

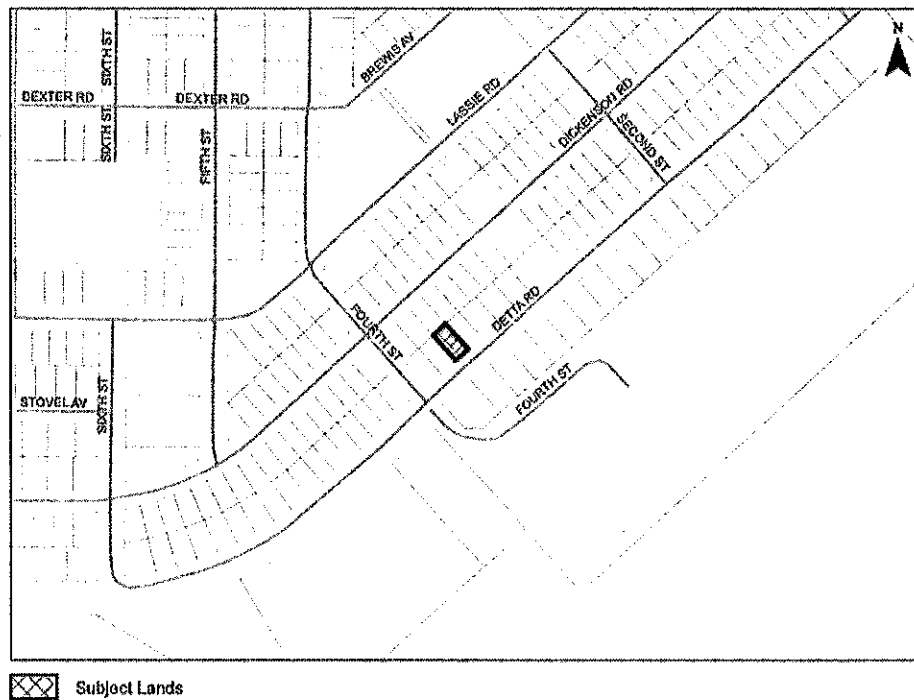
• Municipal Planning Services •

MEMORANDUM

To: Chairman and Members of Committee
Copy: Ms. Michelle Hendry, CAO
From: Chris Jones MCIP, RPP
Date: April 22, 2026
Re: Minor Variance Application D13-26-03 (Infrastructure Ontario)

The Municipality is in receipt of an application for minor variance to authorize the construction of an accessibility ramp into the front yard and interior side yard on a residential lot in Balmertown located at 73 Delta Road. The subject lands are described legally as Lot 34, Plan M-304. According to the application, the lot has an area of 436 m² (4,693 ft²) and a street frontage of 15.24 meters (50 feet) and is currently occupied by a detached dwelling and a detached garage. A key map of the subject lands is provided in Figure 1.

Figure 1 – Map of Subject Lands

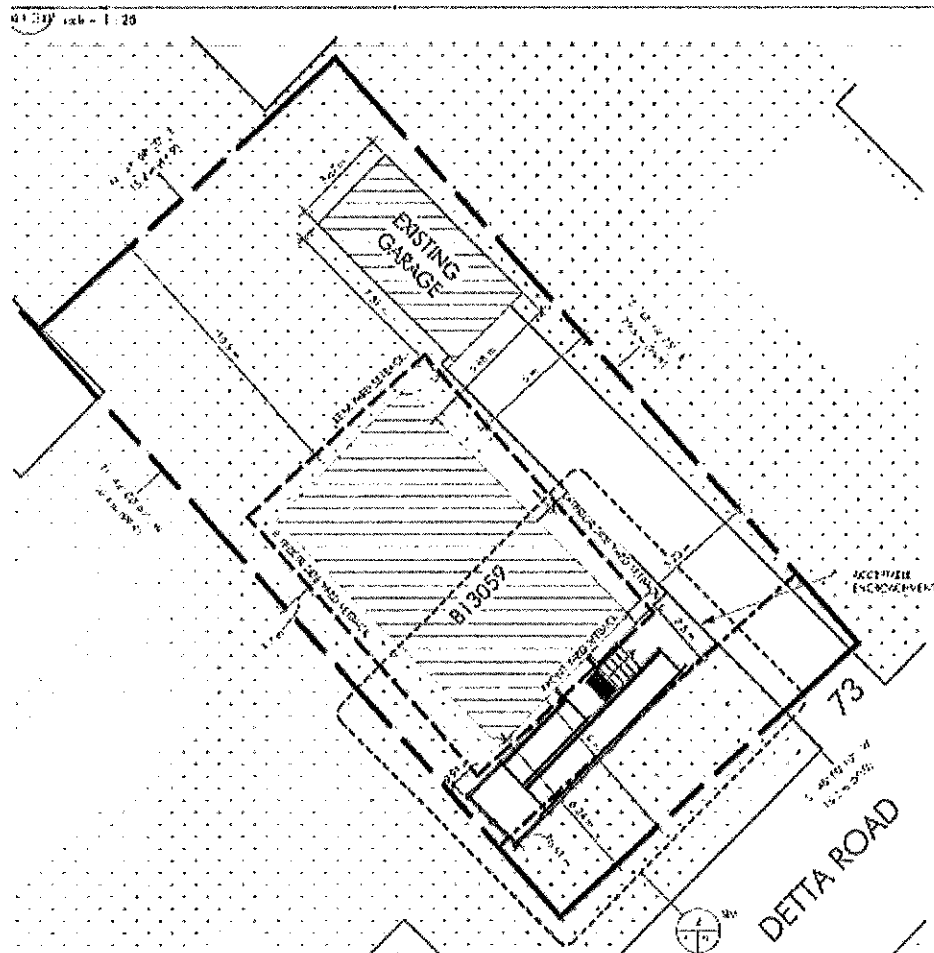


The applicant is seeking relief from the following provisions of the Zoning By-Law:

1. Relief from Section 3.31 of the Zoning By-Law to increase the permissible encroachment of an accessory ramp to a dwelling from 2.5 m (8.2 ft) to 3.1 m (10 ft).
2. Relief from Section 5.2 of the Zoning By-Law to reduce the interior yard setback requirement from 1.2 m (3.94 ft) to 0.2 m (0.6 ft).

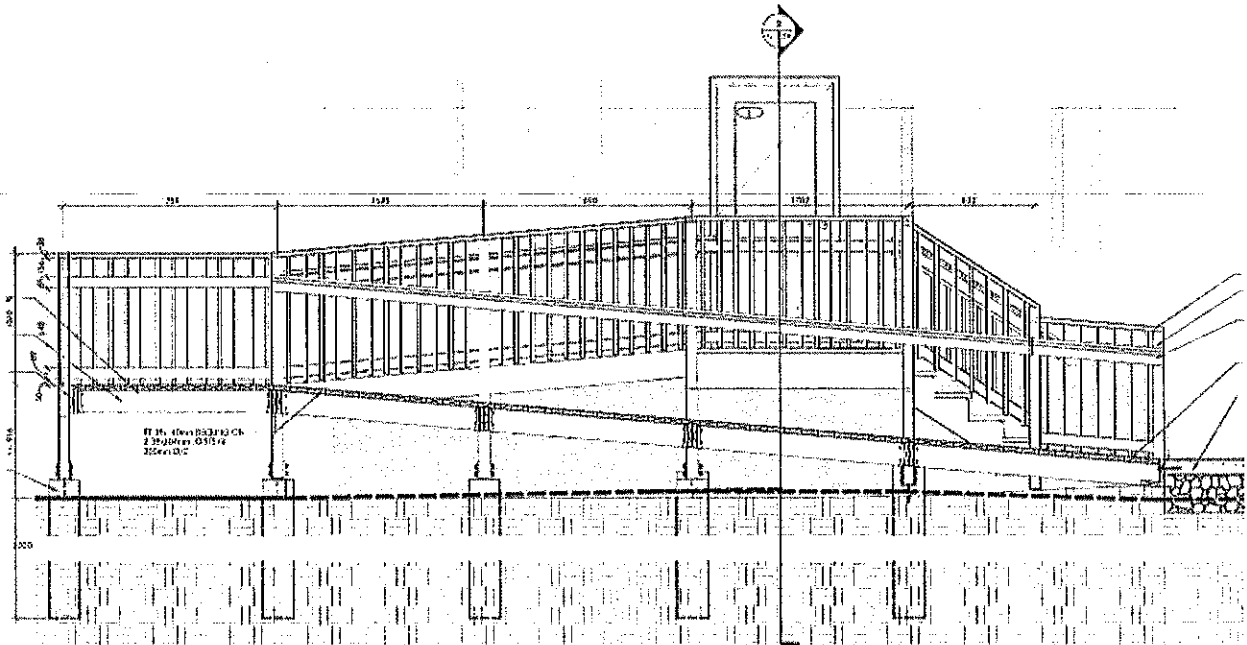
A site plan illustrating the location of the existing dwellings on Lot 34 together with the proposed accessibility ramp is provided in Figure 2.

Figure 2 – Site Plan of Existing Dwelling and Access Ramp



The applicant has also provided an elevation plan for the proposed access ramp which is provided in Figure 3.

Figure 3 – Elevation of Proposed Access Ramp and Stair



THE FOUR TESTS OF A MINOR VARIANCE

In considering this application, Committee needs to be satisfied that the proposal is in keeping with each of the "four tests" of a minor variance as set out in the Planning Act.

1. Is the variance in keeping with the intent of the Official Plan?

The subject lands are located in the Townsite Residential designation which permits residential uses together with compatible accessory uses. On the basis that an accessibility ramp is a normal accessory use associated with a residential building the application is considered to be in keeping with the intent of the Official Plan.

2. Is the variance in keeping with the intent of the Zoning By-Law?

The primary intent of the Zoning By-Law as it relates to building setbacks is to maintain reasonable separation from the streetscape and abutting residential uses. Based on my review of the site plan and elevations, I find the location of the ramp is dictated primarily by the location of the existing dwelling and does not create an unreasonable or

substantive encroachment in the front or side yards. On this basis I find the proposed variance is in keeping with the intent of the Zoning By-Law.

3. Will the variance provide for the desirable development of the lot?

The proposed ramp will accommodate a safe and accessible access to an existing dwelling, and it appears to be proportionate and appropriate for the existing dwelling on the lot. On this basis I believe the proposed variance will provide for the desirable development of the lot.

4. Is the Variance Minor?

I consider the variance to be minor on the basis that the nature of relief is not consequential and will not lead to any adverse impact on adjacent landowners.

RECOMMENDED CONDITIONS

Should Committee be satisfied the variance meets the four tests, they may establish any reasonable condition to the approval of the variance. In this case the following conditions are recommended:

1. That the access ramp and stair shall be unenclosed and constructed in substantial compliance with the site plan and building plan.

RECOMMENDED RESOLUTION

The following resolution is provided for Committee's consideration:

THAT in the matter of Application D13-26-03, for lands located at 73 Delta Road, on lands legally described as Lot 34, Plan M-304 seeking relief from Zoning By-Law 1930-14 for the following:

1. **Relief from** Section 3.31 of the Zoning By-Law to increase the permissible encroachment of an accessory ramp to a dwelling from 2.5 m (8.2 ft) to 3.1 m (10 ft).
2. **Relief from** Section 5.2 of the Zoning By-Law to reduce the interior yard setback requirement from 1.2 m (3.94 ft) to 0.2 m (0.6 ft).

BE IT RESOLVED THAT Committee hereby approves Application D13-26-03 subject to the following conditions:

- a) That the accessibility ramp and stairs shall be unenclosed and constructed in substantial compliance with the site plan and building plan (Drawing CS-01 prepared by Form Studio Architects, dated February 05, 2026.)

In rendering this decision to approve Application D13-26-03, Committee finds that the application fulfils the four tests of a minor variance as required by Section 45 (1) of the Planning Act R.S.O 1990.

Respectfully Submitted,



Chris Jones MCIP, RPP



**NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING FOR
MINOR VARIANCE TO THE ZONING BY-LAW FILE NUMBER: D13-26-03**
Planning Act, R.S.O.1990 C.p.13, S.45 (1)

April 16, 2026

At the date and location below, the Municipality of Red Lake Committee of Adjustment will be hearing comments on an application for Minor Variance for lands described legally as Lot 34, Plan M-304 and located at 73 Detta Road (see key map).

DATE AND TIME OF HEARING: Wednesday, April 29th, 2026, 5:00 p.m.

MEETING LOCATION: Council Chambers of the Municipal Office at 2 Fifth Street, Balmertown, in the Municipality of Red Lake.

PURPOSE AND EFFECT of the APPLICATION: The applicants have requested relief from the following provisions of the Municipality of Red Lake Comprehensive Zoning By-law (1930-14) to construct an accessibility ramp:

1. Relief from Section 3.31 of the Zoning By-Law to increase the permissible encroachment of an accessory ramp to a dwelling from 2.5 m (8.2 ft) to 3.1 m (10 ft).
2. Relief from Section 5.2 of the Zoning By-Law to reduce the interior yard setback requirement from 1.2 m (3.94 ft) to 0.2 m (0.6 ft).

OTHER APPLICATIONS: There are no other Planning Act applications in process related to this property.

ADDITIONAL INFORMATION: Complete application for the proposed Minor Variance is available for inspection at the Secretary of the Committee of Adjustment for The Corporation of the Municipality of Red Lake. P.O. Box 1000, Balmertown, ON P0V 1C0.

PUBLIC HEARING: You are entitled to attend the public hearing in person to express your views about this application or you may submit written comments to be read by the Committee at the hearing. If you wish to make written comments on this application, they may be forwarded to the secretary of the Committee at the address below. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing.

FAILURE TO ATTEND HEARING: 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.

ACCESSIBILITY: The Municipality of Red Lake is committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have accessibility needs and require alternative formats or other accommodations, please contact the undersigned.

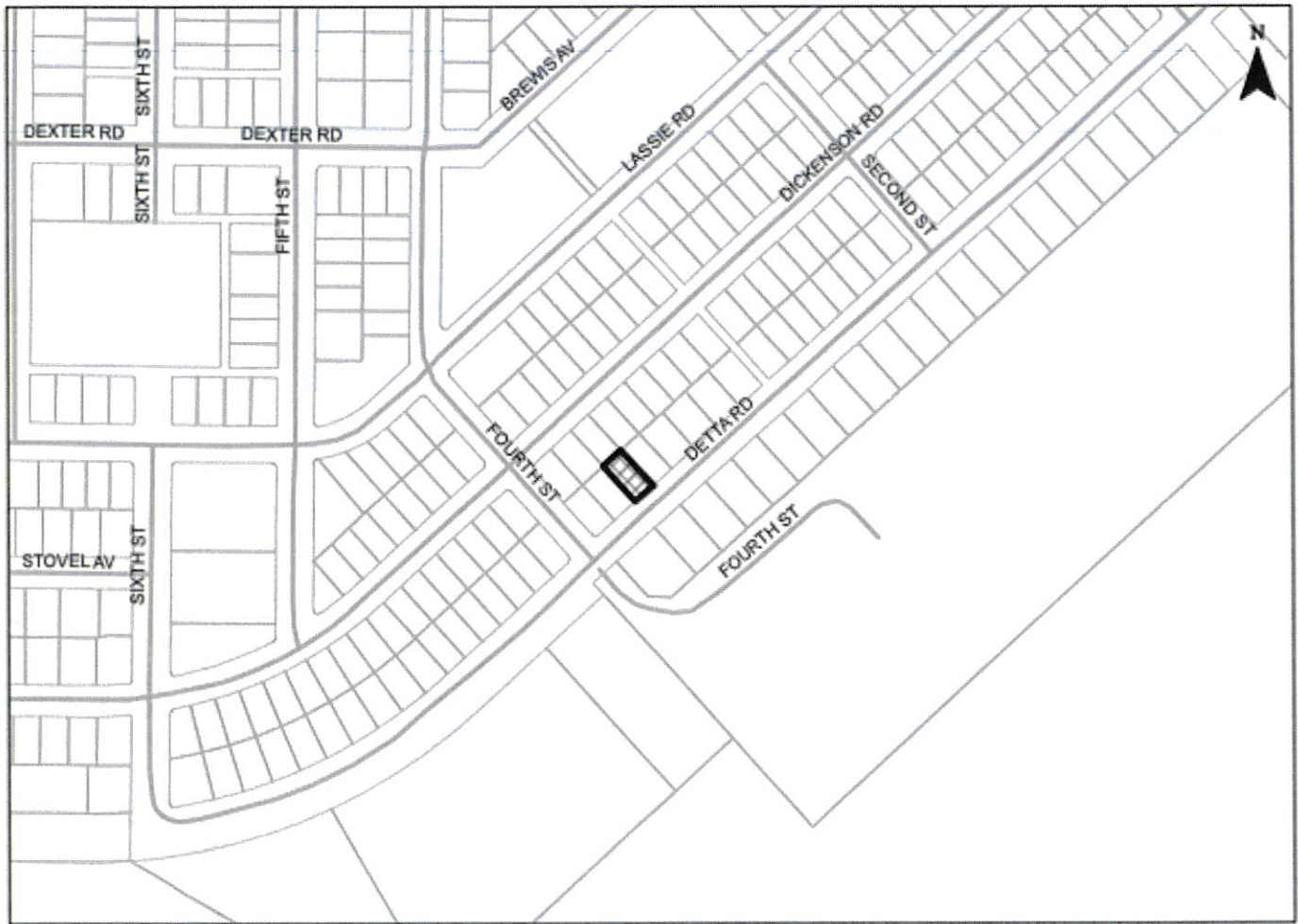
PRIVACY DISCLOSURE: As one of the purposes of the Planning Act is to provide for planning processes that are open and accessible, all written submissions, documents, correspondence, e-mails or other communications (including your name and address) form part of the public record and may be disclosed/made available by the Municipality as deemed appropriate, including anyone requesting such


information. Please note that by submitting any of this information, you are providing the Municipality with your consent to use and disclose this information as part of the planning process.

NOTICE OF DECISION: A copy of the decision of the Committee will be sent to the applicant and to each person who appeared in person or by council at the hearing and who has filed with the secretary a written request to receive the notice of decision.

LOCATION AND PROPERTY DESCRIPTION:

73 Detta Road. Please refer to the key map below:



 Subject Lands

Personal information that may accompany 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 by calling (807) 735-2096, or by email at shawna.gauthier@redlake.ca.



FILE NUMBER
D13-26-03

MUNICIPALITY OF RED LAKE APPLICATION FOR MINOR VARIANCE TO THE ZONING BY-LAW

Planning Act, R.S.O. 1990, c. P.13, s. 45
O. Reg. 200/96, Schedule

APPLICATION FEE ENCLOSED – \$300.00

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.

NAME OF OWNER Infrastructure Ontario		NAME OF AGENT, SOLICITOR OR PLANNING CONSULTANT (IF APPLICABLE) FormStudio Architects	
ADDRESS 1 Dundas Street W Suite 2000, Toronto	POSTAL BOX	STREET ADDRESS 131 N Court Street	POSTAL BOX
POSTAL/ ZIP CODE M5G 1Z3	PROV./ STATE Ontario	POSTAL/ ZIP CODE P7A 4V1	PROV./ STATE
TELEPHONE (416) 327-3937		TELEPHONE (807) 345-5582	
EMAIL		EMAIL kiera.c@formstudioinc.ca	
DOES ANY OTHER PARTY HAVE INTEREST IN THE PROPERTY, SUCH AS CHARGE, MORTGAGE, OR EASEMENT? N/A			
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 Lot 34, Registered Plan M-304, Municipality of Red Lake, District of Kenora
STREET ADDRESS AND TOWN SITE NAME 73 Detta Rd, Balmertown, ON

DIMENSIONS OF SUBJECT LAND		
Frontage (metres): 15.24m	Depth (metres): 30.44m	Area (hectares): 0.0436 hectares

CURRENT DESIGNATION WITHIN THE RED LAKE OFFICIAL PLAN Residential	CURRENT ZONING WITHIN THE ZONING BY-LAW Townsite Residential Density 1
OFFICIAL PLAN – HAS A SITE SPECIFIC DESIGNATION BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED? N/A	
ZONING BY-LAW – HAS SITE SPECIFIC ZONING BEEN APPLIED, AND IF SO, WHAT LAND USES ARE PERMITTED OR NOT PERMITTED? Boarding House, Dwelling (Modular), Dwelling (Multi-Unit), Dwelling (Semi-Detached) Dwelling (Single-Detached), Group Home	

DATE SUBJECT LAND WAS ACQUIRED ON:

WHAT IS THE EXISTING USE OF THE PROPERTY? WHAT IS THE LENGTH OF TIME THIS USE HAS OCCURRED?

Residential

EXISTING USE OF ABUTTING PROPERTIES

Residential

PROPOSAL INFORMATION:

RELIEF – NATURE AND EXTENT OF RELIEF FROM THE ZONING BY-LAW :

Increase the acceptable yard encroachment in front and side yards from 2.5m to 3.5m to allow for a barrier free access ramp

WHY CAN THE PROPOSED USE NOT COMPLY WITH THE ZONING BY-LAW?

Because the barrier free access ramp exceeds the acceptable yard encroachment of 2.5m to meet AODA and OBC requirements

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND. FOR EXAMPLE, PLEASE SPECIFY THE GROUND FLOOR AREA, GROSS FLOOR AREA, NUMBER OF STOREYS, WIDTH, LENGTH, HEIGHT, ETC.

EXISTING: House: 83 sm, one storey, 11.62m x 7.95m

PROPOSED: N/A

HAS ANY OWNER PREVIOUSLY APPLIED FOR MINOR VARIANCE IN RESPECT OF THE SUBJECT PROPERTY? YES NO

IF YES, PLEASE PROVIDE THE FILE NUMBER AND DECISION IF GIVEN:

STORM DRAINAGE is provided to the subject land by:

Sewers Ditches Swales Other means (specify)

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

Publicly-owned/operated sewage system Pit privy
 Privately-owned/operated individual septic system Other means (specify)
 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.

POTABLE WATER is or will be provided to the subject land by:

Publicly-owned/operated piped water system Lake or other water body

Privately-owned/operated individual well Other means (specify)

Privately-owned/operated communal well

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

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:

previous application (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?
.....

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: N/A

Docking facilities (specify)..... distance from subject land distance from nearest public road	Parking facilities (specify)..... distance from subject land distance from nearest public road
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EXISTING BUILDINGS AND STRUCTURES – Provide the following information for all buildings and structures. Attach a separate page if necessary.

TYPE - **HOUSE** Front lot line setback: **6.24m** Height in metres.....

DATE CONSTRUCTED Rear lot line setback: **10.94m** Dimensions: **11.62m x 7.96m**

Side lot line setback: **1.91m** Floor Area: **86 sm**

Side lot line setback: **5.73m**

TYPE - **GARAGE** Front lot line setback: **18.04m** Height in metres.....

DATE CONSTRUCTED Rear lot line setback: **3.95m** Dimensions: **7.33m x 3.67m**

Side lot line setback: **0.64m** Floor Area: **27 sm**

Side lot line setback: **10.55m**

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

TYPE - Ramp & Stairs	Front lot line setback: 3m	Height in metres: 0.92m
	Rear lot line setback: 23m	Dimensions: 3.05m x 9.15m
	Side lot line setback: 0.29m	Floor Area:
	Side lot line setback: 5.67m	
TYPE -	Front lot line setback:	Height in metres:
	Rear lot line setback:	Dimensions:
	Side lot line setback:	Floor Area:
	Side lot line setback:	

What is the expected type and volume of waste to be produced on the subject land? How will this waste be managed or treated?

Grey water (sinks) as a result of indoor plumbing N/A

Black water (toilet) as a result of indoor plumbing _____

Food wastes _____

Recyclable household wastes (plastic, glass, aluminum) _____

Building hardware wastes (treated wood, shingles, metal) _____

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

DATE SUBJECT LAND WAS ACQUIRED ON: _____

ARE THE MINERAL RIGHTS CROWN OR PATENTED? _____

ARE THERE ANY RESERVATIONS ON THE PATENT OR TITLE OF THE SUBJECT LOCATION? _____

IF FRONTED BY WATER, IS THE SHORELINE RESERVE PATENTED OR CROWN LAND? IF CROWN, HOW WIDE IS THE RESERVATION? _____

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

SITE PLAN SKETCH:

PLEASE TAKE TIME TO PROVIDE A GOOD SKETCH.

PRINT CLEARLY. IT SHOULD DISPLAY THE FOLLOWING INFORMATION TO THE BEST OF YOUR KNOWLEDGE:

- Prepared on letter paper, overtop of a photocopy of the survey is ideal. For a more detailed or larger scaled sketch, you may provide a second page.
- ✓ 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 from 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, and wells
- ✓ The existing use(s) 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.

Andrew Grafham
Signature of 1st Owner or Signing Officer

Kiera Clarke
Signature of Witness

Signature of 2nd Owner or Signing Officer

2026.03.24
Date

AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION

I/We, Andrew Grafham of the City of
Kenora in the Province of Ontario
(Municipality/ City)
(Province)

solemnly declare that the statements and any maps or plans submitted with this application are true, and I/We make this solmen 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 Town of Georgina
in the Province of Ontario, In accordance with O.Reg 431/20

This 24th day of March, 2026.

[Signature]
Commissioner for Taking Affidavits

Andrew Grafham
1st Owner/ Signing officer/ Authorized Agent

Affix commissioner stamp here:
[Dashed box for stamp]

2nd Owner/ Signing officer/ Authorized Agent

This section for Red Lake Municipal office use only:
Date complete application received: _____



NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT APPLICATION FOR:

Minor Variance – s. 45(1) Permission – s. 45(2)

APPLICATION BY Infrastructure Ontario

LOCATION OF PROPERTY 73 Detta Road, Balmertown

PURPOSE OF APPLICATION

1. Request relief from Section 3.31 of the Zoning By-Law to increase the permissible encroachment of an accessory ramp to a dwelling from 2.5 m (8.2 ft) to 3.1 m (10 ft).
2. Request relief from Section 5.2 of the Zoning By-Law to reduce the interior yard setback requirement from 1.2 m (3.94 ft) to 0.2 m (0.6 ft).

WE, the undersigned, in making the decision upon this application, have considered whether or not the permission requested was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the zoning by-law and the official plan will be maintained or, in the case of a change in a use in a property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(1) of the *Planning Act*, concur in the following decision and reasons for the decision made on the **29th day of April, 2026**.

DECISION:
Approved: <input type="checkbox"/> Defeated: <input type="checkbox"/>

CONDITIONS:
That the accessibility ramp and stair shall be unenclosed and constructed in substantial compliance with the site plan and building plan (Drawing CS-01 prepared by Form Studio Architects, dated February 05, 2026).

REASONS FOR DECISION:
The requested minor variance maintains the general intent and purpose of the Zoning By-Law and is considered minor.

SIGNATURES OF MEMBERS

.....
Jerrett Landry, Chair

.....
Dale Butterfield, Member

.....
Sean Dueck, Member

.....
Allistair McRae, Member

.....
Everett Okanski, Member

.....
Rocky Sandberg, Member

Appeal – The last date for filing a notice of this decision is 20 days after the notice of decision is given.

Any such appeal must be filed with the secretary-treasurer of the committee and must set out the objection to the decision and the reasons in support of the objection and must be accompanied by the fee required by the Local Planning Appeal Tribunal.

Person – appeal limitation – Only individuals, corporations and public bodies may appeal decisions in respect on an application for a minor variance or permission to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Other Applications – if known, indicate if the subject land is the subject of an application under the Act for:

- Approval of a plan of subdivision (under section 51) File #N/A..... Status:
- Consent (under section 53) File #N/A..... Status:
- Previous application (under section 45) File #N/A..... Status:

CERTIFICATION

I, Michelle Hendry, certify that the information included herein is a true copy of the decision of the Committee with respect to the application recorded therein.

Dated this 29th day of April 2026

.....
Michelle Hendry, CAO/Secretary-Treasurer