



# Minutes

**Of a Meeting of the Council of the City of Kenora  
Tuesday, May 22, 2012 – City Council Chambers  
5:00 p.m.**

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

**Regrets: Councillor R. Lunny**

**Staff:**

Karen Brown, CAO, Colleen Neil, Recreation Services Manager, Tara Rickaby, Planning Administrator and Joanne L. McMillin, City Clerk.

**Call to Order**

**Mayor Canfield called the meeting to order and Councillor McKay 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:-**

- ~ An amendment to the 2011 capital budget to appropriate an additional \$60,434.41 from the Keewatin Recreation Complex Reserve to cover the cost overage for the new compressors at the Kenora Recreation Centre;
- ~ Adoption of the 2012 Business Improvement Board Levy in the amount of \$50,261.41;
- ~ Authorization of an additional budget request in the amount of \$70,000.00 to complete the 2012 Municipal Paving Program and Library Parking Stalls to be funded through the reallocation of said funds from the Bridge Inventory/Audit project approved under the 2012 Capital Budget;
- ~ Authorization of easements in favour of Ontario Power Generation;
- ~ Adoption of a policy for use of municipal property for the purposes of outdoor commercial patios;
- ~ Adoption of a zoning by-law amendment for Aamikkowiish (Z05/12).

**Confirmation of Minutes**

**1. Moved by C. Drinkwater, Seconded by R. McMillan & Carried:-**

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

- Regular Council Meeting held April 16, 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 Roussin made a Declaration of Interest on the following items as they relate to the Kenora Public Library Board and his wife is an employee of the Library:**

Motion #7  
Motion #8  
Motion #23

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

Motion #8  
Motion #17  
Motion #18

## **Deputations**

### **Jarrold McLean**

Jarrold, Deputy Mayor of the Kenora Youth Council referred to the various work being done by the Youth Council and their efforts in getting the word out to other youth in the area about getting involved with the Council and possibly applying to serve for the next term. Reference was made to the large accomplishment in the formation of a Youth Centre in the community and that the Centre is scheduled to open in the coming weeks, at Lakewood School on a temporary basis. The Youth Council believes it will be successful but difficult to run and is looking to the City to support the Youth Centre and assist in various ways such as guidance, funding or hiring a full-time worker.

Kristen Bulmer, Resource to the Youth Council and OPP Cst. Bob Bernie then addressed Council regarding the importance of the Youth Centre. Kristen noted that volunteering is difficult and mentioned the Health Unit has information on a grant process that may be available for purposes of the Centre. Cst. Bernie stressed the importance as well and that any investment in our youth is an investment in our future; giving them a place to go and be safe and amongst their peers. He explained the difficulty in effectively running a Centre on volunteer hours but hoping the City will consider and support the request to assist operating the Centre.

### **Ralph Page**

Mr. Page addressed Council on behalf of 'Making Kenora Home' and advised that they support the rezoning application by Aamikkowiish Non-Profit Housing in order to provide affordable housing in the community. He noted that the plan fits in with Kenora's Official Plan and mentioned how thoroughly the City has covered all potential concerns prior to the public meeting, and that the project meets his group's recommendations. In closing he provided a copy of his Deputation to the Clerk for the record.

### **Erika Olson**

Ms Olson addressed Council on behalf of the Kenora Affordable Housing Group in support of the rezoning application for property located on 19<sup>th</sup> Avenue North and provided an overview on how this project grew over the years to the stage it is at today. She explained a primary focus of the project was to showcase 'green' building techniques and to explore ways that are environmentally innovative. She noted the project will create a sense of neighbourhood and good homes for families that are sustainable, safe and energy efficient. In closing she provided a copy of her Deputation to the Clerk for the record.

### **Colette Surovy**

Ms Surovy addressed Council as President of Aamikkowiish Non-Profit Housing in support of the rezoning application. She spoke to the neighbours and the importance of keeping in mind that they have been placed on a special priority list by the KDSB to leave violence and abuse behind and to move into a supportive neighbourhood to raise their children. While she recognizes change is difficult for us one of the basic needs in life is safe, affordable shelter. She commented they would welcome and invite all questions in order for the public to understand what these housing developments mean. In closing she provided a copy of her Deputation to the Clerk for the record.

### **Pam Cederwall**

Ms Cederwall advised she is a resident of 19<sup>th</sup> Avenue North and lives on the north side of the street in the neighbourhood where the proposed zoning change is being requested by Aamikkowiish Non-Profit Housing, from an the R1 Zone to R2. She indicated she is not opposed to the housing project but feels the procedure for the amendment to the by-law was not followed and she outlined her reasons particularly as it relates to advertising of the application for the public meeting and notification to property owners within 120 metres of the subject property. Ms Cederwall mentioned that while there was a notice in the Miner and News, she did not receive notice. She further expressed concern that the location does not support an R2 status. In closing she provided a copy of her Deputation to the Clerk for the record.

### **Carol Blight**

Ms Blight advised she is the Housing Manager for Aamikkowiish Non-Profit Housing and spoke to the support of the application; noting Aamikkowiish has been in business since 1989. She indicated at present they have 24 units scattered throughout the community with capital funding for another 4 units, and funding must be utilized by the end of 2012 or the remaining \$680,000 may be lost to Kenora. She

indicated that in the eight years she has been managing the Aamikkowiish she has had very few complaints from neighbours; none of which pertain to the tenants. She explained they do their best to keep up the units and tenants are responsible for their yards and do a good job as they want to be good neighbours. In closing she indicated she will provide the Clerk with a copy of her Deputation via email on Wednesday.

### **Penelope Cummine**

Ms Cummine advised she has been a member of the Kenora Affordable housing Group since its inception and spoke in favour of the amendment. She explained their commitment to this project has always been community development as well as housing development. She indicated that since the news broke regarding this project there has been an outpouring of support from the public and people working with the Group to assist in finding suitable land for building. Ms Cummine advised of the network in the community of resources available to families settling in Kenora with various donations. The Group is committed to meeting with the families who have concerns about the project to clear up any misunderstandings. In closing she provided a copy of her Deputation to the Clerk for the record.

### **Appointments to Audit Committee**

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

That as recommended by the Audit Committee, Council hereby re-appoints the following Members to the City of Kenora Audit Committee in accordance with the terms set out below:

Kathleen O'Flaherty to November 30, 2013  
Cindy Gasparini to November 30, 2014; and further

That Resolution Number 4 dated December 6, 2010 be and is hereby rescinded.

### **Appointments to Heritage Kenora Committee**

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

That Council of the City of Kenora hereby appoints Gloria M. Alcock and Craig Wayne Cunningham to the Heritage Kenora Committee with a term to expire November 30, 2014.

### **Loaf 'N Jug Lease**

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

That approval be hereby given to enter into a three (3) year lease agreement with the Loaf & Jug Food Mart Ltd. for an area of municipal property which a deck encroaches on a portion of municipal property located at 1132 Ninth St North; and further

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

### **Lease with Hap's on the Harbourfront**

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

That approval be hereby given to enter into a three (3) year lease agreement with the Hap's on the Harbourfront Inc. for municipal property (municipal sidewalk area) abutting Bernier Drive and 130 Main St South, Plan 3 Blk 1 lot 4 PCL 10770 Design as RP 23R6182 PTS 12, 13 & 14 in the amount of \$350.00 per year; and further

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

### **Lease with Canadian Red Cross**

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

That approval be hereby given to enter into a two (2) year lease agreement with the Canadian Red Cross for municipal property located 1008 Ottawa Street (Unit A); and further

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

### **Community Access Program Sustainability Funding**

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

That further to the request received from the Kenora Public Library Board, Council of the City of Kenora hereby supports the Board's position and calls upon Industry Canada to re-instate Community Access Program Sustainability Funding; and further

That a copy of this resolution be forwarded to Honourable Christian Paradis, Minister of Industry and Greg Rickford, MP-Kenora, and the Ontario Library Association requesting that they endorse this resolution.

#### **Abstention: Councillor Roussin**

### **Various Minutes – Boards & Committees**

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

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

- January 4 & April 5 – Harbourtown Centre Committee
- February 8 – Accessibility Advisory Committee
- February 22 & March 2 – Youth Council Minutes
- March 5 – Kenora Police Services Board
- April 2 – Special Committee of the Whole
- April 10 – Committee of the Whole
- April 11 – Property & Planning Committee
- April 11 – Kenora Urban Trails Committee
- April 17 – Community Policing Committee
- April 18 – Environmental Advisory Committee
- April 20 – Audit Committee
- April 24 – Lake of the Woods Museum Board

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

- March 23 - Northwestern Health Unit
- March 30 – District of Kenora Home for the Aged
- April 18 – LOW Development Commission; and further

That these Minutes be circulated and ordered filed.

**Abstention: Councillor McMillan & Councillor Roussin**

**Renaming of Black Sturgeon Island**

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

That further to the request received from Deb Small regarding the re-naming of her "Island A" described as CON 1M PCL5441 in Black Sturgeon Lake, the Council of the City of Kenora hereby supports the proposed name change of "Island A" to "James Island" after the original trapper that first owned the island; and further

That a copy of this resolution to be provided to Deb Small that will form part of her application that is being forwarded to the Province of Ontario's Geographic Names Board for approval of this name change.

**Closure of South Harbourfront Lot**

**10. Moved by R. McKay, Seconded by L. Roussin & Carried:-**

That authorization be hereby given for the closure of the South Harbourfront Parking Lot as set out below in conjunction with Harbourfest 2012:

From Friday, August 4 at 6:30 p.m. to  
Sunday, August 6 at 6:30 p.m.; and

That Harbourfest is responsible to erect and dismantle the necessary barricades for this purpose and to provide access to the lot for Emergency Vehicles if and where required; and

That the City of Kenora is not responsible for the removal of, or owner notification to any vehicles that may be parked in the South Harbourfront Lot at the posted closure times; and further

That each request for closure of the South Harbourfront Parking lot be considered by Council on a request by request basis for approval.

**Harbourfest Fireworks**

**11. Moved by S. Smith, Seconded by R. McKay & Carried:-**

That Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$100 or greater made to the City of Kenora between January 1, 2012 and August 31, 2012 to be used specifically towards the 2012 Harbourfest fireworks display; and

That the City will pay the invoice(s) for the actual purchase of fireworks, including any specifically related expenditures, direct to the appropriate supplier(s) for the 2012 fireworks display to a maximum of the actual donation amounts received; and

That the issuance of tax receipts for donations for fireworks be restricted specifically to the 2012 fireworks display in recognition of the tourism impact the event has to the City of Kenora; and further

That the Harbourfest Committee be advised of Council's decision, including all related restrictions.

### **DTR Phase III Funding Applications**

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

That authorization be given for the Corporation of the City of Kenora to apply for funding to the Northern Ontario Heritage Fund (NOHFC) for the Phase III Downtown Revitalization Design Project; and further

That authorization be given for the Corporation of the City of Kenora to apply for funding to FedNor for the Phase III Downtown Revitalization Design Project.

### **2011 Budget Amendment – New Compressors**

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

That Council hereby approves amending its 2011 capital budget to appropriate an additional \$60,434.41 from the Keewatin Recreation Complex Reserve to cover the cost overage for the new compressors at the Kenora Recreation Centre; and

That in accordance with Notice By-law #144-2007, notice is hereby given that Council intends to amend its 2011 Capital Budget for this purposes at its May 22, 2012 meeting; and further

That Council hereby gives three readings to a by-law to amend the 2011 budget for this purpose.

### **Revised Terms of Reference – Audit Committee**

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

That as recommended by the Audit Committee, the Terms of Reference for the Audit Committee be amended for the purpose of changing the number of Council Members on the Committee from three (3) Members to two (2) Members together with removing the inclusion of Mayor as Ex-Officio, and to increase the number of citizen appointments to three (3) members; and

That arrangements be made to advertise for the additional citizen appointment immediately; and

That Council give three readings to a by-law to authorize a revised Terms of Reference for the City of Kenora Audit Committee for this purpose; and further

That By-law Number 90-2011 be and is hereby repealed.

### **BIZ Levy**

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

That Council hereby approves the Harbourtown Centre Business Improvement Board budget request in the amount of \$50,261.41 representing the 2012 Business Improvement Board levy; and

That Council hereby gives three readings to a by-law to adopt the estimates for funds to be raised for 2012 on behalf of the Harbourtown Centre Business Improvement Board; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2012 Business Improvement Board Levy at its May 22<sup>nd</sup> meeting.

### **Endorsation of Resolution - Meaford**

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

That Council hereby supports and endorses the resolution from the Municipality of Meaford, to increase the Provincial payment-in-lieu of taxes for hospitals, universities and colleges, and correctional institutions; and further

That a copy of the resolution be forwarded to the Premier of Ontario, Minister of Finance, MPP for Kenora-Rainy River, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), and the Municipality of Meaford.

### **March Financial Statements**

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

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at March 31, 2012.

**Abstention: Councillor McMillan**

### **Mayor's Coalition Steering Committee**

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

That Council hereby participates in, and funds the Mayors Coalition Steering Committee for affordable, sustainable, accountable policing; and further

That a copy of the resolution be forwarded to the Mayors Coalition Steering Committee.

**Abstention: Councillor McMillan**



## **Kenora Citizen's prosperity Trust Fund Report**

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

That Council hereby accepts the report on the Kenora Citizens' Prosperity Trust Fund.

## **Revised City Purchase/Credit Card Policy**

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

That Council hereby approves the amended City Purchase/Credit Cards Policy #FI-01-2; and further

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

## **Section 357 Tax Adjustments**

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

That the Section 357 tax adjustments totaling \$9,706.42, with potential refunds of \$6,159.85 be approved.

## **Appointment of Tax Collector**

### **22. Moved by L. Roussin, Seconded by R. McKay & Carried:-**

That Council give three readings to a by-law to appoint Melissa Shaw as Tax Collector for the City of Kenora effective immediately; and further

That By-law Number 78-2010 which appointed Pat Geisel be rescinded effective June 15, 2012.

## **2012 Budget Amendment – Paving Program**

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

That Council hereby authorizes an additional budget request in the amount of \$70,000.00 to complete the 2012 Municipal Paving Program and Library Parking Stalls; and

That Council hereby authorizes the additional request to be funded through the reallocation of \$70,000.00 from the Bridge Inventory/Audit project approved under the 2012 Capital Budget; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2012 Capital Budget at its May 22<sup>nd</sup> meeting; and

That Council hereby gives three readings to a by-law to amend the budget for this purpose; and

That the following tenders for the 2012 Municipal Road Works be received:

Pioneer Construction Inc. \$876,106.20 (HST not included)  
Moncrief Construction Ltd. \$996,994.44 (HST not included); and further

That the tender submitted by Pioneer Construction Inc., in the amount of \$876,106.20 (HST not included), be accepted.

**Abstention: Councillor Roussin**

**Bear Wise Program**

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

That the Council of the City of Kenora hereby requests the Ministry of Natural Resources to reconsider its position regarding the Bear Wise Program, being a decision to no longer provide site-specific visits and to no longer trap and relocate problem bears from the City of Kenora.

**RFP – Coney Island Dock Rehabilitation**

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

That the City of Kenora prepare an RFP for Dock Rehabilitation for the Coney Island Wharf; and further

That the Coney Island Wharf shall not be used for vessel craft exceeding 24 feet and be of light duty (pontoon or small craft) for drop off and pick only until rehabilitation works are completed.

**Coney Island Shuttle – Wharf Marina**

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

That Council give three readings to a by-law to authorize a two year contract between the City of Kenora and Wharf Marina to provide a shuttle service to Coney Island for the 2012 and 2013 seasons; and

That approval be given to provide a municipal grant to Wharf Marina in the amount of \$2,500 for the Coney Island Shuttle Service for the 2012 season; and further

That the Mayor and Clerk be hereby authorized to execute the agreement on behalf of the City of Kenora.

**Kenora Dragon Boat Festival**

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

That the Council of the City of Kenora hereby acknowledges the Kenora Dragon Boat Festival on Sunday, August 12, 2012; and further

*That the following approvals be granted in conjunction with the above-noted Special Event:-*

1. That authorization be granted for the officials' boats to operate 50 h.p. motors on Rabbit Lake.
2. That authorization be granted for the event buoys to be placed in the water one day prior to the event; to be removed in the following week.
3. That exclusive use of Garrow Park and the Tennis Courts at Garrow Park be approved for this event on August 12, 2012.

**Mooring of Houseboats – Coney Island**

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

That Council authorize the mooring of the existing identified houseboats in the Northeast Bay of Coney Island for a term of one year (May 2012 to May 2013); and

That the owners of these identified houseboats shall be required to provide a copy of their liability insurance and proof of ownership to the City no later than June 30, 2012; and

That the vessel being moored shall have sufficient anchorage to prevent the vessel leaving the moored position under any and all related weather and ice conditions; and further

That a detailed description of the anchorage weights along with the confirmation of these weights shall be provided with the application of mooring to the City.

**Traffic By-law Amendment – Lakeview Drive**

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

That Council hereby approves an amendment to the Traffic Regulation By-law to allow parking along the south side of Lakeview Drive on the paved shoulder along the greenbelt from 190 metres west of the Roundabout, westerly for 160 metres on Wednesdays only for the period from June 20<sup>th</sup>, 2012 through to September 26<sup>th</sup>, 2012; and

That the City of Kenora Traffic Regulation By-law 127-2001 be amended to include the following changes to Schedule "B" – No Parking Areas – Tow Away Zone and to Schedule "C" – Limited /Restricted Parking – Lakeview Drive:-

**Schedule "B" No Parking Areas – Tow Away Zone**

| <u>Column 1</u><br>STREET/HIGHWAY | <u>Column</u><br>LOCATION                                  | <u>Column 3</u><br>SIDE | <u>Column 4</u><br>TIME |
|-----------------------------------|------------------------------------------------------------|-------------------------|-------------------------|
| <b>Delete:</b><br>Lakeview Drive  | From Main Street South<br><b>to 14<sup>th</sup> Street</b> | Both                    | Anytime                 |
| <b>Add:</b><br>Lakeview Drive     | From the Roundabout<br>to 14 <sup>th</sup> Street          | North                   | Anytime                 |

|                        |                                                                   |       |                          |
|------------------------|-------------------------------------------------------------------|-------|--------------------------|
| Lakeview Drive         | From the Roundabout to 190 metres westerly                        | South | Anytime                  |
| Lakeview Drive Tuesday | From 190 metres west of the Roundabout westerly for 160 metres    | South | Sunday-Thursday-Saturday |
| Lakeview Drive         | From 350 metres west of the Roundabout to 14 <sup>th</sup> Street | South | Anytime                  |

**Schedule "C" Limited /Restricted Parking**

| <u>Column 1</u><br>STREET | <u>Column 2</u><br>LOCATION | <u>Column 3</u><br>SIDE | <u>Column 4</u><br>RESTRICTION |
|---------------------------|-----------------------------|-------------------------|--------------------------------|
|---------------------------|-----------------------------|-------------------------|--------------------------------|

**Add:**

|                |                                        |       |         |
|----------------|----------------------------------------|-------|---------|
| Lakeview Drive | From 190 metres west of the Roundabout | South | 2 hours |
|----------------|----------------------------------------|-------|---------|

**Wednesdays**

**westerly for 160 metres; and further**

That this amendment be implemented on a "summer only basis" for the period starting June 20<sup>th</sup>, 2012 up to and including September 26<sup>th</sup>, 2012.

**Kenora Trappers Council – Nuisance Beavers**

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

That Council hereby authorizes entering into an agreement between the Kenora Trappers Council and the City of Kenora, respecting nuisance beaver services for the period May 16 to September 15, 2012, inclusive; and further

That the Mayor and Clerk on behalf of the City, execute the agreement, together with the Kenora District Manager of the Ontario Ministry of Natural Resources, authorizing the Kenora Trappers Council to act as an agent under Section 31(2) of the Fish and Wildlife Conservation Act.

**Eighth Avenue South Pumping Station**

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

Whereas the City of Kenora accepted the proposal of KGS to provide consulting services for the replacement of the Eighth Avenue South Pumping Station;

Now Therefore the Council of The Corporation of the City of Kenora enacts as follows:

1. That the Mayor and Clerk of The Corporation of the City of Kenora are hereby authorized to execute an Agreement between The Corporation of the City of Kenora and KGS, in accordance with the terms and conditions therein and affix the Seal of the Corporation thereto.

2. That three readings be given to a by-law for this purpose which shall come into force and be in effect from and after the final passing thereof.

### **March Water & Wastewater Summary**

#### **32. Moved by R. McMillan, Seconded by L. Roussin & 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 March, 2012.

### **Sign Variance – Tower Motel**

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

That Council approves an application for variance, to sections 7.2.1 Table C of Sign By-law No. 115-2010 to permit a pylon sign with a height of 9.14 m as the approval of same meets the intent of the by-law for the following reasons:

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

### **Black Sturgeon Lake Management Plan**

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

That Council of the City of Kenora directs the Planning Administrator to submit a budget item in the 2013 Capital Budget request for the review of the Black Sturgeon Lake Management Plan which will include recommendations to the City of Kenora for future development of the lower Black Sturgeon Lake and to the Province for the development of upper Black Sturgeon Lake.

### **Flooding Easement – Ontario Power Generation**

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

That the Council of the Corporation of the City of Kenora authorizes the Mayor and Clerk to execute a flooding easement agreement between the City of Kenora and

Ontario Power Generation for certain lands included on Old Fort Island and parts of Tunnel Island; and further

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

### **Refusal of Sign Variance – Central Community Club**

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

That Council refuses a variance, to sections 4.1 (e)(h)(i) and of Sign By-law No. 115-2010 as the approval of same would not meet the intent of the by-law for the following reasons:

- 1) the size, number and location of the signs are not appropriate in an open space/recreational area owned by the City of Kenora;
- 2) are not compatible with surrounding activities or uses as the activity on the rink would be able to be observed by persons travelling by, and the snow clearing operations of the rink would be negatively impacted;
- 3) the aesthetic qualities and visual character of the City would not be protected and enhanced;
- 4) the location of billboard signs is not consistent with the City's planning, urban design and heritage objectives
- 5) the location of numerous billboard signs will create a distraction, or safety hazard, for pedestrians and motorists.

#### **Councillor McMillan introduced a motion to defer Motions #37 & #43:**

#### **Motion to Defer Motion #37 & #43 (Outdoor Commercial Patio Policy) 37A) Moved by R. McMillan, Seconded by R. McKay, & Carried:**

That Motion Numbers 37 and 43 on tonight's Agenda with respect to approving an Outdoor Patio Policy be hereby tabled until the June 18, 2012 Council Meeting and referred to the Property & Planning Committee for further review at its June 12 meeting.

#### **Outdoor Commercial Patio Policy**

#### **37. Motion Deferred to June 18, 2012 as per Resolution #37A**

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 adopted for this purpose.

#### **Motion Deferred**

## **Declaration of Surplus Lands – Valley Drive**

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

That the Council of the City of Kenora hereby declares property abutting 1508 and 1510 Valley Drive, and described as PLAN M321 LOTS 16 & 17 RP23R 8951 PARTS 2 & 4 PCL 40188 and CON 6J PT LOC 268P RP23R 3929 PART 2, as surplus to the needs of the municipality; and

That a portion of the municipal property will be transferred to each of the applicants; and

That the survey instructions will be issued by the City of Kenora; and

That in accordance with the Notice By-law, arrangements be made to advertise the sale of the subject lands for a two 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 each of the property owners as a lot addition (consolidation) at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs.

## **Purchase & Sale Agreement – 2225171 Ontario Corporation**

### **39. Moved by L. Roussin, Seconded by R. McKay & Carried:-**

That the City of Kenora enters into an agreement of purchase and sale of municipal lands with 2225171 Ontario Corporation conditional upon:

- 1) 2225171 Ontario Corporation providing an easement for utility purposes over Lot 1 on Plan 3, Block 3 for access and maintenance of the existing underground sewer main;
- 2) 2225171 Ontario Corporation providing an easement in favour of Kenora Hydro per the requirements of Kenora Hydro
- 3) 2225171 Ontario Corporation undertaking to re-develop a turnaround over part of Lot 56 and the green space west of Lot 56 and east of Lot 1 on Plan 3, Block 3
- 4) 2225171 Ontario Corporation enters into a site plan agreement with the City, one of the terms of which will be to maintain Lot 56 and Part of Lot 57 as a parking lot associated with the use of the structure located on Parts of Lot 52, Lot 53 and 54 and Part of Lot 55
- 5) 2225171 Ontario Corporation shall pay for all surveying, advertising and legal costs associated with the transfer of lands and easements

- 6) 2225171 Ontario Corporation shall pay the market value of the lands they propose to purchase, per the opinion of value provided by Bill Scribilo of Century 21 – Reynard Real Estate in a letter dated February 15, 2012.

**Councillor Smith introduced a motion to defer Motions #40 & #44:**

**Motion to Defer Motions #40 & #44 (Amendment to Zoning By-law)  
40A Moved by S. Smith, Seconded by L. Roussin,**

That Motion Numbers 40 and 44 on tonight's Agenda with respect to Zoning By-law Amendment #Z05/12 (Aamikkowwiish) be hereby tabled until the June 18, 2012 Council Meeting in order to provide additional time for Council to visit the site and surrounding neighbourhood and to consider any additional comments in order to make a sound decision.

**Motion Defeated**

**Amendment to Zoning By-law – Aamikkowwiish Non-Profit Housing  
40. Moved by R. McMillan, Seconded by R. McKay, & Carried:-**

That Council approves the application for Zoning By-law amendment Z05/12 Aamikkowwiish, to amend the Zoning By-law Number 160-2010, as amended, at the property described as described as 612 Nineteenth Avenue North, PLAN M103 LOTS 85 AND 86 PCL 7592 DKF by changing the zoning from R1- Residential Single Density to R2 – Residential, Second Density; and

That this change will permit the development of a four-plex housing unit; and

That the application is consistent with the Provincial Policy Statement (2005), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law Number 160-2010, as amended for the reasons outlined in the planning report; and further

That the approval is conditional upon the following being undertaken or provided before a building permit is issued:

- 1) The site plan and application form being amended to provide accurate information regarding the front and rear yard setbacks;
- 2) Acknowledgement from the applicant that the property will be landscaped, not only incorporating existing trees but by including a formal grassed area (seed or sod);
- 3) A second sewer and water service will be required to ensure that if the applicant ever transfers one set of units out of its name, both sets of units are serviced;
- 4) Acknowledgement and undertaking to bring the lane to an acceptable City standard.



## **Tender – DTR Phase III – Consulting Services**

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

That the following proposals for the City of Kenora Downtown Revitalization Phase III Consulting Services be received (HST extra):

|         | <b>Design/Tenders</b> | <b>Contract Admin/<br/>Inspection</b> | <b>Total</b>    |
|---------|-----------------------|---------------------------------------|-----------------|
| ENL     | \$ 288,350.00         | \$ 396,407.00                         | \$ 684,757.00   |
| AECOM   | \$ 340,500.00         | \$ 495,000.00                         | \$ 835,500.00   |
| KGS     | \$ 514,475.00         | \$ 851,225.00                         | \$1,365,700.00  |
| GENIVAR | \$1,170,650.00        | \$ 654,000.00                         | \$1,824,650.00; |

and further

That the proposal submitted by ENL, in the amount of \$288,350 + HST in 2012 for design and tendering services and \$396,407 + HST for contract administration and inspection services for anticipated construction in 2013, 2014 and 2015, conditional upon future government funding approval, be hereby accepted.

## **Approval of By-laws**

### **42. Moved by R. McKay, Seconded by S. Smith & 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:~

- #55-2012 – To confirm the proceedings of Council
- #56-2012 – To authorize a Lease Agreement with Loaf 'N Jug Food Mart Ltd.
- #57-2012 – To authorize a Lease Agreement with Hap's on the Harbourfront Inc.
- #58-2012 – To authorize a Lease Agreement with the Canadian Red Cross
- #59-2012 – To Amend the 2011 Budget
- #60-2012 – To Amend the Terms of Reference for the Audit Committee
- #61-2012 – To approve the 2012 BIZ Levy
- #62-2012 – To approve a Revised Credit Card Purchase Policy
- #63-2012 – To appoint a new Tax Collector
- #64-2012 – To amend the 2012 Budget
- #65-2012 – To enter into a contract for a Coney Island Shuttle
- #66-2012 – To amend the Traffic By-law for temporary parking on Lakeview Drive
- #67-2012 – To enter a Consulting Services Contract with KGS
- #68-2012 – To authorize the Sale of Land to Batters
- #69-2012 – To execute a Flooding Easement Agreement with Ontario Power Generation

## **By-law – Outdoor Patio Policy**

### **43. Motion Deferred to June 18, 2012 as per Resolution #37A**

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

#70 -2012 - To amend By-law Number 148-2007, as amended, being the Comprehensive Policy Manual for the Corporation of the City of Kenora to provide for an Outdoor Commercial Patio Policy.

## **By-law – Amendment to Zoning By-law (Aamikkowiish)**

### **44. Moved by R. McMillan, Seconded by R. McKay & 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:~

#71 -2012 - To amend By-law Number 160-2010, as amended, being the Comprehensive Zoning By-law for the Corporation of the City of Kenora (Aamikkowiish #Z05/12).

## **Proclamations**

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

- May 21 to 26 – “Big Green Clean Week”
- May 29 – “Day of the Honey Bee”
- June, 2012 – “Spina Bifida & Hydrocephalus Awareness Month”
- June 3 to 9 – “Seniors’ Week”
- June 15 – “Ontario Human Rights Code Day.”

## **Notice of Motion**

**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.

**Adjournment**

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

**That** this meeting be now declared closed at 6:45 p.m.

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

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

**Of.....2012**

.....

**Mayor**

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**City Clerk**