



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, January 17, 2017 – City Council Chambers
12:00 p.m.**

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**WITH Mayor D. Canfield in the Chair, Councillor R. McMillan, Councillor L. Roussin,  
Councillor S. Smith, Councillor C. Wasacase**

**Regrets: Councillor M. Goss, Councillor D. Reynard**

**Staff:** Karen Brown, CAO, Heather Kasprick, City Clerk, Devon McCloskey, City Planner

### **Call to Order**

Mayor Canfield called the meeting to order and Councillor Roussin delivered a blessing.

### **Public Information Notices as per By-law Number 144-2007**

**Mayor Canfield then read the following notices:-**

As required under Notice By-law #144 -2007, Council hereby advises the public of its intention to adopt the following at today’s meeting:-

- Council intends to give three readings to a new Rules and Regulations for the Care and Control of the Lake of the Woods Cemetery
- Council intends to give three readings to a Memorandum of Understanding between the City of Kenora and the Kenora Masonic Temple Corporation regarding the placement of a private columbarium at the Lake of the Woods Cemetery
- Council intends to amend its 2016 Operating & Capital Budget to withdraw funds from the Tax Write off Reserve
- ~~Council intends to adopt a by-law to rename McQuillan Street to Kroppy’s Lane (deferred)~~
- Council intends to execute a Memorandum of Understanding between the City of Kenora and the Kenora Masonic Temple Corporation regarding the placement of a private columbarium at the Lake of the Woods Cemetery

### **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Canfield then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Today’s Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

There were none declared.

## **Confirmation of Minutes**

### **1. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – December 20, 2016

## **Deputations**

None

## **Additions to the Agenda**

None

## **Appointment to the Environmental Advisory Committee**

### **2. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council accepts the resignation of Susan McLeod from the Environmental Advisory Committee effective January 1, 2017; and further

That Council hereby appoints Diane Schwartz-Williams as the Lake of the Woods District Property Owners representative to the Environmental Advisory Committee for a term at the pleasure of Council.

## **Appointment to the Kenora Urban Trails Committee**

### **3. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council accepts the resignation of Penny Beal effective immediately from the Kenora Urban Trails Committee; and further

That Council hereby appoints Erik Skiby to the Kenora Urban Trails Committee for a term at the pleasure of Council.

## **Asset Management Policy**

### **4. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council approves a new Asset Management Plan Policy #CS 6-2 to ensure the development of the City's asset management program, including roles and responsibilities, to facilitate logical and informed decision making for the management of the City's infrastructure to support the delivery of sustainable community services; and further

That Council gives three readings to a by-law to amend the City Comprehensive Policy Manual for this purpose.

## **Garrow Park Exterior Fitness Tax Receipts**

### **5. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$75 or greater made to the City of Kenora between January 17, 2017 and

December 31, 2017, unless otherwise specified due to early project completion, to be used specifically towards the Exterior Fitness Park to be built at Garrow Park.

### **Imagination Library Grant Application**

#### **6. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council hereby supports the Community Foundation Grant application for a new program in the community 'Imagination Library' in partnership with the Kenora Public Library; and further

That the City of Kenora permit their name on the grant application for this purpose.

### **Minutes of Settlement Budget Amendment**

#### **7. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council hereby authorizes the CAO to sign the minutes of settlement for assessments made under Section 40 of the Assessment Act for the years 2013 through 2016 between 89804 Canada Ltd., Municipal Property Assessment Corporation and the City of Kenora; and further

That Council hereby approves an appropriation from the Tax Write off Reserve in the amount of \$592,840.16, less any resulting recovery related to municipal vacancy rebates for this same period, to offset the cumulative reduction in municipal tax revenues as a result of these minutes of settlement; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2016 Operating & Capital Budget at its January 17, 2017 meeting to withdraw funds from the Tax Write off Reserve; and further

That Council gives three readings to a by-law to amend the 2016 budget for this purpose.

#### **Councillor Smith introduced a motion to defer Motion #8**

### **Motion to Defer Motion #8 (NWHU Anti Contraband Campaign)**

#### **8a. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Motion number 8 on today's agenda with respect to support for a resolution for the Northwestern Health Unit anti contraband campaign be hereby tabled until the February 21, 2017 Council meeting to allow staff time to discuss amendments to the resolution with the Northwestern Health Unit.

### **NWHU Anti Contraband Campaign**

#### **8. Motion Deferred to February 21, 2017 as per Resolution #8A**

Whereas the City of Kenora supports tobacco excise tax increases as a proven effective means of encouraging tobacco cessation; and

Whereas contrary to tobacco industry messaging, impartial research by the Ontario Tobacco Research Unit at the University of Toronto has shown that tobacco excise tax increases do not lead to large increases in contraband; and

Whereas the City of Kenora has previously passed a City of Kenora buildings smoke-free bylaw, in addition to a smoke free beaches bylaw, and supports protection of the public from second-hand tobacco smoke, protection of our youth from tobacco industry products, and tobacco tax increases to encourage smokers to quit and to raise revenue to offset the healthcare costs of tobacco use, which are more than double the current revenue raised from provincial tobacco taxes;

Therefore be it Resolved that elected representatives and staff of the City of Kenora will have no further meetings or discussions about any tobacco-related issue with representatives of the National Coalition Against Contraband Tobacco (NCACT), the Ontario Convenience Store Association (OCSA) or individuals otherwise representing the tobacco industry; and

That the City of Kenora calls on the Minister of Finance to raise tobacco excise taxes by at least \$10/carton and to enhance enforcement activities designed to reduce the presence of contraband tobacco in Ontario communities.

### **Motion Deferred.**

#### **Councillor McMillan introduced a motion to defer Motion #9**

#### **Motion to Defer Motion #9 (Kroppy's Lane Street Name Change)**

##### **9a. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Motion number 9 on today's agenda with respect to approving a street name change from McQuillan Street to Kroppy's Lane be hereby tabled until the February 21, 2017 Council meeting to allow staff time to find the most appropriate street to honour Mr. Kropioski.

#### **Kroppy's Lane Street Naming**

##### **9. Motion Deferred to February 21, 2017 as per Resolution #9A**

That in recognition of the positive impact that the late Len Kropioski had on youth in sports in the City of Kenora Council hereby renames the street locally known as McQuillan Street, as described on Plan M15, to "Kroppy's Lane"; and further

That in accordance with Notice by-law Number 144-2007, public notice is hereby given that Council intends to adopt a by-law at its January 17, 2017 council meeting, renaming the above described road as "Kroppy's Lane"; and further

That an appropriate bylaw be passed for this purpose.

**Discussion:** The recognition of Len 'Kroppy' Kropioski, by naming a street in his honour, has received the support of Council, wide spread community support and, in the City of Winnipeg where he was an icon within the sports community particularly hockey. Because

this request came from within our community, to allow the City the time to complete the research associated with changing a street name this item is being deferred until a subsequent Council meeting. It is clear that council remains in support as was evidenced at the recent Committee of the Whole meeting held January 10, 2017 where it was unanimously supported. Council wants to ensure it is done in a manner that honours Mr. Kropioski, his family and also respects the naming of the current street name and any history associated with it. The deferral simply gives staff time to find the most appropriate street to honour both the Kropioski and McQuillan family.

### **Motion Deferred.**

#### **Traffic Amendment – Birchwood Road & Crescent Stop Sign**

##### **10. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "O" – Stop Signs at Intersections for Birchwood Road and Birchwood Crescent; and further

That three readings be given to an amending by-law for this purpose.

#### **Cemetery Rules & Regulations Revision**

##### **11. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council gives three readings to a by-law to authorize a revised Rules and Regulations for the Care and Control of the Lake of the Woods Cemetery; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Rules and Regulations for the Care and Control of the Lake of the Woods Cemetery at its January 17, 2017 meeting; and further

That the by-law will come into effect and come into force upon approval of the Bereavement Authority of Ontario; and further

That By-law Number 172-2015 be hereby repealed.

#### **Coney Island Park Contract Extension**

##### **12. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council approves extending the Coney Island Park Contract with Jennifer Schott in the amount of \$12,000.00 + HST for the years 2017 and 2018; and further

That Council gives three readings to a by-law to authorize a two year extension to the current contract with Jennifer Schott.

#### **Garrow Park Exterior Fitness Support**

##### **13. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council of the Corporation of the City of Kenora supports the Kenora Lions Clubs 100<sup>th</sup> Anniversary project for 2017 for the location of an exterior exercise park in the City of Kenora Garrow Park location, and further

That the City of Kenora accepts the asset once complete and maintains it into the future for all citizens of Kenora and visitors.

### **Garrow Park Exterior Fitness Agreement**

#### **14. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into an agreement between the Corporation of the City of Kenora and The Kenora Lions Club for an exterior fitness park at Garrow Park; and further

That three readings be given to a by-law for this purpose.

### **Private Columbarium MOU – Kenora Masonic Temple Corporation**

#### **15. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council gives three readings to a by-law to authorize a Memorandum of Understanding between the City of Kenora and the Kenora Masonic Temple Corporation (KMTTC) regarding the placement of a private columbarium at the Lake of the Woods Cemetery; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a Memorandum of Understanding between the City of Kenora and the Kenora Masonic Temple Corporation regarding the placement of a private columbarium at the Lake of the Woods Cemetery at its January 17th meeting; and further

That the by-law will come into effect and come into force upon approval of the Bereavement Authority of Ontario.

### **Path of the Paddle Agreement Amendment for Trailhead Signs**

#### **16. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council gives three readings to a bylaw to amend the agreement between the Path of the Paddle Association and the Corporation of the City of Kenora for the construction and the installation of an additional trailhead signs at the Winnipeg River boat launch location in Keewatin.

### **Execute a Purchase Agreement for the Kenora Shoppers Mall Property**

#### **17. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council of the Corporation of the City of Kenora authorizes an agreement with Plaza Park Street (Kenora) Investment Inc. for the acquisition of lands known as Part of PIN 42164-0140 BEING Parts of Blocks B, C, and all of Part D Plan 344 designated as Parts 1, 2 & 3 Plan 23R-14508, to authorize an easement agreement in favour of the City of Kenora over Part 4, Plan 23R-14508, City of Kenora, District of Kenora; and further

That Plaza Park Street (Kenora) Investment Inc., has agreed to sell and transfer to the Corporation of the City of Kenora the property described above, for the sum of \$481,771.88 plus HST; and further

That the Corporation of the City of Kenora has undertaken to pay for related costs including legal fees, survey fees, and any other disbursements related to the acquisition of the above-noted lands; and further

That three readings be given to a bylaw to execute the agreement between the Corporation of the City of Kenora and Plaza Park Street (Kenora) Investment Inc.

**Councillor Roussin requested a recorded vote.**

| <b>Recorded Vote</b> | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|----------------------|------------|------------|-------------------------|---------------|
| Councillor Goss      |            |            |                         | <b>X</b>      |
| Councillor McMillan  | <b>X</b>   |            |                         |               |
| Councillor Reynard   |            |            |                         | <b>X</b>      |
| Councillor Roussin   |            | <b>X</b>   |                         |               |
| Councillor Smith     | <b>X</b>   |            |                         |               |
| Councillor Wasacase  | <b>X</b>   |            |                         |               |
| Mayor Canfield       | <b>X</b>   |            |                         |               |

**Motion is carried.**

### **'Push for Change' Event Sponsorship**

**18. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council hereby supports the 'Push for Change' fundraising event by waiving the ice time rental charges of 2.5 hours at the Kenora Recreation Centre in the amount of \$232.33.

### **Anicinabe Park Stage Naming Rights**

**19. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That three readings be given to a bylaw authorizing an agreement between Lake of the Woods Brewing Company and the City of Kenora for naming rights to the Anicinabe Park Stage for a three year period.

### **D14-16-05 Zoning Amendment Application (Temporary Emergency Shelter)**

**20. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council in lieu of public comments, gives three readings to a by-law to authorize approval of a Temporary Use Provision, to allow for the operation of an Emergency Shelter, in addition to permitted uses of the Institutional Zone, upon property located at 210 First Street North for two years, ending September 30<sup>th</sup>, 2018.

**Discussion:** The agencies working together are working hard to find a long term solution for this necessary program in our community. The commitment to address homelessness in our community is evident with all these groups working together.

**D14-16-06 Zoning Amendment Application (1 Seventh St S)**

**21. Moved by S. Smith, Seconded by C. Wasacase & Carried:-**

That Council in lieu of public comments, gives three readings to a by-law to authorize approval of a Zoning By-Law Amendment to except the subject property from the Home Occupation provisions of the Zoning By-law, to accommodate professional office space not operated by an occupant, having a total floor area of 310 m<sup>2</sup> being 69% of the building, as well as seven (7) employees upon property located at 1 Seventh Street South, described as PLAN 3 BLK 3 LOT 52 TO 55.

**Discussion:** Planning will be working with the applicants on site plan control and the parking concerns should be kept as part of the site plan control. Council requested that we look at enforcement in this area on parking issues.

**Councillor Roussin requested a recorded vote.**

| <b>Recorded Vote</b> | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|----------------------|------------|------------|-------------------------|---------------|
| Councillor Goss      |            |            |                         | <b>X</b>      |
| Councillor McMillan  |            | <b>X</b>   |                         |               |
| Councillor Reynard   |            |            |                         | <b>X</b>      |
| Councillor Roussin   |            | <b>X</b>   |                         |               |
| Councillor Smith     | <b>X</b>   |            |                         |               |
| Councillor Wasacase  | <b>X</b>   |            |                         |               |
| Mayor Canfield       | <b>X</b>   |            |                         |               |

**Motion is carried.**

**OSRCF Project Application**

**22. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

Whereas the Ministry of Tourism, Culture and Sport’s Ontario Sport and Recreation Communities fund (OSRCF) is a short-term, cost-sharing, funding program available for projects that address community need and promote physical activity in the community sport and recreation sector; and

Whereas municipalities are eligible under the Ontario Sport and Recreation Communities Fund with program goals to increase opportunities for participation in physical activity and embed physical literacy throughout sport and recreation as a foundation for lifelong physical activity and to increase the capacity of the sport and recreation sector to deliver quality sport and recreation programming; and

Whereas the Ontario Sport and Recreation Communities Fund application period ends on February 1<sup>st</sup>;

Now, therefore let it be resolved that Council direct staff to apply under the Ontario Sport and Recreation Communities Fund to provide Aquamat fitness programming at the Kenora Recreation Centre.



## **CIP Expansion – Contract Execution**

### **23. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and MMM Group Limited for the provision of planning services; and further

That the CAO be authorized to execute this agreement.

## **Dedicated Gas Tax Funds for Public Transportation Program Agreement**

### **24. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council gives three readings to a by-law to authorize the execution of a letter of agreement between the Corporation of the City of Kenora and the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program for 2016-2017; and further

That the Mayor and Treasurer be authorized to enter into the agreement.

**Discussion:** There are specific requirements by the province on spend of these funding dollars. The only way we can access these funds is when we have a major bus purchase. We try to purchase the conventional and handi transit buses at the same time. The province has determined that the acceptable use of these dollars is for major bus purchases.

## **2016 Fire & Emergency Services 4<sup>th</sup> Quarter Summary**

### **25. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council hereby accepts the 2016 Fourth Quarter Summary Report from the Kenora Fire and Emergency Services Department for the period of October 1 to December 31, 2016.

## **Provincial Fire Department Funding for Infrastructure**

### **26. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

Whereas the Ontario Fire Protection and Prevention Act, 1997, legislates that fire prevention, public education and fire protection services are a mandatory municipal responsibility; and

Whereas there are a total of 449 Fire Departments operating in the province comprised of 32 Full-Time Departments, 191 Composite Departments and 226 Volunteer Departments with 11,376 Full-Time Firefighters, 19,347 Volunteer Firefighters and 343 Part-Time Firefighters staffing these departments; and

Whereas the fire service represents a significant percentage of small, rural and northern municipalities managed' capital assets; and

Whereas the Municipal Fire Department and associated assets represents critical municipal infrastructure; and

Whereas there are currently no funding opportunities available from the Provincial and federal Government for the equipment, training, maintenance, operating or capital requirements of local fire departments;

Now Therefore Be It Resolved that the Corporation of the City of Kenora hereby petition the Provincial Government to recognize the municipal fire service as a critical infrastructure by including funding for Fire Department infrastructure as part of the Provincial Governments' Infrastructure Strategy to Move Ontario Forward; and further

That a copy of this resolution be forwarded to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Michael Mantha, Minister of Economic Development, Employment and Infrastructure, Bob Nault, MP Kenora, Sarah Campbell, MPP for Kenora-Rainy River, Northwestern Ontario Municipal Association (NOMA), the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.

### **Various Committee Minutes**

#### **27. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council hereby adopts the following Minutes from various City of Kenora Committees:

- December 1 – Environmental Advisory Committee
- December 15 – Lake of the Woods Museum Board
- December 15 – Heritage Kenora Committee; and

That Council hereby receives the following Minutes from other various Committees:

- October 13 – Kenora District Services Board
- October 25 – District of Kenora Home for the Aged Board of Management
- November 15 – Planning Advisory Committee; and further

That these Minutes be circulated and ordered filed.

### **Water Wastewater Systems Monthly Summary**

#### **28. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council of the City of Kenora hereby accepts the November 2016 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Approval of By-laws**

#### **29. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That the following By-laws be now read a First & Second Time, and approved in their present form and presented for Third & Final Reading:~

- #1-2017 – Confirmatory
- #2-2017 – Asset Management Plan Policy #CS-6-2
- #3-2017 – Minutes of Settlement Budget Amendment
- ~~#4-2017 – Kroppy's Lane Street Name Change (Deferred)~~

- #5-2017 – Traffic Amendment Stop Signs Birchwood Road & Birchwood Crescent
- #6-2017 – Lake of the Woods Cemetery Rules & Regulations
- #7-2017 – Coney Island Park Contract Extension
- #8-2017 – Kenora Lions Club Agreement Garrow Park exterior fitness
- #9-2017 – Kenora Masonic Temple MOU private columbarium
- #10-2017 – Path of the Paddle Agreement Amendment – trailhead signs
- #11-2017 – Plaza Reit Purchase Agreement Kenora Shoppers Mall
- #12-2017 – Lake of the Woods Brewing Company Anicinabe Park Stage naming rights
- #13-2017 – D14-16-05 Temporary Emergency Shelter Zoning Amendment
- #15-2017 – Funding Agreement Ministry of Transportation dedicated gas tax funds
- #16-2017 – Planning Services Contracts with MMM Group for 3 CIP's

### **Approval of By-law**

#### **30. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#14-2017 – D14-16-06 1 Seventh Street South Zoning Amendment

### **Notices of Motion**

None

### **Proclamations**

- Action Against Poverty Week – February 12-18, 2017
- Eating Disorder Awareness Week – February 1-7, 2017

### **Announcements**

#### **The following was highlighted by Council:**

1. Councillor McMillan commented on the eating disorder week and how it is an extremely significant issue in today's society and if anyone is reaching out, support as much as you can.
2. Councillor Smith referenced the zoning bylaw amendments and public consultations. The City needs to communicate clearer to the public that they have the opportunity to come to the Planning Advisory Committee meetings and make a deputation to those meetings.
3. Councillor Smith and Roussin are attending KDMA with City Clerk Heather Kasprick in Vermillion Bay.
4. The LCC meeting is January 26, 2017 and Councillor Roussin will attend in Mayor Canfield's absence.
5. The Chamber of Commerce Business Awards February 8, 2017 and will require someone from Council to present the City to present the City's award.

### **Adjourn to Closed Session**

#### **31. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That pursuant to Section 239 of the Municipal Act, as amended, authorization is hereby given for Council to move into a Closed Session at 1:00 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (1 matter)**
- ii) Labour Relations (1 matter)**

**Reconvene to Open Meeting**

Council reconvenes to open session at 1:51 p.m. with no reports from its closed session.

**Close of Meeting**

**32. Moved by R. McMillan, Seconded by L. Roussin & Carried:-**

That this meeting be now declared closed at 1:52 p.m.

**The Corporation of the City of Kenora:**

**Confirmed As Written This .....Day**

**Of.....2017**

.....

**Mayor**

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**City Clerk**