



Minutes

**Of a Meeting of the Council of the City of Kenora
Monday, June 18, 2012 – City Council Chambers
5:00 p.m.**

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**WITH Mayor D. Canfield, Councillor C. Drinkwater, Councillor R. Lunny,  
Councillor R. McKay, Councillor R. McMillan, Councillor L. Roussin, Councillor S.  
Smith.**

**Staff:**

Karen Brown, CAO, Rick Perchuk, Operations Manager, Sharen McDowall, Human Resources Manager, Warren Brinkman, Fire & Emergency Services Manager and Heather Kasprick, Deputy Clerk.

**Call to Order**

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

**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 tonight’s meeting:-**

- A By-law to adopt a policy for the use of municipal property for the purposes of outdoor commercial patios

**Presentations:**

**Kenora Youth Council Term Report**

The Kenora Youth Council members attended and thanked Council for the opportunity to become more involved in the City. They expressed that it has been a great experience for the youth involved and they look forward to improving and growing as a group in the next term. The Youth Council plans to host a community barbeque that will give back to the community and half the proceeds will go to local charities. In the next term, the Youth Council plans to create a code of conduct for members as well as develop a basic guide for how the Council works. Mayor Canfield thanked the members present and a copy of the deputation was left with the Clerk.

**Kenora OPP 2011 Year-End Report**

Inspector Dave Lucas presented Council with the 2011 year-end report for the Kenora OPP. He stated that alcohol and drugs continue to fuel the vast majority of violence,

property crime, street crime and disorder in the City. In 2011 they saw an increase in property crimes, however, they are ensuring that prolific drug dealers and repeat offenders are held accountable for their crimes. In the City alone they responded to 15,000 occurrences with violent crimes down and property crimes up slightly. For the total overall detachment they responded 18,325 occurrences with violent crimes also being down and property crimes increased. The detachment reported 21,460 hours of total patrol in strictly the City alone. In 2011 they solved 31.2% of the property crimes and 82.5% of violent crimes.

The detachment focuses on crime prevention through social development along with a focus on substance abuse, mental health and youth issues. They have introduced a program called "Opening Doors After School" program running out of Evergreen School and this program has been very successful. Strengthening families for the future will continue and it is bringing families together and will continue to run in 2012. The OPP also have held prescription opiate education sessions with the public as well as the local and visiting doctors. Bob Bernie is the lead on the Substance Abuse and Mental Health Task Force. They have also completed safety and enforcement presentations to community members and the OPP link to all health, social services and other community resources to form positive relationships in the community.

The detachment has 88 total police officers in detachment. The focus for 2012 is to continue to reduce violent crime and victimization, reduce mischief, break and enter, and auto theft. They want to continue to address street crime and disorder, substance abuse and mental health. They will continue their great work with supporting youth relationships, continuing with ATV, Snowmobile and water units and overall improved public relations.

### **Portraits of Honour**

Carol Davis and George Storm were present to present the City of Kenora and Chief Warren Brinkman with a plaque from the Portraits of Honour display that was in Kenora last fall. Carol and George thanked the Fire Department and the Kenora Kinsmen for their support and assistance in bringing the Portraits of Honour to Kenora and presented the plaque to be displayed at the new Fire Hall.

### **Confirmation of Minutes**

#### **1. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That the following Minutes of the Council and Committee Meetings of the Council of the City of Kenora, be confirmed as written and circulated:-

- Regular Council Meeting held May 22, 2012

### **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 Tonight's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance.

**Councillor McMillan made a Declaration of Interest on the following items as they relate to the Kenora Police Services Board as his wife is a member of that Board:**

Motion #7  
Motion #11

**Councillor Roussin made a made a Declaration of Pecuniary Interest on the following items as they relate to the Kenora Public Library as his wife is an employee of the Library:**

Motion #7  
Motion #11

### **Deputations**

None Requested.

### **Proclamations**

**Mayor Canfield read out the following Proclamation:**

- June 8-15th - World Oceans Week

### **Additions to the Agenda**

**1a. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That approval be hereby given for the following additional item to be added to tonight's agenda:-

1. Recognition and congratulations to Kenora's Mike Richards on the LA King's Stanley Cup Win.

### **Mike Richards Achievement**

**1b. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That the Council of the City of Kenora hereby acknowledges Kenora's Mike Richards for his heart, skill, determination and efforts contributed to the LA King's 2012 Stanley Cup win; and

That on behalf of the entire community, Kenora City Council hereby expresses our pride, excitement and congratulations to Mike on this accomplishment and the resulting community spirit as we rallied together in support of Mike's quest for the Cup; and

That Council also acknowledges the Richard's family who deserve recognition for their support during not only this incredible hockey season but throughout Mike's hockey career; and further

That Council, staff, friends and the community as a whole look forward to Mike's arrival back home along with the Stanley Cup returning to Kenora after 105 years!

## **Accessibility Committee Appointment**

### **2. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

That Council hereby appoints Bayley Kurtz-Ostenfeldt to the Accessibility Advisory Committee with a term to expire November 30, 2014.

### **Councillor McMillan introduced a motion to defer Motion #3:**

## **Motion to Defer Motion #3 (Harbourfront Tent User Guide)**

### **2a. Moved by R. McMillan, Seconded by C. Drinkwalter & Carried:-**

That Motion Number 3 on tonight's Agenda with respect to approving a Harbourfront Tent User Guide be hereby tabled until the July 16, 2012 Council meeting and referred to the Committee of the Whole meeting for further review at its July 9, 2012 meeting.

## **Harbourfront Tent User Guide**

### **3. Motion Deferred to July 16, 2012 as per Resolution #2a**

That Council of the City of Kenora hereby supports an internal Harbourfront Tent User Guide that promotes fire and life safety that will be used for City staff reference only; and further

That each user group of the Tent Structure shall provide the Chief Building Official and Chief Fire Official for the City of Kenora a detailed floor plan, including dimensions, for their specific event no more than 30 days prior to the event date; and further

That the Chief Building Official and Chief Fire Official or designate for the City of Kenora shall authorize each tent use prior to the event taking place and the internal booking form shall be circulated for approval to the parties through the approval process; and further

That staff be directed to develop a user friendly guide for consumer reference for rentals that clearly outlines the responsibilities of the occupants and the requirements for the rental.

### **Motion Deferred**

## **Insurance Renewal**

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

That Council hereby approves the renewal of the City's Municipal Insurance Policy with Jardine Lloyd Thomson with local representation by the Standard Insurance for the provision of Municipal Insurance coverage effective July 1, 2012 to July 1, 2013 in the amount \$323,890 plus applicable taxes.

## **AMO Appointment**

### **5. Moved by C. Drinkwalter, Seconded by R. Lunny & Carried:-**

That Council of the Corporation of the City of Kenora hereby supports Mayor David S. Canfield to the position of Director for the Northern Caucus as the Northwestern Ontario

Municipal Association (NOMA) appointee to the Association of Municipalities of Ontario (AMO); and further

That the appropriate nomination including Mayor Canfield's written consent be forwarded to AMO no later than June 22, 2012.

**Ring of Fire-Support for First Nations Determination of Development**  
**6. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That as requested by the Council of the City of Thunder Bay with respect to the development of the mineral deposits known as the Ring of Fire, and recognizing the primacy of First Nations communities to take steps to have their communities directly benefit from the development of the Ring of Fire, the Council of the City of Kenora hereby supports the fundamental intent of the resolutions arising from the joint meeting of the Lake Nipigon First Nations, the Matawa North-South Alliance as well as the municipalities of Thunder Bay, Greenstone and Nipigon at a meeting held April 14, 2012; and further

That a copy of Kenora's resolution of support be forwarded to NOMA, Greg Rickford, MP, Kenora, Sarah Campbell, MPP, Kenora-Rainy River, the Minister of Northern Development and Mines, the Provincial Ring of Fire Coordinator, the Federal Minister of Natural Resources and the City of Thunder Bay.

**Various Minutes**

**7. Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

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

- April 17 – Committee of Adjustment & Planning Advisory Committee
- May 9 – Harbourtown Centre Committee
- March 29 & May 10 – Heritage Kenora
- May 14 – Committee of the Whole
- May 15 – Property & Planning Committee
- May 22 – Lake of the Woods Museum Board
- May 23 – Kenora Community Policing Committee
- May 24 – Special Committee of the Whole
- May 24 – Kenora Youth Council

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

- March 22 – Kenora District Services Board
- April 20 - Northwestern Health Unit
- May 3 – District of Kenora Home for the Aged
- May 30 – LOW Development Commission

That these Minutes be circulated and ordered filed.

**Abstention: Councillor McMillan & Councillor Roussin**

## **Workwell Audit Results**

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

That Council receives the results of the recent WSIB Final Workwell Audit of the City's Health and Safety Program as presented; and further

That City Administration and staff be commended on the substantial improvements that have been made to the City's Health and Safety program to ensure safe work practices are in place for all our employees; and further

That the City continues to emphasize the importance of health and safety in the workplace and at home by continuing the training, education and policies that have been developed and in practice for all departments by making health and safety a priority; and further

That City staff be directed to develop a strategy to address the outstanding recommendations from the audit that would bring the City to 100% compliance.

## **Notice of Motion – Experimental Lakes Area Closure**

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

**I, Councillor Rory McMillan do hereby give Notice of Motion in keeping with Section 7.11 of Council's Procedural By-law #200-2010, and will, at the next regular meeting of this Council to be held Monday, June 18, 2012, bring forward the following motion:**

Whereas the experimental lakes Area represents a globally unique and valuable research facility for the study of freshwater eco system dynamics; and

Whereas the City of Kenora benefits directly from the facility through local citizens' employment and through the facility's spending in Kenora, as well as benefitting from the research results applicable to fresh water eco systems around Kenora;

Therefore the Council of the City of Kenora calls upon the Federal Government to reverse its May 17, 2012 decision to close the experimental lakes Area east of Kenora; and further

That a copy of this resolution be forwarded to Mr. Greg Rickford M.P. together with the background information and to others as deemed appropriate.

## **Amended MOU with Lake of the Woods Development Commission**

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

That Council hereby adopts the revised Memorandum of Understanding with the Lake of the Woods Development Commission; and further

That the appropriate by-law be passed for this purpose.

## **April 2012 Financial Statements**

### **11. Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at April 30, 2012.

**Abstention: Councillor McMillan & Councillor Roussin**

**Dedicated Gas Tax Funds – Funding Agreement**

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

That Council of the City of Kenora give three readings to a by-law to authorize the execution of an agreement between the City of Kenora and the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program for 2011-2012; and further

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

**2012 Interlocking Brick Paver & Concrete Sidewalk Works**

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

That the request for quotations for the unit prices for Interlocking Brick Paver and Concrete Sidewalk Works 2012 be received; and further

That the ranking call list for unit prices for Interlocking Brick Paver and Concrete Sidewalk Works 2012 be accepted and adopted for the purposes of hiring contractors to perform the works during the 2012 Construction Season.

**Building Inspector Appointment**

**14. Moved by C. Drinkwalter, Seconded by R. Lunny & Carried:-**

That Jeremy Smith be appointed to the position of Building Inspector for the City of Kenora; and further

That By-law 105-2007 designating John Nabb as Deputy Chief Building Official for the City of Kenora, be hereby repealed; and further

That Council give three readings to a by-law for this purpose.

**Detailed Visual Bridges and Parkade Inspections**

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

That Council of the City of Kenora accepted the proposal of Genivar Inc. to provide consulting services for the Detailed Visual Bridge and Parkade Inspections; and further

That the Mayor and Clerk are hereby authorized to execute an Agreement between The Corporation of the City of Kenora and Genivar Inc., in accordance with the terms and conditions therein; and further

That the appropriate by-law be passed for this purpose.

**DWQMS Accreditation**

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

That Council of the City of Kenora authorizes the transfer of accreditation to QMI-SAI Global to be the Accreditation Body for our Drinking Water Quality Management System; and further.

That the Mayor and Clerk be authorized to enter into any agreements from this transfer.

### **2012 Water & Wastewater Systems Monthly Summary Report**

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

That Council of the City of Kenora hereby accepts the Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Randy Polischuk, Water and Sewer Foreman, Jim Campbell, Water Treatment Plant Operator and David Nachuk, Wastewater Treatment Plant Operator, for the month of April, 2012.

### **2012 Deer Hunt**

#### **18. Moved by R. Lunny, Seconded by S. Smith & Carried:-**

That Council hereby approves an amendment to the Discharge of Firearms By-law #148-2010 to authorize an extension to the areas in which deer hunting is allowed within City limits for 2012 for the period October 1, 2012 up to and including 15 December, 2012, with the following restrictions:

- Hunting shall be restricted to hunting of deer only south of Highway 17A (the By-pass);
- Firearms authorized to be used for hunting within City limits south of the by-pass shall be restricted to archery equipment as defined per the rules and regulations of the Fish and Wildlife Conservation Act;
- Hunters eligible to hunt within City limits south of Highway 17A (the By-pass) shall be restricted to those eligible to hunt under the Resident – Open Season, as defined within the Ontario hunting regulations;
- Hunters shall have all required licenses and courses and comply with the rules and regulations as set out in the Fish and Wildlife Conservation Act and adhere to all related Provincial and Federal statutes;
- Hunting shall only be permitted on parcels of land of an area of four (4) hectares or greater;
- Hunting shall be prohibited on all city owned land;
- Hunting shall only take place on either crown land or private property which lies within the designated hunting areas and related size restrictions;
- Hunters must obtain written permission to hunt on private land from the property owner and display written permission at request of a law or by-law enforcement officer;
- Discharging a bow and arrow within 75 metres of an occupied dwelling or roadway is prohibited;
- No bow and arrow shall be discharged in the direction of any human, roadway, structure or domestic animal within reasonable range of the weapon at an angle which might allow the projectile to strike at, or dangerously near these objects;
- Field dressing shall be done in accordance with the wishes of the property owner and remains shall not be disposed of on City property; and further



That the appropriate by-law be passed for this purpose

### **Sign Variance – Delegation of Authority**

#### **19. Moved by R. McKay, Seconded by C. Drinkwalter & Carried:-**

That Council of the City of Kenora hereby delegates authority to the Commissioner of Signs, or designate, to make decisions on applications for variances to Sign By-law No. 115-2010 subject to the following:

The matter is referred to Committee

- a) at the discretion of the aforementioned staff members;
- b) the applicant requests that the matter be referred to Committee; or
- c) a member of Council requests that the matter be referred to Committee.

### **Motion to Amend**

#### **19a. Moved by R. McMillan, Seconded by C. Drinkwalter & Carried:-**

That Motion #20 on tonight's agenda with respect to Mobile Food Vending on Municipal Property be amended by replacing "The Tourism Development Officer" in the first paragraph to read "The Lake of the Woods Development Commission".

### **Mobile Food Vendors on Municipal Property**

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

That the City of Kenora authorizes the Lake of the Woods Development Commission to proceed to issue a request for proposals for response by street food vendors for three (3) locations in the tent area of the Harbourfront, and two (2) locations at the LOW Discovery Centre; and further

That the Lake of the Woods Development Commission staff administers the request for proposal and resulting contracts.

### **Harbourtown Centre Community Improvement Plan**

#### **21. Moved by L. Roussin, Seconded by R. Lunny & Carried:-**

That Council of the City of Kenora hereby supports the amended Harbourtown Centre Community Improvement Plan; and further

That the statutory public hearing required under the provisions of the Planning Act be held on July 10, 2012 at 10:00 a.m., and a decision on the approval of the amendments to be provided by Council at the next regular meeting of Council scheduled on July 16, 2012.

### **Sign Variance Application – Q104**

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

That Council approves an application for variance, to sections 4.1(r) to permit the attachment of two signs on a roof, 6.12.5 to permit a wall sign to project in excess of .60 metres, of Sign By-law No. 115-2010 to permit the location of a sign on a roof of property at 619 Lakeview Drive, as the approval of same would meet the intent of the by-law for the following reasons:

- 1) the size and location of the signs is appropriate in the Commercial Development Area;
- 2) the proposed signs is compatible with surrounding commercial uses and will not be higher than the existing roof;
- 3) the aesthetic qualities and visual character of the City will be protected and enhanced;
- 4) the location of the proposed signs is consistent with the City's planning, urban design and heritage objectives
- 5) the location of the signs will not create a distraction, or safety hazard, for pedestrians or motorists.

### **Commercial Outdoor Patios on Municipal Property**

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

That Council approves an Outdoor Commercial Patio policy and application form to regulate the use of City owned property for outdoor commercial patios; and further

That the appropriate by-law be passed for this purpose; and further

That the City of Kenora Licensing By-law be amended by addition of the prescribed application fee for a license to locate an outdoor commercial patio on municipal lands.

### **Request for Sign Variance - Brookes**

#### **24. Moved by L. Roussin, Seconded by R. Lunny & Carried:-**

That Council refuses an application for variance, to sections 6.6.6 (b) and (c) and Table C to permit the location of a ground sign with a separation distance if less than 200 m and within 1.5 metres of a private driveway and a street of Sign By-law No. 115-2010 to permit the location of a sign in front of property, adjacent to a municipal roadway at 37-610 Lakeview Drive, as the approval of same would not meet the intent of the by-law for the following reasons:

1. The location of the proposed signs is not consistent with the City's planning, urban design and heritage objectives;
2. The location of the signs will create a distraction, or safety hazard, to pedestrians or motorists.
3. The location could conflict with the use of a fire hydrant.

### **B'Nai Brith Lease Agreement**

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

That Council hereby authorizes a fifteen (15) year lease agreement with B'Nai Brith Jewish Community Camp Inc.; and further

That the appropriate by-law be passed for this purpose.

### **Assume a portion of Hilly Lake Road**

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

That the Council of the Corporation of the City of Kenora assumes a portion of Hilly Lake Road described as Part 1 on Plan 23R-12075 as a municipal highway; and further

That the City of Kenora will not be responsible for any costs associated with the transfer other than the nominal consideration generally applied (\$2.00); and further

That the appropriate by-law be adopted to authorize the transfer.

### **Approval of By-Laws**

#### **27. Moved by R. Lunny, Seconded by L. Roussin & 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:~

**#72-2012** - To confirm the proceedings of Council

**#73-2012** – Authorize an amended MOU with the Lake of the Woods Development Commission

**#74-2012** – Authorize a Funding Agreement for the Dedicated Gas Tax funding

**#75-2012** – Appoint a Building Inspector

**#76-2012** – Authorize an Agreement with Genivar Inc.

**#79-2012** – Authorize a lease agreement with B’Nai Brith Jewish Camps

**#80-2012** – Assume a portion of Hilly Lake Road

### **Approval of By-law – Discharge of Firearms By-law**

#### **28. Moved by S. Smith, Seconded by C. Drinkwalter & 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:~

**#77-2012** – To authorize an amendment to the Discharge of Firearms By-law

### **Approval of By-law – Outdoor Patio Policy**

#### **29. Moved by S. Smith, Seconded by C. Drinkwalter & 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:~

**#78-2012** – To authorize an Outdoor Patio Policy

### **Approval of By-law – Amendment to Licensing By-law**

#### **30. Moved by S. Smith, Seconded by R. McMillan & 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:~

**#81-2012** – Amend the Licensing By-Law to provide for site specific food vending

**Adjournment**

**31. Moved by R. Lunny, Seconded by L. Roussin & Carried:-**

That this meeting be now declared closed at 6:20 p.m.

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

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

**Of.....2012**

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**Mayor**

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**City Clerk**