



## THE MUNICIPALITY OF RED LAKE

Municipal Office - 2 Fifth Street - P.O. Box 1000  
Balmertown, Ontario P0V 1C0

### PLANNING DEPARTMENT STAFF REPORT

TO: Trilbee Stirling-Kattler (CAO)  
Planning Advisory Committee (PAC)      DATE: August 9<sup>th</sup>, 2024

FROM: Kristina Grondin, Planning Coordinator      FILE: D14-24-05

SUBJECT: Application for Zoning By-Law Amendment: 1 Willans Cres., Cochenour

#### 1. Description of the Subject Property and Area

This application pertains to 1 Willans Crescent, Cochenour. A location sketch is provided below.

The property is zoned Rural Residential (R4) and designated Townsite Residential. Currently there is a partially constructed recreational dwelling on the property. The area of the property is 0.99 acres, with 226.5 feet of frontage along Red Lake.

#### Location Sketch:



#### 2. Application Description

The applicant is requesting to rezone the subject property from Rural Residential (R4) to site specific Recreational Residential (R5-6) to permit a recreational dwelling with private services.

### **3. Site Visit and Photos**

On August 2<sup>nd</sup>, 2024, a site visit was completed. An overview of the application was provided. The Committee inspected the partially constructed recreational dwelling and proposed location of the septic field. All Committee questions were answered and no concerns were raised at the time of the site visit.

### **4. Notice Circulation and Public Consultation**

Notice of the application was posted at the Municipal Office; mailed to property owners within 120 metres of the subject property, Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation, and Parks and applicable agencies. It was posted on the Municipal website and provided to appropriate Department Heads. A copy of the notice is attached to this report.

A member of the public called twice to inquire about the application. He expressed concerns regarding the potential of encroachment issues. It was explained that the site plan drawing indicates that all zoning setbacks are either met or exceeded. It was also noted that the location of the septic system has been approved by the NWHU and that it complies with all setback requirements as well.

A second member of the public inquired about the proposed use. They advised that the subdivision was created for R4 development but after reviewing the provided information no concerns were brought forward.

As of August 12<sup>th</sup>, 2024, no other comments or concerns were received.

### **5. Official Plan**

The subject property is designated rural residential under the Official Plan. Section 4.6.4 of the Official Plan speaks to permanent and recreational residential development in the Rural Residential Area.

### **6. Zoning By-Law**

The subject property is zoned Rural Residential (R4) which permits a modular dwelling or single-detached dwelling.

The Recreational Residential zone permits a recreational dwelling. The requirements for the R5 zone that apply to this application are the following:

- Minimum Lot Area – 1 ha (2.47 ac)
- Minimum Lot Frontage - 45 m
- Maximum Lot Coverage – 15%
- Minimum front Yard – 10 m
- Minimum Side Yard – 5 m
- Minimum Rear Yard – 7.5 m

## 7. Background, Analysis and Conclusion

The lot area of the property is currently legal non-conforming. The permitted use is a single detached dwelling serviced by private septic and water. The surrounding properties are zoned R4. The property abuts McMarmac Road and Willans Crescent which are both maintained year-round by the Municipality.

The purpose of the application is to bring the partially constructed building into compliance with the Zoning By-Law. The partially constructed building exceeds the minimum requirements for a recreational dwelling but does not meet the requirements for a single-detached dwelling. The applicant has advised that the property will be serviced by private water and sewer services. The applicant has received approval from the NWHU for a septic system. All setbacks for the R5 zone have been met or exceeded.

The zone requirement that can't be met is the minimum lot size. The application was circulated to the Ministry of Environment, Conservation and Park and the Ministry of Natural Resources. To date, no comments have been received from either ministry. The subject property is an existing lot that a home could be built on without the requirement of any planning applications. The proposed use of a recreational dwelling has less impact on the subject property and surrounding properties than the current permitted use.

Approval of the application would permit a recreational dwelling which shall have private services.

## 8. Recommendation

A copy of a Draft Zoning By-Law Amendment is attached which includes the details of the amendment, its purpose and effect.

Staff recommends that the Planning Advisory Committee resolves to recommend that the application is approved, and that Council pass the Zoning By-Law Amendment.



Kristina Grondin  
Planning Coordinator

### Attachments:

- Appendix 1: Notice of Application and Public Meeting
- Appendix 2: Complete Application for Zoning By-Law Amendment
- Appendix 3: Draft Zoning By-Law Amendment



FILE NUMBER

# MUNICIPALITY OF RED LAKE APPLICATION FOR A ZONING BY-LAW AMENDMENT

Planning Act, R.S.O. 1990, c. P13, s. 34(10.1); 1996, O. Reg. 545/06, Schedule

APPLICATION FEE ENCLOSED – \$600.00

THE INFORMATION IN THIS APPLICATION AND ALL OTHER INFORMATION, STUDIES, REPORTS AND COMMENTS RECEIVED RELATIVE TO THE PROCESSING OF THIS APPLICATION IS COLLECTED FOR THE PURPOSE OF CREATING A RECORD THAT IS AVAILABLE TO THE GENERAL PUBLIC. THIS APPLICATION, INCLUDING INFORMATION ABOUT YOUR PROPOSAL, WILL BECOME PART OF THE PUBLIC AGENDA OF COUNCIL AND COMMITTEES. NOTICE OF THE APPLICATION MAY ALSO BE PLACED INTO THE NEWSPAPER.

NAME OF OWNER <i>Patricia Ann Berg</i>		NAME OF AGENT, SOLICITOR OR PLANNING CONSULTANT (IF APPLICABLE)	
ADDRESS <i>1 Williams Cres</i>	POSTAL BOX	STREET ADDRESS	POSTAL BOX
POSTAL/ ZIP CODE <i>Cochenour Ontario Canada</i>	PROV./ STATE	POSTAL/ ZIP CODE	PROV./ STATE
TELEPHONE <i>715-556-8576</i>	TELEPHONE		
EMAIL <i>Pattyberg75@hotmail.com</i>	EMAIL		

DOES ANY OTHER PARTY HAVE INTEREST IN THE PROPERTY, SUCH AS CHARGE, MORTGAGE, OR EASEMENT?  
*No*

PLEASE PROVIDE THE NAMES AND ADDRESSES FOR THESE PARTIES

**PROPERTY INFORMATION**

LEGAL DESCRIPTION OF THE SUBJECT LAND, SUCH AS MINING PLAN DESCRIPTION, REGISTERED PLAN AND LOT OR PART NUMBERS  
*PT KRL 321 462 PT LOC REB 65 RP 23R10005 PTS 1+2 PCL 7060*

Street address and town site name

DIMENSIONS OF SUBJECT LAND  
Frontage (metres): *226.5 feet*      Depth (metres): *253.88 - 405.86 <sup>FT</sup> ~~metres~~*      Area (hectares): *.99*

LAND USE DESIGNATION WITHIN THE OFFICIAL PLAN? HAS A SITE SPECIFIC DESIGNATION BEEN APPLIED? IF SO, WHAT LAND USES ARE PERMITTED?  
*Rural Residential*

EXPLANATION OF HOW THIS PROPOSAL CONFORMS TO THE OFFICIAL PLAN  
*Sec. 4.6.4 references recreational residential development*

ZONING WITHIN THE ZONING BY-LAW? HAS A SITE SPECIFIC ZONING BEEN APPLIED? IF SO, WHAT LAND USES ARE PERMITTED?  
*Rural Residential - no site specific zoning*

DATE SUBJECT LAND WAS ACQUIRED ON:	Jan 2023
ARE THE MINERAL RIGHTS CROWN OR PATENTED?	Patented
ARE THERE ANY RESERVATIONS ON THE PATENT OR TITLE OF THE SUBJECT LOCATION?	No
IF FRONTED BY WATER, IS THE SHORELINE RESERVE PATENTED OR CROWN LAND? IF CROWN, HOW WIDE IS THE RESERVATION?	No Reserve

**PROPOSAL INFORMATION:**

NATURE AND EXTENT OF REZONING REQUESTED	REASON WHY REZONING IS REQUESTED
Permit a recreational dwelling with Septic	recreational dwelling not permitted in R4 zone

**EXISTING BUILDINGS AND STRUCTURES** – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - ..... Front lot line setback: ..... Height in metres.....

DATE CONSTRUCTED ..... Rear lot line setback: ..... Dimensions: .....

Side lot line setback: ..... Floor Area: .....

Side lot line setback: .....

TYPE - ..... Front lot line setback: ..... Height in metres.....

DATE CONSTRUCTED ..... Rear lot line setback: ..... Dimensions: .....

Side lot line setback: ..... Floor Area: .....

Side lot line setback: .....

**PROPOSED BUILDINGS AND STRUCTURES** – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - Recreational Dwelling Front lot line setback: 110 ft 33.528 m Height in metres 12 ft 3.66 m

Rear lot line setback: 40 ft 12.192 m Dimensions: 28 x 32 ft

Side lot line setback: 35 ft 10.668 m Floor Area: 896.56 ft<sup>2</sup>

Side lot line setback: 25 ft 7.62 m

TYPE - ..... Front lot line setback: ..... Height in metres.....

Rear lot line setback: ..... Dimensions: .....

Side lot line setback: ..... Floor Area: .....

Side lot line setback: .....

**ACCESS** – Access to the subject land will be by:

Provincial Highway  Seasonally maintained Municipal road

Year round maintained Municipal road  Right-of-way

Private road  Water

**WATER ACCESS** – Where access to the subject land is by water only:

Docking facilities (specify).....	Parking facilities (specify).....
distance from subject land .....	distance from subject land .....
distance from nearest public road .....	distance from nearest public road .....

**EXISTING USES** of subject land:

**LENGTH OF TIME** the existing uses of the subject land have continued:

Partial Construction

**PROPOSED USES** of the subject land:

Recreational dwelling with Septic (already approved)

**POTABLE WATER** is provided to the subject land by:

- |   |  |
|---|--|
| <input type="checkbox"/> Publicly-owned/operated piped water system | <input checked="" type="checkbox"/> Lake or other water body |
| <input type="checkbox"/> Privately-owned/operated individual well   | <input type="checkbox"/> Other means (specify) .....         |
| <input type="checkbox"/> Privately-owned/operated communal well     |  |

**SEWAGE DISPOSAL** is or will be provided to the subject land by:

- |   |  |
|---|--|
| <input type="checkbox"/> Publicly-owned/operated sewage system                        | <input type="checkbox"/> Privy                       |
| <input checked="" type="checkbox"/> Privately-owned/operated individual septic system | <input type="checkbox"/> Other means (specify) ..... |
| <input type="checkbox"/> Privately-owned/operated communal septic system              |  |

\*Properties to be serviced by private sewage systems will require a preliminary soils inspection. It is the responsibility of the applicant to arrange an inspection with the Northwestern Health Unit.

\*If the requested amendment would permit development on privately owned and operated individual or communal sewage system, and more than 4500 litres of effluent would be produced per day as a result of the proposed development, a servicing options report and a hydrogeological report must be provided.

**STORM DRAINAGE** is provided to the subject land by:

- |                                 |   |                                 |  |
|---------------------------------|---|---------------------------------|--|
| <input type="checkbox"/> Sewers | <input checked="" type="checkbox"/> Ditches | <input type="checkbox"/> Swales | <input type="checkbox"/> Other means (specify) ..... |
|---------------------------------|---|---------------------------------|--|

**WASTE DISPOSAL** – What is the expected type and volume of waste to be produced on the subject land? How will this waste be managed? i.e. Pick-up, etc.

Curbside residential/dump

Would the proposed amendment remove the subject land from an area of employment?

No

**OTHER APPLICATIONS** – if known, indicate if the subject land is or will be the subject of an application under the Act for:

- approval of a plan of subdivision (under section 51) File ..... Status .....

If Yes please describe in detail: \_\_\_\_\_

consent (under section 53) File ..... Status .....

If Yes please describe in detail: \_\_\_\_\_

zoning by-law amendment (under section 34) File ..... Status .....

If Yes please describe in detail: \_\_\_\_\_

Are you aware of any *Planning Act* Applications within currently being proposed for any properties within 120 metres of the subject property?

\_\_\_\_\_

**CHECK AS APPLICABLE:**

Does the Owner own any adjoining property?  Yes  No

If Yes please describe in detail: \_\_\_\_\_

Is there any reason to believe that the site may be environmentally contaminated?  Yes  No

If Yes please describe in detail: \_\_\_\_\_

Has an industrial or commercial use been on or adjacent to the property?  Yes  No

If Yes please describe in detail: \_\_\_\_\_

Has lot grading been changed by adding or removing earth or other material?  Yes  No

Has the Ministry of the Environment or any other ministry advised the owners that the property is, or may be contaminated?  Yes  No

If Yes please describe in detail: \_\_\_\_\_

Are there any known Natural Heritage values existing on the site?  Yes  No

**HOUSING AFFORDABILITY**

For applications that include permanent housing, complete *Table A- Housing Affordability*. For each type of housing and unit size, complete the rest of the row. If lots are to be sold as vacant lots, indicate the lot frontage. Information should be based on the best information available at the time of the application. If additional space is needed, attach a separate page.

**Table A – Housing Affordability**

Housing Type	Number of Units	Unit Size and/or Lot Frontage	Estimated Selling Price/ Rent
Semi-detached			
Link/ Semi-detached			
Row or Townhouse			
Mobile home/ trailer			
Apartment block			
Other types or multiples			

How in your view will the proposal fit with the existing land uses in the area?

\_\_\_\_\_

\_\_\_\_\_

Is the proposed amendment consistent with the Provincial Policy Statement issued under subsection 3(1) of the Planning Act?  
(The 2005 Provincial Policy Statement can be found on the website of the Ministry of Municipal Affairs and Housing at  
www.mah.gov.on.ca/Page215.aspx)

yes

Land within the Municipality of Red Lake is designated under a Provincial Plan being the Northern Growth Plan that took effect in March 2011. Does this application conform or not conflict with the plan?

yes

Is there any other information that you think may be useful to the Municipality in reviewing this application for an amendment?  
If so, explain below or attach a separate page with this information.

See Attachment

#### SITE PLAN SKETCH:

Minimum requirements will be a sketch, on letter paper, showing the following:

- North arrow, scale and legend
- The boundaries of the owner's property and dimensions
- The boundaries of the property subject to the application including area and dimensions if different from above
- The location, dimensions (height, length, and width) and type of all **existing** and **proposed** buildings and structures on the subject land, indicating the distance of the buildings or structures from other buildings and the front yard line, rear yard line and the side yard lot lines.
- The location or proposed location of any sewage disposal systems, including pit privies, grey water, or septic systems
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, transmission lines, roads, watercourses, slopes, drainage ditches, river or stream banks, wetlands, wooded areas, wells and sewage systems.
- The existing uses of lands on adjacent properties (i.e. residential, automotive repair, retail)
- The proposed development, including the area and dimensions of any new lots to be created, the size and location of buildings, parking spaces, landscaping, amenity areas, etc.
- As applicable - fire access route, outdoor equipment and storage, walkway, curbing, fencing
- Existing municipal infrastructure immediately adjacent to the site (roads, lane, sidewalks, existing entrances, boulevard trees, fire hydrants, hydro poles, easements, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easements affecting the subject land.



**AUTHORIZATION OF THE OWNER FOR AN AGENT TO MAKE APPLICATION**

I/We the undersigned, being the owner of the subject land, hereby authorize .....  
to be the applicant in the submission of this application. This application has been submitted with my/our full knowledge and  
endorsement.

\_\_\_\_\_  
Signature of 1<sup>st</sup> Owner or Signing Officer

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

\_\_\_\_\_  
Signature of 2<sup>nd</sup> Owner or Signing Officer

\_\_\_\_\_  
Date

**AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION**

I/We, Patricia A. Berg of the Municipality of  
Red Lake in the Province of Ontario  
(Province)

solemnly declare that the statements and any maps or plans submitted with this application are true, and I/We make this  
solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under  
oath and by virtue and provided by me are true and I make this solemn of the Canada Evidence Act.

Sworn (or declared) before me at the Municipality of Red Lake  
in the District of Kenora

This 24 day of July 2024.

Christine Gault  
Commissioner for Taking Affidavits

Patricia A. Berg  
1<sup>st</sup> Owner/ Signing officer/ Authorized Agent

Affix commissioner stamp here:  
  
**Christine Gault**  
a Commissioner, etc., District of Kenora  
for the Commission of the Municipality of Red Lake.

\_\_\_\_\_  
2<sup>nd</sup> Owner/ Signing officer/ Authorized Agent

*This section for Red Lake Municipal office use only:*

Date complete application received: \_\_\_\_\_

Williams Cres.

59.60 feet

Williams Cres

Patricia Berg



Driveway

Septic

40 FT  
Road to house

Cabin

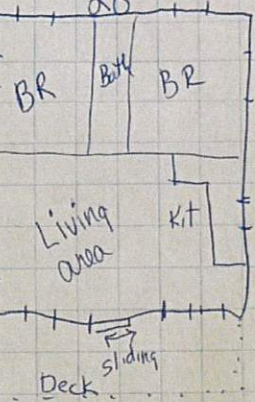
28x32 ft

metal roof

inside walls - tongue + groove pine

wood flooring

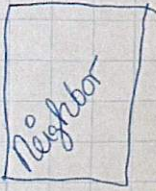
Siding - 4x8 3/8" grooved panel  
OSB under siding



35ft to Rd  
road to house  
2x6 outside wall

2x10 floor Joists

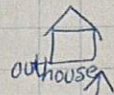
6x12 roof pitch  
metal roof.



Lot Line

25 FT  
Lot Line to house

253.88 feet



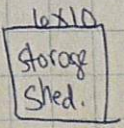
110 FT Lake to house

Elevation 40ft  
from water



Mc Narmac Rd  
110.50 FT

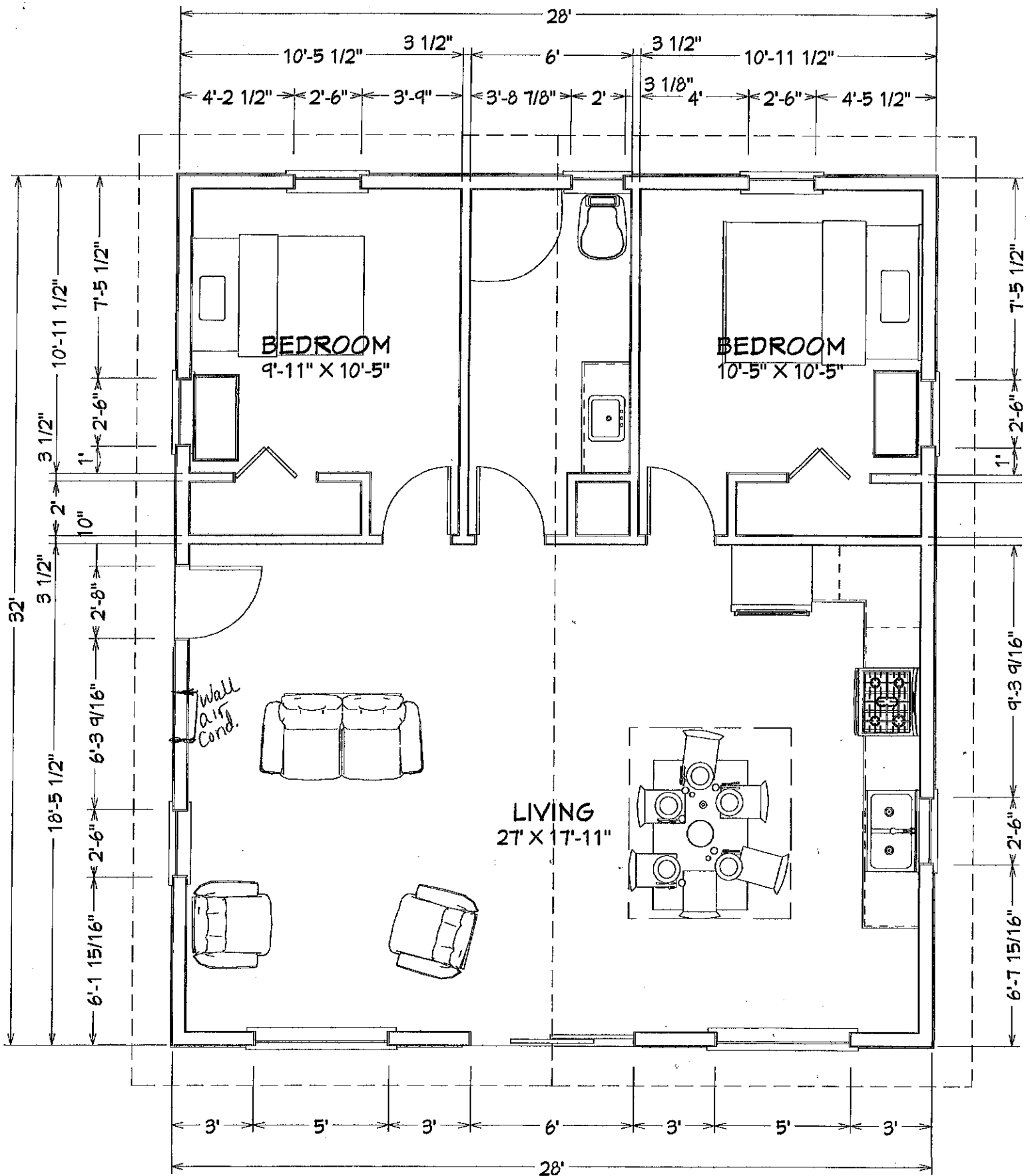
Driveway



8 feet  
High water mark  
Solid Rock  
Water frontage  
Red Lake

226.50

#119



**LIVING AREA**  
896 SQ FT

page 5. Attachment

Owning a property on Red Lake was my husband's and my dream. He passed away in 2020. I'm fulfilling our dream.  
We have been coming to this area for over 25 years, established many friends in the area.

This property will be occupied from May thru Oct. It will not be used the other months. It will be my summer home for the 5-6 months, depending on the weather.

I am looking forward to being part of the community  
This is where I belong      Patty Berg

This building will be built to meet most/similar standards.



Dated: July 25, 2024

**NOTICE OF APPLICATION AND PUBLIC MEETING  
FOR A ZONING BY-LAW AMENDMENT, FILE NUMBER D14-24-04**  
Planning Act, R.S.O. 1990, c.P.13, s. 34 (13).

**TAKE NOTICE** that the Council of The Corporation of the Municipality of Red Lake has received a complete application for a Zoning By-Law Amendment described as follows:

**LOCATION OF PROPERTY:** 1 Willans Crescent, Cochenour. Refer to the location sketch.

**PROPERTY DESCRIPTION:** The subject property is designated Rural Residential and zoned Rural Residential.

**PURPOSE AND EFFECT OF APPLICATION:** Change the zoning of the subject property from Rural Residential (R4) to Recreational Residential with site specific zoning (R5-6) to permit a four-season recreational dwelling with private services.

**OTHER PLANNING APPLICATIONS RELEVANT TO THE SUBJECT LOCATION:** None.



**ADDITIONAL INFORMATION** about the application is available for public inspection during regular office hours at the address shown below.

**TAKE NOTICE** that the application under the above file number will be heard by the Planning Advisory Committee (PAC) of The Corporation of the Municipality of Red Lake on the date, and at the time and place shown below. When the Council of the Municipality of Red Lake receives the Planning Advisory Committee's recommendation, they will consider a decision regarding the application at their regular Council meeting.

**PUBLIC MEETING:** You are entitled to attend this public meeting in person to express your views about the application. If you are aware of any person interested in or affected by the application who has not received a copy of this notice you are requested to inform that person of this meeting. If you wish to make written comments on the application, they may be forwarded to the Clerk of The Corporation of the Municipality of Red Lake at the address below.

**FAILURE TO MAKE ORAL OR WRITTEN SUBMISSION:** If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the Municipality of Red Lake before the by-law is passed:

- a) the person or public body is not entitled to appeal the decision of the Council of The Corporation of the Municipality of Red Lake to the Local Planning Appeal Tribunal.
- b) the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Appeal of a decision of the Municipality in respect of this amendment to the Zoning By-Law may be made by any person or public body not later than 20 days after notice of the decision is given.

**NOTICE OF DECISION:** If you wish to be notified of the decision of the Council of The Corporation of the Municipality of Red Lake in respect of the application for Zoning By-Law Amendment, you must make a written request to the Council of The Corporation of the Municipality of Red Lake at the address shown below.

**DATE AND TIME OF PUBLIC MEETING:** Tuesday, August 13<sup>th</sup>, 2024; 5:00 p.m.

**PLACE AND ADDRESS:** Municipal Office, Council Chambers. Located at 2 Fifth Street, Balmertown. Mailing Address: P.O. Box 1000, Balmertown, ON, P0V 1C0

*Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.*

**If you have any questions, please contact the Planning Department at 807-735-2096 or by email at [kristina.grondin@redlake.ca](mailto:kristina.grondin@redlake.ca)**