



Minutes

**Of a Meeting of the Council of the City of Kenora
Monday, September 17, 2012 – City Council Chambers
5:00 p.m.**

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

**Regrets: Councillor R. McKay**

**Staff:**

Karen Brown, CAO, Rick Perchuk, Operations Manager, Warren Brinkman, Manager of Fire & Emergency Services, Colleen Neil, Recreation Services Manager, Sharen McDowall, HR Manager, and Joanne L. McMillin, City Clerk.

**Call to Order**

**Mayor Canfield called the meeting to order and Councillor Roussin 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 2012 Operating Budget in the amount of \$16,900.00 to supply and complete the installation of a new boiler and related piping for the Keewatin Memorial Arena by appropriating funds from the Keewatin Memorial Arena Reserve to offset costs related to this repair;
- An amendment to the Tariff of Fees & Charges By-law to provide for the inclusion of fees for the Lake of the Woods Museum which will come into effect January 1, 2013;
- An amendment to the Parking Lots & Structures Regulation By-law to provide for monthly parking fees at the Chipman Street Parking Lot;
  - To name a road within a subdivision – Lougheed Drive;
- Declare various municipal properties as surplus to the needs of the municipality;
  - Authorize a zoning amendment for Z06/12 Coker.

## **Confirmation of Minutes**

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

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

- Regular Council Meeting held August 13, 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 on Resolution Numbers 9 and 13 as they relate to the Kenora Police Services Board as his spouse is on Board.

Councillor Roussin made a Declaration on Resolution Number 9 as it relates to the Minutes of the Library Board as his spouse is an employee of the Library.

## **Deputations**

### **Jack Pearson – Keewatin Non-Profit Housing Corporation**

Mr. Pearson addressed Council on the proposed plans to merge the two Non-Profit Housing Boards, and introduced the fellow Keewatin Board Members also in attendance. He indicated the Keewatin Board has three main concerns with the proposed plan as follows:-

1. What legislation requires a merger?
2. Where exactly is "a high level, conservative estimate of savings" in the amount of \$20,000 and is this for one year?
3. The need for reduction of the number of Municipal Boards?

Mr. Pearson indicated he checked with the Ministry of Municipal Affairs and Housing and it was confirmed the legislation is in place to enable non-profit housing boards to amalgamate but it is not mandatory. He advised this should be further investigated before a change is made that cannot be reversed and may turn out to be detrimental.

Mr. Pearson referred to cost savings, noting that over the past four years the Board has returned a total of \$86,000 to the Services Board and they have a comfortable reserve in long term deposits which is mandated for major repairs or replacements such as roofs, boilers or elevators.

Reference was further made to the Sioux Lookout model whereby the words 'municipal' were removed from the Board's name, letters patent, by-laws, etc., and they are now the Sioux Lookout Non-Profit Housing Corporation which relieves the

Town the task of advertising and appointing members to the Board, and perhaps Kenora should investigate this model.

The Keewatin Board proposes that rather than a formal transition as suggested by Council that an Ad Hoc Committee be formed to review the Keewatin Board's concerns and to determine if this amalgamation would be beneficial to the City and the Boards.

In closing Mr. Pearson advised that he was on the original Committee to investigate building senior citizens homes in Keewatin 29 years ago and has been Chair for 27 years and remains on the Board today. He also referred to Ledger McKellar who has been on the Board for 25 years and believes they are doing something right.

Mr. Pearson provided a copy of the Keewatin Board's presentation to the Clerk.

### **Establish Event Centre Committee**

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

That Council approves the establishment of an Event Centre Committee; and

That staff be directed to develop a Terms of Reference for the Event Centre Committee to be submitted for approval at the October, 2012 meeting of Council; and further

That the Clerk be directed to advertise for Committee members and those eligible will be approved for appointment at the November, 2012 meeting of Council.

### **New Boiler – Keewatin Arena**

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

That Council hereby authorizes the purchase and installation of a new boiler and related piping for the Keewatin Memorial Arena; and

That the following quotations for the Keewatin Memorial Arena Boiler (HST extra), be received:-

|                      |             |
|----------------------|-------------|
| Energy Tech Services | \$16,900.00 |
| AK Contracting       | \$28,469.00 |
| Kipper Mechanical    | N/A; and    |

That the quotation submitted by Energy Tech Services be accepted in the amount of \$16,900.00 (HST Extra) to supply and complete the installation of the new boiler and related piping for the Keewatin Memorial Arena; and

That Council hereby authorizes an appropriation from the Keewatin Memorial Arena Reserve to offset costs related to this repair; and

That in accordance with the Notice By-law #144-2007, public notice is hereby given that the City intends to amend its 2012 Operating Budget at its September 17th meeting; and further

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

### **LOW Museum Fees**

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

That as recommended by the Lake of the Woods Museum Board, Council give three readings to a by-law to amend Schedule "B" to Tariff of Fees & Charges By-law Number 120-2011 to provide for the inclusion of the table of applicable fees (plus applicable taxes) for the Lake of the Woods Museum as attached to the report of Lori Nelson, Museum Director, dated August 29, 2012 and which will come into effect January 1, 2013; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt these fees at its meeting to be held September 17, 2012 by giving three readings to a by-law for this purpose.

### **Student Councillor Program**

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

That Council hereby approves a "Student Councillor Program" to replace the previously approved "Kenora Youth Council" by adopting a municipal policy to establish the program for the purpose of allowing a student perspective to be considered by City Council when making applicable decisions; and

That this policy take effect following adoption at its September 17 Council meeting in order for the program to dovetail with "Local Government Week" in October; and

That Council give three readings to a by-law to adopt the Student Councillor Program Policy #CC-16-1; and further

That By-law Number 25-2012 which established the Kenora Youth Council be and is hereby repealed.

### **Funding Application – Accessibility at Recreation Centre**

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

That Council hereby approves the request to submit an application in the amount of \$50,000.00 to the Human Resources & Skills Development Enabling Accessibility Fund to create and improve accessibility for people with disabilities within our community that use the Kenora Recreation Complex and enable people with disabilities to perform activities within the complex; and further

That the application be submitted prior to the October 5, 2012 deadline.

### **Kenora & Keewatin Non-Profit Housing Corporations**

#### **7. Moved by L. Roussin, Seconded by R. Lunny,**

That Council hereby approves the establishment of a Non Profit Housing Transition Board that will act in the capacity of the Board for both the Kenora Municipal Non-

Profit Housing Corporation and the Keewatin Municipal Non-Profit Housing Corporation operations effective 1 December 2012 for a two year term; and

That Council hereby directs the CAO to develop a terms of reference for the Non Profit Housing Transition Board and bring a draft terms of reference for this Board, which includes direction for the amalgamation of the two municipal non-profit housing corporations, forward for Council review and approval on or before the October 2012 Council meeting; and

That Council Members Louis Roussin and Sharon Smith, as the Council representatives on the existing Non Profit Housing Board Members, be hereby appointed to this new Non Profit Housing Transition Board effective 1 December 2012; and

That the Clerk's Department be directed to advertise for membership on the Non Profit Housing Transition Board; and further

That a subsequent report recommending membership on the Non Profit Housing Transition Board be brought forward to Council for consideration on or before the November 2012 Council meeting.

**Councillor Smith introduced a motion to amend Motion #7 as follows:-**

**Amendment to Motion Number 7**

**7a Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Motion #7 on tonight's agenda with respect to the Kenora and Keewatin Non Profit Housing Corporations be hereby amended as follows:

- Replace the first paragraph with the following paragraph:  

`That Council hereby approves the establishment of a Non Profit Housing Review Committee`;
- Replace `Transition Board` with "Review Committee" throughout the motion;
- In the second paragraph, replace `a draft terms of reference` with `the draft terms of reference` and delete `for this Board`; delete `includes` and replace with `shall include`; delete `the amalgamation` and replace with `review`; add `existing` after `two`; delete the `s` on corporation and add following that: `operations, including opportunities for streamlining of operations and cost savings related to a potential amalgamation of either the existing Corporations, the existing Boards, or both` before the word forward;
- Add the following paragraph after the third paragraph:  

`That both the Kenora Non Profit Housing Board and the Keewatin Non Profit Housing Board each be requested to identify two members of their Boards to

participate on the Non Profit Housing Review Committee and advise the City Clerk of the names of these individuals on or before October 31, 2012';

- Replace the fourth paragraph with the following paragraph:

'That the Clerk's department be directed to advertise for one additional member of the public, independent of either of the existing Boards, to sit as a member on the Non Profit Housing Review Committee';

- Add the following sentence to the end of the fifth paragraph after the word 'meeting': 'with appointments to be at the pleasure of Council, with a term not to extend beyond December 31, 2013; and further'

- Add the following new final paragraph:

'That the existing members of both the Kenora Non Profit Housing Corporation and Keewatin Non Profit Housing Corporation be appointed for an additional term, effective 1 December 2012, at the pleasure of Council, for a period not to extend beyond December 31, 2013.'

### **Motion Number #7 as amended (Non-Profit Housing)**

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

That Council hereby approves the establishment of a Non Profit Housing Review Committee; and

That Council hereby directs the CAO to develop a terms of reference for the Non Profit Housing Review Committee and bring the draft terms of reference, which shall include direction for a review of the two existing municipal non-profit housing corporation operations, including opportunities for streamlining of operations and cost savings related to a potential amalgamation of either the existing Corporations, the existing Boards, or both, forward for Council review and approval on or before the October 2012 Council meeting; and

That Council Members Louis Roussin and Sharon Smith, as the Council representatives on the existing Non Profit Housing Board Members, be hereby appointed to this new Non Profit Housing Review Committee effective 1 December 2012; and

That both the Kenora Non Profit Housing Board and the Keewatin Non Profit Housing Board each be requested to identify two members of their Boards to participate on the Non Profit Housing Review Committee and advise the City Clerk of the names of these individuals on or before October 31, 2012; and

That the Clerk's department be directed to advertise for one additional member of the public, independent of either of the existing Boards, to sit as a member on the Non Profit Housing Review Committee; and

That a subsequent report recommending membership on the Non Profit Housing Review Committee be brought forward to Council for consideration on or before the November 2012 Council meeting, with appointments to be at the pleasure of Council, with a term not to extend beyond December 31, 2013; and further

That the existing members of both the Kenora Non Profit Housing Corporation and Keewatin Non Profit Housing Corporation be appointed for an additional term, effective 1 December 2012, at the pleasure of Council, for a period not to extend beyond December 31, 2013.

### **Endorsation of Resolution - Ontario Doctors**

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

Whereas a highly functioning and strong health care system where a broad-level of care is being provided and patients are healthier, helps to attract jobs, investment and strengthens the economy; and

Whereas every person in the city of Kenora deserves to have access to a physician; and

Whereas improving access to care and reducing wait times for any procedure strengthens health outcomes;

Now Therefore Be It Resolved that the provincial government be requested to work with Ontario's doctors to protect patient care, enhance the delivery of services, and strengthen the health care system; and further

Be It Resolved that this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Deb Matthews, Provincial Minister of Health and Long-Term Care, Dr. Doug Weir, President of the Ontario Medical Association, and Sarah Campbell, MPP, Kenora-Rainy River.

### **Minutes of Various Boards & Committees**

#### **9. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-**

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

- July 5 & August 7 – Special Committee of the Whole
- July 6 – Harbourtown Centre
- July 9 & August 7 – Committee of the Whole
- July 10 August 8 – Property & Planning Committee
- July 10 – Kenora Public Library Board
- July 16 – Audit Committee
- August 9 – Heritage Kenora
- August 21 – Lake of the Woods Museum Board

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

- February 21, March 20, May 15, May 24, June 19, & July 17 – Committee of Adjustment & Planning Advisory
- May 10 & June 28 – Kenora District Services Board
- May 25 & June 28– Board of Health for the Northwestern Health Unit
- May 30 – Kenora Police Services Board
- June 27 – Lake of the Woods Development Commission
- July 27 – District for Kenora Home for the Aged

That these Minutes be circulated and ordered filed.

**Abstention: Councillor McMillan and Councillor Roussin**

**Councillor McKay to attend Community Partners' Evening  
10. Moved by R. McMillan, Seconded by L. Roussin & Carried:-**

That Councillor Rod McKay be hereby authorized to attend the 17<sup>th</sup> Annual Confederation College Community Partners' Evening taking place in Thunder Bay, September 27, 2012; and further

That all eligible expenses in accordance with Council's Travel & Per Diem Policy be hereby authorized.

**Community Infrastructure Improvement Fund Program  
11. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That Council approve funding applications under the Community Infrastructure Fund Program, for the following projects, listed in order of City priority:

- Keewatin Memorial Arena Rehabilitation and Improvement Project: ice plant replacement, HVAC and roofing replacement, arena floor/boards and glass replacement and accessibility improvements;
  - Coney Island Docks Rehabilitation and Upgrade Project;
  - City Hall Heritage Building Roof Replacement; and further

That Council hereby directs Administration to develop and submit funding applications for these projects, on behalf of the City, based on the priorities as set out above.

**Contracts Award – January to June, 2012  
12. Moved by R. Lunny, Seconded by C. Drinkwater & Carried:-**

That Council hereby receives and reviews, for information purposes, the report dated August 10, 2012 and its attachment submitted by the Budget/Auditor General with respect to contracts awarded for the period January 1, 2012 to June 30, 2012 within the approved Budget/Auditor General limits.



## **July, 2012 Financial Statements**

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

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

**Abstention: Councillor McMillan**

## **2011 Budget Matters Expenses Report**

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

That as required under the Municipal Act, 2001 and Ontario Regulation 284/09, Council hereby adopts the report of the Budget/Auditor General dated August 13, 2012 with respect to 2011 Budget Matters – Expenses.

## **2012 Budget Matters Expenses Report**

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

That as required under the Municipal Act, 2001 and Ontario Regulation 284/09, Council hereby adopts the report of the Budget/Auditor General dated August 13, 2012 with respect to 2012 Budget Matters – Expenses.

## **Thunder Bay Generating Station**

### **16. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-**

That further to a resolution circulated by the Northwestern Ontario Municipal Association with respect to suspension of the Ontario Power Generation project to convert the Thunder Bay Generating Station from coal to natural gas until they get a power purchase agreement from the Ontario Power Authority, the Council of the Corporation of the City of Kenora hereby requests the Minister of Energy to direct the Ontario Power Authority (OPA) to immediately finalize a Power Purchase agreement with Ontario Power Generation (OPG) so that the timely conversion of the Thunder Bay Generating Station is completed to meet the production requirements by January 1, 2015; and further

That a copy of this resolution be forwarded to the Minister of Energy, the Minister of Northern Development and Mines, the Minister of Municipal Affairs and Housing and Sarah Campbell, Kenora-Rainy River M.P.P.

## **Thunder Bay Disaster Relief Committee - Donation**

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

That Council of the City of Kenora participates in the request from Thunder Bay and Area Disaster Relief Committee and authorizes a donation in the amount of \$1,000 to the Thunder Bay and Area Disaster Relief Fund to help compensate those affected by the flooding this past spring; and further

That a copy of this resolution be sent to the Thunder Bay and Area Disaster Relief Committee.

## **Endorsation of Resolution – School Crossing Guards**

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

That Council of the City of Kenora hereby supports and endorses the following resolution as requested by the Municipality of Central Huron:

Whereas School Crossing Guards play a vital role in road safety for children; and

Whereas the School Crossing Guard mandate is to ensure children can cross streets safely as they travel to and from school; and

Whereas the Highway Traffic Act R.S.O. 1990, Chapter H.8, and Section 176 (1) defines a “school crossing guard” as a person sixteen years of age or older who is directing the movement of persons across a highway and who is:

- a) employed by a municipality, or
- b) employed by a corporation under contract with a municipality to provide the services of a school crossing guard; and

Whereas the expenses for the provision of the Crossing Guard Program is the responsibility of the municipality that chooses to provide the service and these expenses are a burden on the taxpayers of that municipality; and

Whereas the Education Act R.S.O. 1990, Chapter E.2 Section 190 (1) states a board may provide for:

- a) a pupil who is enrolled in a school that the board operates;
  - (a.1) a resident pupil of the board who is enrolled in a school operated by another board under an agreement between the boards;
- b) a pupil in respect of whom the Minister pays the cost of education under the regulations, transportation to and from the school that the pupil attends;

Now therefore be it resolved that the Council of the City of Kenora hereby requests the Minister of Education change the Education Act to be the responsible authority for the Crossing Guard Program and the Minister of Education be responsible for the costs of the Crossing Guard Program; and further

Be it resolved that the Highway Traffic Act, R.S.O. 1990 H.8, Section 176 (1) be amended to change the definition of “school crossing guard” to be employed by the Ministry of Education; and further

That a copy of this resolution be forwarded to the Minister of Education, the Minister of Transportation, the Association of Municipalities of Ontario and Sarah Campbell, MPP, Kenora-Rainy River.

## **Amendment to Parking Lots & Structures By-law – Chipman St. Lot**

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



## **July Report – Water & Wastewater Systems Monthly Summary**

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

That Council of the City of Kenora hereby accepts the July 2012 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water and Sewer Supervisor, Jim Campbell, Water Treatment Plant Operator and David Nachuk, Wastewater Treatment Plant Operator.

### **Norman Park and Official Plan**

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

That the Council of the City of Kenora proceeds with an amendment to the City of Kenora Official Plan 2010 (OPA #2 – Norman Park) as follows:

Item 1: The area indicated on Schedule "A" – Land Use Designations of the Official Plan for the City of Kenora would be amended in accordance with Schedule "1" to this Amendment to change the designation from "Open Space" to Open Space – NP, as a Special Policy overlay;

Item 2: Section 2.2.2 Natural Environment would be amended by adding the following text: maintaining Norman Park as a recreational open space; and

A concurrent amendment to Zoning By-law No. 160-2010 to add Section 4.1.4(b) OS –NP, the provisions of which would include a purpose to provide active and passive recreational uses in Norman Park and to indicate permitted uses as:

|                                  |                                 |
|----------------------------------|---------------------------------|
| Community Centre                 | Community Garden                |
| Golf Course                      | Interpretive Centre             |
| Off-leash dog area               | Outdoor Recreational Facility   |
| Park                             | Parking Lot                     |
| Recreational Facility            | Wildlife Conservation Reserve   |
| Tourist information Centre       | Food vendor(s) as ancillary use |
| Rental Kiosk(s) as ancillary use |                                 |

(f) Notwithstanding any other provision in this By-law, a park, parking lot, outdoor recreational facility, a wildlife conservation reserve and ancillary food vending and/or rental kiosks shall be permitted uses in Norman Park and will be subject to site plan agreement per Section 41 of the Planning Act, and

That Council submit their views based on material provided to them about the future use of Norman Park to the Planning Administrator by September 25, 2012; and further

That the application be drafted, circulated to the Kenora Planning Advisory Committee, commenting departments and agencies, and an open house and a statutory public meeting be scheduled, under the provisions of the *Planning Act*, in November of 2012.

### **Naming of "Lougheed Drive"**

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

That the City of Kenora hereby names the road described as "Road A" on the draft plan of subdivision associated with S02/11 Lougheed (Ross M. Johnson Surveying Ltd. August 3, 2011) "Lougheed Drive"; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a by-law for this purpose at its September 17, 2012 meeting.

### **Amendment to LOW Brewing Company Development Agreement**

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

That the Council of the City of Kenora approves an amendment to Section 2 of the Development Agreement with Lake of the Woods Brewing Company Inc., to extend the required time to obtain required licenses, to brew beer and sell beer retail on site to June 30, 2013 subject to the agreement being revised by the Municipal Solicitor; and

That all other conditions (1-4) of the development agreement continue to apply and are current and valid; and further

That three readings be given to a bylaw authorizing the Mayor and Clerk to enter into the amended Development Agreement.

### **Refusal of Sign Variance Request**

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

That Council refuses a sign variance application from the Kenora Women's Action Network for various signs for the "Take Back the Night" event for the following reasons:

- i. Obstructs the view of any pedestrian or driver of a motor vehicle, obstructs the visibility of any traffic control sign or device, or interferes with vehicular traffic in a manner that could endanger any person;
- ii. Does not relate to any use or uses of the premises located on the same property; or is within the sight triangle; and
- iii. That the intent of the Sign By-law, to reduce and control the number of signs within the City of Kenora, is not met; and further

That signage located on private property such as the Kenora Shoppers Mall is exempt from this variance denial.

### **Turnaround – First Street North**

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

That 2225171 Ontario Corporation be responsible to pay a total of \$10,000 (plus HST) for the costs associated with the development of a turnaround on First Street North which the City will construct; and further

That all other conditions of the Purchase and Sale Agreement continue to apply.

### **Surplus Lands – Portion of Coney Island**

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

That the Council of the City of Kenora hereby declares property on Coney Island described as LOC 564P PCL 2761, as surplus to the needs of the municipality; and further

That the property be marketed on the open market by Bill Scribilo of Century 21 Reynard Real Estate.

### **Surplus Lands – Portion of Portage Street**

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

That the Council of the City of Kenora hereby declares the part of the Portage Street road allowance abutting PLAN 18 BLK 44 LOT 1 TO 2 required to satisfy the existing encroachment of the residential structure, as surplus to the needs of the municipality; and

That the property owner must make formal application to purchase the lands and pay the required fee; and

That the property owner be responsible for all costs associated with the removal of the lease from title; and

That the applicant will commission and pay for an appraisal, to be performed by Bill Scribilo of Century 21 – Reynard Real Estate, which appraisal will be provided to the City of Kenora; and

That the applicant will commission and pay for a survey of the lands, with survey instructions to 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.

### **Surplus Lands – Portion of Kerr Drive**

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

That the Council of the City of Kenora hereby declares a portion of property abutting PLAN M755 LOT 10 PCL 32995, 188 Kerr Drive, as surplus to the needs of the municipality; and

That the property owner completes the application form, including the sketch and associated fee and submits it to the City of Kenora; and

That before the transfer of the lands the applicant provides a legal survey of the subject lands to be transferred, which will establish the location and extent of the 1,039 foot contour to the satisfaction of the City of Kenora and Ontario Power Generation; and

That prior to transfer to the applicant, the City of Kenora will grant to OPG a registered flooding easement over the subject lands up to the 1,039 foot contour, at the cost of the Applicant; and

That before the transfer of the lands, the applicant provides a legal survey of the subject lands indicating the location of the existing structure(s) associated with the property upon which final survey instructions for the transfer of lands will be provided to the surveyor, by the City of Kenora; and

That in accordance with Notice By-law Number 144-2007, as amended, 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 the property owner, subject to the conditions above, at the appraised value, as established by Century 21 – Reynard Real Estate, plus all associated costs, including survey, legal, transfer costs of the subject lands and associated flood easement.

### **Surplus Lands – Portion of Lakeside Crescent**

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

That the Council of the City of Kenora hereby declares the part of the road allowance abutting Plan M.56 Lot 134 on Lakeside Crescent, in addition to a portion of property described as Plan M.56, Lot 134 as surplus to the needs of the municipality; and

That the property owner must make formal application to purchase the lands and pay the required fee; and

That the applicant will commission and pay for an appraisal, to be performed by Bill Scribilo of Century 21 – Reynard Real Estate, which appraisal will be provided to the City of Kenora; and

That the applicant will commission and pay for a survey of the lands, and survey instructions will be issued by the City of Kenora and will include a portion of lands to be transferred to the City of Kenora for municipal highway purposes; 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 Dawn Marciniak and Edward Marciniak at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs.

## **Refusal to Declare Surplus Lands**

### **32. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-**

That Council hereby directs Administration to advise Ron Arnason, that the City of Kenora will not be declaring lands, or portion of lands, described as an unopened lane allowance located between lands described as 405 Beach Road P18 BLK 30 LOT 4 & 5 P75 BLK LOT N & O and 313 St. Clair Street, PLAN 59 W 257 FEET OF PLOT B as surplus at this time; and further

That the property owner to the west of the road allowance be advised that the dock associated with his residential property be removed to their private property no later than May 1, 2013.

## **Zoning By-law Amendment**

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

That the proposed zoning by-law amendment Z06/12 Coker, to amend Zoning By-law Number 160-2010, as amended, for the property described as 118 Coker Lane Concession 3 of Melick PT LOT 7 23R-5651 PARTS 4&5 & 23R-3940 PT 3 PCL 39413 ROW OVER PT 3; 3R-3940 and 111 Coker Lane Concession 3 of Melick PT LOT 7 RP 23R5651 PART 2 PCL 34297, City of Kenora, District of Kenora from RU to RU, BSL, RR and EP be hereby approved as 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 all of the new shorefront lots are counted as part of new development under the Black Sturgeon Lake Restricted Policies of the City of Kenora Official Plan, which is consistent with the intent of the City of Kenora Official Plan.

## **Tender – Janitorial Services**

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

That the following tenders for Janitorial Services for various municipal buildings (HST extra), be received:

|                          |                   |
|--------------------------|-------------------|
| Stover Cleaning Services | \$604,021.92      |
| MTO Janitorial           | \$794,243.13; and |

That the Tender of Stover Cleaning Services in the amount of \$604,021.92 (HST Extra) to supply Janitorial Services be hereby accepted conditional upon completion and submission of the required documentation by Stover Cleaning Services to the Facilities Supervisor as per the requirements of the tender; and further

That following the conditions being met, Council hereby accepts the tender of Stover Cleaning Services for Janitorial Services to various municipal buildings for the period October 1, 2012 to December 31, 2015 in accordance with the tender documents.



## **Approval of By-laws**

### **35. Moved by R. McMillan, Seconded by R. Lunny & 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:~

#96-2012 – To confirm the proceedings of Council

#97-2012 – To amend the 2012 Municipal Budget (Keewatin Arena Boiler)

#98-2012 – To amend the Tariff of Fees and Charges By-law

#99-2012 – To amend the Parking Lots and Structures By-law

#100-2012 – To establish a Student Councillor Program Policy

#101-2012 – To amend Schedule "B" to Traffic Regulation By-law #127-2001, as amended

#102-2012 – To authorize the sale of land to Hack and Corbett

#103-2012 – To amend Comprehensive Zoning By-law Number 160-2010, as amended

#104-2012 – To establish a Street Name in a Subdivision as "Lougheed Drive."

## **Adjourn to Closed Meeting**

### **36. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-**

**That** this meeting be now declared closed at 5:55; and further

**That** pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Council to move into a Closed Session to discuss an item pertaining to the following:-

#### **i) A Personal Matter about an Identifiable Individual.**

### **Reconvene to Open Session:**

### **37. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-**

That Council hereby reconvenes to the Open Meeting at 6:30 p.m., with the following direction from its Closed Meeting:-

- Direction to the CAO to provide a report to the October 15, 2012 Committee of the Whole meeting addressing the re-structuring of the Operations Department; and further

That this meeting be now declared closed at 6:31 p.m.

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

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

**Of.....2012**

.....

**Mayor**

.....

**City Clerk**