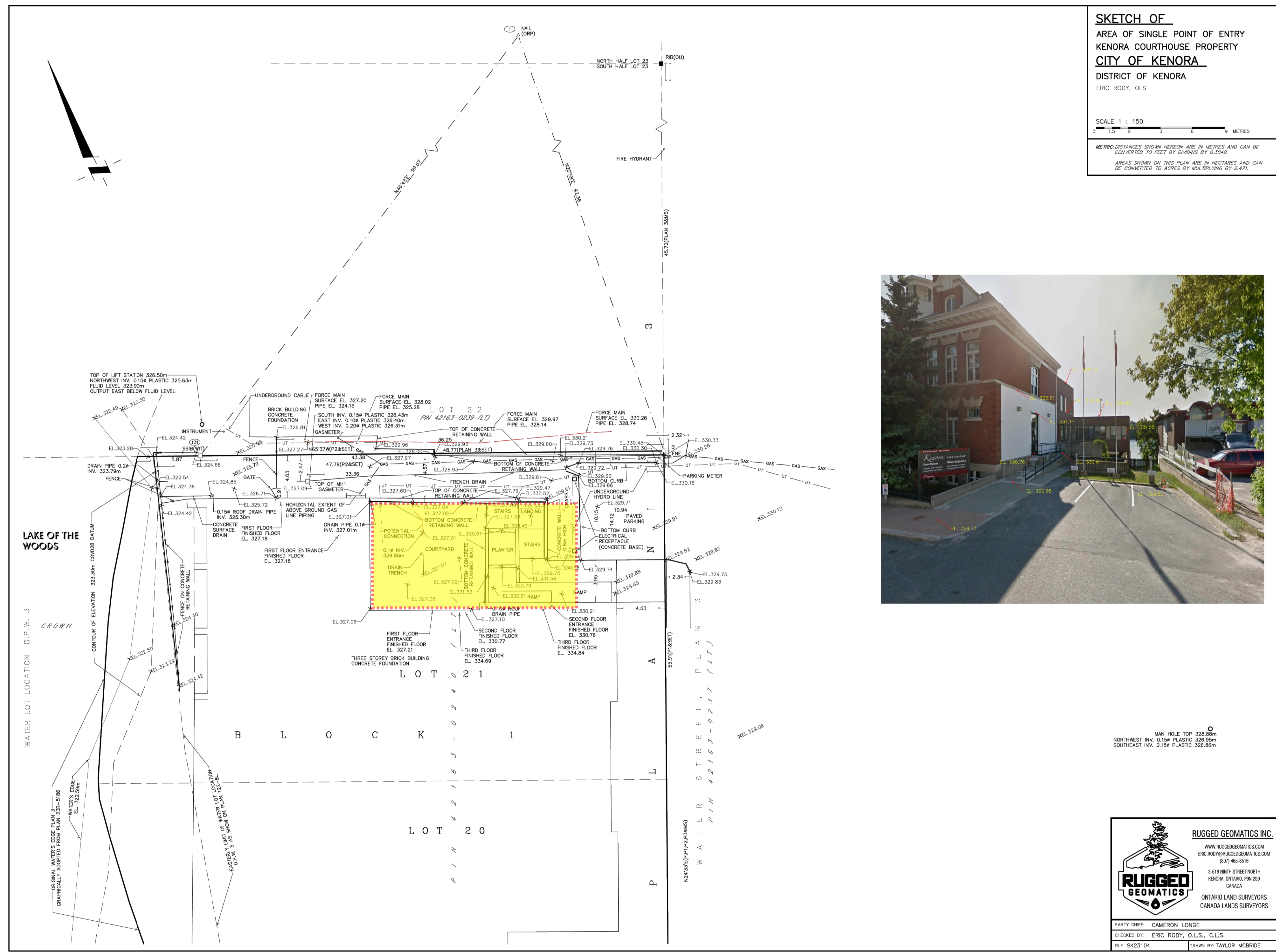
CLIENT
COLLIERS PROJECT LEADERS

DRAWING TITLE
NEW BUILDING PROFILE ON EXISTING SITE SURVEY

| | |
|----------------------|--------------------------------|
| Scale AS SHOWN | Project Start Date 20231215 |
| Drawn by MR | Substantial Performance Date |
| Designed by MR/PQ | Drawing No A-2.2 |
| Approved by PQ | Floor No |

CADD File Name

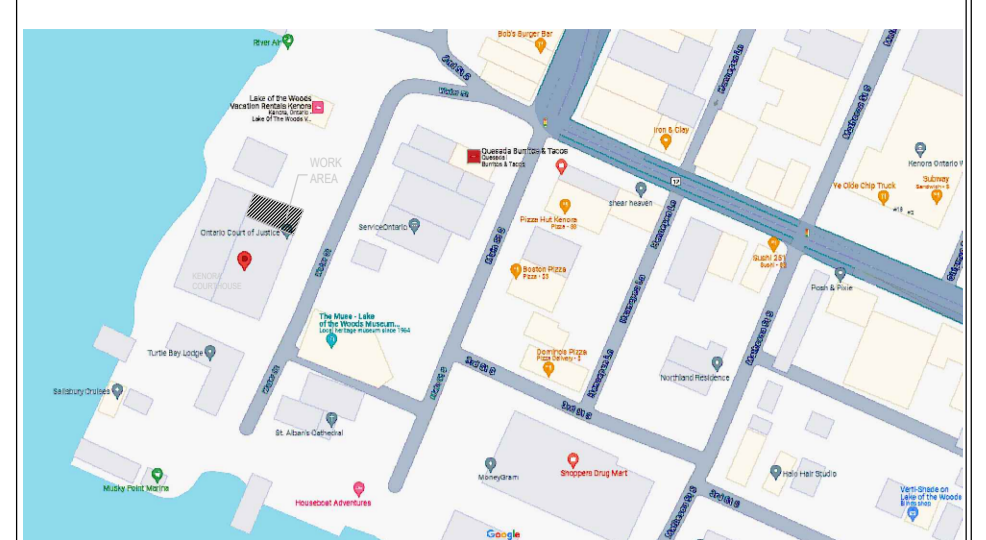
1
A-2.1
EXISTING SITE PROTECTION AND HOARDING
TEMPORARY EXIT
SC:1:150



SKETCH OF
AREA OF SINGLE POINT OF ENTRY
KENORA COURTHOUSE PROPERTY
CITY OF KENORA
 DISTRICT OF KENORA
 ERIC RODY, OLS

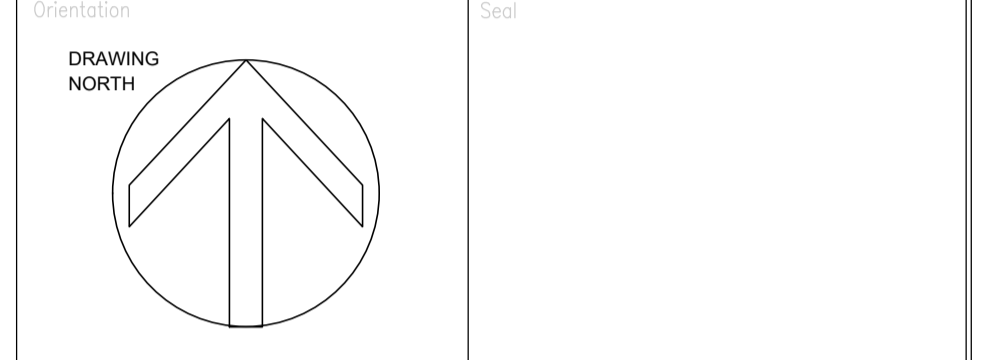
SCALE 1 : 150

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471.



KEY PLAN

| No. | Revisions | Date |
|-----|---------------------------|----------|
| 5 | 99% DESIGN REVIEW | 20260202 |
| 4 | REVISED 66% DESIGN REVIEW | 20260116 |
| 3 | 66% DESIGN REVIEW | 20251223 |
| 2 | REVISED 33% DESIGN REVIEW | 20241210 |
| 1 | 33% DESIGN REVIEW | 20231215 |



The Contractor shall check and verify all dimensions and report all errors and omissions to the IO-Owner's/MBS Designee (as applicable) for his/her written direction before proceeding with the Work.

| | |
|---|-------------------------|
| A | Detail No |
| B | Sheet No where detailed |

ARCHITECTURE AND MECHANICAL CONSULTANT
ATRIA ARCHITECTS & ENGINEERS INC.
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SECURITY CONSULTANT
LEA CONSULTING LTD.
 625 Cochrane Drive, 5th Floor, Markham ON. L3R9R9
 O: 647-995-5017



Ministry PSIF Number

Project
 KENORA COURTHOUSE -
 SINGLE POINT OF ENTRY

Location
 216 WATER STREET
 KENORA, ON. P9N 1S4
 1103746 - 274133

Client
 COLLIER'S PROJECT LEADERS

Drawing Title
 EXISTING SITE SURVEY PLAN

| | |
|----------------------|--------------------------------|
| Scale AS SHOWN | Project Start Date 20231215 |
| Drawn by MR | Substantial Performance Date |
| Designed by MR/PQ | Drawing No. A-2 |
| Approved by PQ | Floor No. |
| CADD File NAME | |

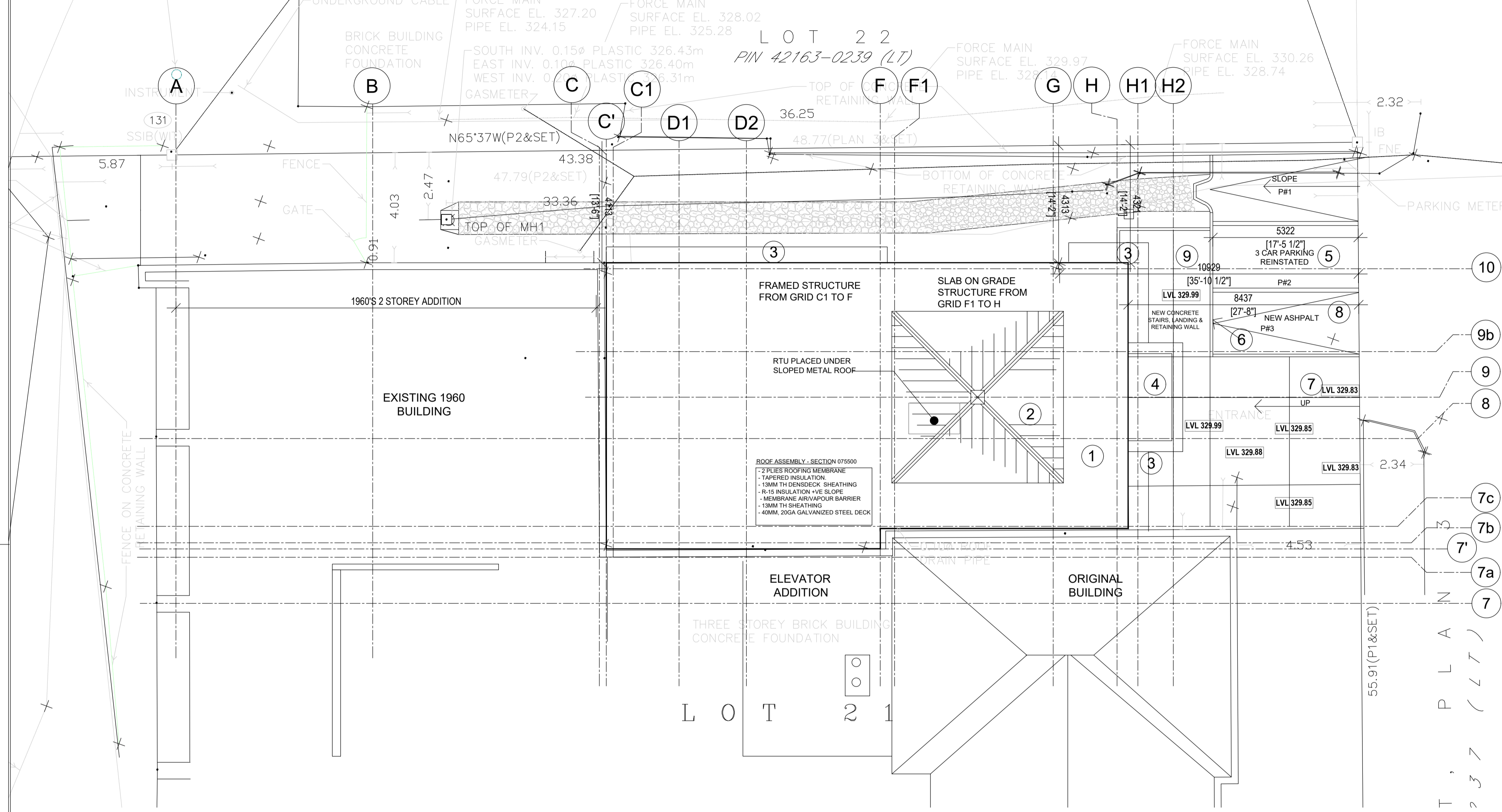


MAN HOLE TOP 328.88m
 NORTHWEST INV. 0.15# PLASTIC 326.95m
 SOUTHEAST INV. 0.15# PLASTIC 326.95m

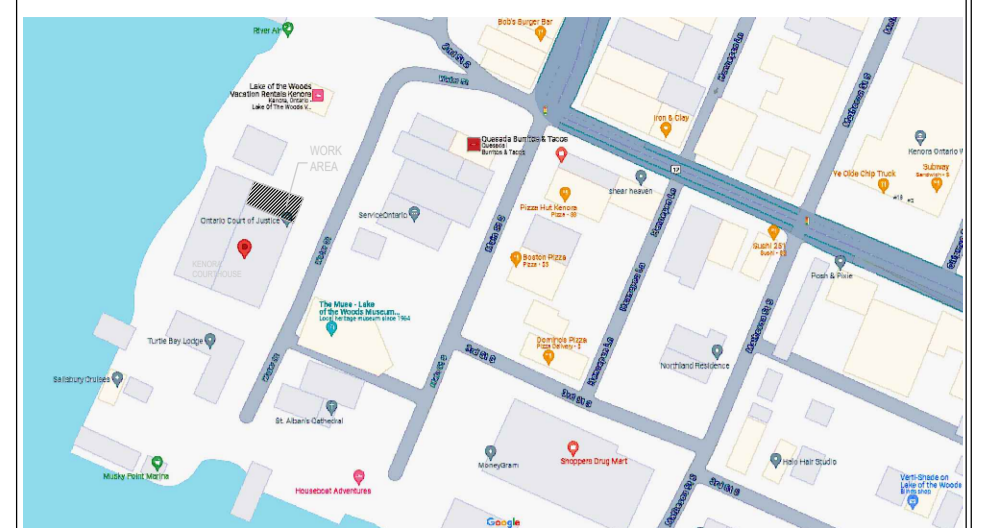


PARTY CHIEF: CAMERON LONGE
 CHECKED BY: ERIC RODY, O.L.S., C.L.S.
 FILE: SK23104 DRAIN BY: TAYLOR MCBRIDE

DN 326.50m
150 PLASTIC 325.63m
0m
LOW FLUID LEVEL



1 PROPOSED SITE PLAN WITH SITE GRADING
A-3.0 SC:1:100



KEY PLAN

| No | Revisions | Date |
|----|---------------------------|----------|
| 5 | 99% DESIGN REVIEW | 20260202 |
| 4 | REVISED 66% DESIGN REVIEW | 20260116 |
| 3 | 66% DESIGN REVIEW | 20251223 |
| 2 | REVISED 33% DESIGN REVIEW | 20241210 |
| 1 | 33% DESIGN REVIEW | 20231215 |

Orientation
DRAWING NORTH

Seal

The Contractor shall check and verify all dimensions and report all errors and omissions to the IO-Owner's/MBS Designee (as applicable) for his/her written direction before proceeding with the Work.

| | |
|---|-------------------------|
| A | Detail No |
| B | Sheet No where detailed |

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Ministry PSF Number

Project
KENORA COURTHOUSE – SINGLE POINT OF ENTRY

Location
 216 WATER STREET
 KENORA, ON. P9N 1S4
 Phone: 1103746 – 274133 Building No

Client
COLLIERS PROJECT LEADERS

Drawing Title
PROPOSED SITE PLAN AND SITE GRADING

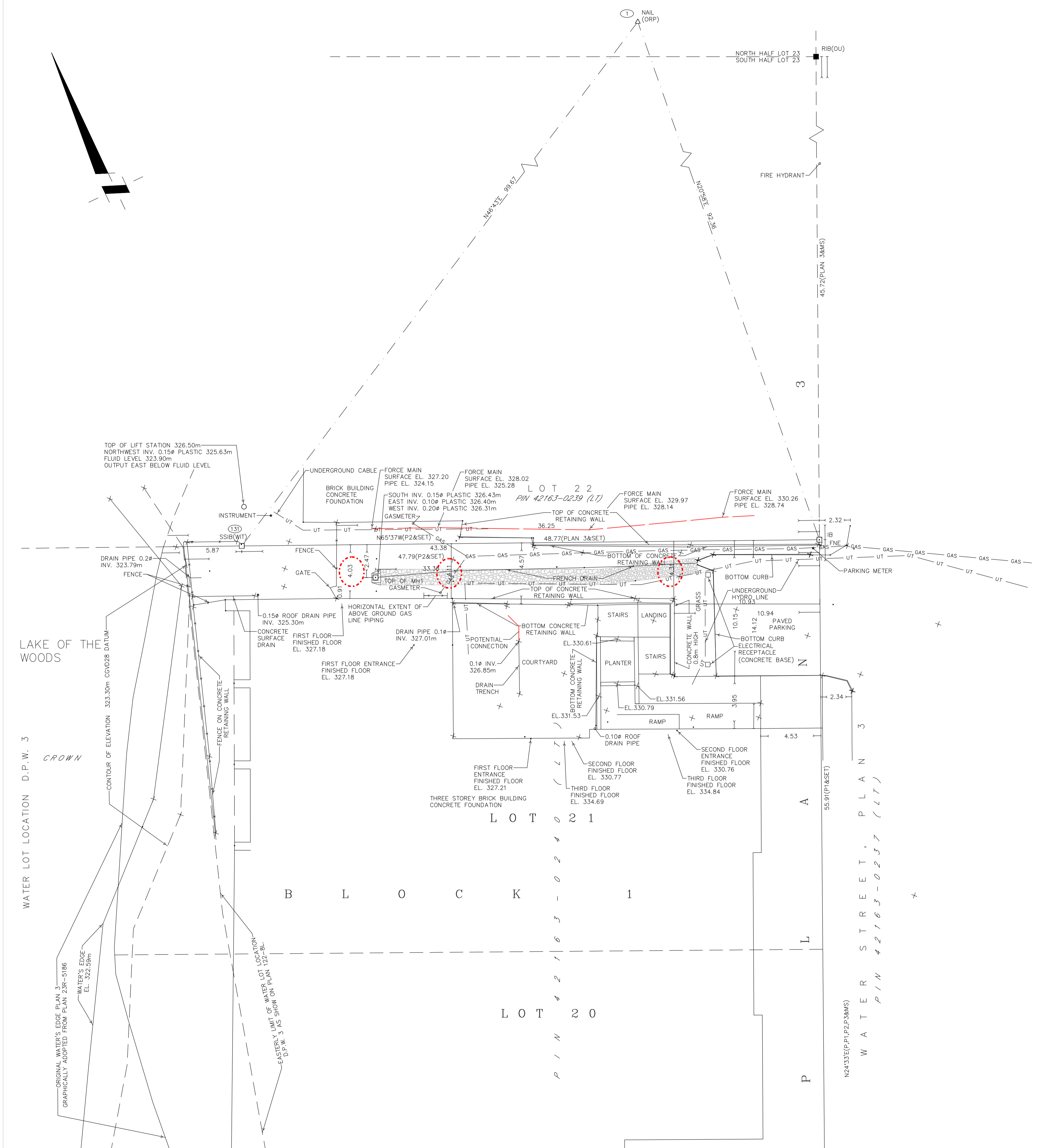
| | |
|----------------------|--------------------------------|
| Scale AS SHOWN | Project Start Date 20231215 |
| Drawn by MR | Substantial Performance Date |
| Designed by MR/PQ | Drawing No A-3 of |
| Approved by PQ | Floor No |

CADD File Name

SKETCH OF
 AREA OF SINGLE POINT OF ENTRY
 KENORA COURTHOUSE PROPERTY
 CITY OF KENORA
 DISTRICT OF KENORA
 ERIC RODY, OLS

SCALE 1 : 150
 3 1.5 0 3 6 9 METRES

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE
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MAN HOLE TOP 328.88m
 NORTHWEST INV. 0.15# PLASTIC 326.95m
 SOUTHEAST INV. 0.15# PLASTIC 326.86m

RUGGED GEOMATICS INC.
 WWW.RUGGEDGEOMATICS.COM
 ERIC.RODY@RUGGEDGEOMATICS.COM
 (807) 468-8516
 3-619 NINTH STREET NORTH
 KENORA, ONTARIO, P9N 2S9
 CANADA
 ONTARIO LAND SURVEYORS
 CANADA LANDS SURVEYORS

PARTY CHIEF: CAMERON LONGE
 CHECKED BY: ERIC RODY, O.L.S., C.I.S.
 FILE: SK23104 DRAWN BY: TAYLOR MCBRIDE

LAKE OF THE WOODS

SOCIAL SERVICE BUILDING

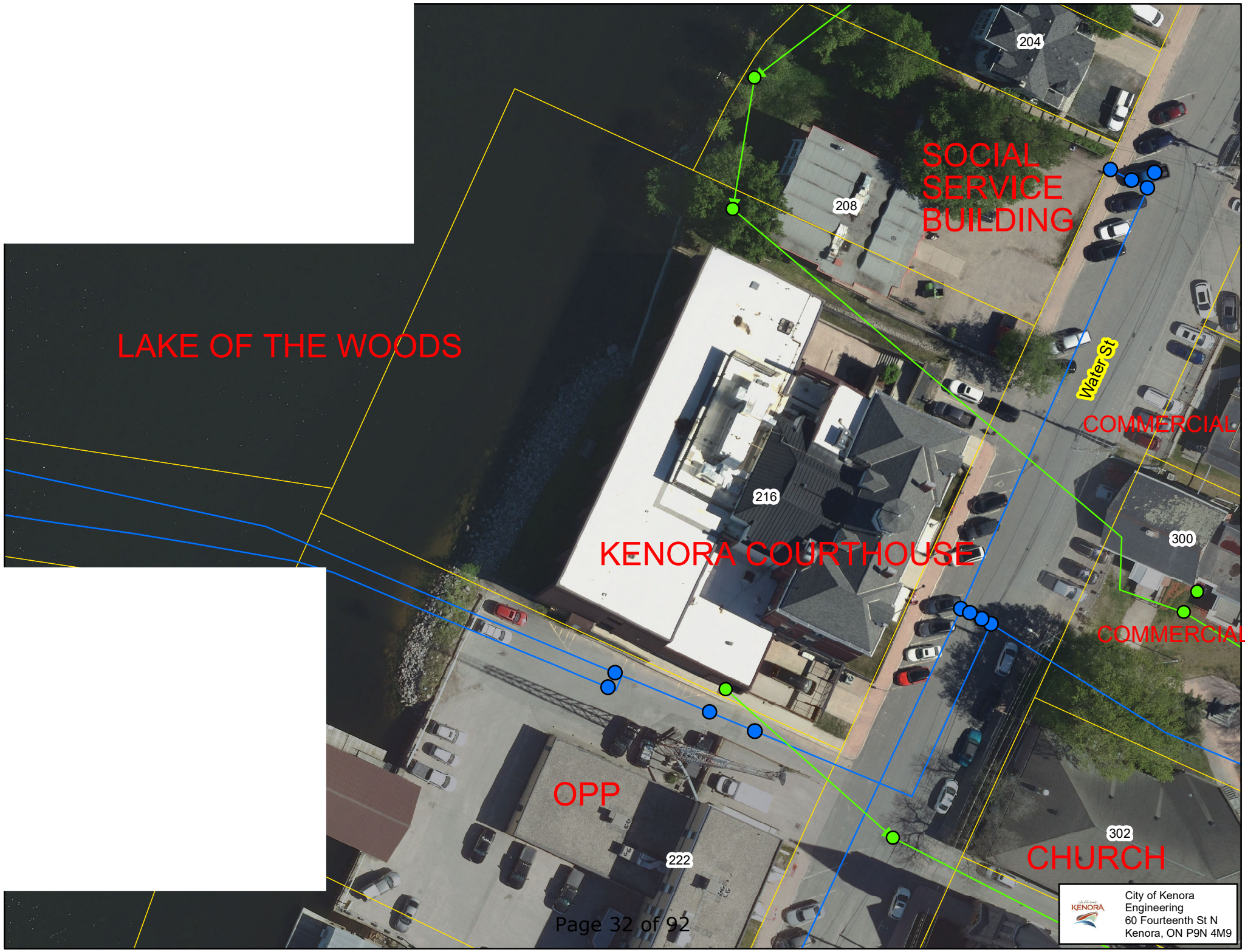
KENORA COURTHOUSE

COMMERCIAL

COMMERCIAL

OPP

CHURCH





To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: April 10, 2026
Re: Minor Variance Application – File D13-26-05
Location: 216 Water Street
Owner/Applicant: Infrastructure Ontario / Atria Architects & Engineers Inc.

RECOMMENDATION

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

INTRODUCTION

The purpose of the minor variance application is to request permission under Section 45(2) of the Planning Act to permit the construction of an addition on an existing legal non-conforming structure.

Section 4.14.3 (f) of the Zoning By-law requires a maximum lot coverage of 40%. This application is seeking to enlarge the structure from the existing lot coverage of 60% to a maximum lot coverage of 71.6%. Section 4.14.3 (g) requires a minimum rear yard of 10 m. This application requires permission to enlarge the northeast corner of the structure with an 8.5 m rear yard.

The subject property is located on Water Street and has frontage on Lake of the Woods. The current use of the property is institutional and is the Courthouse (Ontario Court of Justice). The subject lands are serviced by municipal services.

REVIEW

In considering an application for minor variance, Section 45(2) of the Planning Act gives the Committee of Adjustment power to permit minor changes to legal non-conforming uses of land, buildings, or structures. This section reads:

Where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit:

- i. The enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed.

Figure 1. Location Map (Kenora GIS 2024)



AGENCY/PUBLIC COMMENTS

City Staff

City staff had concerns with the proximity of the proposed addition in relation to the sanitary force main located slightly north of the north property line. Engineering staff requested additional information from the applicant to support a technical review of the force mains depth and proximity to the proposed structure. Upon engineering review of the supporting documents, staff are comfortable with the minor variance subject to a easement being granted in favour of the City to ensure access to the sanitary force main.

Agency

The Ministry of Natural Resources had no MNR concerns with this application. No comments were received from other agencies.

Public

No comments received from members of the public at the time of report submission.

through decisions on applications that have been through the courts. For example, *Central Jewish Institute v. Toronto (City)*, [1948], *Saint-Romuald (Ville) c. Oliver*, [2001], and *TDL Group Corp., Re* [2009]. Through these cases, the courts have held that with the passage of time, flexibility is required, normal evolution may occur, and the updating of a building or structure may be required to adapt, modernize and maintain the integrity of the building. These cases have also held that the tests for an application for permission to expand under Section 45(2) is whether the application is desirable for appropriate development of the subject property and whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.

The application is proposing an addition to the northeast corner of the existing Courthouse structure. The addition will contain a single point of entry to accommodate the Ministry of the Attorney General Program needs. This addition enables safe entry and exit of the Courthouse. The proposed addition is approximately 200 m² in area and aligns with the exterior north wall of the existing building with approximately a 4.3 m side yard setback. The proposed addition has a rear yard setback of 8.5 m. This is a rear yard setback because the property fronts onto Lake of the Woods. The addition is stepped back from the existing rear yard projection of the existing Courthouse along Water Street.

Comment received from staff indicate the new addition may result in access challenges to the force main located north of the subject lands. Engineering staff reviewed supporting documents provided by the applicant and have requested a condition be required for an easement along the north property line.

Recommendation

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-26-05 to request permission for an addition on an existing legal non-conforming structure with an 8.5 m minimum rear yard, and a 71.6% maximum lot coverage, subject to the following conditions:

1. That an easement be granted, in favour of the City of Kenora, over and along the lands extending from the north exterior wall of the existing structure and the proposed addition to the north property line, to the satisfaction of the City.
2. That the addition be constructed in general conformity with the submitted site plan.



Tara Vader, RPP, MCIP

Associate Planner

April 10, 2026



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

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on April 15th, at 6 p.m. (CST), please see the details including the **new meeting location** below.

As part of the meeting, the Committee 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): D13-26-06
LOCATION: 7 Beach St, Coney Island

PURPOSE AND EFFECT

The purpose of the minor variance application is to enclose a portion of an existing deck. The application is seeking relief from Section 4.5.3 (d) which requires a minimum interior side yard of 3 m. The application proposes a side yard of 1.6 m to the enclosed deck, which is a total relief request of 1.4 m.

The subject lands are designated Rural Area in the City's Official Plan and zoned 'RR' Rural Residential Zone in the City's Zoning By-law.

| | |
|--------------------|---|
| COA Meeting | When: Wednesday, April 15 th , 2026 at 6:00 p.m. (CST) Location: Council Chambers, City Hall 1 Main Street South, Kenora, ON |
|--------------------|---|

Members of the public interested in attending the meeting may attend in person, or watch the livestream meeting at via Zoom Meeting at: <https://www.kenora.ca/your-government/agenda-and-minutes/>. For access to speak at the public hearing virtually, please contact Planning at planning@kenora.ca. If you attend in person, there is no need to register to attend.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D13-26-06**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 8th, 2026.

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 Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-26-06**.

Dated at the City of Kenora this 18th day of March, 2026.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca

Figure 1. Location Map (Kenora GIS 2024)





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: _____

Application Fee Paid: \$ _____

Application Deemed Complete (Date): _____

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 (1), \$1,300 (2), \$1,800 (3 or more) 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

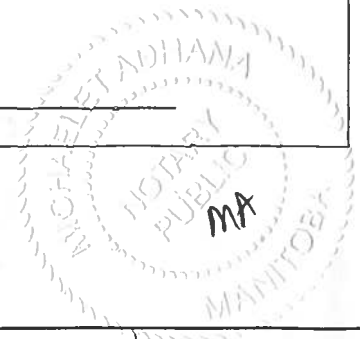
Site Plan Application

Zoning By-law Amendment/Temporary Use

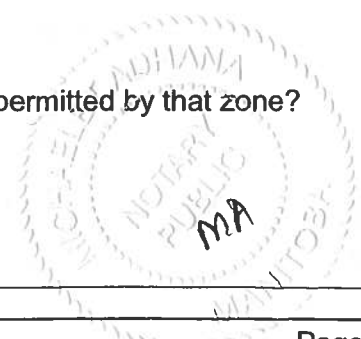
Consent Application

Subdivision Application

Other: _____



| 4.0 - Applicant Information | | | | |
|--|---|-------------------------------|----------------------------------|------------|
| SUBJECT PROPERTY INFORMATION | | | | |
| Civic Address | Street No.: 7 | Street Name: Beach Street | Postal Code: | Unit Num.: |
| Registered Plan Number | M- 19 | | | |
| Legal Description | Plan M19 Lot 1 PCL 11135 | | | |
| Reference Plan Number | 23R- | | | |
| Lot No.(s)/Block No.(s) | | | | |
| Concession Number(s)/PT LOT | | | | |
| Part Numbers(s) | Roll # 010-002-18400-0000 | | | |
| Tax Roll Number | 6016 | | | |
| OWNER/APPLICANT INFORMATION | | | | |
| Check Appropriate Box: | <input checked="" type="checkbox"/> Person(s) | | <input type="checkbox"/> Company | |
| Registered Land Owner | Surname: Vande Graaf | | First Name: Darren & Jaclyn | |
| Mailing Address | Street No.: 67 | Street Name: Birmingham Place | Postal Code: R3P 2R6 | Unit Num.: |
| City | Winnipeg | | Province Manitoba | |
| Contact Information | Phone: 204-981-2718 | | Fax: N/A | |
| Email | darren.vandegraaf@gmail.com | | | |
| Acquisition Date of Subject Land | Sept 15, 2008 | | | |
| 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 | Scotiabank | | | |
| 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 | | | | |
| <ul style="list-style-type: none"> - Planning rationale - Site plan | | | | |
| 6.0 – Land Use Designation (Please see www.kenora.ca/planning for schedules/maps) | | | | |
| What is the current Official Plan Designation of the subject property? Rural area _____ | | | | |
| What is the current Zoning By-law designation of the subject land and the uses permitted by that zone? Rural residential _____ | | | | |



7.0 – Nature and extent of relief required

| Section of Zoning By-law No. | Zoning Provision | Proposed Provision | Relief Required |
|------------------------------|------------------|--------------------|-----------------|
| 4.5.3 (d) | 3 m | 1.6 m | 1.4 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

see the planning rationale

9.0 – Property Characteristics

Frontage (metres): 18.59m Depth (metres): 39.01m Area (m² or Ha.): 725.20m²

Existing Use of subject land: seasonal

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

Proposed Use (if applicable): _____

The date the subject land was acquired by the current owner: September 2008

The date the existing buildings or structures on the subject land were constructed: 2013

Length of time that the existing uses have continued? _____

Type of Access:

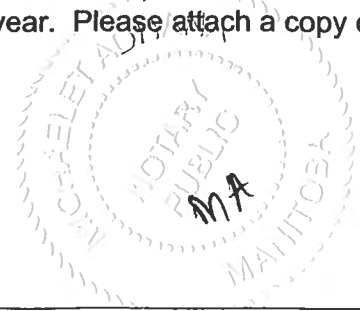
- Municipal maintained road Seasonally maintained road Provincial highway
- Private road or laneway Water Other public road

* 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:

Public parking available at Coney Beach. Winter road access.

*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.

Ice road in winter months, no land access in spring, summer and fall



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: None (natural)**Other Services:** Electricity Garbage Collection School Buses**10.0 - Easements**

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

 Yes No

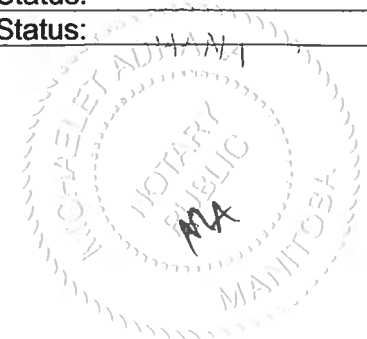
If Yes, please describe each easement and/or covenant and its effect, below:

| 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 | File No.: S-36505 | Status: Approved (Sep 2008) |
| Part Lot Control | File No.: | Status: |
| Other (Please Specify) | File No.: | Status: |



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 | 112.91m ² | | | |
| Total Gross Floor Area | 112.91m ² | | | |
| Number of Storeys | 1 | | | |
| Length | 11.58m | | | |
| Width | 9.75m | | | |
| Height | 5.03m | | | |
| Front Yard Setback | | | | |
| Rear Yard Setback | 3.05m | | | |
| Side Yard Setback | 0.5m | | | |
| Side Yard Setback | | | | |
| Date Constructed | 2013 | | | |
| Lot Coverage (%) | | | | |
| Floor Area Ratio | | | | |

Proposed Structures:

| | Principle | Accessory | Accessory | Parking |
|------------------------|--------------------|-----------|-----------|---------|
| Ground Floor Area | 22.3m ² | | | |
| Total Gross Floor Area | 22.3m ² | | | |
| Number of Storeys | 1 | | | |
| Length | 6.1m | | | |
| Width | 3.6 | | | |
| Height | 2.9m at peak | | | |
| Front Yard Setback | | | | |
| Rear Yard Setback | 3.05m | | | |
| Side Yard Setback | 0.5m | | | |
| Side Yard Setback | | | | |
| Date Constructed | | | | |
| Lot Coverage (%) | | | | |
| Floor Area Ratio | | | | |

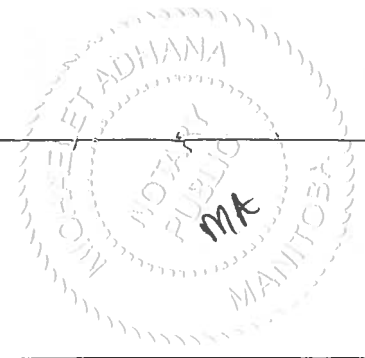
*Please place an asterisk next to any existing buildings that will be removed as part of the application.

*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).

Planning rationale attached



14.0 – Additional information

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

Description: The proposed minor variance is to enclose a portion of the existing deck at the seasonal camp located at 7 Beach Street, Coney Island. The existing seasonal camp faces the beach on Coney Island. The current land use and surrounding lots are zoned Rural Residential (RR).

The variance application is to build a screened area with a hard roof and sides enclosed with screen. The objective of the variance is to have a bug free area on the existing deck. A small area of the deck with the existing stairs will be extended to the north for a BBQ landing area.

The existing deck location was approved as part of a variance application in 2008 (file S-36505). This approved variance included turning the cabin to face the beach area, requiring a variance to "reduce the rear yard from 8 meters to 3.05 meters; and reduce the west side yard requirement from 3 meters to 0.5 meters". This will not be impacted, other than a portion of the existing deck will be covered and enclosed with screen.

Additional information:

- There are no outstanding work orders on this property
- This variance application will not impact either neighboring camp.
- There is zero impact from the proposed development on the natural environment.
- No municipal services will be impacted.

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

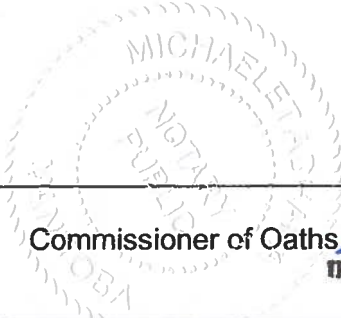


17.0 - Sworn Declaration or Affidavit

I, Darren + Jaclyn Vande Groot of the Winnipeg in the province of Manitoba, 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 IMMIGRANT CENTRE, WINNIPEG in the PROVINCE OF MANITOBA this 13th day of MARCH in the year 2026

[Signature]



[Signature]

Commissioner of Oaths **MICHAEL ADHANA**
A NOTARY PUBLIC
IN AND FOR THE PROVINCE OF MANITOBA
EXPIRES: JUNE 24, 2026

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 Committee of Adjustment or Council members.

I/We, Darren + Jaclyn Vande Groot 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.

[Signature]

Mar 13, 2026

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

Re: Proposed Minor Variance Application to Plan M19 Lot 1 PCL 11135

Date: March 12, 2026

Description: The proposed minor variance is to enclose a portion of the existing deck at the seasonal camp located at 7 Beach Street, Coney Island. The existing seasonal camp faces the beach on Coney Island. The current land use and surrounding lots are zoned Rural Residential (RR).

The variance application is to build a screened area with a hard roof and sides enclosed with screen. The objective of the variance is to have a bug free area on the existing deck. A small area of the deck with the existing stairs will be extended to the north for a BBQ landing area.

The existing deck location was approved as part of a variance application in 2008 (file S-36505). This approved variance included turning the cabin to face the beach area, requiring a variance to “reduce the rear yard from 8 meters to 3.05 meters; and reduce the west side yard requirement from 3 meters to 0.5 meters”. This will not be impacted, other than a portion of the existing deck will be covered and enclosed with screen.

Additional information:

- There are no outstanding work orders on this property
- This variance application will not impact either neighboring camp
- There is zero impact from the proposed development on the natural environment
- No municipal services will be impacted

I would be happy to answer any questions if necessary. Thank you!

Darren & Jaclyn Vande Graaf

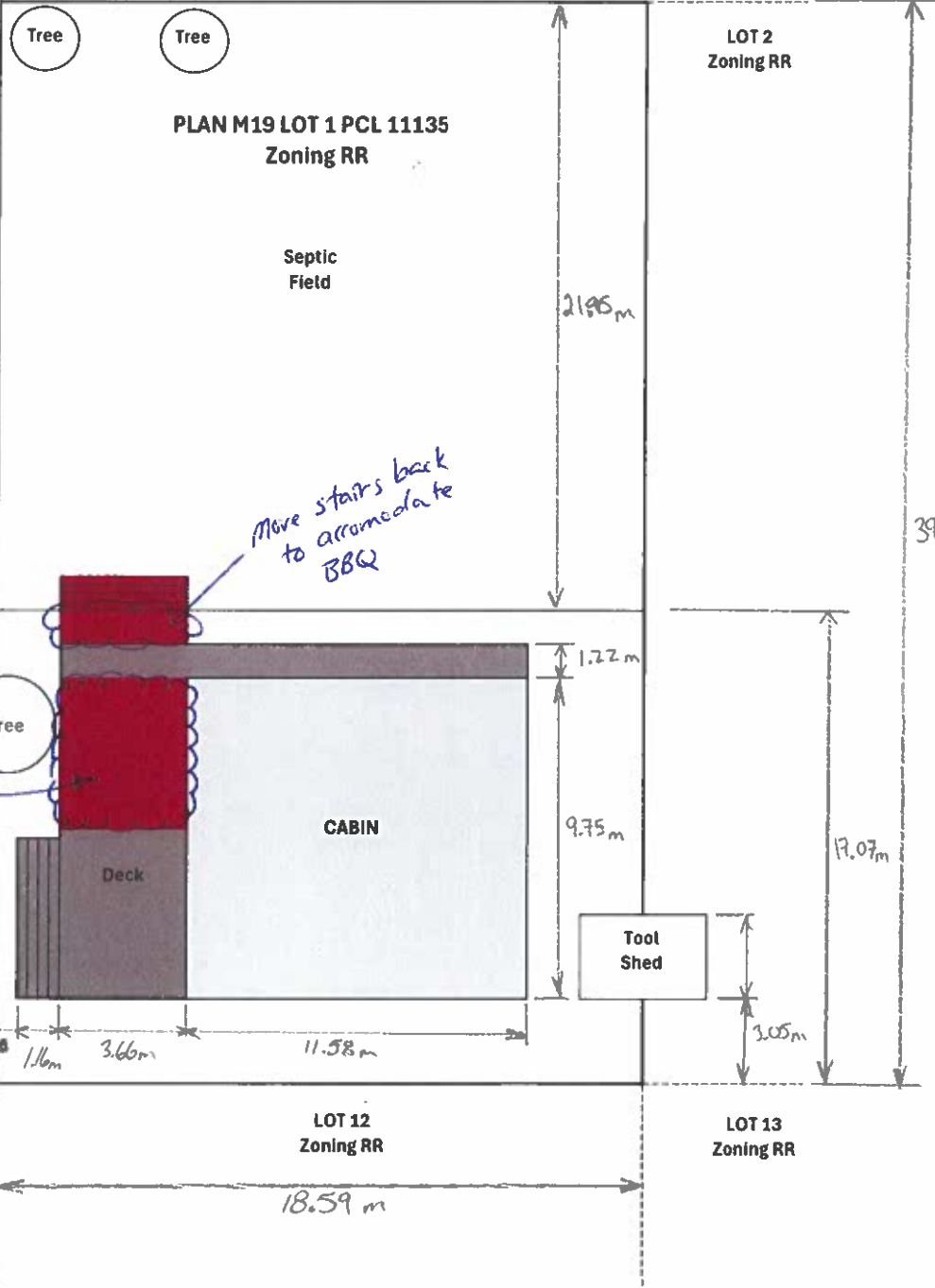
Ph: 204-981-2718



Boat Parking
(Approx
100m from
NW corner)

City Owned Park

Beach Street (Public Road)



*Move stairs back
to accommodate
BBQ*

*Reposed
screened area
of existing deck*

Existing deck aligns
to south neighbors
decks (all built up to
property line)





To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: April 10, 2026
Re: Minor Variance Application – File D13-26-06
Location: 7 Beach St, Coney Island
Owner/Applicant: Darren & Jaclyn Vande Graaf

RECOMMENDATION

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

INTRODUCTION

The purpose of this application is to seek relief from the City of Kenora Zoning By-law 101-2015 to enclose a portion of an existing deck.

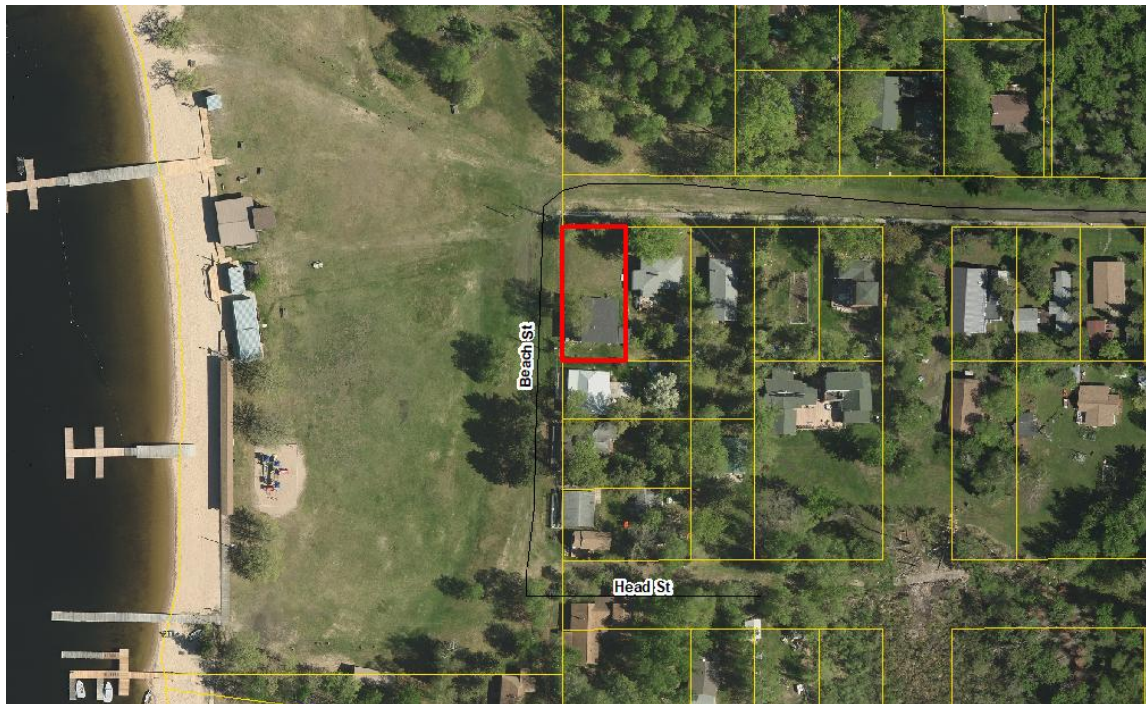
This application is seeking relief from Section 4.5.3 (d) which requires a minimum interior side yard of 3 m. The application proposes a side yard of 1.6 m to the enclosed deck, which is a total relief request of 1.4 m.

The subject property is located on Beach Street, on Coney Island. The property is located adjacent to the Coney Island Beach. It is used for seasonal residential purposes and contains an existing seasonal dwelling with a deck. In 2008, the subject property was granted a minor variance permitting a reduced rear yard setback of 3.05 m and a 0.5 m west side yard for an unenclosed deck. As the approval was limited in scope to an unenclosed structure, a new variance is required to accommodate the proposed enclosed deck.

REVIEW

In considering an application for minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provisions 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 2024)



AGENCY/PUBLIC COMMENTS

City Staff

City staff had no concerns with the application.

Agency

The Ministry of Natural Resources indicated no MNR concerns. No comments were received from other agencies.

Public

No comments received from members of the public at the time of report submission.

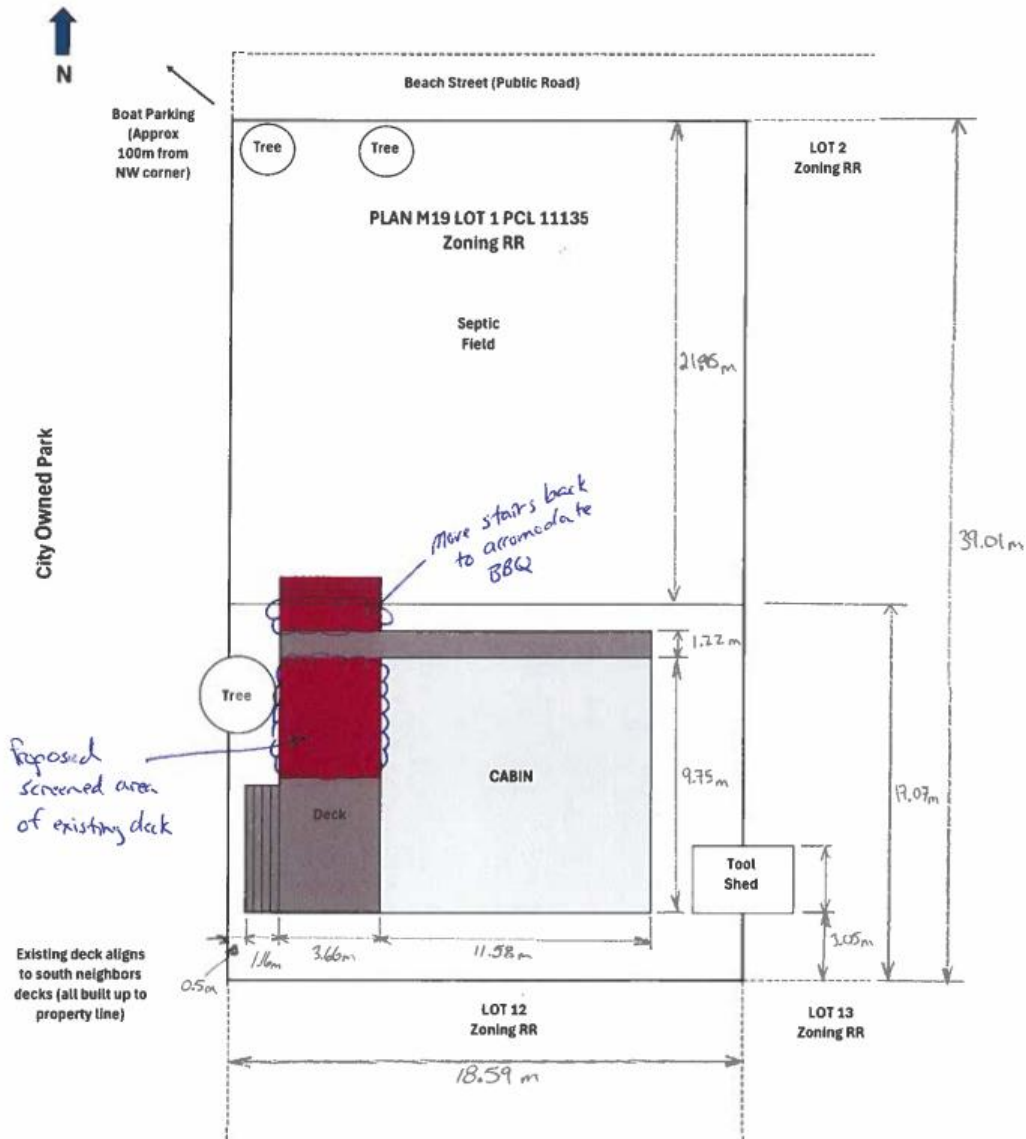
PLANNING REVIEW

The subject lands are designated Rural Area in the City of Kenora Official Plan, and zoned “RR” Rural Residential Zone in the City of Kenora Zoning By-law.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) promotes development on rural lands that can be supported by rural service levels. As this application is proposed to be serviced by existing municipal services, it is supported by this policy of the PPS.

Figure 2. Site Plan (provided by applicant)



FOUR TESTS OF A MINOR VARIANCE

Does the variance maintain the intent of the Official Plan

The City of Kenora Official Plan (OP) Section 4.8 contains policies for the Rural Area. The OP states that Rural Areas include a variety of agricultural, residential, industrial, commercial, recreational, tourism and open space uses. Section 4.8.3 Residential Development in the Rural Area states that development proposals shall preserve rural character and the scenic quality of the rural landscape. The application is proposing an enclosed deck which is consistent with the surrounding area and landscape. The minor variance application 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 “RR” Rural Residential Zone. The RR zone allows for the development of low density single-detached, seasonal or permanent housing and compatible uses in a rural setting.

This application is seeking to permit an enclosed deck with a 1.6 m side yard. This is relief request of 1.4 m from the required 3 m. The relief is requested due to enable an enclosed area on the existing deck. The existing deck faces the Coney Island Beach and the enclosure of a portion of the deck does not create separation issues with any structures on adjacent properties. The enclosed deck enables continued use of the property by the property owners and the reduction to the side yard maintains 1.6 m from the property line providing appropriate separation. It is staff’s opinion that the requested variance meets the intent of the Zoning By-law.

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

The proposed variance will enable an enclosed portion of an existing deck, which is a permitted use and desirable for the continued seasonal residential use of the property.

Is the variance minor?

The variance can be considered minor when the scale and type of development is considered. The proposed variance is not expected to have 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.

Recommendation

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-26-06 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 4.5.3 (d) to permit an enclosed deck with a 1.6 m interior side yard, subject to the following conditions:

1. That approval is limited to the enclosed area of deck on the west side yard and as identified on Figure 2.



Tara Vader, RPP, MCIP

Associate Planner

April 10, 2026



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

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on April 15th, at 6 p.m. (CST), please see the details including the **new meeting location** below.

As part of the meeting, the Committee 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): D13-26-07

LOCATION: Unaddressed property on Highway 17 E (see location map)

PURPOSE AND EFFECT

The purpose of the minor variance application is to permit the construction of a restaurant. The application is seeking relief from Section 3.23.1 Table 4: Required Parking Spaces which requires 10 spaces per 100 m² of gross floor area for a restaurant. The application proposes 9 spaces per 100 m² of gross floor area for a restaurant, a total relief request of 1 space per 100 m² of gross floor area. The application is also seeking relief from Section 4.8.3 (d) which requires a minimum side yard of 3 m. The application proposes a minimum side yard of 1 m, a total relief request of 2 m.

The subject lands are designated Commercial Development Area in the City's Official Plan and zoned 'HC' Highway Commercial Zone in the City's Zoning By-law.

**COA
Meeting**

When: Wednesday, April 15th, 2026, at 6:00 p.m. (CST)

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

Members of the public interested in attending the meeting may attend in person, or watch the livestream meeting at via Zoom Meeting at: <https://www.kenora.ca/your-government/agenda-and-minutes/>. For access to speak at the public hearing virtually, please contact Planning at planning@kenora.ca. If you attend in person, there is no need to register to attend.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D13-26-07**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, April 8th, 2026.

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 Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed minor variance is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D13-26-07**.

Dated at the City of Kenora this 18th day of March, 2026.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca

Figure 1. Location Map (Kenora GIS 2024)





| | | | | | | |
|---|--------------------------------|-------|--------------------------------|---------|--|---------|
| <p>City of Kenora Application for Minor Variance or Permission Section 45 of the Planning Act & Ontario Regulation 200/96</p> | | | | | | |
| <p>Fees:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Minor Variance Application (1)</td> <td style="text-align: right; padding: 2px;">\$800</td> </tr> <tr> <td style="padding: 2px;">Minor Variance Application (2)</td> <td style="text-align: right; padding: 2px;">\$1,300</td> </tr> <tr> <td style="padding: 2px;">Minor Variance Application (3 or more)</td> <td style="text-align: right; padding: 2px;">\$1,800</td> </tr> </table> | Minor Variance Application (1) | \$800 | Minor Variance Application (2) | \$1,300 | Minor Variance Application (3 or more) | \$1,800 |
| Minor Variance Application (1) | \$800 | | | | | |
| Minor Variance Application (2) | \$1,300 | | | | | |
| Minor Variance Application (3 or more) | \$1,800 | | | | | |

| Office Use Only | |
|-----------------------------------|---|
| Date Stamp - Date Received: _____ | File Number: _____ Roll Number: _____ Application Fee Paid: \$ _____ Application Deemed Complete (Date): _____ |

| 1.0 - Submission Requirements |
|--|
| Note: If the information below is not received the application cannot be deemed complete. |
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Pre-consultation meeting is recommended with the planning department <input checked="" type="checkbox"/> 1 original copy of the completed application form <input checked="" type="checkbox"/> The required application fee of \$800.00 (1), \$1,300 (2), \$1,800 (3 or more) as per the schedule of fees By-law <input checked="" type="checkbox"/> Planning Rationale (recommended) <input checked="" type="checkbox"/> Site Plan Sketch <input checked="" type="checkbox"/> Required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies) <input checked="" type="checkbox"/> 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: |
|---|
| <input checked="" type="checkbox"/> Minor Variance s.45 (1) <input type="checkbox"/> Permission s.45 (2) |

| 3.0 - Concurrent Applications Filed | | | | | | |
|---|---|--|--|--|--|---|
| <table style="width: 100%;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Official Plan Amendment</td> <td style="width: 50%;"><input type="checkbox"/> Site Plan Application</td> </tr> <tr> <td><input type="checkbox"/> Zoning By-law Amendment/Temporary Use</td> <td><input type="checkbox"/> Consent Application</td> </tr> <tr> <td><input type="checkbox"/> Subdivision Application</td> <td><input checked="" type="checkbox"/> Other: <u>City owned land acquisition (L07-26-01)</u></td> </tr> </table> | <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Site Plan Application | <input type="checkbox"/> Zoning By-law Amendment/Temporary Use | <input type="checkbox"/> Consent Application | <input type="checkbox"/> Subdivision Application | <input checked="" type="checkbox"/> Other: <u>City owned land acquisition (L07-26-01)</u> |
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Site Plan Application | | | | | |
| <input type="checkbox"/> Zoning By-law Amendment/Temporary Use | <input type="checkbox"/> Consent Application | | | | | |
| <input type="checkbox"/> Subdivision Application | <input checked="" type="checkbox"/> Other: <u>City owned land acquisition (L07-26-01)</u> | | | | | |

4.0 - Applicant Information

SUBJECT PROPERTY INFORMATION

| | | | | |
|-----------------------------|--------------------------------|-----------------------------|------------------------|------------|
| Civic Address | Street No.: 923 | Street Name: Highway 17E | Postal Code: P9N1L9 | Unit Num.: |
| Registered Plan Number | M- 35 | | | |
| Legal Description | PART OF LOTS 3 AND 4 PLAN M-35 | | | |
| Reference Plan Number | 23R- 14652 | | | |
| Lot No.(s)/Block No.(s) | LOTS 3 AND 4 | | | |
| Concession Number(s)/PT LOT | | | | |
| Part Numbers(s) | | | | |
| Tax Roll Number | 6016 02000224202 | | | |

OWNER/APPLICANT INFORMATION

| | | | | |
|----------------------------------|---|----------------------------------|-------------------------|------------|
| Check Appropriate Box: | <input checked="" type="checkbox"/> Person(s) | <input type="checkbox"/> Company | | |
| Registered Land Owner | Surname: BRYDGES | First Name: FAITH | | |
| Mailing Address | Street No.: | Street Name: P.O. BOX 284 | Postal Code: P0X 1C0 | Unit Num.: |
| City | KEEWATIN | | Province: ONTARIO | |
| Contact Information | Phone: (807) 407-2947 | | Fax: | |
| Email | FDBRYDGES@GMAIL.COM | | | |
| Acquisition Date of Subject Land | | | | |

PLANNING AGENT/SOLICITOR INFORMATION

| | | | | |
|----------------------|---|-----------------------------------|-------------------------|------------------|
| Company or Firm Name | TO BE INCORPORATED | | | |
| Name | Surname: PATEL, PATEL | First Name: MEGH, MALAY | | |
| Mailing Address | Street No.: 539 | Street Name: GOVERNMENT STREET | Postal Code: P8N 2P6 | Unit Num.: 11 |
| City | DRYDEN | | Province: ONTARIO | |
| Contact Information | Phone: MEGH (403) 894-5439, MALAY (306) 501-6969 | | Fax: | |
| Email | PATELMEGH.17@GMAIL.COM, MBUSEX@GMAIL.COM | | | |

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 for schedules/maps)

| |
|--|
| What is the current Official Plan Designation of the subject property? <u>Commercial Development Area</u> |
|--|

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone? Highway Commercial

7.0 – Nature and extent of relief required

| Section of Zoning By-law No. | Zoning Provision | Proposed Provision | Relief Required |
|-------------------------------|---|--|--|
| 3.23.1 Table 4 | 10 per 100 m ² of gross floor area | 9 per 100 m ² of gross floor area | 1 per 100 m ² of gross floor area |
| 4.8.3 (D) Side yard (minimum) | 3m | 1m | 2m |
| | | | |
| | | | |

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

See planning rationale.

9.0 – Property Characteristics

Frontage (metres): 26.4 Depth (metres): 20.2 Area (m² or Ha.): 0.063 ha

Existing Use of subject land: Vacant

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

Proposed Use (if applicable): Restaurant

The date the subject land was acquired by the current owner: NA

The date the existing buildings or structures on the subject land were constructed: NA

Length of time that the existing uses have continued? NA

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.

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 | | | | |
| Total Gross Floor Area | 130m2 | | | |
| Number of Storeys | 1 | | | |
| Length | 13m | | | |
| Width | 10m | | | |
| Height | 6m | | | |
| Front Yard Setback | 6m | | | |
| Rear Yard Setback | 4m | | | |
| Side Yard Setback | 3m | | | |
| Side Yard Setback | 3m | | | |
| Date Constructed | | | | |
| Lot Coverage (%) | | | | |
| Floor Area Ratio | | | | |

*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).

Yes

17.0 - Sworn Declaration or Affidavit

I, Megh Patel and Malay Patel 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 City of Kenora in the Province of Ontario this 18th day of March in the year 2026

Megh Patel

Malay Patel

**Ritchie John Noel, a Commissioner, etc.
Province of Ontario, for Sunset Country
Paralegal Services Professional Corporation,
and for work done within the permitted scope
of practice of a licensed paralegal in Ontario**

Commissioner of Oaths
PO (91)

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 Committee of Adjustment or Council members.

I/We, Faith Brydges 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.

Faith Brydges

3/18/26

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

Minor Variance to Support Firehouse Subs Development

Proposal Description

The proposed Minor Variance application seeks relief from two provisions of Zoning By-law No.3.23.1 and 4.8.3 (d):

- Section 3.23.1: Reduction in required restaurant parking stalls from 10 per 100 m² of gross floor area to 9 per 100 m² of gross floor area (relief of 1 stall per 100 m²).
- Section 4.8.3(D): Reduction in minimum side yard setback on east side of lot from 3 m to 1 m (relief of 2 m).

These adjustments will facilitate the functional and efficient development of a Firehouse Subs restaurant on the site, while ensuring safe operations, adequate customer access, and compatibility with the surrounding commercial area.

Planning Rationale

The proposed land purchase supports the development in several ways:

Efficient Site Design and Parking Optimization

The proposed reduction from 10 to 9 parking stalls per 100 m² supports a practical layout for this non-drive-thru quick-service Firehouse Subs. With a compact footprint (~130–185 m² gross floor area per standard prototypes) and a high proportion of takeaway and delivery orders, on-site parking demand is significantly lower than for dine-in or drive-thru models, as many customers pick up quickly or receive off-site delivery.

Improved Site Layout and Building Placement

The requested reduction in the minimum side yard setback on the east side (from 3 m to 1 m, relief of 2 m) provides essential flexibility to optimize the building footprint and achieve a functional site configuration for this compact, quick-service Firehouse Subs restaurant. This minor adjustment allows proper positioning of the building to maximize usable interior space, enhance internal circulation, and seamlessly integrate key elements, including the designated garbage dumpster enclosure, customer parking stalls, and vehicular access from the adjacent municipal land purchase, without compromising safety or operations. The relief is limited in scope, maintains adequate separation from the adjacent property's parking lot, and has negligible impact on neighbouring uses, as the east side aligns with typical commercial adjacency and screening standards in the area.

Conclusion

The proposed Minor Variance for reduced parking requirements (9 stalls per 100 m² instead of 10) and a side yard setback (2 m instead of 3 m) is minor, desirable, and necessary to facilitate the efficient development and operation of the Firehouse Subs restaurant. These adjustments support a functional site layout, enhance circulation and servicing, and promote appropriate commercial growth in the area with negligible impact on the surrounding neighbourhood.

FIREHOUSE SUBS KENORA





To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: April 10th, 2026
Re: Minor Variance Application – File D13-26-07
Location: Unaddressed property on Highway 17 E
Owner/Applicant: Faith Brydges / Megh Patel & Malay Patel

RECOMMENDATION

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

INTRODUCTION

The purpose of this application is to seek relief from the City of Kenora Zoning By-law 101-2015 to permit the construction of a restaurant.

The application is seeking relief from Section 3.23.1 Table 4: Required Parking Spaces which requires 10 spaces per 100 m² of gross floor area for a restaurant. The application proposes 9 spaces per 100 m² of gross floor area for a restaurant, a total relief request of 1 space per 100 m² of gross floor area. The application is also seeking relief from Section 4.8.3 (d) which requires a minimum side yard of 3 m. The application proposes a minimum side yard of 1 m, a total relief request of 2 m.

The subject property is located on Highway 17 E and is currently vacant. The subject property is serviced by municipal water and sewer.

REVIEW

In considering an application for minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provisions 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 2024)



AGENCY/PUBLIC COMMENTS

City Staff

City staff had no concerns with the application. Staff did indicate that there is some abandoned City infrastructure within the property.

Agency

The Ministry of Natural Resources had no MNR concerns with the application. No comments were received from other agencies.

Public

No comments received from members of the public at the time of report submission.

PLANNING REVIEW

The subject lands are designated Commercial Development Area in the City of Kenora Official Plan, and zoned “HC” Highway Commercial Zone in the City of Kenora Zoning By-law.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) directs that settlement areas shall be the focus of growth and development. As this application is for vacant lands within the Settlement Area, it is supported by the PPS.

**Figure 2. Site Plan (provided by applicant)
FIREHOUSE SUBS KENORA**



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 Principle 1 – Sustainable Development which states an objective to promote compact development by using land and existing infrastructure efficiently. Section 4.4 Commercial Development Area states that the continued development of retail commercial uses shall be promoted in order to serve the residents of the City of Kenora, Northwestern Ontario, western Canada and the Midwestern United States. The proposed application would enable the development of a restaurant on an existing lot within the settlement area, serviced by existing roads and municipal sewer and water, 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 “HC” Highway Commercial Zone. The HC zone allows for commercial development along major roads that serves the travelling public and often requires large land areas for development.

This application is seeking to permit a restaurant with 9 parking stalls per 100 m² of gross floor area and a 1 m side yard setback (south property line). This is a relief request of 1 parking space per 100 m² of gross floor area and 2 m from the required 3 m minimum interior side yard. The relief is requested to support a practical layout for this restaurant. The reduction to parking requirements is supported by the takeaway nature of the proposed restaurant. The reduction to the minimum south side yard to 1 m is requested to facilitate conformance with the front and rear yard requirements, and to allow positioning of the building to be functional. It is staff's opinion that the requested variance meets the intent of the Zoning By-law.

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

The proposed variance will enable the development of a restaurant on a vacant commercial lot, which is a permitted use and desirable for the development of the land.

Is the variance minor?

The variances can be considered minor when the scale and type of development is considered. The proposed variance is not expected to have significant impact on the surrounding area, nor will it impact the ability of adjacent neighbours to utilize their properties for permitted uses. The proposed 1 m side yard along the south property abuts a parking lot for the adjacent business. The proposed reduction would not hinder the parking area function or use. The variance is considered minor in nature.

Recommendation

As a result, it is recommended that the Committee of Adjustment approve minor variance application D13-26-07 to seek relief from the City of Kenora Zoning By-law 101-2015, Section 3.23.1 Table 4: Required Parking Spaces to permit 9 parking spaces per 100 m² of gross floor area of restaurant and Section 4.8.3 (d) to permit a minimums side yard of 1 m, subject to the following conditions:

1. That the 1 m minimum side yard shall only apply along the south property line.
2. That the applicant shall enter into Site Plan Control for the development.



Tara Vader, RPP, MCIP

Associate Planner

April 10, 2026



**THE CORPORATION OF THE CITY OF KENORA
COMMITTEE OF ADJUSTMENT
NOTICE OF COMPLETE APPLICATION AND PUBLIC HEARING**
Section 53 of the Planning Act, RSO 1990

TAKE NOTICE that the City of Kenora Committee of Adjustment (COA) will hold a regular meeting on March 25th, 2026, at 6 p.m. (CST), please see the details including the **new meeting location** below.

As part of the meeting, the Committee will consider a proposed Consent under Section 53 of the Planning Act (RSO 1990), as described below and shown on the attached map.

FILE(s): D10-26-02
LOCATION: 65 Greenwood Drive

PURPOSE AND EFFECT

The purpose of the consent application is to sever approximately 0.26 hectares of land from 65 Greenwood Drive and add the severed land to 19 Greenwood Drive. The retained land is proposed to be approximately 0.58 hectares.

The subject lands are designated Commercial Development Area in the City's Official Plan and zoned 'RR' Rural Residential Zone in the City's Zoning By-law.

| | |
|--------------------|---|
| COA Meeting | When: Wednesday, March 25 th , 2026 at 6:00 p.m. (CST) Location: Council Chambers, City Hall 1 Main Street South, Kenora, ON |
|--------------------|---|

Members of the public interested in attending the meeting may attend in person, or watch the livestream meeting at via Zoom Meeting at: <https://www.kenora.ca/your-government/agenda-and-minutes/>. For access to **speak** at the public hearing virtually, please contact Planning at planning@kenora.ca. If you attend in person, there is no need to register to attend.

PUBLIC MEETING

We want to hear from you! If you have comments, email them to us at planning@kenora.ca or send them by regular mail to the address below, and quote File Number: **D10-26-02**. You may also attend the COA meeting and speak or simply observe. Written comments must be submitted by 4:30 p.m. on Wednesday, March 18th, 2026.

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 Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment via email to planning@kenora.ca.

ADDITIONAL INFORMATION

Additional information relating to the proposed consent is available through the Planning Department, for further information please email: planning@kenora.ca and quote File Number **D10-26-02**.

Dated at the City of Kenora this 24th day of February, 2026.

Tara Vader, Associate Planner, 60 Fourteenth St N, 2nd Floor, Kenora, ON
P9N 4M9, Phone: 807-467-2152, email: tvader@kenora.ca

Figure 1. Location Map (Kenora GIS 2024)





City of Kenora
Application for Consent
 Section 53 of the Planning Act & Ontario
 Regulation 197/96 (as amended)

Office Use Only

| | |
|--|--|
| Date Stamp - Date Received: <div style="border: 2px solid blue; padding: 5px; width: fit-content;"> <p style="margin: 0;">RECEIVED</p> <p style="margin: 0; color: red;">FEB 18 2026</p> <p style="margin: 0; font-family: cursive;">TW</p> </div> | File Number: <u>D10-26-02</u> Roll Number: _____ Application Fee Paid: \$ <u>1,750</u> Application Deemed Complete (Date): <u>Feb 19/26</u> |
|--|--|

1.0 - Submission Requirements

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

- Pre-consultation meeting (recommended)
- 1 original copy of the completed application form
- The required application fee of (\$1,750.00 First Lot & \$400 Second and Subsequent lots) 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 – Concurrent Applications Filed

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Zoning By-law Amendment/Temporary Use <input type="checkbox"/> Subdivision Application | <input type="checkbox"/> Site Plan Application <input type="checkbox"/> Minor Variance/Permission Application <input type="checkbox"/> Other: _____ |
|--|---|

3.0 - Applicant Information**Subject Property Information**

| | | | | |
|-------------------------------|---|----------------|--------------|------------|
| Civic Address | Street No.: | Street Name: | Postal Code: | Unit Num.: |
| | | Veterans Drive | | |
| Registered Plan Number | M- | | | |
| Legal Description | PIN 42174-0227 and PIN 42174-0204 (see attached PINs) | | | |
| Reference Plan Number | 23R- | | | |
| Lot No.(s)/Block No.(s) | Lot 3 | | | |
| Concession Number(s)/Part Lot | Concession 7 | | | |
| Part Numbers(s) | | | | |
| Tax Roll Number | 6016 -140-001-11301-0000 | | | |
| Lot Frontage (Metres) | 266.3 metres (Veterans Drive) and 60 metres on Greenwood Drive) | | | |
| Depth (Metres) | 20 metres (varied) | | | |
| Area (Ha.) | 0.85 Ha | | | |

Owner/Applicant Information

| | | | | |
|----------------------------------|---|----------------------------------|-------------------------|------------|
| Check Appropriate Box: | <input checked="" type="checkbox"/> Person(s) | <input type="checkbox"/> Company | | |
| Registered Land Owner | Surname: Alcock | First Name: Kathleen | | |
| Mailing Address | Street No.: 1729 | Street Name: Veterans Drive | Postal Code: P9N 0B9 | Unit Num.: |
| City | Kenora | Province: Ontario | | |
| Contact Information | Phone: 807-548-4125 | Fax: N/A | | |
| Email | bcalcock@gmail.com | | | |
| Acquisition Date of Subject Land | August 21, 1964 | | | |

Planning Agent/Solicitor Information

| | | | | |
|----------------------|----------------------------|------------------------------------|-------------------------|-------------------|
| Company or Firm Name | Hook, Seller & Lundin, LLP | | | |
| Name | Surname: Wheatley | First Name: Laura | | |
| Mailing Address | Street No.: 301 | Street Name: First Avenue South | Postal Code: P9N 1W2 | Unit Num.: 204 |
| City | Kenora | Province: Ontario | | |
| Contact Information | Phone: 807-468-9831 | Fax: 807-468-8384 | | |
| Email | lwheatley@hslaw.ca | | | |

Mortgages, Encumbrances, Holders of Charges etc. of Subject Land

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

4.0 - Please list the reports and/or studies that will accompany this application

Please refer to any documents filed under D10-21-09.

5.0 - Purpose of Consent Application

Transfer:

| | | | |
|---|---------------------------------------|---------------------|-------------------------|
| | Draft Plan of Subdivision | File No.: | Status: |
| | Condominium Description | File No.: | Status: |
| | Official Plan Amendment | File No.: | Status: |
| | Zoning By-law Amendment/Temporary Use | File No.: | Status: |
| | Minister's Zoning Amendment | File No.: | Status: |
| | Site Plan Application | File No.: | Status: |
| X | Consent | File No.: D10-21-09 | Status: Decision Lapsed |
| X | Minor Variance/Permission | File No.: D13-21-12 | Status: Complete |
| | Part Lot Control | File No.: | Status: |
| | Other (please specify) | File No.: | Status: |

9.0 Description of Subject Lands and Servicing Information (complete each subsection.)

| | | <u>Lot1/ Lot Addition Lands</u> | <u>Lot 2</u> | <u>Lot 3</u> | <u>Lot 4</u> | <u>Retained/ Subject Property</u> |
|--------------------------------|---|---|--------------------------|--------------------------|--------------------------|---|
| 9.1 Description | Frontage (m) | 270 m (Veterans Drive) | | | | 61 m |
| | Depth (m) | 59 m (varied) | | | | 98 m |
| | Area (ha) | 1.45 Ha | | | | 0.61 Ha |
| 9.2 Use of property | Existing Use(s) | Vacant Land | | | | Vacant Land |
| | Proposed Use(s) | Vacant Land | | | | Vacant Land |
| 9.3 Buildings or Structures | Existing | NIL | | | | NIL |
| | Proposed | NIL | | | | NIL |
| 9.4 Access | Provincial Highway | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Municipal – year round | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Municipal – seasonal | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Other public road | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Private right of way (provide documentation with application) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Water access* | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

* Describe in Section 9.8 the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

| | | <u>Lot1/ Easement</u> | <u>Lot 2</u> | <u>Lot 3</u> | <u>Lot 4</u> | <u>Retained/ Subject Property</u> |
|---------------------|-----------------------|---------------------------|--------------------------|--------------------------|--------------------------|---|
| 9.5 Water Supply | Publicly owned and | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | | | |
|---------------------|--------------------------------------|---|--------------------------|--------------------------|--------------------------|---|
| | operated piped water | | | | | |
| | Private individual well | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Private communal well | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Lake or other water body | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Other | <input checked="" type="checkbox"/> (N/A) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> (N/A) |
| 9.6 Sewage Disposal | Publicly owned and operated sanitary | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Private individual septic * | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Private communal septic * | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Privy / grey water * | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Other | <input checked="" type="checkbox"/> (N/A) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> (N/A) |

* A certificate of approval from the Northwestern Health Unit for the severed and retained lots is required.

| | | | | | | |
|--------------------|----------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9.7 Other Services | Electricity | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | School bus service | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Waste / recycle collection | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

9.8 If access to the subject land is by other than publicly owned and maintained road, indicate 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. If access is by water only, please provide proof of arrangements for docking and vehicle parking.

N/A - access to the subject land is via Veterans Drive and/or Greenwood Drive.

10.0 – Land Use (Please see www.kenora.ca/planning-development/related-links-and-documents/)

What is the land use designation in the City of Kenora Official Plan (2015)?

Commercial Development Area

Does the proposal conform to the City of Kenora Official Plan (2015)?

Yes

No

If No, have you made a concurrent application for an Official Plan Amendment?

Yes

No

File Number: _____

Status: _____

What is the current zoning designation of the subject property?

Rural Residential (RR)

Does the proposal conform to Zoning By-law No.101-2015, as amended?

Yes

No

If No, have you made a concurrent application for a Zoning By-law Amendment?

Yes

No

File Number: _____

Status: _____

What is the existing use of the subject land?

Vacant land

What is the proposed use of the subject land?

Vacant land

What are the uses of the abutting properties?

Vacant land, residential, commercial

How long have the existing uses been present?

Unknown

Has there ever been an industrial or commercial use on the subject land or adjacent land? If yes, please explain the uses:

There has been no industrial or commercial uses on the subject property or adjacent lands to the knowledge of the Owner.

Name of Transferee: _____

Use(s) of Severed Land: _____

14.0 – 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 | | X | | | 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 ¹ | | X | | | Assess development for residential and other sensitive uses within 70 metres. |
| Class 2 Industry ² | | X | | | Assess development for residential and other sensitive uses within 300 metres. |
| Class 3 Industry ³ | | X | | | Assess development for residential and other sensitive uses within 1000 metres. |
| Land Fill Site | | X | | | Address possible leachate, odour, vermin and other impacts. |
| Sewage Treatment Plant | | X | | | Assess the need for a feasibility study for residential and other sensitive land uses. |
| Waste Stabilization Pond | | X | | | Assess the need for a feasibility study for residential and other sensitive land uses. |
| Active Railway Line | | X | | | Evaluate impacts within 300 metres. |
| Operating mine site | | X | | | Will Development hinder continuation or expansion of operations? |
| Non-operational mine site within 1 kilometre of subject land | | X | | | 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 | | X | | | 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 | | X | | | Determine possible impacts within 200 metres. |
| High Voltage Transmission Lines | X | | | 400 m | Consult the appropriate electric power service. |
| Transportation and Infrastructure corridors | X | | | 300 m | Will corridor be protected? Noise Study Prepared? |
| Agricultural Operations | | X | | | Development to comply with the Minimum Distance Separation Formulae and Official Plan. |
| Mineral Aggregate Resource area | | X | | | Will development hinder access to the resource or the establishment of new resource operations? |
| Mineral Aggregate Operations | | X | | | Will development hinder continuation of extraction? Noise and Dust Study completed? |
| Feature or Development Circumstance | Yes | No | Don't Know | If Yes, specify distance in metres (m) | Potential Information Needs |
| Existing Pits and Quarries | | X | | | Will development hinder continued operation or expansion? Noise and Dust Study completed? |
| Mineral and Petroleum Resources | | X | | | Will development hinder access to the resource or the establishment of new resource operations? |
| Significant Wetlands or potentially significant Wetlands | | X | | | Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur. |
| Significant portions of habitat of Endangered or Threatened Species | | X | | | 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 | | X | | | Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur. |

| | | | | | |
|--|--|---|--|--|---|
| Sensitive Groundwater Recharge Areas, Headwaters and Aquifers | | X | | | Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected. |
| Significant Built Heritage Resources and Cultural Heritage Landscapes | | X | | | Development should conserve significant built heritage resources and cultural heritage landscapes. |
| Significant Archaeological Resources | | X | | | 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 | | X | | | Development not permitted |
| Lands Subject to Flooding and/or Erosions | | X | | | Development may be permitted. Must demonstrate that hazards can be addressed. |
| Erosion Hazards | | X | | | Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams. |
| Floodplains | | X | | | Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies. |
| Hazardous Sites ⁴ | | X | | | Slope Study, Flood line Study. Demonstrate that hazards can be addressed. |
| Rehabilitated Mine Sites | | X | | | Application for approval from Ministry of Northern Development and Mines should be made concurrently. |
| Contaminated and/or Brownfield sites | | X | | | Assess and inventory of previous uses in areas of possible contamination. |

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

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

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

⁴Hazardous 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)

15.0 – Additional Information

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

Please refer to Planning Rationale. This is a re-submission of the Application for Consent under File No. D10-21-09.

16.0 – 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 Kathleen Alcock, 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 Laura Wheatley, Hook, Seller & Lundin, LLP 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 .

** see next page**

Kathleen Alcock

18.0 – 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 Kathleen Alcock, 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 Laura Wheatley 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 .

Kathleen Alcock
Kathleen Alcock

July 9, 2025
Date

Signature of owner(s)

Laura Wheatley
Name and Signature of Witness

19.0 – Affidavit or Sworn Declaration

I, Laura Wheatley 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 City of Kenora in the Province of Ontario this 9th day of July in the year 2025.

Morgan L. Fletcher
Commissioner of Oaths

**Morgan L. Fletcher H.B.Sc., J.D.
Barrister, Solicitor, Notary Public
and a Commissioner for Oaths
in and for Ontario.**

Laura Wheatley
Applicant(s)

20.0 – 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, Kathleen Alcock 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.

July 9, 2025

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

PLAN K.R. 1141

APPROVED 7th February 1966

A.P. Reutt
Asst. EXAMINER OF SURVEYS

PLAN K.R. 1141

RECORDED UNDER N° 82246

REGISTERED 5th JULY, 1966

A.P. Reutt
DEP. LOCAL MASTER OF TITLES

PARTS 1 TO 18 - PART OF
INCLUSIVE - PARCEL 10692 D.K.

J-7834

PLAN OF SURVEY OF PART OF LOT 4 - CONCESSION VII TOWNSHIP OF JAFFRAY DISTRICT OF KENORA

SCALE: 1 INCH = 200 FEET

M. M. GRAHAM o.l.s.

1965

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY

- 1 THAT THIS PLAN AND SURVEY ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
- 2 THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.
- 3 THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY.
- 4 THAT THE SURVEY WAS COMPLETED ON THE 29th DAY OF OCTOBER, 1965.

KENORA, ONTARIO,
OCTOBER 29, 1965.

M.M. Graham
M. M. GRAHAM
ONTARIO LAND SURVEYOR

BEARINGS HEREON ARE ASSUMED AND ARE DERIVED FROM THE N. 89° 59' 10" E. OF THE SOUTHERLY LIMIT OF LOT 4, CONCESSION VII OF THE TOWNSHIP OF JAFFRAY AS SHOWN ON DEPARTMENT OF HIGHWAYS, ONTARIO PLAN N° P 3225 - 5.

IRON BARS 1" sq. x 48" PLANTED SHOWN ---+---
IRON BARS 5/8" sq. x 24" PLANTED SHOWN ---+---
EVIDENCE FOUND AS NOTED

N.W. 1/4 OF LOT 4

N.E. 1/4 OF LOT 4

(Established according to D.H.O. Plan)
Limit between the N.W. 1/4 and S.W. 1/4 of Lot 4

N. 89° 59' 10" E. 1007.89

R = 922.37
A = 69.68
C = 69.66
N. 19° 18' 31" E.

A = 384.11 C = 383.95
N. 6° 36' 09" E.
R = 3769.72 (Non-Tangential)
Fd. cut cross N. 30° 4' E.
27' 15" meas.
(25.64 D.H.O.)
N. 89° 59' 10" E. 283.45
(112.0 ± REG.)

S.W. 1/4 OF LOT 4

CON. VII

PART 7

N. 0° 11' 40" W. 2641.91

Limit between the S.W. 1/4 of Lot 4 and the S.E. 1/4 of Lot 4

CON. VII

S.E. 1/4 OF LOT 4

CON. VII

LOT 4
LOT 5

S.E. 1/4 of Lot 4
CON. VII
Fd. S.I.B.

N. 89° 59' 10" E. 1275.47

Limit between Concession VI and Concession VII

1320.81

LOT 3 CONCESSION VII

LOT 3

CON. VI

PART 1
PLAN K.R. 199

LOT 4

CONCESSION VI

VI



Subject Property
(PIN 42174-0204 &
PIN 42174-0227)

Severed Lands (to be
added to Lot
Addition Lands (Part
of PIN 42174-0227))

Lot Addition Lands
(PIN 42174-0207 &
PIN 42174-0210)



Planning Rationale

Kathleen Alcock – Application for Consent (Lot Addition)

This Planning Rationale has been prepared in support of an Application for Consent for a lot addition, where the Applicant is proposing to sever roughly 0.26 hectares from their property, and add this piece of land to an abutting property, so that the retained lands can be transferred to a third party for succession planning purposes.

1.0 Description of Site

The subject property is roughly 0.84 hectares in size, comprising approximately 0.58 hectares of the retained lands and approximately 0.26 hectares of severed lands. Access to the subject property is currently accessible via both Greenwood Drive and Veterans Drive. The subject property is vacant land.

2.0 Site Planning History

The subject property have previously been the subject of a consent application respecting a lot addition involving the same subject property. Under Consent Application D10-21-09, the proposal sought to transfer the entirety of PIN 42174-0227 (Parts 1 and 2 Plan KR1141) to Rippling Water Developments Inc., with the lands to be added to PIN 42174-0210 and PIN 42174-0207. Provisional consent was granted for this proposal.

As a condition of approval set out in the Notice of Decision for D10-21-09, a minor variance was required to address lot area requirements applicable to the retained lands. Specifically, relief was necessary to reduce the minimum required parcel size from 1.0 hectare to 0.46 hectares.

Minor Variance Application D13-21-142 was subsequently approved on October 19, 2021. The variance permits a minimum lot area of 0.4 hectares within the RR- Rural Residential zone for the retained lands.

3.0 Description and Overview of Proposal

While provisional consent was previously granted under Consent Application D10-21-09, as outlined above, further consultation with planning staff at the City of Kenora has resulted in a revised lot configuration that is considered more appropriate from a planning perspective.

The current application seeks consent to sever a portion of PIN 42174-0227, specifically Part 1 on Plan KR1141 (the “Severed Lands”), and to convey these lands as a lot addition to PIN 42174-0210 and PIN 42174-0207 (the “Lot Addition Lands”).

As illustrated on Plan KR1141 and the corresponding Application for Consent, the proposed Lot Addition Lands, while currently having an area of roughly 1.19 hectares, will increase in size as a result of the addition of the Severed Lands to a total of 1.45 hectares. The lot addition will also result in the Lot Addition Lands having frontage on both Greenwood Drive and Veterans Drive.

The retained lands, represented by PIN 42174-0204 and Part of PIN 42174-0227 (Part 2 on Plan KR1141) (the “Retained Lands”), will result in a lot size of roughly 0.59 hectares, and maintain frontage of 61 meters on both Veterans Drive and Greenwood Drive.



Figure 1 -Proposed Lot Addition Sketch

The key distinction between the present proposal and the previously approved consent is that Part 2 on Plan KR1141 will be retained as part of the retained lands, rather than comprising part of the lot addition lands. This revised configuration results in a larger retained parcel and maintains legal access via both Greenwood Drive and Veterans Drive for both properties.

Tel. 807.468.9831
Toll. 833.447.5529
Fax. 807.468.8384
www.HSLlaw.ca

BANNISTER CENTRE
SUITE 204 - 301 FIRST AVENUE SOUTH
KENORA, ONTARIO P9N 1W2

4.0 Site Suitability

As illustrated on the proposed lot addition sketch in Figure 1, the subject property is well suited to accommodate the proposed lot addition from both a functional and planning perspective. The revised lot pattern results in improved parcel geometry and functionality, and represents a logical boundary adjustment from a uniquely shaped parcel. While reducing the overall lot area of the Retained Lands, the Retained Lands and the Lot Addition Lands will benefit from dual frontage and legal access via both Veterans Drive and Greenwood Drive.

5.0 Compatibility of Development

The subject property is currently vacant and no new development or change in land use is proposed as part of this application. The proposal is limited to a minor lot line adjustment through the severance of approximately 0.26 hectares and its addition to abutting lands.

The surrounding area is characterized predominantly by low-density rural residential uses on large parcels, and the proposal does not alter this established development pattern or introduce any new use, density, or intensity. The application therefore maintains and is fully compatible with the existing adjacent developments, and should not adversely impact and surrounding properties.

6.0 Impact on Natural Environment

The proposed lot addition will have no adverse impact on the natural environment given that no additional lots are being created, and there is no increase in density. The subject property is not located within an area identified by the Ministry of Natural Resources as a provincially significant wetland, nor does it contain any significant natural heritage features. As such, the proposal does not interfere with environmentally sensitive areas or trigger any natural heritage or wetland policies.

7.0 Impact on Municipal Services

The proposed lot addition will have no impact on municipal services given that no additional lots are being created, and the existing level of service will be maintained. Access to the property continues to be year-round via municipally maintained roads.

8.0 Conformance with the 2024 Provincial Planning Statement

The proposed lot addition is consistent with the policy direction of the 2024 Provincial Planning Statement (PPS), which emphasizes the efficient use of land, resources, and infrastructure within

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settlement areas. The PPS directs that land use patterns in settlement areas should be based on densities and a mix of uses that efficiently use land and resources, optimize existing and planned infrastructure, and support the long-term sustainability of communities.

The application represents a boundary adjustment that does not create new development pressure, does not introduce new land uses, and does not require additional municipal services or infrastructure. The lands involved are currently vacant, and the proposed reconfiguration maintains their long-term suitability for orderly development.

9.0 Conformance with City of Kenora's Zoning By-law

The proposed lot addition is consistent with the applicable provisions of the City of Kenora Zoning By-law. The subject property is zoned RR – Rural Residential, a zone intended to accommodate low-density single-detached seasonal or permanent dwellings and other compatible rural uses. Both the Retained Lands and the Lot Addition Lands will continue to comply with the zoning standards for minimum lot frontage following the proposed boundary adjustment.

With respect to minimum lot area, the Lot Addition Lands exceed the required 1.0 hectare minimum for the RR Zone. Although a minor variance was granted in 2021 permitting a reduced minimum lot area of 0.4 hectares for the Retained Lands, the current application results in an improved lot configuration. Through the reallocation of the severed lands, the Retained Lands will increase to approximately 0.59 hectares, thereby enhancing compliance with the intent of the zoning by-law.

10.0 Conformance with City of Kenora's Official Plan

The subject property is designated as Commercial Development Area in the City of Kenora Official Plan. This designation is intended to accommodate a range of commercial uses and associated development that contribute to the City's economic base.

The proposed lot addition does not introduce any new land uses, nor does it alter the overall development potential of the lands as permitted under the Commercial Development Area policies. Both the Retained Lands and the Lot Addition Lands will remain vacant following the boundary adjustment, and the reconfiguration of the parcels does not impede their future ability to develop in accordance with the long-term commercial intent of the designation.



To: City of Kenora Committee of Adjustment
From: Tara Vader, Associate Planner
Date: March 20, 2026
Re: Consent Application – File D10-26-02
Location: 65 Greenwood Drive
Owner/Applicant: Kathleen Alcock / Hook, Seller & Lundin LLP

RECOMMENDATION

That application D10-26-02 be **approved** and provisional consent be granted with the attached conditions.

INTRODUCTION

This application proposes to sever approximately 0.26 hectares of land from 65 Greenwood Drive and add the severed land to 19 Greenwood Drive. The retained land is proposed to be approximately 0.58 hectares.

A similar application for lot addition received approval under D10-21-09. However, the deadline set out in Section 53(41) of the *Planning Act* for fulfilling the conditions of approval expired before the consent was completed. A condition of this previous consent application was a minor variance to permit a reduced lot area for the retained lands. Minor variance D13-21-14 was approved permitting a minimum lot area of 0.46 hectares for the retained lands. The current application is a revised lot configuration that is considered more appropriate.

The subject property is located on Greenwood Drive and Veterans Drive. It is currently vacant land.

REVIEW

This application:

- ✓ Is consistent with the Provincial Planning Statement (Section 3(5) Planning Act);
- ✓ Does not require a plan of subdivision for the proper and orderly development of the municipality (Section 53(1) Planning Act);
- ✓ Conforms with Section 51(24) of the Planning Act;

- ✓ Conforms to the City of Kenora Official Plan (Section 4.8);
- ✓ Complies with the City of Kenora Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance); and
- ✓ Has no unresolved objections/concerns raised (to date) from agencies or the public.

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 agencies.

Public

No comments received from members of the public at the time of report submission.

PLANNING REVIEW

The subject lands are designated Commercial Development Area in the City of Kenora Official Plan, and zoned “RR” Rural Residential Zone in the City of Kenora Zoning By-law. The subject lands are approximately 0.84 ha.

Provincial Policy Statement

The Provincial Planning Statement, 2024 (PPS) directs that development shall efficiently use land, resources, infrastructure, and public service facilities. This application is for a lot boundary adjustment for currently vacant lands, and the proposed adjustment is considered appropriate for the ability of these lands to be developed in the future. As this application complies with the PPS policy, it is supported by the PPS.

City of Kenora Official Plan

The City of Kenora Official Plan (OP) Section 4.4 sets out policies for the Commercial Development Area, which is intended to support a range of commercial uses to maintain the economic health of the commercial/retail sector of the local economy. The proposed lot addition does not introduce new land uses, nor does it change the development potential of the lands. Both retained and merged lots are proposed to remain vacant. As a result, the severance application conforms to the OP.

City of Kenora Zoning By-law NO. 101-2015

The City of Kenora Zoning By-law No. 101-2015 contains specific provisions for the “RR” Rural Residential Zone. The proposal results in the retained lot being larger than the previously approved configuration and maintains frontage for both the retained and merged lands on Greenwood Drive and Veterans Drive.

| | Required | Retained Lot | Merged Lot |
|------------------------|---------------------------|--------------|------------|
| Lot Frontage (minimum) | 61 m | 61 m | ~450 m |
| Lot Area (minimum) | 1.0 ha (0.46 ha retained) | 0.59 ha | 1.45 ha |

Planning Act

Section 51(24) of the Planning Act provides items that regard must be had to in the consideration of a proposed severance to be approved. These include whether the severance conforms to the OP, the suitability of the land for the proposed development, and that the application is not premature and is in the public interest. The application meets the requirements of this Planning Act section.

Recommendation

As a result, it is recommended that the Committee of Adjustment approve this consent application and grant conditional consent approval with the following conditions.

Expiry Period

1. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of notice of decision.

Survey/Reference Plan

2. Provide to the satisfaction of the City:
 - a. A survey showing the lot lines of the severed parcel, and
 - b. A reference plan based on an approved survey.
3. One original copy and one PDF copy of the reference plan of survey, bearing the Land Registry Office registration number and signatures as evidence of deposit therein, and illustrating the parts(s) to which the consent approval relates, which must show in general the same area and dimensions as the sketch forming part of the application be provided.

Zoning

4. Where a violation of any City Zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the City.

City Requirements

5. That the newly created parcel be consolidated on title with the adjacent lot identified as PIN 42174-0207 & PIN 42174-0210 and if recommended on solicitor review, that a merger agreement be entered into.
6. That the payment of any outstanding taxes, including penalties and interest (and any local improvement charges if applicable) shall be paid to the City of Kenora.
7. The original executed Transfer/Deed of Land form, a duplicate original and one photocopy for City records be provided for each parcel.
8. A Schedule to the Transfer/Deed of Land form on which is set out the entire legal descriptions of the PINs in question and containing the names of the parties indicated on page 1 of the Transfer/Deed of Land form to be provide for each parcel.
9. That prior to endorsement of the deeds, the Secretary-Treasurer shall receive a letter, from the owner or the owner's Agent/Solicitor, confirming that conditions 1 through 8 have been fulfilled. Clearance from the City of Kenora and external agencies as required are to be included.



Tara Vader

Associate Planner

March 20th, 2026