



## PROCEEDINGS

Of a Public Meeting to discuss an  
Amendment to Zoning By-law #160-2004  
(Re: City "EP" Application)  
Monday, March 17, 2008 - City Council Chambers  
At 4:42 p.m.

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PRESENT: Mayor L. Compton  
Councillor W. Cuthbert  
Councillor C. Drinkwalter  
Councillor D. McCann  
Councillor R. McMillan  
Councillor A. Poirier  
Councillor C. Van Wallegem  
Jeff Port, Planner  
Bill Preisenzanz, CAO  
Heather Kasprick, Deputy Clerk

Mayor Compton advised the public meeting is being held by Council in accordance with Section 34 of the Planning Act to consider an amendment to the City of Kenora Comprehensive Zoning By-law

Ms Kasprick, Deputy Clerk, advised the Notice pertaining to this public meeting appeared in Kenora Daily Miner & News on February 25, 2008.

Mayor Compton asked if there was anyone who wished to receive written notice of the adoption of the By-law, to leave their name and address with the Clerk. Mayor Compton mentioned that any person may express his or her views of the amendment, and a record will be kept of all comments.

### **Jeff Port, City Planner then reviewed the details of the Planning Report:**

#### **Introduction:**

##### *Johnson Landing Road*

Subject property is located on Johnson Landing Road and came into the possession of the former Town of Jaffray Melick as the result of the tax sale registration process. Since that time, the building which was located on the property has been demolished. The property is now vacant, with the exception of a water tank, which will be removed by the City, this year.

The shore allowance to the south of the property, and abutting the Winnipeg River, is the site of a private well which provides several residents of the area with their potable water.

*Meadow Trail*

Subject property is located on the shores of the Black Sturgeon Lake and accessed by Meadow Trail, via Peterson Drive. The property was transferred to the City of Kenora as part of a consent to create lots in 2005. The reason for the transfer was to ensure that a fishery, identified by the Ministry of Natural Resources, through the Official Plan mapping, was protected.

**Description of Proposed Development:**

No future development permitted except mitigation measures.

**Adjacent Land Uses:**

Both properties are in areas characterized by rural residential development along the shores of either the Winnipeg River or Black Sturgeon Lake.

**Official Plan and Zoning By-Law:***Johnson Landing Road*

The Official Plan designation is Rural with an F2 – Northern Pike Spawning designation along the water front. The property is currently zoned RR – Rural Residential.

*Meadow Trail*

The Official Plan designation is Rural with a deer wintering designation and a portion of the subject property has an F2- Northern Pike Spawning designation along the waterfront. The current zoning for the subject property is RR – Rural Residential.

**Land Use Planning Issues:***Johnson Landing Road*

- The shore allowance is being transferred to a group of users of a well which is located down-slope and south of the subject property
- The City is transferring the property and as part of the agreement, is rezoning the property to EP to protect the well.

*Meadow Trail*

- There is a value identified as a Northern Pike spawning and nursery habitat – F2 in the Official Plan;
- The City accepted transfer of the property with the proviso that it be rezoned to protect the fishery

**City of Kenora Internal Comments:**

None

**Planning Department Comments:**

The City of Kenora Official Plan has policies in place for the protection and conservation of its natural resources. The following Official Plan policies apply:

**4.7.3 Fish, Wildlife, and Endangered and Threatened Species**

*Important habitat and natural values are constantly changing and currently values mapping is likely incomplete. As these habitats and values, including the habitats of endangered and threatened species, change the schedules of this plan will be updated. As these changes are usually minor in nature, formal amendments will not be required.*

*The City of Kenora supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that it is the mandate of the Ministry of Natural Resources and the Department of Fisheries and Oceans to protect and preserve fish habitat on Crown and private land under The Federal Fisheries Act. Under that act, fish habitat is defined as spawning grounds and nurseries, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.*

*Development shall not be permitted in areas identified as significant fish habitat shown on Schedule "A". Where development occurs within 120 metres of these areas, the development should be designed to ensure that there are no negative impacts on the adjacent sensitive areas. Council shall require the submission of an Environmental Impact Assessment completed by a qualified professional in support of the development proposal. This report shall identify the features of the wetland or habitat area, the nature of the proposed development, the potential impacts that the development may have on the wetland or habitat area and the mitigation measures required to prevent adverse impacts on the area.*

**4.7.6.5** *Prior to development occurring in areas adjacent to fish habitat areas as shown on Schedule , the Ministry of Natural Resources and Department of Fisheries and Oceans shall be consulted to ensure that the development does not adversely affect the fishery resource.*

**4.7.6.6** *Where new development occurs adjacent to any navigable waterway within the City of Kenora, a 3 metre natural vegetation area will be required adjacent to the shoreline to minimize the impact of development on water quality in the water body.*

**Recommendation:**

THAT Application Z05/08 to amend Zoning By-law No. 160-2004 at properties described as 46 Johnson Landing Road, CON 7J N PT LOT 3 RP KR687 PART 1 PCL 28112 and Meadow Trail/Peterson Road area residue of lands described on 23R-11246 from current zoning to EP-Environmental Protection with mitigation measures permitted on the Johnson Landing Road property.

Mayor Compton asked if there was anyone who wished to speak in favour of the amendment. There were none.

Mayor Compton asked if there was anyone who wished to speak in opposition of the

amendment. There were none.

Mayor Compton asked if there were any questions. There were no questions.

Mayor Compton the declared the Public Meeting closed at 4:45 p.m.