

**COMMITTEE OF THE WHOLE  
MINUTES**

**Held Tuesday, December 10, 2002  
At 4:00 p.m. – City Council Chambers**

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**PRESENT:**            **Mayor D. Canfield**  
                  **Ron Lunny**            -            **Councillor**  
                  **Don McDougald** -            **Councillor**  
                  **Rory McMillan** -            **Councillor**  
                  **Ingrid Parkes**        -            **Councillor**  
                  **Ted Szajewski**       -            **Councillor**  
                  **Colin Wasacase** -            **Councillor**  
                  **B. Preisentanz**      -            **CAO**  
                  **J. McMillin**            -            **City Clerk**

**FINANCE & ADMINISTRATION**

**1 Attendance at KDMA – Red Lake**

**RECOMMENDATION:**

THAT authorization be hereby given for a combination of five (5) Council and Staff Members to attend the Annual Meeting of the Kenora District Municipal Association taking place in Red Lake, February 6, 7 & 8, 2003; and further

THAT all eligible expenses be hereby authorized.

**Recommendation approved.**

**Joanne**

**2. FCM's 66<sup>th</sup> Annual Conference – Winnipeg, MB**

**RECOMMENDATION:**

THAT authorization be hereby given for a combination of five (5) Council and Staff Members to attend the Annual Conference of the Federation of Canadian Municipalities taking place in Winnipeg, MB, May 30 to June 2, 2003; and further

THAT all eligible expenses be hereby authorized.

**Recommendation approved.**

**Joanne**

**3. KMTS Health & Safety Policies**

**RECOMMENDATION:**

THAT Council of the City of Kenora approve the KMTS Health & Safety Policy Manual.

**Recommendation approved.**

**Joanne**

**4. Support of Resolutions – Municipal Property Assessment Corp.**

**RECOMMENDATION:**

THAT the City of Kenora support resolutions received from the City of Sault Ste. Marie and the Township of Armour regarding the quality of property assessment and erosion of service currently taking place in the Municipal

Property Assessment Corporation, especially in light of staff at the local Kenora office alone being cut by more than 50% from 9 down to 4 together with the fact no property valuations are being performed by the Kenora staff; and further

THAT a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Finance, and our local Member of Provincial Parliament to intervene to repair the damage that has been done to property assessment across the province.

**The recommendation was amended to include circulating this resolution to the Premier of Ontario and our local MPP.**

**Recommendation approved.**

**Joanne**

**5. Youth Drop-In Centre – Operating Loan  
RECOMMENDATION:**

That Council of the City of Kenora authorize a one-time operating loan to the Kenora Youth Drop-In Centre in the amount of \$5,000.00 to cover costs of the December 2002 operation and the loan be repaid by February 28, 2003.

**Recommendation approved.**

**Joanne**

**6. Council Per Diems – Councillor Parkes  
RECOMMENDATION:**

WHEREAS Council Remuneration Bylaw 120-2002 provides authority under Section 242 of the Municipal Act for payment of a per diem allowance to Council members on council related business; and

WHEREAS Council has deemed that on a case-by-case basis it may be in the best interests of the City of Kenora to provide a per diem payment for Council members while on approved business related to other municipal boards, municipal organizations, and commissions outside the jurisdiction of the City of Kenora ; and

WHEREAS Councillor Parkes has submitted a request for a per diem payment while acting as President of the Northern Ontario Municipal Association (NOMA);

NOW THEREFORE BE IT RESOLVED that as recommended by the Finance & Administration Committee the Council of the City of Kenora authorize payment to Councillor Parkes in the amount of \$ 4,250.00 being a per diem of \$125.00 per day for 42 days while attending NOMA functions and business from the period July 18, 2002 to November 29, 2002; and further

That a policy be developed to provide a process for claiming future payment of per diems to Council members on municipal business as members of other municipal boards, committees, and commissions outside the direct council business of the City of Kenora.

Mayor Canfield expressed concern regarding the retro-active request for these per diems and while he whole-heartedly supports participation on boards that are not necessarily for "direct" Council business, he would support paying per diems from the time that a policy comes into force.

Councillor McMillan indicated there are a number of options with respect to this matter from paying the full amount; paying a portion; or establishing a policy prior to approving any portion thereof.

Councillor McDougald referred to Remuneration By-law #120-2002 whereby it states that no other remuneration shall be paid to any Member for serving on any other Board or Committee, and stated that the by-law speaks to this matter.

**Committee agreed that the CAO further review this item and provide input to Council Members for consideration prior to Monday's meeting.**

**Bill**

**7. Changes to Procedural By-law**

**RECOMMENDATION:**

THAT Council give three readings to a by-law to establish Rules of Order and Procedures for the Council of the City of Kenora.

**Recommendation approved.**

**Joanne**

**8. Support of Resolution – Opportunity Bonds**

**RECOMMENDATION:**

THAT the Council of the City of Kenora hereby supports the County of Essex resolution with respect to Ontario Opportunity Bonds; and further

THAT a copy of this resolution be forwarded to our local Members of Parliament.

**Recommendation approved.**

**Joanne**

**9. Storage of Special Events Equipment- re: LOWEIDA equipment**

It was noted LOWEIDA is looking for the City to cover the additional storage fee costs for special events equipment. Councillor McDougald indicated there is other equipment involved and not just that belonging to LOWEIDA, i.e. Ministry of Tourism.

**It was noted that this request is for offsetting costs from 2002. Councillor McMillan requested this be reviewed with the Finance Manager for a recommendation so that it may be dealt with at the December 16 meeting.**

**Karen/Bill**

**10. Job Fair 2003**

**RECOMMENDATION:**

THAT as recommended by the Finance & Administration Committee, Council of the City of Kenora provide a grant of \$200.00 for Job Fair 2003.

**Recommendation approved.**

**Joanne**

**11. City of Kenora Municipal Five Year Capital Plan****RECOMMENDATION:**

THAT the City of Kenora 2003 Municipal Five Year Capital Plan as reviewed and amended by the Budget Committee be approved.

**Recommendation approved.**

**Joanne**

**12. Changes to Licensing By-law****RECOMMENDATION:**

THAT the Council of the City of Kenora hereby approves the revisions to Business License By-Law 63-2000 as noted above and attached; and further

THAT three readings be given to a by-law to reflect these amendments and to repeal By-law Number 63-2000.

**Recommendation approved (resolution with changes and by-law).**

**Joanne/  
Paulette**

**COMMUNITY SERVICES COMMITTEE****1. The Winnipeg Foundation**

**This item is to be removed.**

**2. Blow Down Site Restoration****RECOMMENDATION:**

THAT the Mayor & Council accept and approve the award of contract to Wm. Loughed Trucking Ltd. in the amount of \$27,900.00 plus applicable taxes for the required blow down site cleanup; and further

THAT an additional allocation of funding for \$3,000.00 be approved for removal of danger trees and tree hang ups.

**This item is to be removed.**

**3. Proposed Boating Speed Reductions-Harbourfront/Norman****RECOMMENDATION:**

THAT as recommended by the Kenora Port Authority, the Council of the City of Kenora

consider imposing a 9 km boating restriction on various areas on Lake of the Woods, as set out on the attached map; and further

THAT should Council decide to undertake this plan, the following steps be initiated to prepare an application for this purpose:

- define by legal description and size, the exact areas to be included in the application and outlined on a map;
- define the speed control to be enforced for each specific area;
- define exactly what activities, if any, will be prohibited (i.e. pwc's; water skiing, regattas, etc.;
- define such descriptions as "no wake zone", "park", "beach", "personal watercraft", "buoys", etc.
- arrange for the holding of a least one public meeting in order to communicate the City's intention to implement such restrictions. **HOLD**

**4. Snow Cross Races – S.O.P. & Noise By-law Exemption**

**RECOMMENDATIONS:**

1) THAT approval be hereby given for the Alcohol & Gaming Commission of Ontario to issue a Special Occasions Permit to the Kenora Kinsmen Club for events taking place under the Ice Palace at the Kenora Recreation Centre for the Annual Snow-X Races as follows:-

Saturday, February 1 between the hours of 10:00 a.m. & 12:00 a.m.

Sunday, February 2 between the hours of 10:00 a.m. & 8:00 p.m.

2) THAT authorization be hereby given for an exemption to Noise By-law #40-2001 for the snow cross races taking place in the City of Kenora as follows: Fri., January 31 between 3:00 p.m. and 9:00 p.m., Sat., February 1 between the hours of 8:30 a.m. and 9:00 p.m., Sun. February 2, 2003 between the hours of 8:30 a.m. and 8:00 p.m. at the Kenora Recreation Centre.

**The recommendation was amended to include January 31 under the Noise By-law exemption.**

**Recommendation approved.**

**Joanne**

**5. Kenora Thistle Rink---> HOLD**

**6. Navy League Lease – Norman Park**

**RECOMMENDATION:**

THAT Council give three readings to a by-law to authorize the entering into of a lease agreement with the Navy League to occupy the old Rowing Club building at Norman Park; and

THAT the lease agreement set out that the Navy League will be responsible to make repairs to the building structure, roof and electrical as required with the Navy League financing the repairs at their cost (see Option #2 of B. Reynard’s Report); and further

THAT the City of Kenora, at their cost, provide demolition of the lower section of the building that will not be included in the repairs.

**Recommendation approved (resolution and by-law).**

**Joanne/  
Paulette**

**7. City of Kenora Accessibility Committee – Terms of Reference**

**RECOMMENDATION:**

THAT Council approve the Terms of Reference to establish The Kenora Accessibility Advisory Committee.

It was noted the Thunder Bay model was utilized in developing these Terms. At this point the budget is not being approved or reviewed, only the Terms of Reference as a first step in the process.

It was discussed that 12 members on this Committee with alternates is quite a large Committee, and perhaps the make-up could be reviewed and to set up the Committee with the minimum numbers as set out in the legislation.

**Recommendation approved.**

**Joanne**

**EMERGENCY SERVICES**

**1. Vacancy on Police Services Board – Community Member**

**RECOMMENDATION:**

THAT Council of the City of Kenora hereby appoints Kathryn Thunder to serve as Community Member on the Kenora Police Services Board, with a term to expire November 30, 2003.

**Recommendation approved.**

**Joanne**

**2. Endorsation of Resolution – Pickle Lake, re: Fuel Tank Regulations**

**RECOMMENDATION:**

THAT the Council of the City of Kenora *not* support The Township of Pickle Lake’s resolution as written with respect to Fuel Tank regulations.

**Recommendation approved (file).**

**3. Amendments to Fire Control By-law No. 84-2000**

**RECOMMENDATION:**

THAT Council give three readings to a by-law to Amend Fire Control By-Law Number 84-2000 by replacing Section 3.6 with: “there shall be a fee of ten dollars (\$10.00) for the issuance of a fire permit”; and further

THAT Section 3.7 include: “there shall be a fee of twenty dollars (\$20.00) should an Inspection of an Open Air Burning Permit be required.”

Operations Committee is to further review this matter as it pertains to the urban and rural areas for purposes of burning.

**Recommendation approved (resolution and by-law).**

**Joanne/  
Paulette**

**4. Support of Resolution – Amendment to the Juries Act**

**RECOMMENDATION:**

THAT the Council of the City of Kenora fully support and endorse the resolution as put forward by The Corporation of the Township of Montague that recommends that All Municipal Employees, Heads of Council, Members of Council, and Volunteer Firefighters, be included as persons who are also ineligible for jury duty as set in The Juries Act, c. J.3 R.S.O. 1990 Section 3.1.

**Recommendation approved.**

**Joanne**

**OPERATIONS COMMITTEE****1. Payment of Invoice – Jones Rd Sewer/Water Project****RECOMMENDATION:**

THAT authorization be hereby given for payment of Certificate No. 4 to Hugh Munro Construction for work certified to-date for the Jones Road Reconstruction Phase 1 & 11 in the amount of \$129,794.30, and Invoice No. 2196 dated October 31, 2003 in the amount of \$30,785.15.

**Recommendation approved.**

**Joanne**

**2. Conventional Transit Agreement****RECOMMENDATION:**

That Council of the City of Kenora give three readings to a Bylaw ratifying an agreement with Excel Coach Lines to provide conventional transit services for a period of three years, January 01, 2003 to December 31, 2005 with a further 2 year option to extend the agreement to December 31, 2007.

**Recommendation approved.**

**Paulette**

**3. Naming of "Lakeside Lane"****RECOMMENDATION:**

THAT Council give three readings to a by-law to name those areas commonly known as Poplar Street, Chapel Street and Lakeside Beach as "Lakeside Lane" in and for the City of Kenora.

**Recommendation approved (resolution and by-law).**

**Joanne/  
Paulette**

**4. Operations Building Development – Barsky Hill****RECOMMENDATION:**

That Council of the City of Kenora provide authority to the Operations Building Steering Committee for coordination of the design and construction of the new Operations Building and to manage related expenditures in accordance with approved City policies to an upset limit of the \$5.2 million capital project.

**Recommendation approved.**

**Joanne**

**5. LCBO Bottle Deposit and Return****RECOMMENDATION:**

THAT the Council of the City of Kenora acknowledge receipt of Private Member's Bill 125 (1<sup>st</sup> Reading) to amend the Liquor Control Act;

AND THAT Council support and endorse a deposit and return system requiring the Liquor Control Board of Ontario to implement and administer a deposit and return system for all liquor containers sold in Ontario;

AND FURTHER THAT copies of this resolution be distributed to The Premier of Ontario, The Minister of the Environment, Mike Colle, MPP Eglinton-Lawrence, Howard Hampton, MPP Kenora/Rainy River, the Liquor Control Board of Ontario, and the Northwestern Ontario Municipal Association for their endorsement.

**Recommendation approved.**

**Joanne**

**Councillor McDougald made a Declaration of Interest on Item #6 and left the room while this item was discussed.**

**6. Tender – Equipment and Truck Rentals – 2003**

**RECOMMENDATION:**

THAT the attached ranking lists be accepted and adopted for purposes of hiring non-owned equipment and trucks for the period January 1 to December 31, 2003.

**Recommendation approved.**

**Councillor McDougald then returned to the meeting.**

**PROPERTY & PLANNING COMMITTEE**

**1. Re-zone Application – Devins (1<sup>st</sup>/2<sup>nd</sup> Readings only)**

**HOLD**

**RECOMMENDATION:**

THAT the application for amendment to zoning by-law 50-91 to rezone the subject property to R3 be approved with the condition that it not exceed a maximum of four dwelling units; and further

THAT as recommended by the Planning Advisory Committee, the three suites currently occupying the footprint of the residence be inspected by the Chief Building Official for compliance with the Ontario Building Code before the amendment is passed.

**2. Amendment to Tariff of Fees By-law**

**RECOMMENDATION:**

**THAT** from time to time the Council of the Corporation of the City of Kenora reviews its tariff of fees; and

**THAT** the following listing represents the tariff of fees for building and planning matters:

**THAT** where objections to an application which has been approved by the City of Kenora, has resulted in an Ontario Municipal Board hearing, the City of Kenora shall be reimbursed and indemnified for costs and expenses incurred by the City of Kenora in order to prepare, attend and represent the City at said hearing. Without limiting the generality of the foregoing, such costs and expenses may include the fees and disbursements of City staff or consultants, planners, engineers, technical advisors and lawyers retained by the City for the hearing. The security for said costs and expenses should be as a deposit in the amount of \$5,000 for appeals of decisions with respect to either Official Plan or Zoning By-law amendments, appeals of Plans of Subdivision or Condominium or Site Control By-laws, and of \$3,000 for appeals of Consent or Minor Variance applications.

All of the deposit will be required upon receipt of a notice of hearing and will be adjusted, based on actual costs, whether the appeal is successful or not.

**THAT** the following fees be adopted:

**Joanne**



**Planning/Building/Property**

a)	Official Plan Amendment	\$1,500.00
b)	Zoning By-law Amendment	850.00
c)	Temporary Use By-law	800.00
d)	Removal of "H" Symbol	500.00
e)	Minor Variance	250.00
f)	Consents to Sever	
	Per lot	450.00
g)	Technical Consent	250.00
h)	Special Meeting of PAC	300.00
i)	Deposit for OMB Hearing	
	Official Plan, Zoning By-law Amendments	
	Plans of Subdivision and Condominium	5,000.00
	Minor Variances and Consents	3,000.00
j)	Letter of Comfort	150.00
	Refusal	75.00
k)	Zoning Certificate	30.00
l)	Outstanding Work Orders	30.00
m)	Road Allowance Purchase	
	Administration fee	1,000.00
	+ Fair market value (purchase price)	
	+ All associated costs	
n)	Site Plan Agreements	
	Construction costs from \$0- \$800,000	800.00
	Construction costs over \$800,000	.1% of costs
o)	Development Agreements	
	Construction costs from \$0- \$800,000	800.00
	Construction costs over \$800,000	.1% of costs
p)	Subdivision/Condominium Application:	
	- up to 20 lots/units	2,000.00
	- 20 to 40 lots/units	4,000.00
	- over 40 lots	6,000.00
q)	Subdivision Agreement	
	- Rural	800.00
	- Urban	1,500.00

**Recommendation approved.**

**Joanne**

**3. Re-zone Application – Norman Hotel**

**RECOMMENDATION:**

THAT the Kenora Planning Advisory Committee recommends that the application for rezoning number Z08/02 (Heinrichs) be approved for a change to Tourist Commercial – C3 with the addition of professional offices and dwelling units as uses and to allow north side yard of 1.5 metres, south side yard of 3 metres, front yard of 7 metres and rear yard of 5 metres, according to the site plan dated November 4, 2002; and further THAT the project should be subject to site plan and development agreements with the City of Kenora.

**Recommendation approved for two readings only.**

**Joanne/  
Paulette**

**4. Service Delivery Options – Ontario Works  
HOLD**

**UTILITIES & COMMUNICATIONS COMMITTEE**

**1. Amendment to Hiring Policy for KMTS Staff through Commission  
HOLD**

**RECOMMENDATION:**

THAT KMTS staff requirements included in approved business cases or budgets not require further approval by the KMTS Commission or City Council.

**2. Telephone Commission – Vacancy – At-large Member  
HOLD**

**3. AMO – Bill 210 – The New Electricity Legislation**

**RECOMMENDATION:**

THAT as requested by the Association of Municipalities of Ontario, authorization be hereby given for a voluntary contribution to AMO in the amount of \$1,000 by the City of Kenora as a shareholder of an LDC in support of the "Bill 210 Fund" with respect to the new electricity legislation.

**Recommendation approved.**

**Joanne**

**OTHER BUSINESS**

**Motion required adjourning to Closed Meeting:**

**Moved by R. McMillan, Seconded by R. Lunny, and Carried:**

THAT this meeting be now declared closed at 5:35 p.m.; and further

THAT Council adjourn to a Closed Meeting to discuss the following:

- i) pending acquisition of land;
- ii) security of municipal property.

