



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, September 17, 2013 – City Council Chambers
12:00 p.m.**



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

Regrets: Councillor R. McKay, Councillor R. McMillan

Staff: Karen Brown, CAO, Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, Sharen McDowall, HR Manager, Lauren D’Argis, Corporate Services Manager, Charlotte Caron, Property & Planning Manager, Joanne L. McMillin, City Clerk, Heather Kasprick, Deputy Clerk, Heather Lajeunesse, Deputy Clerk.

Call to Order

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

Public Information Notices as per By-law Number 144-2007

Mayor Canfield 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 today’s meeting:-

- A Budget Amendment for an allocation in the amount of \$12,900 to be funded through the Northwest Business Centre Deferred Revenue for a Virtual Advisor Program Implementation;
- A new Rules of Order and Procedures By-law for Council;
- A Budget Amendment for an allocation in the amount of \$10,000 to be funded through the Dock Reserve for the City's Boat Launch Program;
- A Budget Amendment for an allocation of \$32,500 to be funded through the Solid Waste Reserve Fund for the grinding of construction and demolition waste at the Kenora Landfill;
- Authorize the sale of land to Chambers;
- Assume lands known as Fourth Avenue South;
- Assume lands from the Ministry of Transportation.

Confirmation of Minutes

1. Moved by C. Gallivan, 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, 2013

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

Deputations

N/A

Additions to the Agenda

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

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

1. Awarding of the Anicinabe Park Contract
2. Request the KDSB to establish a Regional Multi-Disciplinary Task Force.

Anicinabe Park Contract

2A Moved by L. Roussin, Seconded by R. Lunny & Carried:-

That further to the City receiving two RFP's for the Anicinabe Park contract, the Council of the Corporation of the City of Kenora hereby enters into an agreement with Scott Green for the operation and maintenance of Anicinabe Park on the terms and conditions contained in the agreement, a copy of which is annexed to the By-law, to be effective for the period November 1, 2013 to November 1, 2018; and

That the land known as Anicinabe Park be exempt from taxation for municipal and school purposes from this date until November 1, 2018; and

That Council give three readings to a by-law for this purpose and authorizes the Mayor and Clerk to execute all documents related to this agreement on behalf of the Corporation of the City of Kenora; and further

That By-law Number 32-2009 be and is hereby repealed.

Multi-Disciplinary Task Force

2B Moved by L. Roussin, Seconded by R. Lunny & Carried:-

Whereas the City of Kenora is approving today Kenora's Homelessness & Behavioural Issues Task Force Work Plan; and

Whereas the Kenora District Services Board is required to develop a ten year housing and homelessness plan in 2013 under the current Provincial Mandate; and

Whereas the work plan as approved today by Kenora City Council is being submitted to the Kenora District Services Board for inclusion in the development of their ten year housing and homelessness plan for submission to the Province; and

Whereas Kenora City Council believes the best opportunity for a successful implementation of the strategies as contained within both the Kenora Homelessness & Behavioural Issues Task Force Work Plan, as well as the ten year housing and homelessness plan currently being developed by the Kenora District Services Board, will be facilitated through working together as a region by accessing expertise from a cross section of various disciplines to work on this implementation;

Now therefore be it resolved that the Council of the City of Kenora hereby requests the Kenora District Services Board to establish a Regional Multi-Disciplinary Task Force with the necessary budget and staff resources to address Homelessness and support services on a regional basis; and

That those staff resources be placed within those municipalities that have a higher rate of homelessness and associated support service needs within the Kenora District Services Board area, with the mandate of those staff being the coordination and delivery of services to the Homeless; and

That the purpose of this Regional Multi-Disciplinary Task Force be:

- to ensure follow through of the Homelessness mandate through community consultation throughout the region;
- to ensure Homelessness and necessary support services are addressed; and
- to petition the Provincial and Federal Government for funding to address and implement the identified needs; and further

That a copy of this resolution be sent to the Kenora District Services Board for their consideration, as well as to the municipalities within the Kenora District Services Board area.

Homelessness & Behavioural Issues Task Force Work Plan

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

Whereas for decades now, Kenora has faced issues related to homelessness and disorderly behaviours; and

Whereas Kenora City Council approved the establishment of a Task Force on Homelessness and Behavioural Issues in 2012 with the intent of developing a work plan for strategies that should be implemented with the intent to move towards a solution to the homeless and behavioural issues in Kenora; and

Whereas the Homelessness and Behavioural Issues Task Force has developed a Work Plan, dated September 2013, identifying key partners and recommended strategies intended to end these issues, recognizing it is no longer acceptable to simply manage them;

Now Therefore be it resolved that Kenora City Council hereby approves and endorses the September 2013 Work Plan as developed by the Homelessness & Behavioural Issues Task Force; and

That a copy of this plan, together with a request for endorsement of the plan, be sent to Treaty #3, together with a letter of appreciation to Treaty #3 for the participation of their appointed representative to be a key member of the Homelessness and Behavioural Issues Task Force, working in partnership to develop this plan, as well as a request for working together in partnership in engaging senior government in working towards the active implementation of the strategies as contained within the work plan; and

That a copy of this plan be sent to the Kenora District Services Board to assist that organization in the development of their consolidated housing and homelessness related plan as mandated by the Province, together with a request for support of the work plan, including inclusion of the core strategies into their plan; and

That Kenora Mayor and City Council commit to active leadership in moving forward in implementing the strategies within the work plan, including engaging the Federal and Provincial Governments in working towards active partnerships to ensure successful implementation of the strategies as contained within the work plan and further

That Council hereby formally thanks the Homelessness and Behavioural Issues Task Force Members for their involvement and hard work in the development of this work plan.

KDSB Housing Survey

4. Moved by L. Roussin, Seconded by C. Gallivan & Carried:-

That Council hereby approves the proposed submission to the Kenora District Services Board Housing Survey as attached to the September 4, 2013 report from Karen Brown.

Housing Pillar – Kenora substance Abuse & Mental Health Task Force

5. Moved by L. Roussin, Seconded by C. Gallivan & Carried:-

That Council hereby approves the following City representatives to participate on the Kenora Substance Abuse and Mental Health Task Force new Housing Pillar:-

Section 357 Tax Adjustments

6. Moved by R. Lunny, Seconded by C. Gallivan & Carried:-

That the Section 357 tax adjustments with potential refunds totaling \$8,001.80 be hereby approved.

July, 2013 Financial Statements

7. Moved by R. Lunny, Seconded by S. Smith & Carried:-

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at July 30, 2013.

Budget Amendment – Boat Launch Program

8. Moved by R. Lunny, Seconded by C. Gallivan & Carried:-

That Council of the City of Kenora approves an additional allocation of up to \$10,000 to the Boat Launch Program budget, funded through an appropriation from the Dock Reserve; and

That in accordance with Notice By-law #144-2007, notice is hereby given that Council intends to amend its 2013 Operating Budget at its September 17, 2013 Council Meeting; and further

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

Attendance at Ke-Ondaatiziying Conference

9. Moved by C. Gallivan, Seconded by S. Smith & Carried:-

That authorization be and is hereby given for Mayor Canfield and Members of Council to attend the Ke-Ondaatiziying 2013 Conference - "How We Will Sustain Ourselves" taking place in Kenora, September 30 to October 2, 2013; and further

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

Attendances at Long-Term Energy Plan Review

10. Moved by C. Gallivan, Seconded by L. Roussin & Carried:-

That authorization be and is hereby given for Councillor R. McKay to attend a roundtable discussion on "Ontario's Long-Term Energy Plan Review" taking place Tuesday, September 10, 2013 at the Best Western Lakeside Inn in Kenora; and further

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

Budget Amendment – Virtual Advisory Program

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

That Council of the City of Kenora approves an allocation in the amount of \$12,900 to be funded through an appropriation from the City's Northwest Business Centre deferred revenue for Virtual Advisor program implementation; and

That in accordance with Notice By-law#144-2007, notice is hereby given that Council intends to amend its 2013 Operating Budget at its September 17, 2013 Council Meeting; and further

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

October Meeting Changes/New Procedural By-law

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

That Council hereby approves an amended meeting schedule for Committee of the Whole and Council as follows:

October

Tues., October 8 – 9:00 a.m. to 1:00 p.m. Committee of the Whole/Property & Planning

Tues., October 15 – 12:00 p.m. - Regular Council Meeting

November

Tues., November 12 – 9:00 a.m. to 1:00 p.m. – Committee of the Whole/Property & Planning

Tues., November 19 – 12:00 p.m. – Regular Council Meeting

December

Tues., December 10 – 9:00.m. to 1:00 p.m. – Committee of the Whole/Property & Planning

Tues., December 17 – 12:00 p.m. – Regular Council Meeting; and

That in keeping with Notice By-law #144-2007, public notice is hereby given that Council intends to amend its meeting schedule for the remainder of 2013 to reflect the above changes; and

That three readings be given to adopt a new Procedural bylaw; and further

That By-law Number 120-2010, as amended be hereby repealed.

Head for Municipal Freedom of Information/Protection of Privacy

13. Moved by R. Lunny, Seconded by S. Smith & Carried:-

That Council give three readings to a by-law to designate a Head and to delegate authority for purposes of the Municipal Freedom of Information and Protection of Privacy Act on behalf of the Corporation of the City of Kenora; and further

That By-law Number 117-2004 be and is hereby repealed.

Various Minutes – Boards & Committees

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

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

- June 17 & July 16 - Committee of Adjustment & Planning Advisory
- July 18 – Heritage Kenora
- July 4 & July 30 - Event Centre Committee
- August 6 - Committee of the Whole and Property & Planning; and

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

- June 27– Northwestern Health Unit Board of Health
- June 27 – Kenora District Services Board
- July 22 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

Funding Application – Coney Island Development Project

15. Moved by S. Smith, Seconded by R. Lunny & Carried:-

That Council of the City of Kenora hereby authorizes Administration to complete applications for funding for the Coney Island Development project.

Funding Application – Culture Development Fund

16. Moved by S. Smith, Seconded by C. Gallivan & Carried:-

That Council of the City of Kenora hereby authorizes Administration to work with the Kenora Arts Partners to develop a funding application for maximum of 50% funding to the Culture Development Fund.

Funding Application–Northern Community Investment Readiness Fund

17. Moved by S. Smith, Seconded by C. Gallivan & Carried:-

That Council of the City of Kenora hereby supports the Lake of the Woods Development Commission application for funding to the Northern Community Investment Readiness Fund for the completion of two sector profiles to be used to attract sector-specific businesses to the City of Kenora.

Flying Lantern Devices – Provincial Ban

18. Moved by C. Gallivan, Seconded by S. Smith & Carried:-

That Council of the City of Kenora hereby petitions the Provincial Government to have flying lantern devices banned from use and sale in the Province of Ontario; and

That Council of the City of Kenora circulates a copy of this resolution to all Ontario Municipalities for endorsement and support; and further

That the City of Kenora Fire and Emergency Services initiate enforcement action when the identity of the owner of the device can be determined, through appropriate sections of the Ontario Fire Code.

Budget Amendment – Kenora Area Landfill Site

19. Moved by S. Smith, Seconded by R. Lunny & Carried:-

That Council approved an allocation of \$80,000 under the 2013 Capital Budget for the aggregate area at the Kenora Area Landfill Site; and

That an additional budget request in the amount of \$32,500 be hereby approved for the grinding of construction and demolition waste at the Kenora Area Landfill Site; and

That Council hereby authorizes the additional allocation in the amount of \$32,500 to be funded through an appropriation from the Solid Waste Reserve Fund; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2013 Solid Waste Capital Budget at its September 17, 2013 meeting; and

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

That the following tenders submitted to provide grinding operations for construction and demolition material stockpiled at the Kenora Area Landfill Site, HST extra; be received:-

Titan Contracting \$112,500 + HST
Superior 3R Inc \$126,000 + HST; and further

That the quotation submitted by Titan Contracting, in the amount of \$112,500, HST extra, be hereby accepted.

Traffic By-law Amendment – “Do No Enter”

20. Moved by C. Gallivan, Seconded by L. Roussin & Carried:-

That Council give three readings to a by-law to amend the City of Kenora Traffic Regulation By-law 127-2001 to include the following deletion to Schedule “U” – Do Not Enter” onto River Drive from Seventh Street South:-

Schedule “U” – Do Not Enter

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
From Highway	Do Not Enter	Direction
<u>Delete:</u>		
River Drive	Lane west of Seventh Ave So	Southbound

Traffic By-law Amendment – “No Parking/Stopping-Tow Away”

21. Moved by C. Gallivan, Seconded by S. Smith & Carried:-

That Council gives three readings to a by-law to authorize an amendment to the City of Kenora Traffic Regulation By-law 127-2001 to include changes to Schedule “B” – No Parking Area – Tow Away Zones and Schedule “Q” – No Stopping for Second Street South and Main Street South as set out below:-

Schedule “B” – No Parking Tow-Away Zones:

Column 1 Street / Highway	Column 2 Location	Column 3 Side	Column 4 Time
Delete: Bernier Drive	From Second Street South, northerly for 33 metres	East	Anytime
Second Street South	From Main Street South, westerly for a distance of 111 metres including the western most limit of Second Street South	Both	Anytime
Add: Second Street South	From Main Street South, westerly for 19 metres	North	Anytime
Second Street South	From Bernier Drive, westerly for 48 metres including the western most limit of Second Street South	North	Anytime
Second Street South	From Water Street entrance westerly for 56 metres	South	Anytime

Schedule “Q” – No Stopping:

Column 1 Street / Highway	Column 2 Location	Column 3 Side	Column 4 Time
Add: Second Street South	From 19 metres west of Main Street South, north westerly for 54 metres onto Bernier Drive.	East	Anytime
Main Street South	From 24 metres north of Second Street South, southerly to Second Street South.	West	Anytime

July Water and Wastewater Systems Report

22. Moved by C. Gallivan, Seconded by R. Lunny & Carried:-

That Council of the City of Kenora hereby accepts the July 2013 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water

and Sewer Supervisor, Ryan Peterson, Water Treatment Plant Operator and David Nachuk, Wastewater Treatment Plant Operator.

Sale of Land – Hermanson/Chambers

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

That the Council of the Corporation of the City of Kenora authorizes the Mayor and Clerk to enter into an agreement of purchase and sale of property described as M31 Lot 12 to 14 Bulmer PT PCL 15520 for purchase to Hermanson Sondrea Lee, Chambers Roxanne and Chambers Kenneth at the price of \$12,000 + any applicable taxes, legal and transfer fees; and

That the Mayor and Clerk be authorized to enter into an agreement of purchase and sale of property described as Part 1 on Plan 23R 12195, to be consolidated with lands described as Plan M 31 Lot 15, at the price of \$184.84 + any applicable taxes, legal and transfer fees; and

That the purchaser be responsible for all costs associated with the purchase/sale, including fee for provision of the opinion of value and for those associated with the deeming by-law, including registration and fee; and further

That the appropriate bylaw be passed for this purpose.

Assumption of Lands – Fourth Avenue South

24. Moved by L. Roussin, Seconded by C. Gallivan & Carried:-

That the City of Kenora hereby assumes lands described as Fourth Avenue South (Lillie St) Plan M11 lying south of Plan 3; Lane Plan M11 abutting Lots 39 to 42 and Lot 44; and Lane Plan M11 abutting north limit of Lot 44; City of Kenora, in the District of Kenora, for municipal purposes; and further

That the appropriate bylaw be passed for this purpose.

Transfer of Lands – M.T.O.

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

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete the transfer of lands from the Province of Ontario (Ministry of Transportation) described as Part of the N ½ of the South ½ of Lot 3 Concession 7, Geographic Township of Jaffray, City of Kenora, District of Kenora designated as PARTS 1, 2 and 3 on Ministry Plan P-8213-51 deposited in the Land Registry Office for the District of Kenora as Plan 23R-10246, together with a right-of-way over PART 1 on Ministry Plan P-8213-37 deposited in said Land Registry Office as Plan KR-1966, and subject to easements in favour of Hydro One Networks Inc. and Bell Canada over PART 1 on Ministry of Transportation Plan P-8213-53 deposited in said Land Registry Office as Plan 23R-11952.

Delegate Authority to Property & Planning Manager

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

That the Property and Planning Manager be delegated authority to execute merger agreements which are conditions of approval of applications approved by the City of Kenora Planning Advisory Committee; and further

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

Snowmobile Permit Reciprocity

27. Moved by S. Smith, Seconded by R. Lunny & Carried:-

Whereas the City of Kenora is geographically located in close proximity to the Province of Manitoba, and the State of Minnesota; and

Whereas many visitors to the City of Kenora and surrounding area are from the Province of Manitoba and the State of Minnesota; and

Whereas citizens of Kenora and surrounding area enjoy travelling to Manitoba and Minnesota by means of snowmobiles during the winter months; and

Whereas winter tourism is important to Ontario, Manitoba and Minnesota and their residents alike; and

Whereas snowmobilers previously enjoyed the freedom to travel within Ontario, Manitoba and Minnesota with their home trail permit through reciprocity; and

Whereas this reciprocity benefited all three jurisdictions where there are many small communities that rely on much needed winter tourism; and

Whereas when this reciprocity ended the number of winter tourists declined as people were unwilling to purchase multiple permits in multiple jurisdictions to travel throughout the provinces and states;

Now therefore be it resolved that the Council of the City of Kenora hereby supports Snowmobile Permit Reciprocity between the Sunset Trail Riders (OFSC District 17), the Province of Manitoba and the State of Minnesota; and further

That the City of Kenora encourages other districts to support the same reciprocity to encourage and promote winter tourism in all our areas to benefit the communities as a whole and encourage winter tourism in Ontario, Manitoba and Minnesota.

Regulating Parking on Private Parking (KHCC)

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

Whereas Sections 100 and 100.1 of the Municipal Act, 2001, S.O.2001, c.25, as amended, authorize municipalities to regulate or prohibit parking or leaving of motor vehicles without the owner's consent on land not owned or occupied by the municipality; and

Whereas the Kenora Health Care Centre has requested assistance from Kenora City Council for monitoring and enforcing the signed no parking provisions in the access area in front of the clinic doors; and

Whereas Council has requested administration to provide assistance with the requested enforcement due to the nature of the facility and the services provided therein;

Now therefore be it resolved that Council hereby approves enforcement for the no parking area in front of the Kenora Health Care Centre clinic doors under the existing "parking contrary to sign" enforcement provisions in accordance with the authorities as granted within Sections 100 and 100.1 of the Municipal Act; and further

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

Zoning By-law Amendment - Lougheed

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

That Council approves Zoning By-law Amendment Z04/13- Lougheed for site specific rezoning from RU – Rural, OS – Open Space and HL – Hazard Lands to RR – Rural Residential, OS – Open Space and HL – Hazard Lands [29] Notwithstanding any other provisions of this By-law, on the lands noted by [29] on the Schedules to this By-law, and specifically described as Part of Lot 21 Plan M-135 and part of Location LK2, Geographic Township of Pellatt, City of Kenora, District of Kenora be rezoned to RR – Rural Residential in areas not subject to flooding per the City of Kenora Official Plan, 2010, HL – Hazard Land to permit accessory structures in which human habitation will not be permitted and access driveways, and OS – Open Space to permit only docks, 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 the appropriate bylaw be adopted for this purpose.

Extension of Municipal Services – Cameron Bay

30. Moved by S. Smith, Seconded by C. Gallivan & Carried:-

That the City of Kenora directs Administration to develop funding applications to NOHFC and FedNor for extension of municipal services to the Cameron Bay area; and further

That the City of Kenora contributes up to \$360,000 towards the project from sewer and water reserves; and further

That the City of Kenora be responsible for any cost overruns, should the project proceed and should the funding applications be successful.

Approval of By-laws

31. Moved by S. Smith, 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:~

#87-2013 - To confirm the proceedings of Council

#88-2013 – To appoint a head for purposes of Freedom of Information

#89-2013 – To amend the budget for the City’s Boat Launch Program

#90-2013 – To adopt a new Rules of Order & Procedures for Council

#91-2013 – To amend the budget for the aggregate area at the Kenora Landfill Site

#92-2013 – To amend the Schedule “U” of the Comprehensive Traffic By-law

#93-2013 – To amend Schedules “B” and “Q” of the Comprehensive Traffic By-law

#94-2013 – To amend the budget to provide for a Virtual Advisory Program

#95-2013 – To authorize the sale of land to Hermanson/Chambers

#96-2013 – To assume lanes in the Fourth Avenue South area

#97-2013 – To amend the Comprehensive Zoning By-law (Lougheed)

#98-2013 – To enter a contract for the maintenance/operation of Anicinabe Park

#99-2013 – To delegate authority to the Property & Planning Manager

Announcements

Mayor Canfield read the following Proclamations:

- September, 2013 as “Childhood Cancer Awareness Month”
- September 27 – 29, 2013 as “Culture Days”

Close Meeting

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

That this meeting be now declared closed at 12:44 p.m.

The Corporation of the City of Kenora:

Confirmed As Written ThisDay

Of.....2013

.....

Mayor

.....

City Clerk