

The Corporation of the City of Kenora

By-Law Number 115 - 2022

Being A By-Law to Repeal By-Law Number 34-2021

Whereas pursuant to the provisions of Section 16 and 34 of the Planning Act, RSO 1990, as amended, the Council of a local municipality may pass by-laws pertaining to the official plan and zoning amendments; and

Whereas pursuant to the provisions of Section 2.1 of the Planning Act, RSO 1990, as amended, the public may appeal those decisions of Council; and

Whereas on March 16, 2021 Council enacted By-Law Number 33-2021, a bylaw to adopt Amendment 21-01 to the Official Plan and By-law 34-2021, a bylaw to Amend the Zoning By-law; and

Whereas the purpose of the amendments is to re-designate and rezone some City-owned lands that are currently parkland, to permit residential development; and

Whereas an appeal to the Official Plan Amendment (“OPA”) and the Zoning By-law Amendment (“ZBLA”) was filed with the City Clerk on April 1, 2021; and

Whereas the Ontario Land Tribunal Hearing took place on April 27-28, 2022; and

Whereas a decision was received by Council on June 28, 2022 wherein the Ontario Land Tribunal finds that the proposed Official Plan and Zoning By-law Amendments are not consistent with the Provincial Policy Statement and do not conform with the City’s Official Plan; and

Whereas in making these findings, the Tribunal has had regard to the matters of provincial interest set out in s. 2 of the Planning Act and to City Council’s decision relating to this matter; and

Whereas The Tribunal ordered that the appeal is allowed, the requested amendment to the Official Plan for the City of Kenora is refused, and By-law No. 34-2021 is repealed;

Now Therefore the Council of the Corporation of the City of Kenora Enacts as Follows:

1. That By-Law 34-2021 is hereby repealed;
2. That this By-Law shall come into effect upon final passage;
3. This By-Law may be cited as the “Repeal of Zoning Amendment By-Law 34-2021 By-Law”.

By-Law read a First and Second Time this 9th day of August, 2022

By-Law read a Third and Final Time this 9th day of August, 2022

The Corporation of the City of Kenora:-

Daniel Reynard, Mayor

Heather L. Pihulak, City Clerk