



**MINUTES**  
**City of Kenora**  
**Committee of the Whole of Council**

**Tuesday, May 13, 2014**  
**9:00 am**  
**City Hall Council Chambers**

**Present:** Mayor D. Canfield  
Councillor R. Lunny  
Councillor R. McKay  
Councillor R. McMillan  
Councillor L. Roussin  
Councillor S. Smith

**Regrets:** Councillor C. Gallivan

**Staff:** Karen Brown, CAO  
Sharen McDowall, HR Manager  
Rick Perchuk, Operations Manager (left at 11:35 a.m.)  
Colleen Neil, Recreation Services Manager  
Charlotte Caron, Property & Planning Manager  
Lauren D'Argis, Corporate Services Manager  
Warren Brinkman, Emergency Services Manager  
(left at 11:35 a.m.)  
Tara Rickaby, Planning Administrator  
Heather Kasprick, Deputy Clerk  
Heather Lajeunesse, Deputy Clerk

**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 May 20, 2014 meeting:-

-Council will amend the 2013 Water & Sewer Budget to authorize \$2,414 additional allocation for the Dry Polymer Solution Prep System at the Water Treatment Plant

-Council will amend the 2013 Capital Budget to authorize \$2,500 additional allocation for City Hall Boiler replacement

-Council will amend the 2013 Museum Budget to authorize \$44,255.80 additional allocation for fine and legal costs related to Ministry of Labour charge

-Council will amend Cemetery Rates By-law #34-2009 Schedule of Rates to include rates for crypts

## **2. Declaration of Pecuniary Interest & the General Nature Thereof**

- i) On today's agenda;
- ii) From a meeting at which a Member was not in attendance.

Councillor McMillan made a declaration of pecuniary interest as it relates to item 6.17 regarding Financial Statements and item 6.20 regarding Various Committee Minutes as his spouse is a member of the Police Services Board and receives remuneration.

## **3. Confirmation of Previous Committee Minutes**

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

That the following Meeting Minutes be confirmed as written and ordered filed:-

### **Committee of the Whole – April 8, 2014**

## **4. Presentations**

There were no presentations.

## **5. Deputations**

### **5.1. LWDHF 3 on 3 Hockey Fundraiser - Jess Rheault**

Jess Rheault, Managing Director for the Lake of the Woods District Hospital Foundation, attended the meeting to present the City of Kenora with a cheque for \$3,380. The funds are part of the \$34,000 total that was raised during the LWDHF Hockey for Health 3 on 3 fundraiser. The annual event is to raise funds for the LWDHF, and some of the funds were allocated again this year for the event centre expansion, twinning of the ice project. It was noted that \$12,000 has now been contributed so far by LWDHF to the project should it proceed.

### **5.2. Experimental Lakes Area - Dr. Diane Orihel**

Dr. Diane Orihel attended the meeting to express thanks to Mayor and Council for supporting The Experimental Lakes Area (ELA) throughout

the past couple of years when the future of the research centre was uncertain. Diane indicated that she is in attendance completely on her own accord to express her personal and heartfelt gratitude for the support that was received by the City since the announcement to close ELA on May 17, 2012, after which she first stood before City Council asking for help to save the centre. Thanks to the tens of thousands of Canadians who took a stand against this decision, the ELA now has a new home at the International Institute for Sustainable Development and is financially supported by the Provinces of Ontario and Manitoba.

Diane provided an overview of the past two years events since it was first announced to close the ELA. She applauded the efforts of Mayor and Council and the Environmental Advisory Committee and made specific reference to individuals in recognition of their efforts. Diane indicated that Kenora has a sense of pride in having the world class research facility in our area. She thanked Mayor Canfield for being a strong voice for water in Northwestern Ontario, noting the event at the Discovery Centre September 13, 2013 when the Mayor thanked Premier Wynne for committing \$2 million for the ELA facility, and spoke of how living the "lake life" was the true Canadian way and why it's so essential to preserve our freshwater heritage. Diane expressed thanks to all for the wisdom to recognize the importance of the ELA, and fresh water for future generations.

In closing Diane invited members of Council and the public to attend a potluck dinner community celebration at the Knox Church this Friday, May 16<sup>th</sup> at 5:00 p.m. to mark the victory of saving the ELA.

### **5.3. TransCanada Energy East Project - Teika Newton**

Teika Newton attended the meeting to express concerns to Mayor and Council regarding the Northwestern Ontario Municipal Association's (NOMA) recent resolution approved on April 24, 2014 at their annual AGM, to endorse the TransCanada Pipeline Energy East project. She feels the basis of the resolution was ill-informed and flawed and that the resulting decision undermines a valid representational democratic process, proceeding as it did with no formal consultation or input from any of the region's constituents prior to the vote.

Teika provided a broad presentation with extensive details from her research as to why NOMA's endorsement of the pipeline as a preferred and safer option to transport hazardous petrochemical goods is wrong, explaining that the risks to the environment and communities from a pipeline spill or train derailment outweigh the short term economic benefits.

In closing, Teika explained that in an ideal world we would be rejecting the expansion of oil transportation infrastructure outright and investing

in research, development, and implementation of viable renewable and clean alternative energy solutions, and the local businesses that deliver them.

#### **5.5. Q1 Update - LOWDC**

Don Denver, Chair of the Lake of the Woods Development Commission, presented a quarterly update to Council on behalf of the LOWDC. Don reported highlights of the Commission's activities for the first quarter of 2014 which includes Forestry Sector recovery, Mining Sector Profile, Kenora Boating Sector Profile, Snow Excuse Advertising Campaign, Winter Carnival, Escape to Ontario Advertising Campaign, Winter Bites and the Kenora Eats Brochure.

Don provided visitor statistics which continue to increase for the area. Business inquiries are up and the Commission continues with business projects, including those at the former mill site. They are also beginning to develop a Health Care Campus and Education and Training Plan as labour force development is another main focus of the Commission for 2014. Adequate housing remains an issue and the Commission is developing partnerships to advocate the need in Kenora.

The Commission continues to work towards their goals for 2014 which includes Redevelopment of the Tourism Strategy, a Four Season Marketing Plan including tourism campaigns, and to attract a Boutique Hotel.

A short promotional video for Lake of the Woods "Lake Life – This is What We Do" was shown following the presentation.

#### **5.4. Zoning By-law Amendment - Deborah Brown**

Deborah Brown attended the meeting to address Council on behalf of the residents of Phantom Drive in the City of Kenora. Deborah is requesting that Council consider the unique circumstances where they live and assist with finding a solution to their property tax issue as it is felt that taxes have increased substantially over the years and are no longer sustainable.

Deborah explained that the entire road leading to the properties on Phantom Drive is within the Pellatt Township and is owned by the Nature Conservancy, therefore the area must be treated with caution to ensure that it is kept in a natural condition. Vegetation and tree branches must not be removed unless absolutely necessary, with permission from the Conservancy, to make the road passable. Deborah noted that the Conservancy is responsible for the maintenance of the road but upkeep is sporadic and basic and does not cover Phantom Drive, therefore the residents have had to continually assist financially with upgrades to the

road. Maps were distributed to Council to show the Phantom Drive area in relation to City boundaries.

Deborah explained the issues with living outside of town, and the costs and lack of services associated with it. She explained the history of the property and how the zoning and values have changed since first purchased. She asked that Council consider 'rezoning' the Phantom Drive area back to Pellatt Township to alleviate their tax burden. Deborah confirmed that she is requesting the City put the area back to Pellatt Township so it is no longer included within the City of Kenora boundaries and subject to City taxes.

## **6. Business Administration Reports**

### **6.1. K.D.S.B. Report from Councillor Roussin**

Councillor Roussin reported that the Kenora District Services Board has completed an organizational and operational review with considerable meetings held involving the employees and the public. As part of their strategic plan, next steps taken will be the creation of the business plan and a resulting action plan that will have measurable standards so the Board can make evaluations. Councillor Roussin noted that staff are passionate about the services they provide while working towards the goal of saving money.

### **6.2. 2013 Manager Approved Budget Amendments**

#### **Recommendation:**

That Council hereby approves amending its 2013 Water & Sewer Budget to authorize \$2,414 additional funding for the Dry Polymer Solution Prep System for the Water Treatment Plant to be funded through the reallocation of this amount from the East Sludge Pump project; and

That Council hereby approves amending its 2013 Capital Budget to authorize \$2,500 in additional funding for the City Hall Boiler replacement to be funded through the reallocation of this amount from the City Hall Condenser Cooling Tower project; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2013 Operating and Capital Budgets at its May 20, 2014 meeting; and further

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

**Recommendation approved** (resolution and by-law).

### **6.3. 2014 BIZ Levy**

**Recommendation:**

That Council hereby approves the Harbourtown Centre Business Improvement Board budget request in the amount of \$50,000 representing the 2014 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 2014 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 2014 Business Improvement Board Levy at its May 20, 2014 meeting.

**Recommendation approved** (resolution and by-law).

### **6.4. Accessibility Advisory Committee Terms of Reference**

**Recommendation:**

That Council hereby approves a City of Kenora Accessibility Advisory Committee Terms of Reference for the Committee; and further

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

**Recommendation approved** (resolution and by-law).

**Discussion:** It was clarified that the Committee does not have terms of reference that has been approved by by-law officially adopted by Council. Heather Kasprick has created an official Terms of Reference to be adopted by Council and approved by by-law. Councillor Smith expressed concerns about committee membership and the criteria for the different groups and how it is difficult to find committee members that meet the criteria. It was agreed to change the wording in the Terms of Reference to 'may' instead of 'shall' for the criteria for committee members.

### **6.5. 2013 Museum Budget Amendment - MOL Fine**

**Recommendation:**

That Council hereby approves an additional allocation of \$44,255.80 to be funded through the Lake of the Woods Museum Building Reserve for the payment of the fine and legal costs related to the Ministry of Labour charge; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2013 Museum Budget at its May 20, 2014 meeting to withdraw funds from the Museum

Reserve in the amount of \$44,255.80 to offset these costs; and further  
That Council give three readings to a by-law to amend the 2013 budget for this purpose.

**Recommendation approved** (resolution and by-law).

#### **6.6. AMO Nomination Support - Mayor Canfield**

**Recommendation:**

That Council of the Corporation of the City of Kenora hereby supports Mayor David S. Canfield to the position of Director for the Northern Caucus as the Northwestern Ontario Municipal Association (NOMA) appointee to the Association of Municipalities of Ontario (AMO); and further

That the appropriate nomination including a copy of Council's resolution of support be forwarded to AMO no later than June 20, 2014.

**Recommendation approved.**

#### **6.7. Clerk Appointment**

**Recommendation:**

That Council hereby appoints Heather Kasprick as City Clerk for the City of Kenora; and

That By-law Number 5-2000 and By-law Number 22-2000 be hereby repealed; and further

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

**Recommendation approved** (resolution and by-law).

#### **6.8. 2014 First Quarter Contracts**

**Recommendation:**

That Council hereby receives the information report of Lauren D'Argis, Corporate Services Manager dated May 6, 2014 with respect to contracts awarded within the Manager's approved limits for the first quarter of 2014.

**Recommendation approved.**

#### **6.9. Elections Compliance Audit Committee**

**Recommendation:**

Council gives three readings to a by-law to establish an Elections

Compliance Audit Committee for the City of Kenora and to adopt a Terms of Reference in accordance with the Municipal Elections Act; and further

That the members of this committee be appointed at a later date.

**Recommendation approved** (resolution and by-law).

#### **6.10. 2014 Federal Gas Tax Agreement**

**Recommendation:**

That Council of the City of Kenora provide three readings to a By-law to authorize the execution of the Municipal Funding Agreement for the Transfer of Federal Gas Tax Funds between the Association of Municipalities of Ontario and the City of Kenora; and further

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

**Recommendation approved** (resolution and by-law).

#### **6.11. Fire Control By-law Amendment**

**Recommendation:**

That Council gives three readings to a new Fire Control bylaw for the City of Kenora to include a new fire contact number for customers; and further

That By-law Number 44-2003 be hereby repealed.

**Recommendation approved** (resolution and by-law).

#### **6.12. Municipal Insurance RFP**

**Recommendation:**

That Mayor and Council accept the proposal for Municipal Insurance as presented by Lake of the Woods Insurance with insurance provided through BFL Canada in the amount of \$287,903.00 excluding taxes.

**Recommendation approved.**

#### **6.13. 2014 First Quarter Investments Report**

**Recommendation:**

That Council of the City of Kenora hereby accepts the 2014 First Quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora Investments.

**Recommendation approved.**



#### **6.14. Juno Beach D-Day Tribute Campaign**

**Recommendation:**

That Council of the City of Kenora authorizes the sponsorship of the 70<sup>th</sup> Anniversary of the Juno Beach Centre Canada D-Day Tribute in the amount of \$1,000; and

That the markers placed at Juno Beach are in honour of Wilfred Joseph Nabish and Ray William Brooks who were both raised in Kenora to recognize their selfless acts of bravery as a member of the Canadian Armed Forces; and further

That citizens of the City of Kenora recognize the significance of June 6, 2014 as the 70<sup>th</sup> Anniversary of D-Day and remember those lives that were lost for our freedom.

**Discussion:** A copy of the war records provided by Juno Beach Centre will be printed off and given to the family of Wilfred Joseph Nabish. It was suggested that the City also retain a replica plaque for the family. Council agreed to support an amendment to the recommendation. Attempts at locating the family of Roy William Brooks were unsuccessful.

**Amended Recommendation:**

That Council of the City of Kenora authorizes the sponsorship of the 70<sup>th</sup> Anniversary of the Juno Beach Centre Canada D-Day Tribute in the amount of \$1,000; and further

That the markers placed at Juno Beach are in honour of Wilfred Joseph Nabish and Ray William Brooks who were both raised in Kenora to recognize their selfless acts of bravery as a member of the Canadian Armed Forces; and

That a replica plaque be included in the sponsorship for Wilfred Joseph Nabish in the amount of \$150; and further

That citizens of the City of Kenora recognize the significance of June 6, 2014 as the 70<sup>th</sup> Anniversary of D-Day and remember those lives that were lost for our freedom.

**Recommendation approved.**

#### **6.15. K.D.S.B. Letter of Support - Homelessness Funding**

**Recommendation:**

That Council of the Corporation of the City of Kenora hereby extends its support to the Kenora District Services Board (KDSB) in its application

to the Homelessness Partnering Strategy Rural and Remote Communities – Ontario for funding for a two year contract position responsible for mapping current services that support housing tenancy and to action the items outlined in the Kenora District Services Board Ten Year Housing and Homelessness Plan; and further

That a letter of support be forwarded from the Mayor's Office for this purpose.

**Recommendation approved.**

#### **6.16. LOW Military Ball Attendance**

**Recommendation:**

That authorization is hereby given for the following Members of Council to attend the Lake of the Woods Military Ball taking place in Kenora, June 7, 2014:-

Mayor David Canfield; and further

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

**Recommendation approved** (resolution and by-law).

#### **6.17. March 2014 Financial Statements**

**Recommendation:**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as of March 31, 2014.

**Recommendation approved.**

#### **6.18. Municipal Alcohol Policy Amendment**

**Recommendation:**

That Council hereby approves the amended City of Kenora Municipal Alcohol Policy #LS-3-1; and

That Council gives three readings to a by-law to amend the Comprehensive Policy Manual for this purpose; and further

That By-law Number 51-2013 be hereby repealed.

**Recommendation approved** (resolution and by-law).

## **6.19. Organizational Review**

### **Recommendation:**

That Council hereby approves the 2014 Organizational Review Terms of Reference; and further

That Council hereby directs administration to issue a Request for Proposals for an External Operational Review that will encompass a review of City service delivery, together with corporate structure and staff resourcing.

**Recommendation approved.**

## **6.20. Various Committee Minutes**

### **Recommendation:**

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

- March 19 – Environmental Advisory Committee (revised)
- April 8 – Committee of the Whole and Property & Planning
- April 8 – Kenora Urban Trails Committee
- April 8 & 14 – Event Centre Committee
- April 15 – Community Policing Committee
- April 24 – Lake of the Woods Museum Board; and

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

- February 26 & April 2 – Kenora Police Services Board
- March 6 – Kenora District Services Board
- March 18 – Planning Advisory Committee
- March 26 – Northwestern Health Unit Board of Health; and further

That these Minutes be circulated and ordered filed.

**Recommendation approved.**

## **7. Community Services Reports - no reports**

## **8. Economic Development Reports**

### **8.1. Canada Day Fireworks Tax Receipt Request**

#### **Recommendation:**

That Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$250 or greater made to the City of Kenora

between May 6, 2014 and July 1, 2014, unless otherwise specified, to be used specifically towards the 2014 Canada Day fireworks display on July 1, 2014; and

That the City will pay the invoice(s) for the actual purchase of fireworks, including any specifically related expenditure, direct to the appropriate supplier(s) for the 2014 fireworks display to a maximum of budget approved; and further

That the issuance of tax receipts for donations for fireworks be restricted specifically to the 2014 fireworks display in recognition of the tourism impact the event has to the City of Kenora.

**Recommendation approved.**

## **8.2. Harbourfest Fireworks Tax Receipt Request**

### **Recommendation:**

That as recommended by the Lake of the Woods Development Commission, the Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$250 or greater made to the City of Kenora between July 2, 2014 and August 31, 2014, unless otherwise specified, to be used specifically towards the 2014 Harbourfest fireworks display on August 3, 2014; and

That the City will pay the invoice(s) for the actual purchase of fireworks, direct to the appropriate supplier(s) for the 2014 fireworks display to a maximum of the actual donations received; and further

That the issuance of tax receipts for donations for fireworks be restricted specifically to the 2014 fireworks display in recognition of the tourism impact the event has to the City of Kenora.

**Recommendation approved.**

## **9. Emergency Services Reports - no reports**

## **10. Operations Reports**

### **10.1. DTR Phase III Tender - Corrective Report**

#### **Recommendation:**

That the following tenders be received by the City of Kenora for Downtown Revitalization Phase 3 Stage 1 - 2nd St S Contract 600 (plus HST);

Moncrief Construction Ltd.

\$4,749,363.33

Pioneer Construction Inc.	\$5,254,304.24
Makkinga Contracting & Equipment Rentals	\$5,557,531.00

That the tender submitted by Moncrief Construction Ltd., in the amount \$4,749,363.33 (plus HST), be accepted; and further

That Resolution Number 2 passed at the May 2, 2014 Special Meeting of Council be hereby rescinded.

**Recommendation approved.**

#### **10.2. DTR Phase III Agreement - Hatch Mott MacDonald**

**Recommendation:**

That further to Council accepting the engineering services of Hatch Mott MacDonald related to Downtown Revitalization Phase 3 works on July 16, 2012, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Hatch Mott MacDonald for contract, administration and inspection services for Downtown Revitalization Phase 3 Stage 1, in accordance with the terms and conditions of the agreement; and further

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

**Recommendation approved** (resolution and by-law).

#### **10.3. DTR Phase III Agreement - Moncrief Construction Ltd.**

**Recommendation:**

That further to Council accepting the tender of Moncrief Construction Ltd. related to Downtown Revitalization Phase 3 Stage 1, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Moncrief Construction Ltd.; and further

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

**Recommendation Approved** (resolution and by-law).

Councillor McKay read today's media release "Downtown Revitalization - Phase III Begins" attached hereto and forming part of the minutes.

#### **10.4. Nuisance Beaver Agreement**

**Recommendation:**

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 of May 16 to September 15, 2014, 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.

**Recommendation approved.**

### **10.5. Screw Pump Repair - Wastewater Treatment Plant**

**Recommendation:**

That Council hereby approves an additional allocation of \$28,756.65 to be funded through the Water and Sewer Reserve for the purchase of materials and manpower to repair the screw pump #1 at the 200 Building at the Wastewater Treatment Plant; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2014 Water and Sewer Capital Budget at its May 20, 2014 meeting to withdraw funds from the Water and Sewer Reserve in the amount of \$28,756.65 to offset the cost of this purchase; and

That Council give three readings to a by-law to amend the 2014 budget for this purpose; and

That the following quotations, for the purchase of a new electric motor, as specified (HST extra), be received;

Kings Electric (Winnipeg)	\$ 7,978.00
KVA DYNAMO	9,876.00; and

That the lowest quotation submitted by Kings Electric, Winnipeg, Manitoba, in the amount of \$7,978.00 (HST extra) be accepted; and

That the following quotations submitted by D. A. Electric, Kenora, Ontario, for the supply of materials and labour, in the amount of \$14,281.29 (HST extra) and \$6,000.00 (HST extra) respectively, be received;

D.A. Electric (Kenora) (material other than motor)	\$14,281.29
D.A. Electric (Kenora) (labour)	6,000.00

;and further

That the quotations submitted by D.A. Electric (Kenora) to carry out the replacement, installation and repair, be accepted.

**Recommendation approved** (resolution and by-law).

## **10.6. Traffic By-law Amendment - Rate of Speed**

### **Recommendation:**

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 127-2001 to include the following change to Schedule "T" – Rate of Speed from Minnesota Street to Fourteenth Street; and further

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

**Recommendation approved** (resolution and by-law).

**Discussion:** Councillor Smith inquired whether there is an opportunity to make the area safer on the roadway while Tall Pines Marina is being constructed. Rick Perchuk confirmed that they are looking into this as the marina project continues, adding that they are also looking at putting up no parking signs along the sides of the road as the area is a no parking area as per the by-law. Solutions for overflow parking for Discovery Centre events are also being looked into.

## **10.7. Water Wastewater Systems Monthly Summary March 2014**

### **Recommendation:**

That Council of the City of Kenora hereby accepts the March 2014 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water and Sewer Supervisor, Ryan Peterson, Water Treatment Plant Operator and Gord St. Denis, Wastewater Treatment Plant Operator.

**Recommendation approved.**

**Council adjourned the regular Committee of the Whole meeting at 11:45 a.m. to go into a scheduled Special Committee of the Whole (closed session).**

**Council resumed regular Committee of the Whole at 2:10 p.m.**

## **11. Property & Planning Reports**

### **11.1. Delegation of Authority - Zoning By-law**

#### **Recommendation:**

That Council of the City of Kenora hereby delegates authority to the Manager of Property and Planning, or designate, to administer the City of Kenora Zoning By-law Number 160-2010; and

That the authority to administer Zoning By-law Number 160-2010 as delegated to the Operations Manager be rescinded; and further

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

**Recommendation approved** (resolution and by-law).

### **11.2. Assumption of Portion of Worona Road**

**Recommendation:**

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to accept and assume a portion of the Worona Road, described as Part 1 on Plan 23R 12257; and

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further

That the Municipal Solicitor is to coordinate this process.

**Recommendation approved** (resolution and by-law).

### **11.3. Agreement of Purchase and Sale - Market Square**

**Recommendation:**

That the Council of the Corporation of the City of Kenora authorizes the CAO to enter into an agreement of purchase and sale of properties described in two agreements of purchase/sale dated 10 April 2014 and titled KMS transfer of 27 sm and KMS transfer of 35 sm; and

That the City shall pay all costs associated with the purchase/sale including survey and registration and fee; and further

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

**Recommendation approved** (resolution and by-law).

### **11.4. Agreement for Planning Services - FoTenn**

**Recommendation:**

That Council of the City of Kenora authorizes the Mayor and Clerk to execute an agreement with FoTenn Planning & Urban Design for the preparation of a Community Improvement Plan (CIP) for the Keewatin neighbourhood and the five year review of the City of Kenora Official Plan and Zoning By-law; and further

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

**Recommendation approved** (resolution and by-law).



## **11.5. Cemetery Crypts**

### **Recommendation:**

That Council of the City of Kenora hereby approves a revised Cemetery Plan to accommodate the addition of above-ground crypts in the Jubilee Acres Section of the Lake of the Woods Cemetery; and

That in accordance with The Funeral, Burial & Cremation Services Act, 2002 (FBCSA) O. Reg. 30/11, s. 150 (1) that provides an owner of a cemetery, the City of Kenora, may make by-laws for regulating the operation of a cemetery, the Council of the City of Kenora hereby approves the addition of Schedule "A" for above-ground crypts by giving three readings to a by-law to amend By-law Number 206-2010 being the Rules and Regulations for the Care and Control of the Lake of the Woods Cemetery; and

That Council further approves the addition of a Schedule "B" for Fees for the above-ground crypts by giving three readings to a by-law to amend By-law Number 34-2009, being the Lake of the Woods Cemetery Schedule of Rates; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends at its May 20 meeting to amend By-law Number 34-2009, being the Lake of the Woods Cemetery Schedule of Rates; and further

That these by-law amendments shall come into force and be in effect following the approval of the Ministry of Consumer Services for the Province of Ontario.

**Recommendation approved** (resolution and by-law).

## **11.6. Deeming of Lots - Plan M639**

### **Recommendation:**

That all the lands contained within the boundaries of Lots 47, 48 and 55, on Registered Plan of Subdivision M639, in the City of Kenora, formerly the Town of Kenora be deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(4) of the Planning Act, RSO 1990; and

That the existing easements shall survive the deeming and remain intact; and

That in accordance with the provisions of the Planning Act, Council give three readings to a by-law for this purpose to take effect and come into force on the final passing thereof by the Council of the Corporation of

the City of Kenora and upon registration of this by-law in the Land Titles office for the District of Kenora; and

That the applicant shall be responsible for all costs associated with such registration; and

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further

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

**Recommendation approved** (resolution and by-law).

### **11.7. Delegation of Authority under Planning Act - Subdivision of Land**

**Recommendation:**

That Council give three readings to a by-law for consent, subdivision and condominium delegation and approval, pursuant to the Planning Act, RSO, 1990, c.P.13; and further

That the Planning Administrator be and is hereby delegated with this authority by Council for this purpose.

**Recommendation approved** (resolution and by-law).

### **11.8. Delegation of Authority - Letters of Comfort**

**Recommendation:**

That authority to sign, on behalf of the City of Kenora, approving or refusing a letter of comfort application be delegated to the Property and Planning Manager, the Planning Administrator and the Operations Manager; and further

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

**Recommendation approved** (resolution and by-law).

### **11.9. Lease Renewals - Kenora Air Services Ltd. and River Air Ltd.**

**Recommendation:**

That Council of the City of Kenora gives three readings to a by-law to enter into new lease agreements with Kenora Air Services Limited and River Air Limited, for a Ten (10) year period ending in 2024 for the purpose of accommodating two float plane operators on the property municipally known as Second Street Wharf, Kenora, Ontario; and further

That the Mayor and Clerk be hereby authorized to execute any and all documents required to complete these transactions

**Recommendation approved** (resolution and by-law).

#### **11.10. Parks Washroom Contract Extension**

**Recommendation:**

That Council approves extending the Washroom Contract with Stover Services (Mid Canada Cleaning) in the amount of \$23,764.00 for the year 2015; and

That the Washroom Contract be revised to include the Cemetery Washroom for 2014 and 2015 at no extra cost; and further

That Council give three readings to a by-law to authorize an addendum to the current contract with Mid Canada Cleaning.

**Recommendation approved** (resolution and by-law).

#### **11.11 Township of Muskoka Lakes/Teranet - Resolution of Support**

**Recommendation:**

That the Council of the City of Kenora hereby supports and endorses the following resolution circulated by the Township of Muskoka Lakes:

“Whereas the Township of Muskoka Lakes wishes to express serious concern with Teranet and the Land Titles Electronic Registry System in Ontario, specifically as it relates to errors that were made when the paper based land registration system was converted to the electronic system;

And Whereas the Township has been made aware of errors and omissions that are prevalent throughout the Province, especially with respect to rights-of-way and land ownership in cottage country;

And Whereas the cost to landowners to rectify these errors can be expensive, take a significant amount of time, and result in undue hardship;

And Whereas municipalities are burdened with the processing of increased consent applications before the Committee of Adjustment to correct errors and omissions;

Now therefore be it resolved that the Ministry of Government Services be advised that the Land Titles Electronic Registry System contains

numerous errors and should be corrected forthwith at the sole expense of the Ministry;

And further that the Ministry of Government Services develop a funding model to ensure that landowners are not negatively financially impacted by the need for title corrections noted above;

And Further that this resolution be forwarded to all other municipalities in the Province, and AMO, for support"; and further

That the Council of the City of Kenora petitions the Minister of Government Services to maintain the terminals which allow access to the Teranet system for individuals in Kenora if the local Land Registry office is closed in the future; and that the City of Kenora will offer space for the location of one or two terminals, in exchange for complete/unlimited access to the information free of charge.

**Discussion:** It was suggested to divide the resolution into two resolutions to create a separate resolution in support of Kenora's local Land Registry Office as it is important for this location to remain open due to the values in Kenora.

#### **Amended Recommendations:**

##### **Recommendation #1**

That the Council of the City of Kenora hereby supports and endorses the following resolution circulated by the Township of Muskoka Lakes:

"Whereas the Township of Muskoka Lakes wishes to express serious concern with Teranet and the Land Titles Electronic Registry System in Ontario, specifically as it relates to errors that were made when the paper based land registration system was converted to the electronic system;

And Whereas the Township has been made aware of errors and omissions that are prevalent throughout the Province, especially with respect to rights-of-way and land ownership in cottage country;

And Whereas the cost to landowners to rectify these errors can be expensive, take a significant amount of time, and result in undue hardship;

And Whereas municipalities are burdened with the processing of increased consent applications before the Committee of Adjustment to correct errors and omissions;

Now therefore be it resolved that the Ministry of Government Services be advised that the Land Titles Electronic Registry System contains

numerous errors and should be corrected forthwith at the sole expense of the Ministry;

And further that the Ministry of Government Services develop a funding model to ensure that landowners are not negatively financially impacted by the need for title corrections noted above;

And Further that this resolution be forwarded to all other municipalities in the Province, and AMO, for support.

**Recommendation #2**

Whereas Kenora is the most westernly municipality in Ontario and is separated from Thunder Bay by 489 kilometres; and

Whereas there are many areas surrounding Kenora which do not have the benefit of high speed internet service and title searching services are not available to those residents;

Therefore be it resolved that Council of the City of Kenora hereby petitions the Minister of Government Services to maintain the Kenora Land Registry Office #23, in Kenora, as the services provided to the public are vital; and further

That a copy of this resolution be circulated to all law offices, surveyors and municipalities in the Kenora District.

**Recommendations approved.**

**12. Other**

N/A

**13. Date of Next Meeting**

Tuesday, June 17, 2014

**14. Adjourn to Closed**

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

That this meeting now be adjourned at 2:35 p.m.; 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 items pertaining to the following matters:-

- i) Disposition of Land (3 items); and further

That in accordance with Section 13.11 of Procedural By-law #90-2013, Committee hereby gives unanimous consent of the members present to

continue meeting, if required, beyond the three hour curfew of 12:00 p.m. until the established agenda is completed.

**15. Reconvene to Open Meeting**

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

That this meeting be now declared closed at 3:10; and further

That Committee reconvenes to the Open Meeting with no reports from its Closed Session

**16. Close Meeting**

Meeting closed at 3:15 p.m.