



February 4, 2013

City Council Committee Report

TO: Mayor and Council

FR: Tara Rickaby, Planning Administrator

RE: Site Plan Agreement – Bowman et al.

Recommendation:

That Council give three readings to a by-law to enter into a site plan agreement between the City of Kenora and Constance Anne Bowman, Thomas Maxwell Bowman, Mary-Margaret Mazzei and Catherine Jean Pokotylo; and further

That in order to meet a condition of approval of an application for consent (B01/12) the site plan agreement shall apply to lands described as follows:

PIN 42167 – 0124 LT
Description PCL 29148 SEC DKF SRO; PT W PT OF W ½ Mining location 18 Jaffray PT 2 KR1055, PT 1 & 2 23R2992; KENORA

Address Kenora

PIN 42167 – 0300 LT
Description PCL 25566 SEC DKF SRO; PT W PT of W ½ Mining Location 18 Jaffray PT 1 KR1055; KENORA

Address Kenora

PIN 42167- 0351 LT
Description PT RDAL IN FRONT OF W PT Mining Location 18 Jaffray Designated as PTS 1,2,3 & 4 23R11972; City of Kenora

Address Kenora

And further;

That the property owners shall be responsible for all costs of registration of said agreement and provide the City of Kenora with proof of such registration.

Background:

On February 20, 2012 , the Kenora Planning Advisory Committee gave draft approval for consent for the creation of three new lots for property owned by Bowman et al. In order to protect an identified fishery, one of the conditions of approval was:

6. That a site plan agreement be registered on title, to protect the area of proposed Lot 4 identified in 'Bowman's Property Devils Gap Fish Habitat Assessment Summer 2010" (Ryan Haines) as required to ensure that no shoreline development be permitted in Part A of the site as indicated in the Fish Habitat requirements

The property owners' solicitor has prepared the site plan agreements for execution.

Section 8.4 of the City of Kenora's Official Plan provides the authority for site plan control: Site Plan Control may be used for any development on Black Sturgeon Lake, or any navigable waterway in the City, in order to protect natural resource values.

Section 6.2 of By-law 189-2010, being the City's site plan control by-law, authorizes the Mayor and Clerk to enter into the agreements

Budget: N/A

Communication Plan/Notice By-law Requirements: Council Agenda, Property owners, Chief Building Official, Clerk, Planning Administrator

