



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, October 23, 2006 – City Council Chambers  
5:00 p.m.*

~~~~~

WITH Mayor D. Canfield in the Chair, Councillor L. Compton, Councillor R. McMillan, Councillor I. Parkes, Councillor A. Poirier, Councillor T. Szajewski, Councillor C. Wasacase, Bill Preisenzanz, CAO, Paulette M. Grouda, Deputy City Clerk.

### Call to Order

Mayor Canfield called the meeting to order and Councillor Compton read the Prayer.

### Confirmation of Minutes

1. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Tuesday, October 10, 2006** be confirmed as written and circulated.

### **Public Information NOTICES as per By-law Number 14-2003**

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

As required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight's meeting: -

- **To amend Section 5.10 to By-law 168-2004 and to add Schedule "E" being an authorization form for grinder pump maintenance.**

### Declarations of Pecuniary Interest

Mayor Canfield then asked if any Member of Council had any Declarations of Pecuniary Interest with respect to any items on the Agenda. There were none declared.

### DEPUTATIONS:

#### Mike Mahilik-CEP & USW Unions

Mr. Mahilik asked that Council support the resolution that is on the Agenda tonight as Resolution No. 3 USW CEP Forest Industry Crisis. Mr. Mahilik said that the forest industry is in a crisis situation and the energy costs must be reduced immediately to \$45 per MWH or there will be more mill shutdowns and communities will be hurt even more.

#### Laurie Bracken – Volunteer Sunset Trail Riders Snowmobile Club

Mrs. Bracken advised Council that STR have volunteered hundreds of hours to the City the last 12 months in the name of Winter Tourism and want to see Kenora thrive year round. Mrs. Bracken urged Council to move forward and approve all 3 re-alignments. She advised STR will continue to work with the City to ensure the best possible routes are taken to provide excellent access for residents and visitors. Mrs. Bracken left a copy of her Deputation with the Clerk.

#### Norel Tucker- Snowmobile Trail Re-alignment



Mr. Tucker advised it is time to fully support the substantial efforts to improve our fine community, even if the vision might not be exactly what you have had in mind. He requested that the plan of trail re-alignment be supported. Mr. Tucker reminded Council that our community depends on their sound reasoning ability and for Council to do what makes the best sense for the community and not just for a few status quo, self-centered individuals. He quoted Mayor Canfield as saying "Economic Development is this election". Mr. Tucker left a copy of his Deputation with the Clerk.

**Mabel Spencer – Snowmachine By-Law**

Ms. Spencer advised that on behalf of herself, Warren and Pam Cederwall, they are relieved that Council is proposing to amend the Snowmobile By-law with Option B which will change the path of this corridor from a residential neighbourhood. She requested Council to clarify the time frame with respect to this proposed change and also what steps will be taken to permanently close the 19<sup>th</sup> Ave. N. section of the corridor and to include some reference to the time frame and closure in the proposed amendment to the By-law. Ms. Spencer left a copy of her Deputation with the Clerk.

**Lisa Gate-Villa-Parent Council –Proposed Option B Snowmobile Trail**

Mrs. Gate-Villa representing the Parent Council and Concerned Parents of Keewatin Public School Students expressed safety concerns for the school children regarding the proposed Option B. She advised that the students actively use the existing public trails and fundraising has taken place to purchase cross country skis for the students and as many as 75 students use these trails on a regular basis during school hours January to March as part of their physical education curriculum. Mrs. Gate-Villa requested that Council consider the groups' concerns prior to passing the by-laws. Mrs. Gate-Villa added, that personally, she is all for this Town and Community. She mentioned that many people use this trail for physical enjoyment and that widening the trail for snowmachines would take away from the natural beauty of the trail. Mrs. Gate-Villa left a copy of her Deputation letter with the Clerk.

**Sharon Smith – Amendment to By-Law #154-2001**

Ms. Smith expressed concern that the proposed change to the Keewatin Corridor has nothing to do with a temporary corridor and that the intent of the By-law is a permanent corridor. Ms. Smith pointed out that this option is nothing more than a shortcut and is not part of a cross town corridor. She stated there are other options the City and Club should have explored. Ms. Smith mentioned that there are safety concerns for more than the snowmachiners with the unsafe ice – there are safety concerns for the school children, walkers and residents who drive the road. Ms. Smith stated that she hoped Council now has a sense of what the Mink Bay/Portage Bay wetland area means to the community of Keewatin. Ms. Smith left a copy of her Deputation with the Clerk.

**Ted Weiss – President Sunset Trail Riders**

Mr. Weiss advised that many meetings have been held this past year to discuss the issue of through City Corridors and it was decided to deal with the two current segments of the trail that have a history of concerns and the new trail proposal for Keewatin. The East trail realignment may solve some issues with two households and there is a lot of work and negotiating to put in this trail. The Highway 17 East change is necessary since the realignment of the road took up the fringe areas of the road that previously were used by the snowmobiles. The change would move the trail to the south side of the highway and would require a temporary trail on the north side of the road for pedestrian traffic. The Keewatin proposed new trail is required to eliminate the risk of running under the Keewatin Bridge which has a history of unsafe ice and allows snowmobilers access to Keewatin businesses. Mr. Weiss urged



council to vote in favor of all three By-law options. Mr. Weiss left a copy of his Deputation with the Clerk.

**Dianne Gate – Property Owner**

Mrs. Gate stated she has lived on this property for 38 years and knows property values would be negatively affected by the snowmachine corridor realignment in Keewatin. Mrs. Gate stated that they are outdoors in the winter and would be affected by the noise. Mrs. Gate advised that they walk that trail all the time in the winter and talk with the children who use the ski trails. She stated that the area is not large enough to accommodate a snowmobile trail, school children and walkers and hoped Council would vote this proposal down. Mrs. Gate left a copy of her Deputation with the Clerk.

**Clara Christensen – Keewatin Public School Student**

Miss Christensen spoke of how much she enjoyed the trail behind the Keewatin School, along with other students and people for skiing and walking. Miss Christensen said that she hoped the trail behind the school would be safe for years to come.

**Laureen Parsons – Hwy 17 East Snowmobile Trail**

Ms. Parsons expressed concern that alternative routes cannot be found to make everyone happy. She expressed concern with Council turning an existing sidewalk into a trail and spending \$30,000 to construct a sidewalk on the north side of the road for pedestrians. She mentioned the noise 24 hours a day, property values dropping, and property damage due to snowmachines. Ms. Parsons felt residents are allowed to express concerns and opinions but never given answers to their questions. Ms. Parsons said there are many other winter sports and activities that could be promoted and the City should not be so fixated on snowmobiling as the geography of Kenora is not snowmobile friendly. Ms. Parsons left a copy of her Deputation with the Clerk.

**Hayley Smith for Kirk Doran – Road Safety in City of Kenora**

Ms. Smith presented Kirk Doran's Deputation regarding safety concerns on the roads with regard to the snowmobile trails. Concerns were expressed for the safety risks of the blind section of West Bay Road outlined in Trail Option "B". Such an entrance and exit is dangerous and in contravention of By-law 154-2001 Sect. 7. In the first trail attempt the area was signed at 50 kph which is 10 kph over the speed for automobile traffic in a school zone and 30 kph over the by-law speed limit for snowmachines within City limits. Adding any of the suggested corridor traffic to this section of road introduces unacceptable risks to residents, walkers and visitors. This Route "B" must be quashed.

Ms. Smith advised that the proposed Trail Route B option in Keewatin does not allow for a cross-town corridor. She questioned why STR are anxious to get off the ice on Lake of the Woods but continue to use the ice on Winnipeg River below the Norman Dam where ice conditions frequently change. Ms. Smith suggested options be looked at further west that would take the STR off the river and the lake. She pointed out that Route A does not cross any roads while Route B crosses the Trans Canada Highway as well as the West Bay Road on an S curve with a blind hill approach. Ms. Smith urged Council to show due diligence and pursue alternative options prior to making a decision. Ms. Smith left a copy of Kirk Doran's and her Deputation with the Clerk.

**Marc Bissonnette-Keewatin Snowmobile Trail**

Mr. Bissonnette advised he is the owner of Hap's and a resident of Keewatin. He said he felt the plan was a solid one and he lives near the trail and has no problem with it. He stated there was no reason why groups cannot work



together. He also mentioned that he has never heard of anyone being hit on these trails and that snowmachines can and will use this trail. Mr. Bissonnette said you have to think which is safer, a regulated trail with signed speed limits with a separate walking/skiing trail, or an unregulated trail. Mr. Bissonnette left a copy of his Deputation with the Clerk.

### **Kevin O’Flaherty – Snowmachine Trails**

Mr. O’Flaherty advised he is the owner of seven businesses and residents need to have fun during the long winter months and the merchants need the business. He said Kenora should embrace winter sports. Mr. O’Flaherty requested Council to move forward with this and make the community grow.

### **Approval of Accounts**

#### **2. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT the Reports dated **October 4, and 12, 2006** of the Finance and Administration Committee, submitting for approval and authorization for payment, invoices, accounts and payroll summaries, including transfers to Boards and Commissions for municipal and utility listings, totalling **\$1,989,835.85** be hereby authorized for approval.

### **USW CEP Forest Industry Crisis**

#### **3. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

WHEREAS the forest products industry is the second largest contributor to Ontario’s balance of trade recently directly employing 85,000 and many thousands more across the province in supply and service and contributes \$2.3 billion in taxes to all levels of government;

AND WHEREAS the Ontario governments own Ministers Council on Forest Sector Competitiveness recognized the impending crisis in the industry;

AND WHEREAS Mill closures and reductions in operations have devastated the sustainability of economies in communities across Northern and Eastern Ontario, throwing thousands of forestry workers out of work, threatening the employment of teachers, nurses, retail and civic workers and driving real estate prices into the ground;

AND WHEREAS any solution to this crisis requires the input and involvement of all stakeholders;

AND WHEREAS Ontario government all party committees have served as a vehicle to solicit input and involve the public in finding solutions;

THEREFORE BE IT RESOLVED that the Municipality of City of Kenora calls on the Government of Ontario to strike an all party committee of the Ontario Legislature to immediately conduct hearings throughout the province and specifically in impacted communities; and

BE IT FURTHER RESOLVED that the committee be mandated to provide all stakeholders with an opportunity to make presentations.

### **Request Province Expedite Prov/Municipal Fiscal& Service Review**

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

WHEREAS the gap between the transfers from the province and the cost of social programs is growing and is now estimated by the Association of Municipalities at over \$3 Billion; and



WHEREAS delays in balancing the cost of delivering services with the ability to pay are resulting in delayed maintenance of infrastructure, reduced municipal services and property tax increases across the province;

NOW THEREFORE BE IT resolved that in the opinion of the Council of the City of Kenora that the provincial government's currently proposed Provincial-Municipal Fiscal and Service Delivery Review (which will not be completed until February 2008, after the next provincial election) is needlessly drawn out and that a full review to balance the delivery of service with the ability to pay should be completed much more expediently, in order to avoid hitting taxpayers with unsustainable property tax hikes or significant reductions in service.

**Council Meeting Schedule – November/December 2006**

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

THAT Council approve the following Meeting Schedule for the remainder of 2006:

**November** – No Meetings due to Municipal Election

**December:**

Monday, December 4 – 11:00 a.m. Inaugural Meeting

Tuesday, December 12 – 3:30 – 6:30 p.m. Finance and Administration, Community Services and Operations

Wednesday, December 13 – 8:30 a.m. Emergency Services  
10:00 a.m. Property and Planning

Monday, December 18 – 5:00 p.m. Council Meeting

**Draft Noise By-Law**

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

THAT the Draft Noise By-law be made available to the public for review and written comment by November 30, 2006; and further

THAT the Draft By-law be posted on the Portal and obtainable from City Hall for this purpose.

**Snow Cross Race**

**7. Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora grants the Snow Cross Committee permission to host the 2007 Snow Cross event on February 23, 24 and 25, 2007 at the Kenora Recreation Centre and further

That permission to host the 2007 Snow Cross Event is conditional upon the Snow Cross Organizing Committee meeting the following requirements:

- a) Make application and receive approvals for all permits and contracts prior to the preparation of the site for the event
- b) Endeavor to haul clean snow to the Kenora Recreation Site
- c) Hours of snow hauling to the Kenora Recreation site will be between the hours of 7:00 a.m. to 9:00 p.m.
- d) City of Kenora to be named as an additional insured on the Snow Cross liability insurance policy in the amount of \$2 million and shall provide a certificate of insurance prior to construction of the track



- for the period of time as determined by the Manager of Community Services
- e) Develop and implement a communication plan as approved by the Manager of Community Services to notify area residents including Benedickson Court and the Lakeside area
  - f) Be responsible for damages relating to the City infrastructure required to support this event
  - g) Complete a Clean Up Plan as approved by the Manager of Community Services

### **911 Signage**

#### **8. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

THAT Council authorize a purchase in the amount of \$20,280.00, plus applicable taxes, shipping and handling, from Guardian Traffic Services for 911 signs to be installed in the communities of Kirkup, Rat Portage and Dalles; and further

THAT this purchase be fully reimbursed through the applicable communities on or before 31 October 2010.

### **Amend Water & Sewer Regulation By-Law – Grinder Pumps**

#### **9. Moved by A. Poirier, Seconded by I. Parkes & Carried:-**

That Council of the City of Kenora hereby amend Kenora Bylaw No. 168-2004, being a Bylaw of the Corporation of the City of Kenora to enact regulations and to establish charges for the use, operation and maintenance of a system of water works and sewage works in the City of Kenora, by enacting the following changes with respect to roles and responsibilities relative to the maintenance and operation of grinder pumps:

1. Delete original Clause 5.10
2. Add new Clause 5.10 as prepared by the City Solicitor and contained within the Report of Rick Perchuk, Operations Manager dated October 13, 2006
3. Add new Schedule E being a Sewage Grinder Pump Repair Authorization form authorizing the City of Kenora to undertake certain repairs of a sewage grinder pump on a homeowner's premises; and further

That Council of the City of Kenora hereby establish the following eligibility criteria for reimbursement of grinder pump maintenance costs incurred directly by homeowners for the period January 01, 2005 to October 23, 2006:

1. Grinder pump owners residing in the Rabbit Lake area are eligible
2. Claims for expenses must be based on related grinder pump maintenance costs by an independent contractor
3. Out-of-pocket costs are not eligible
4. Claims are to be forwarded to the Manager of Operations with a deadline of December 31, 2006
5. Reimbursement of expenses will be based on a maximum of \$2,000.00

### **Drainage Easement Agreement - Dowell**

#### **10. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT authorization be hereby given to acquire certain lands from Gary Patrick Dowell for purposes of a drainage easement agreement; and further

THAT the Council of the Corporation of the City of Kenora hereby approves the form of the draft by-law and Agreement between the City of Kenora and Gary Patrick Dowell; attached hereto, and further



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

**Transfer Property to City from Campbell- Duffus Road**

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

1. THAT lands affected by the conditions of a subdivision agreement were acquired by the City for the purposes of a highway and further
2. THAT the City of Kenora accepts and assumes property described as Part 10 on Plan 23R-11291 into the City's road inventory, per the recommendation of the Road Supervisor.
3. THAT the Corporation of the City of Kenora has acquired, from Kathleen Campbell, a part of property described as Part 10 on Plan 23R-11291, to be assumed as a highway for public/municipal purposes;
4. THAT the portion of the road is hereby named Duffus Road;
5. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

THAT this By-law shall take effect and come into force from and after the final passing thereof.

**Sale of Road Allowance – Beryl Winder Road-Haus**

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

THAT the Council of the City of Kenora declares a portion of the Beryl Winder road allowance property described on Plan M.134 and Lot 3, known as 384 Beryl Winder Road as surplus to the needs of the municipality; and

THAT the Council of the City of Kenora declares the road allowance abutting the Winnipeg River and 384 Beryl Winder Road, Lot 3, Plan M134 as surplus to the needs of the municipality; and

THAT in accordance with Notice By-law #14-2003, arrangements be made to advertise the sale of the subject lands for a three-week period; and further

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Lilly Haus, as a lot addition, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs;

THAT the Mayor and Clerk are authorized to enter into the agreement of purchase and sale of said property.

**Addition of Properties to Municipal Registry**

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

THAT Kenora City Council approves the addition of the following properties into the municipal registry of properties of cultural heritage significance or interest.

Property described as:

350 Second Street South, PLAN 25 LOT 273 TO 274 and known as the City of Kenora Fire Hall; and

RP KR1025 PART 2 PART 6 PCL;25415 & PART 6 WATER L, 1 Seventh Street South, known as the Cameron House; and

PLAN 3 BLK 2 PARTS LOT 6,7,9;AND ALL LOT 8, 204 Second Street South, known as the Kenricia Hotel.

**Zoning By-Law Amendment – Otis Holdings Ltd.**



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

That Council of the City of Kenora will consider Zoning By-Law Application Z06/06 Otis Holdings Ltd., as outlined in the Planning Report dated October 10, 2006, being an application to amend Zoning By-Law No. 160-2004; and further

That Council hereby refuse this application.

**19<sup>th</sup> Avenue North Snowmobile Trail Option**

**15. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

**19<sup>th</sup> Avenue North Snowmobile Trail Option:**

That Council of the City of Kenora hereby support the following addition to the existing snowmobile trail network, as outlined on the attached Map#2, Option 'B'; and further

That the portion of the snowmobile trail located north of the Gould Road intersection and proceeding northerly to 19<sup>th</sup> Avenue North be deleted, once permission is secured from the landowners and the new snowmobile trail is constructed and marked.

**Motion to Table Motion No. 16 Keewatin Channel Bridge Snowmobile**

**Moved by R. McMillan, Seconded by A. Poirier & Carried**

That Motion No. 16 on tonight's agenda with respect to Keewatin Channel Bridge Snowmobile Trail Option be hereby tabled.

**Keewatin Channel Bridge Snowmobile Trail Option**

**16. Moved by C. Wasacase, Seconded by I. Parkes**

**Keewatin Channel Bridge Snowmobile Trail Option:**

That Council of the City of Kenora hereby amend Bylaw Number 154-2001 being a bylaw to regulate, govern and control motorized snow vehicles in the City of Kenora, by relocating a portion of the trail, as outlined on the attached Map#3, Option 'B', to Schedule 'C' - Keewatin Trail "A" West of Bylaw 154-2001.

**MOTION TABLED**

**Highway 17 East from Miikana Way to Tourist Info Centre**

**17. Moved by C. Wasacase, Seconded by T. Szajewski**

**Highway 17 East from Miikana Way to Tourist Information Centre**

That Council of the City of Kenora hereby supports the use of the north side of Highway 17 E westerly from the Tourist Information Centre as a snowmobile trail; and further

That the capital cost to construct a sidewalk on the north side of Highway 17 E be referred to the 2007 capital budget for consideration.

**Motion to Amend Highway 17 East from Miikana Way to Tourist Info**

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

That Motion No. 17 be amended to remove construction of new sidewalk.

**MOTION AS AMENDED**

**Highway 17 East from Miikana Way to Tourist Info Centre**





**17. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

Highway 17 East from Miikana Way to Tourist Information Centre  
That Council of the City of Kenora hereby supports the use of the north side of Highway 17 E westerly from the Tourist Information Centre as a snowmobile trail.

*Councillor McMillan requested the Rules of Order be Suspended in order to introduce the following item:-*

**Attendance at Workshop-Trent University**

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

THAT Council of the City of Kenora hereby authorize Councillor Rory McMillan and Cuyler Cotton, Dovetail Resources, to attend and participate in the workshop entitled "Working Together on Common Ground: The Grand Council Treaty #3/City of Kenora Partnership" being held at Trent University in Peterborough on November 3 – 5, 2006; and further

THAT all eligible expenses be hereby authorized for payment.

**By-Laws First & Second Reading**

**18. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

THAT the following **By-law** be read a **FIRST & SECOND** Time: ~

- #140-2006 – to confirm Standing Committee Meetings Oct. 17<sup>th</sup> & 18<sup>th</sup>;
- #141-2006 – to stop up sell and close road allowance 1629700 Ont. Inc.;
- #142-2006 – to execute an Agreement with the Longbow Lake Fire Brigade Inc. for 911 Addressing;
- #143-2006 – to execute an Agreement with Rat Portage for 911 Addressing;
- #144-2006 – to execute an Agreement with The Dalles for 911 Addressing;
- #145-2006 – to amend Water & Sewer Regulation By-Law for maintenance and operation of Grinder Pumps;
- #147-2006 – to authorize the transfer of land to City for Highway (Duffus Road);
- #149-2006 – to acquire certain lands for the purpose of storm drainage ditching easement.

**By-Laws Third & Final Reading**

**19. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

THAT the following **By-laws** be now approved in their present form & be presented for **THIRD & FINAL** Reading: -

- #140-2006 – to confirm Standing Committee Meetings Oct. 17<sup>th</sup> & 18<sup>th</sup>;
- #141-2006 – to stop up sell and close road allowance 1629700 Ont. Inc.;
- #142-2006 – to execute an Agreement with the Longbow Lake Fire Brigade Inc. for 911 Addressing;
- #143-2006 – to execute an Agreement with Rat Portage for 911 Addressing;
- #144-2006 – to execute an Agreement with The Dalles for 911 Addressing;
- #145-2006 – to amend Water & Sewer Regulation By-Law for maintenance and operation of Grinder Pumps;
- #147-2006 – to authorize the transfer of land to City for Highway (Duffus Road);
- #149-2006 – to acquire certain lands for the purpose of storm drainage ditching easement.



**Adjournment**

**20. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT this meeting be now declared closed at 6:47 p.m.; and further

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

- **Disposition of Land.**

**Meeting Re-Opened at 6:55 p.m.**

**Action Arising from Closed Session**

**Coney Island Property**

**21. Moved by L. Compton, Seconded by A. Poirier & Carried:-**

THAT Council hereby rejects current offers received for the City owned property being Parcel 4029 Location D57 Parcel 619 Part of Location D57 on Coney Island; and further

THAT the Parcel 4029 Location D57 Parcel 619 Part of Location D57 on Coney Island be listed for sale on the open market with Century 21 for the amount of \$275,000.00.

**Meeting Adjourned at 6:58 p.m.**

***THE CORPORATION OF THE CITY OF KENORA:***

**CONFIRMED AS WRITTEN THIS .....DAY OF**

**.....2006**

.....  
**MAYOR**

.....  
**CITY CLERK**