



**Revised Agenda  
City of Kenora  
Property and Planning Committee of Council**

Tuesday, November 12, 2013

Time: (To be held immediately following Committee of the Whole)  
City Hall Council Chambers

Pages

1. **Public Information Notices**

As required under Notice By-law #144-2007, the public is advised of Council's intention to adopt the following at its November 19, 2013 meeting:-

-Council will approve a new Tariff of Fees and Charges for the Lake of the Woods Discovery Centre and the Whitecap Pavilion

2. **Declaration of Pecuniary Interest and the General Nature Thereof.**

On today's agenda or from a meeting at which a Member was not in attendance.

3. **Confirmation of Previous Committee Minutes - Motion Required**

- Regular meeting held October 8, 2013

4. **Deputations**

5. **Presentations**

6. **Reports**

6.1 Application for Exemption to Discharge of Firearms By-law 1 - 2

6.2 Transfer Agreement with MTO - Highway 596 & Reddit Road Area 3 - 3

6.3 Transfer Agreement with 2225171 Ontario Corporation - City View 4 - 4

6.4	Kenora Air Show Surplus	5 - 6
6.5	New Tariff of Fees and Charges - Discovery Centre & Whitecap Pavilion	7 - 8
6.6	Parking on Private Property By-law	9 - 9
7.	Other Business	
7.1	Notice of Public Meeting for Zoning By-Law Amendment	10 - 10
8.	Date of Next Meeting Tuesday, November 19, 2013	
9.	Adjourn to In-Camera Meeting That this meeting be now declared closed at _____; and further  That pursuant to Section 239 of the Municipal Act 2001, as amended, authorization be hereby given for Council to move into a Closed Session to discuss the following:-  i) Disposition of Land (1 item)  ii) Potential Litigation/Litigation (1 item)  iii) Personal Matter about an Identifiable Individual (3 items)	
10.	Reconvene	
11.	Close Meeting	



**October 28, 2013**

## **City Council Committee Report**

**TO: Mayor and Council**

**FR: Tara Rickaby, Planning Administrator**

**RE: Application for Exemption to Discharge of Firearms By-law – Jeff Rose – Wild Animal Capture & Relocation Services**

### **Recommendation:**

That in keeping with Section 6(d) of the Discharge of Firearms By-law Number 148-2010, as amended, and further to the appropriate application being received by Jeff Rose, Council hereby authorizes the inclusion of Jeff Rose, Wild Animal Capture & Relocation Services, to be exempted from the provisions of Section 4 of the by-law as it relates to the discharge prohibition while providing private animal capture/relocation/dispatching services, in order to euthanize wounded animals; and

That this authorization for exemption is conditional upon Jeff Rose providing the City with a copy of a criminal record check, proof of all required licenses/permits and a certificate of insurance naming the City of Kenora harmless, together with the proviso that a copy of the City's authorizing letter is carried by Jeff Rose at all times, in the course of his mandate, together with a copy of By-law Number 148-2010 and amendments; and further

That the City of Kenora offers for sale one of the used Cambrian-style bear traps to Jeff Rose, price to be negotiated.

### **Background:**

The City received a request for an exemption to the discharge of firearms by-law. Under Section 6 of the By-law, a person may apply for an exemption to the by-law, in writing, and the exemption can be granted to any person Council may deem appropriate.

Since the cancellation of the Bear-Wise program by the Province, the City of Kenora and MNR no longer have the ability to trap and re-locate nuisance bears. The OPP, in consultation with the MNR, will dispatch "problem" animals when the situation permits, in the event of a threat to human safety.

Jeff Rose, as former employee of the MNR/Bear Wise Program, has started a business to provide the service of removal of nuisance animals from property. Mr. Rose also proposes to provide the service of dispatching and removing injured animals from property.

The application was circulated with the following comments received:

Department	Comment/condition
Insp. David Lucas, OPP	There should be a condition that he is to carry a copy of the bylaw authorizing him to use the firearm when he is acting in this capacity and to provide a criminal record check. In all cases, he would be required to follow all legislation pertaining to safe use and storage.
Joanne McMillin, Clerk	This is a much needed service in the community as we are constantly receiving inquiries about these types of issues. With being granted a business licence he should have already been through the criminal record check. The fact it is a mobile service, I agree, it should be spelled out (name and business name).
Kevin Robertson, CBO	I agree with OPP recommendations (criminal record check and carrying authorizing by-law) and the submittal of MNR permissions. Should MNR permissions be required annually? The name of company and or person should be specific to a by-law and future employees names, criminal checks and MNR approvals be submitted under the company name, upon employment and annually.

**Budget:** N/A

**Communication Plan/Notice By-law Requirements:** Agenda for Property and Planning and Council, OPP, MNR, Applicant



**October 28, 2013**

## **City Council Committee Report**

**TO: Mayor and Council**

**FR: Tara Rickaby, Planning Administrator**

**RE: Transfer Agreement with Ministry of Transportation – Hwy 596 area  
& Redditt Rd area**

### **Recommendation:**

That Council of the City of Kenora authorizes the Mayor and Clerk to enter into an agreement of purchase and sale with Her Majesty the Queen in the right of the Province of Ontario (represented by the Ministry of Transportation) for property described as Part of Location FM-177, Pellatt, Being Parts 2, 3 and 4 on Plan P-3513-48 (23R-9938); and

That a by-law be adopted for this purpose; and

That Council of the City of Kenora authorizes the Mayor and Clerk to enter into an agreement of purchase and sale with Her Majesty the Queen in the right of the Province of Ontario (represented by the Ministry of Transportation) for property 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; and

That a by-law be adopted for this purpose; and further

That the Municipal Solicitor coordinates the transfer and registration documents.

### **Background:**

Staff was directed, in previous years, to pursue agreements with the Ministry of Transportation, for transfer of a) property to the south of the By-pass, and north of Villeneuve Road, and b) the transfer of a road allowance, used by City ratepayers and maintained by the City of Kenora, which was a remnant of the re-alignment of Hwy 596 (\$1 transfer and \$3000 +HST admin fee). The agreements are in place. The last requirement is to authorize the Mayor and Clerk to enter into the agreement of purchase/sale.

**Budget:** Planning operating – land planning expenses

**Communication Plan/Notice By-law Requirements:** Agenda for Property and Planning and Council, Property Owners, Municipal Solicitor

**October 24, 2013**

## **City Council Committee Report**

**TO: Mayor and Council**

**FR: Tara Rickaby, Planning Administrator**

**RE: Transfer of City Property to 2225171 Ontario Corporation – City View**

### **Recommendation:**

That the Council of the City of Kenora authorizes the Mayor and Clerk to enter into an agreement of purchase and sale with 2225171 Ontario Corporation at the value of \$ 2,046.22 + all applicable costs; and

That a by-law be adopted for this purpose; and further

That the Municipal Solicitor coordinates the transfer/sale documents.

### **Background:**

In May of 2012, Council declared a part of a road allowance and a lane allowance, abutting property known as the former Mt. Carmel School, as surplus to its needs.

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, Blk 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.

The lands have been surveyed, and notice given to the public of the City's intention to stop up, close and sell the lands. The last requirement is to authorize the Mayor and Clerk to enter into the agreement of purchase/sale.

**Budget:** Applicants pay all costs.

### **Communication Plan/Notice By-law Requirements:**

Agenda for Property and Planning and Council, Property Owners, Municipal Solicitor



Nov. 5, 2013

## City Council Committee Report

**TO:** Mayor and Council

**FR:** Barbara A. Manson, Parks Supervisor  
Charlotte Caron, Manager of Property & Planning

**RE: Kenora Air Show – Surplus**

### **Recommendation:**

That Council of the City of Kenora hereby approves the allocation of the surplus funds in the amount of \$17,160.54 from the 2013 Kenora Air Show as follows:

- \$5,160.54 – City of Kenora Reserve Account (for future Air Show or major event)
- \$5,000.00 – Kenora & Lake of the Woods Regional Community Foundation
- \$5,000.00 – 2014 Canada Day Festival (week long event)
- \$2,000.00 – 2014 Tourism Event Grant process

### **Background:**

The Kenora Air Show Committee under the direction of Co-Chairs John Gale & Rick Joyce put on a successful Air Show on July 3, 2013 at the Kenora Airport.

Over 7,000 people attended this spectacular show with many out-of-town visitors coming to Kenora for this specific event. It was not only a boost to tourism in Kenora; it was a phenomenal special event.

The Revenue breakdown consisted of \$60,149.00 in sponsorship, a Celebrate Ontario Grant of \$32,500.00 and ticket sales and vendor sales of \$28,726.43 for total revenue of \$121,375.43. Frank Bastone, RE: Celebrate Ontario Grant assured the Committee that there are no rules as to the allocation of surplus funds.

The Expense breakdown included Performer Fees, Airport costs, Sound system, insurance, accommodations and food, transportation for performers, policing, fencing, advertising, performer's fuel costs, and miscellaneous expenses for a total of \$104,214.89.

The recommendation of the Co-Chairs of the Kenora Air Show Committee for the distribution of the surplus of \$17,160.54 from the 2013 Kenora Air Show is allocated as listed below:

\$5,160.54 – City of Kenora Reserve Account (for future Air Show or major event)  
\$5,000.00 – Kenora & L.O.W. Regional Community Foundation - cherub to be given to the Kenora Community Foundation at the Festival of Trees Event on Nov. 29<sup>th</sup> by the Co-Chairs of the Kenora Air Show Committee  
\$5,000.00 – 2014 Canada Day Festival (week-long event)  
\$2,000.00 – 2014 Tourism Event Grant process

**Budget:**

Revenue - \$121,375.43  
Expenses - \$104,214.89  
SURPLUS - \$17,160.54

**Communication Plan/Notice By-law Requirements:**

Kenora Air Show Committee – Co-Chairs – John P. Gale & Rick Joyce





**November 5, 2013**

## **City Council Committee Report**

**TO: Mayor and Council**

**FR: Charlotte Caron, Manager of Property and Planning**

**RE: Tariff of Fees & Charges By-law – Fees for Lake Of the Woods  
Discovery Centre and Whitecap Pavilion**

### **Recommendation:**

That Council hereby approves a new Tariff of Fees & Charges for the Property & Planning Department under Schedule "E" as it relates to the Lake of the Woods Discovery Centre and the Whitecap Pavilion as set out in the report of Charlotte Caron dated November 5, 2013; and

That Council give three readings to a by-law to authorize a new Comprehensive Tariff of Fees & Charges By-law; and

That in accordance with Notice By-law #144-2007, public notice is hereby given that Council intends to adopt a new Tariff of Fees & Charges By-law at its November 19, 2013 meeting; and further

That this by-law shall take effect and come into force upon third and final reading, thereby repealing By-law Number 104-2013.

### **Background:**

Special Events staff is recommending a 5% increase to the rental rates of the Whitecap Pavilion for 2014 as follows:

	Peak Season	Off Season
Hourly	\$131.25	\$78.75
Half Day	\$420.00	\$367.50
Full Day	\$1050.00	\$945.00
Weekend	\$2625.00	\$2100.00
Sound System	\$25.00	\$25.00

### **Early Setup Fee**

(if it can be accommodated, as determined by the Special Events Coordinator):

Hourly	\$32.80
Half Day	\$210.00
Full Day	\$525.00

Rates for Rental of the Discovery Centre as approved by Council in October of 2013:

During Business Hours (Amphitheatre) Flat Rate	\$175
Hourly Rate (Amphitheatre)	\$ 50
After Business Hours (5 pm – 8 pm)	\$250
After Business Hours (5 pm – 10 pm)	\$350
After Business Hours (5 pm – 1 am)	\$750

**Budget:**

N/A

**Communication Plan/Notice By-law Requirements:**

Department Managers, applicable staff, Portal.



**November 1, 2013**

## **City Council Committee Report**

**TO: Mayor and Council**

**FR: Heather Kasprick, Deputy Clerk**

**RE: Private Property Parking Bylaw**

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### **Recommendation:**

That Council of the City of Kenora hereby authorizes a Private Property Parking Bylaw as outlined in the September 17, 2013 resolution of Council; and further

That the short form wording for this bylaw for enforcement purposes be forwarded to the Law Office to coordinate the process.

### **Background:**

In September Council directed staff by Council resolution (#28) to enforce parking on private property at the Kenora Medical Centre. A bylaw was authorized for the purpose of this enforcement and it is now time for this bylaw to be executed. This is a housekeeping Item only.

Once the short form wording has been approved and returned from the Ministry, bylaw enforcement tickets will need to be ordered with the new set fines for enforcement.

### **Budget:**

N/A

### **Communication Plan/Notice By-law Requirements:**

Law Office to coordinate



**CORPORATION OF THE CITY OF KENORA  
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING FOR AN AMENDMENT TO ZONING BY-LAW No.160-2010 SECTION 34 OF THE PLANNING ACT, RSO 1990**

**TAKE NOTICE** that the City of Kenora Property and Planning Committee of Council will hold a public meeting on **Tuesday, November 19, 2013 at the City of Kenora Council Chambers, 1 Main Street South, Kenora, at 11:00 a.m.**, to consider a proposed zoning by-law amendment under Section 34 of the *Planning Act*. An explanation of the purpose and effect of this Amendment, describing the lands to which this Amendment applies, and a key map showing the location of the Subject Lands to which this Amendment applies are set out herein. The complete Amendment is available for inspection at the Kenora Operations Centre, 60 Fourteenth Street North, 2nd Floor, during regular office hours. Please quote File No. Z05/13 Rippling Waters. Please contact Tara Rickaby at 807-467-2059 to make an appointment if you wish to review the application.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Kenora before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the City of Kenora to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Council of the City of Kenora before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.



**Purpose:** To amend the Zoning By-law 160-2010 specifically on property indicated on the key map and described as 1751 Veterans Drive, CON 7J S PT LOT 4 RP KR1141 PART 12 13 PCL 30825 to rezone from RR- Rural Residential to HC [30] – Highway Commercial zone on an undersized lot.

**Effect:** To permit the use of the property for retail purposes.

Dated at the City of Kenora this 28<sup>th</sup> day of October, 2013.

Signed, Tara Rickaby, AMCT, Planning Administrator, 60 Fourteenth St N, 2nd Floor, Kenora, ON P9N 4M9  
807-467-2059