



City of Kenora

Committee of the Whole Agenda

Tuesday, December 14, 2021

9:00 a.m.

City Hall Council Chambers

*Due to COVID-19 and the requirement for physical distancing, the public will not be permitted into meetings at this time.

Public Access to the meeting can be found on the NEW Livestream at:

<https://kenora.civicweb.net/Portal/>

A. 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 December 21, 2021 meeting:-

- Adopt its 2022 Municipal Capital and Unusual Spending Budget
 - Adopt a new General Tariff of Fees and Charges By-Law
- Adopt a new Planning Act Applications Tariff of Fees and Charges By-Law

Blessing & Land Acknowledgement

Councillor Goss

B. Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.

C. Confirmation of Previous Committee Minutes

Motion:

That the Minutes from the last regular Committee of the Whole Meeting held November 9, 2021 and the Special Committee of the Whole meeting held November 23 and December 3, 2021 be confirmed as written and filed.

D. Deputations/Presentations

- Parks & Recreation Master Plan Update – RC Strategies

E. Reports:

1. Corporate Services / Finance / Human Resources

Item Subject

1.1. October 2021 Financial Statements

- 1.2. 2021 Q3 Investments
- 1.3. 2021 Write Offs
- 1.4. 2022 Capital Budget Approval
- 1.5. Request to Phase Out Vacancy Rebate Program
- 1.6. Section 357
- 1.7. General Tariff of Fees & Charges Bylaw
- 1.8. Crime Prevention and Community Well Being Committee
- 1.9. Handi Transit Service Agreement
- 1.10. Accounts Receivable Collections Policy
- 1.11. Harbourfront Downtown Service Delivery Model

2. Fire & Emergency Services

Item Subject

No Reports

3. Engineering & Infrastructure

Item Subject

- 3.1 Tree Cutting Services 2022
- 3.2 Engineering & Infrastructure Q4 Report

4. Community Services

Item Subject

- 4.1 Application for Funding-ICIP Program – Kenora Recreation Centre
- 4.2 Application to NOHFC Rural Enhancement Funding Stream
- 4.3 Application to NOHFC for Kenora Peace Park
- 4.4 Missing & Murdered Indigenous Women Monument MOU
- 4.5 Community Services Q4 Report

5. Development Services

Item Subject

- 5.1 Construction, Demolition & Change of Use Permits & Inspections
- 5.2 Tariff of Fees for Planning Act Applications
- 5.3 Application to NOHFC for McLeod Park & Husky the Muskie

5.4 Bell Canada Lease Confirming & Amending Agreement Town Island

5.5 Site Plan Agreement – Two Bears Marina

Other:

12:00 noon – Public Meeting Zoning Bylaw Amendment

D14-21-10-Unaddressed property, East of Ninth Avenue North

Next Meeting

- Tuesday, January 11, 2022

Motion - Adjourn to Closed Meeting:

That this meeting now be adjourned to a closed session at _____ a.m.; and further

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

- i) Educating & Training Members of Council (2 matters-NWHU programs, hospital progress)
- ii) Disposition of Land (2 matter-Central Park Community Club development & ballpark improvements)

Adjournment.



November 30, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Charlotte Edie, Director of Finance

Re: October 2021 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at October 31, 2021.

Background:

Attached for your information, please find the October 2021 summary expense and user fee statements for the City of Kenora and the Council department. At the end of October, the year is 10/12 complete, so not including any seasonal or timing differences, there should be 16.67% of the budget remaining.

This report addresses only those departments where it is forecasted that there will be a significant deviation from budget at year end. Most of the negative impacts are COVID related and will be funded by the Safe Start funding received in 2020.

Overall: General Operations

- Expenses at the end of September 2021 were close to budget with 23.07% remaining to be spent.
- User fee revenues to the end of October 2021 are under budget with 44.09% left to collect.

Significant pinch points in the general operations are as follows:

- Emergency Measures – Unbudgeted expenditures for direct COVID expenses are \$26K and for emergency evacuees \$61K. It is anticipated that both of these cost categories will be fully funded.
- Transit - Revenues continue to lag behind budget projections however they continue to improve from month to month. Revenue shortfall will be offset by COVID transit funding.
- Metered Parking – revenues continue to lag behind budgeted amounts and last year's numbers. The revenue loss is partially offset by the reduction in wage costs as a result of a vacant position for part of the year. COVID funding will be used to subsidize this department.
- KRC Complex – both revenues and expenditures are significantly under budget so far in 2021. Substantial cost savings are evident in cleaning, utilities and repairs and maintenance. These are currently offsetting the loss in revenue.
- Thistle Arena – as with most of the recreation departments both revenues and expenditures are under budget. Cost savings are currently more than revenue loss by over \$38K. Ice rental income will increase with the opening of the arena.
- Pool – although the pool is over \$58K under budget in revenues there are significant cost savings in repairs and maintenance and salaries to offset the revenue loss.

- Keewatin Arena – revenues are considerable under budget with the shutdown of the arena early in 2021 and with the lack of summer ice. There are significant projected cost savings of over \$50K to date in utilities and repairs and maintenance. It is expected that the department will end up with a small deficit compared to budgeted amounts for the year.
- The following departments show expenditures as being over budget to the end of October, however due to the seasonality of operations they may come in close to budget by year end: Safety Devices Maintenance, Parking Rentals, Wharfs, Parks and Coney Island.

Overall: Sewer and water

- Expenses at the end of October 2021 were under budget with 27.78% remaining to be spent.
- User fee revenues to the end of October 2021 are close to budget with 21.41% left to collect.

Fewer resources have been allocated to the sanitary and water systems especially for materials and supplies.

Overall: Solid Waste

- Expenses at the end of October 2021 were under budget with 22.96% remaining to be spent.
- User fee revenues to the end of October 2021 are over budget with 6.01% left to collect.

Bag tag sales and landfill tipping fees are trending over budget so far this year. It is expected this will continue. Expenditures are close to budget. The forecast to year end looks positive impact for the solid waste department.

Please let me know if you have any questions, or would like to see any of the department statements in further detail.

Strategic Plan or other Guiding Document:

Fiscal Responsibility: We manage the municipal finances in a responsible, prudent and transparent manner.

ERM Assessment: Monitoring financial statements on a monthly basis mitigates some of the uncertainty related to projected costs vs actual expenditures.



November 12, 2021

City Council Committee Report

TO: Kyle Attanasio, CAO

FR: Charlotte Edie, Director of Finance/Treasurer

**RE: Investment Report including Kenora Citizens' Prosperity Trust Fund –
Quarter 3**

Recommendation:

That Council of the City of Kenora hereby accepts the 2021 third quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

Background Information:

Kenora Citizen's Prosperity Trust Fund (KCPTF):

In 2008, City Council approved the establishment of the Kenora Citizens' Prosperity Trust Fund. The proceeds of disposition from the sale of the KMTS entities of \$40,896,446 were transferred to this Fund.

In 2020 Council, on administration's recommendation moved the City's investments to the Prudent Investor regime. The regime removes restrictions on municipal investments and creates a new governance model. Municipalities delegate their investing powers to a Joint Investment Board.

The first KCPTF portfolio is with the ONE Public Sector Group of Funds. The book value is \$34,514,614 (June 30, 2021 \$22,609,145). The proceeds from moving the debt to the TD have now been transferred to the ONE Fund. The market value of this investment at September 30, 2021 is \$35,663,740 (June 30, 2021 \$23,680,831). This portfolio is held in bond, universal corporate bond and equity funds. The year to date actual return on these ONE fund investments until September 30 is 4.1%. The return since inception is 7.6%. This rate reflects the total return including market impact. These investments were transferred from the legal list ONE fund and RBC Dexia on July 2, 2020. As a result gains of \$1,922,765 were triggered when the accumulated gains on investments were realized. The new investments now have a higher cost base.

In September 2020 a second portfolio of \$4,937,008 in securities from RBC Dexia were transferred to CIBC Mellon in trust to be monitored by the ONE JIB. The movement to 'in trust' status was to allow the securities to be moved over on a more gradual basis as opposed to liquidating all the securities at once. As the securities mature they will be moved to ONE Investments. The market value of these investments at September 30 is \$4,994,140 (June 30, 2021 \$5,092,298).

The third portfolio of \$4,651,699 remained with Manulife Asset Management with RBC Dexia as custodians. Securities held in this portfolio are bank and federal and provincial government issues. The market value at the end of September 2021 is \$4,705,684 (June

2021 \$4,708,968). The year to date return is -.28%. The rate of return since inception is 2.63%. These returns take the market impact into account. These investments will be gradually liquidated when funds are required for debt financing purposes. The City receives quarterly reports and the September 30, 2021 report is attached.

The \$11,749,037 (at December 31, 2020) in debt held by the KCPTF from the City of Kenora has now been transferred to the ONE Fund. The rates of return on this debt up to the time of the transfer are 3% and 3.32%.

Other Investments:

The City of Kenora maintains investment portfolios separate from the Kenora Citizen's Prosperity Trust Fund. These investments were entirely held in the ONE Public Sector Group of Funds and most were transferred to the Prudent Investor regime as well, realizing a gain of \$1,563,395. The market value of these investments at September 30, 2021 is \$20,299,563 (June 30, 2021 \$20,024,763) and the book value is \$18,659,011 (June 30, 2021 \$18,584,277). This portfolio is held in bond, universal corporate bond and equity funds. The year to date return for the contingency outcome portfolio is 7.9% (since inception 12.6%) and for the 3 to 5 year outcome portfolio is 1.2% (since inception 3.9%). The City also holds \$7,174,193 in a high interest savings account outside the Prudent Investor regime in the ONE Public Sector Group of Funds.

The investment report from the ONE Public Sector Group of Funds has been provided as an attachment to this report.

Budget:

There is no expected budget impact as a result of this report.

Risk analysis:

The risk associated with this report is moderate. The risk impact is that the Funds do not earn the required 3% on investments. The shortfall of investment income is within the moderate range.

Communication Plan/Notice By-law Requirements:

For information only

Strategic Plan or other Guiding Document:

Report is required per policy CS 4-2.



November 18, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Charlotte Edie, Director of Finance

Re: Receivables Write Offs

Recommendation:

That Council hereby approves the write off of accounts totalling \$2,913.56 in 2019 including applicable taxes; and further

That City staff be directed to continue collection efforts on these accounts.

Background:

This report summarizes a listing of inactive accounts that are eligible for write off under City policy currently before Council, which states:

"Accounts shall be written off on a calendar year basis. Accounts deemed to become inactive during one calendar year shall be held on the records for the entire following calendar year. Write off shall occur in the second year following the year the account is deemed to become inactive."

The write off list relates to accounts currently on the City's records that are considered to be uncollectible which became inactive in the 2019 calendar year. The last write off of City receivables was performed in 2020, and related to 2018 inactive accounts. For comparison purposes, attached to this report is a table which provides information on the amounts written off by the City, for the last 10 years.

Account write offs can fluctuate each year. The 2019 write offs are lower than in past years as we no longer hold the hydro accounts. The write off balances recommended continue to be reasonable, largely due to the aggressive collection procedures actively performed through the City's Finance and Clerks departments. Water/wastewater receivables are collected by transferring to property taxes when collection efforts are not successful.

It is recommended that these accounts be written off as per City policy. Despite the write off, City staff will continue to aggressively pursue these accounts, and in some cases these accounts have already gone to a collections agency. The write off, however, will enable the City to reclaim any GST, PST or HST remitted that was ultimately not collected. In the event that an account is still collected upon, the appropriate adjustments to PST, GST or HST collected would be made. A detailed list is available upon request.

Budget:

These accounts are expensed as they become doubtful, which is after they have been outstanding for ninety days. There will be no incremental expense to the City, and the City will be able to recover uncollectible taxes that were previously remitted.

Risk Analysis: N/A

Communication Plan/Notice By-law Requirements:

This item is housekeeping in nature. No further communication is required.

Strategic Plan or other Guiding Document:

Administration & Finance Write Off Policy #AF-5-1.

City Receivables Write Off History:

	2010 Write-Offs <u>in 2012</u>	2011 Write-Offs <u>in 2013</u>	2012 Write-offs <u>in 2014</u>	2013 Write-offs <u>in 2016</u>	2014 Write-offs <u>in 2016</u>	2015 Write-offs <u>in 2017</u>	2016 Write-offs <u>in 2018</u>	2017 Write-offs <u>in 2019</u>	2018 Write-offs <u>in 2020</u>	2019 Write-offs <u>in 2021</u>
<u>Department:</u>										
Daycare	1,538.74	2,471.71	334.20	-	-	-	-	-	-	-
Recreation Centre	869.90	42.38	4,953.10	-	1,049.35	-	-	226.00	-	-
ARS Sundry	5,478.58	-	3,071.02	214.70	991.13	1,646.71	269.14	-	-	458.27
Parking	20.54	347.43	114.26	396.08	386.32	-	-	237.87	112.10	850.64
Cemetery	1,145.50	5,030.90	2,090.67	-	1,718.73	-	8,135.62	2,741.63	1,576.45	926.24
Transfer Station	339.40	-	25.82	1,907.60	449.15	1,515.72	312.91	-	115.39	678.41
Hydro	43,104.48	13,763.83	13,620.35	42,635.15	26,323.20	17,820.79	25,669.00	-	-	-
Water / Wastewater	3,230.37	1,110.46	1,102.70	1,393.51	3,923.57	1,623.37	855.02	-	-	-
	<u>55,727.51</u>	<u>22,766.71</u>	<u>25,312.12</u>	<u>46,547.04</u>	<u>34,841.45</u>	<u>22,606.59</u>	<u>35,241.69</u>	<u>3,205.50</u>	<u>1,803.94</u>	<u>2,913.56</u>



December 7, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Charlotte Edie, Director of Finance

Re: 2022 Capital Budget Approval

Recommendation:

That Council hereby approves the 2022 Municipal Capital Budget, including Unusual Spending, as amended; and further

That Council hereby directs staff to actively proceed with the projects included in that budget in accordance with the provisions of the City procurement bylaw; and further

That in accordance with Notice Bylaw 144-2007, public notice is hereby given that Council intends to adopt its 2022 Municipal Capital and Unusual Spending Budget at its December 21, 2021 Council meeting; and further

That Council hereby gives three readings to a bylaw for this purpose.

Background:

Council met on December 3, 2021 to review and amend the 2022 draft capital budget. The following provides a summary of the changes made both during Council's review, together with any final amendments made by staff.

2022 Capital Budget Updates:

- 1) 22.313.03 Railway Street Phase 2 funding now includes funding of \$493,961 from the NORDS program as opposed to debt financing.
- 2) 22.395.02 The plotter/scanner was moved from 2023 project #23.395.01 to 2022 for \$20,000 as the current equipment is breaking down.
- 3) 22.860.02 is now \$941,280 and includes McLeod Park and Husky's Landing. Additional funding will come from Project #22.860.03 Heritage Bridge Artwork installation of \$50,000 and NOHFC. The RED funding will be replaced and the City's contribution will be reduced.

2022 Unusual Spend Budget Updates:

- 1) U2.811.01 has been expanded to \$200,000 from \$100,000. The additional funding will come out of the Contingency Reserve.
- 2) U2.851.01 the Chipman lot redevelopment will move from the unusual spend budget to the capital budget for 2022.

Budget / Financial Implications:

There is no expected budget impact as a result of this report. As discussed during the budget meeting the net tax levy allocation for 2022 was reduced by \$318,000 from 2021 levels. It is noted that a more robust discussion will occur in conjunction with the 2022

municipal operating budget on the net tax levy allocation to capital projects and unusual spending.

Risk Analysis:

Financial – the risk related to ongoing capital requirements has been assessed as high to critical, mitigated through the operating budget deliberations.

Operations – the infrastructure deficit and need to ensure reliable infrastructure and ongoing capital programs has been assessed as critical, mitigated through the operating budget deliberations. Failure to approve the capital budget in a timely manner will provide further risk with regards to ensuring capital works move forward in 2022.

Communication Plan/Notice By-law Requirements: Notice will be given in accordance with the provisions of the Notice Bylaw - #144-2007.

Strategic Plan or other Guiding Document:

Strategic Plan Corporate Actions 2-1 and 2-2.



December 2, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Rachel Jaworowicz, Tax Collector
Charlotte Edie, Director of Finance/Treasurer

Re: Request to phase-out the Vacant Unit Rebate Program

Recommendation:

Whereas Section 364 of the Municipal Act, 2001, as amended (hereinafter referred to as the "Municipal Act") sets out the program by which tax rebates may be provided for property in respect of eligible vacant buildings for properties within the commercial, industrial or other prescribed property class; and

Whereas a local municipality, pursuant to subsection 364(1.1) of the *Municipal Act*, may choose that it will not maintain a program to provide rebates under section 364 for the 2022 vacancies; and

Whereas for the purposes of this by-law the Commercial classes shall be considered a single property class and the Industrial classes shall be deemed to be a single property class; and

Whereas the Minister of Finance may by regulation under paragraph 364(a.0.1) identify property classes other than the commercial and industrial property classes to be *Prescribed Classes* for the purposes of Section 364; and

Whereas the Council of the Corporation of the City of Kenora deems it appropriate to end the application of section 364;

Now Therefore the City of Kenora enacts as follows:

1. That in accordance with subsection 364(1.1) of the *Municipal Act*, Council hereby supports a phase-out on the elimination of the vacant unit rebate, and pass a by-law to support fifty percent of rebates on the 2021 vacancies and elimination of the program entirely for 2022 or any subsequent taxation years; and
2. That this by-law shall apply to property in the commercial property class, the industrial property class, and to property in any other class identified as a prescribed class, including but not limited to the landfill property class.

Background:

The Vacancy Unit Rebate Program provides eligible properties in the commercial and industrial classes with the ability to apply for a percentage rebate for the tax levied on a property. This application-based program is administered by municipalities and currently provides a 30 percent rebate of the property tax for vacant commercial space and 35 percent for vacant industrial space.

It was not until 2017 that municipalities were given the autonomy to eliminate or modify the program to fit their local needs making it possible for them to consider changes in respect of:

- The Percentages used for Vacant and Excess Land Subclasses,
- The Percentage(s) used for Vacant Unit Rebates;
- Administrative Policies, Application Procedures and Information Requirements;
- Enhanced and Refined Eligibility Requirements; and
- Elimination of one or more of these programs altogether.

With that, the City introduced changes to the program, all partial vacancies or building portions under the vacant unit rebate have been eliminated, and excess land have been reduced to 15 percent for the commercial and industrial property classes.

Overtime, most municipalities have chosen to abandon rather than restructure the program. Over 80 percent of the municipalities that requested program changes have chosen immediate opt-out or have phased-out of the program. It is not only municipalities that are retiring this program, most recently, the Province announced their phase-out and no longer provides any discount to the education tax rates for vacant or excess land.

Furthermore, the vacant unit rebate program has become increasingly problematic for various reasons. Properties remain eligible for years at a time or indefinitely, the program encourages limited change and growth, providing no productive use to the Community. Flawed information is hard to detect and challenge with little evidence making it administratively burdensome for municipal staff to both manage and administer. Vacancy may already be taken into consideration by MPAC during assessment evaluation, leading a property to “double-dip” and take advantage of the rebate. The enforcement of both the application rules and the eligibility criteria has become challenging due to loosely defined rules and compliance provisions. Lastly, the tax subsidy is available to individuals that are eligible and the expenditure is recouped from those that cannot participate in the program.

Budget/Finance Implication:

The following amounts have been reimbursed to taxpayers as a result of the vacant unit rebate program.

Year	Total rebate for municipal portion
2016	\$126,315.67
2017	\$54,771.70
2018	\$16,970.52
2019	\$14,273.43
2020	\$9,667.79

The outcome of adopting the recommendations will result in a savings of tax revenue for the City. Phasing-out this program will allow the calculation of tax rates to impact the ratepayer when taxes are levied.

Communication Plan/Notice By-law Requirements:

If Council chooses to phase-out the Vacant Unit Rebate program a by-law is required.

Strategic Plan or other Guiding Document:

Fiscal Responsibility: We manage the municipal finances in a responsible, prudent and transparent manner.



December 7, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Rachel Jaworowicz, Tax Collector

Re: Tax Appeals under Section 357 of the Municipal Act, 2001

Recommendation:

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$2,101.26.

Background:

The cancellation and refund of taxes are dealt with by Council under Section 357 of the Municipal Act. They typically relate to properties that have had an assessment reduction due to a change in assessment classification, fire, demolition, substantially damaged or repair preventing normal use.

Budget/Finance Implications:

The municipal share of the tax reduction relating to the Section 357 adjustment is \$1,867.38.

Communication Plan/Notice By-law Requirements:

Property owners receiving a Section 357 adjustment will be notified in writing of the applicable refund amount.

Strategic Plan or other Guiding Document:

Legislative requirement.



December 1, 2021

City Council Committee Report

To: CAO, Kyle Attanasio

Fr: Senior Leadership Team

Re: 2022 General Tariff of Fees and Charges Implementation

Recommendation:

That Council hereby approves a new Tariff of Fees and Charges bylaw rates to adopt rate increases in various divisions; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new General Tariff of Fees and Charges By-Law at its December 21, 2021 meeting to give effect to these rates outlined in the revised Schedules; and further

That By-law Number 41-2021 be hereby repealed.

Background:

This report will introduce various fees and charges to several different divisions throughout the City that are included in the draft 2022 budget. The report will be broken down into the various divisions and the proposed changes along with a justification for each change within the draft tariff of fees. Each Director has outlined the justification for their respective areas within the report and rationale for the increases.

Community Services - Docking

The City of Kenora has over 100 leased docks for private docking. The last docking rate increase occurred in March 2019. In 2021, the City of Kenora undertook a service delivery review with docking being one of the services that was reviewed. One of the observations of that review was that overall docking as a service was not at cost recovery when factoring in the day-use docking cost. Since 2019, the City has experienced increases in operating costs in an effort to improve docking infrastructure to mitigate damage from freeze/thaw cycles, damage to docking infrastructure from collisions and varying water levels. Improvements have been made to some boat ramps, many floating docks have been repaired or replaced and increases to docking capacity has been brought in to improve the docking experience.

Administration is recommending increases in 2022 and again in 2023 in an effort to reduce the level of subsidy currently taking place. The City of Kenora should charge comparable rates to what the private sector charges for boat docking. The docking should be in reasonably good condition to lease. Repairs and maintenance to docks is an ongoing responsibility of the City of Kenora. Fee increases as follows are recommended for 2021 and 2022 are as follows.

Location	Existing Rate	Proposed Rate 2022	Proposed Rate 2023
Keewatin & Harbourfront Dock C	\$825.00	\$925.00	\$1025
Water Street & Coney	\$632.50	\$732.00	\$832.00
Mooring Balls	\$22.00	\$25.00	\$27.50
Dock Gate Key Deposit	\$50.00	\$50.00	\$50.00

*The dock gate key deposit has been charged over the years but not included in the Tariff of Fees & Charges. It is only returned to the customer if the key is returned at the end of the rental season within 30 days.

Budget: Increases in fees and additional capacity at the Keewatin Arena (8 slips) is expected to generate an additional \$14,400 in 2022 and \$10,800 in 2023. The level of subsidy assuming costs remaining relatively stable would decrease to \$14,115 by 2023.

Community Services – Pool

A review of pool rate was last done in 2015 with a recommendation to increase rates by 5% each year from 2015-2017.

Pool rates have remained flat since 2017 while operating costs have continued to increase over that time. Staff are recommending a flat \$5.00 increase to all rates that have an associated lifeguard for three years to help increase cost recovery to the minimum threshold of 55% for minor rentals and 65% for adult rentals

Pool Rental	September 2022			September 2023		September 2024	
	Current rate	Increase	New rate	Increase	New rate	Increase	New rate
Minor Resident							
1 – 30 people	\$98.86	\$5.00	\$103.86	\$5.00	\$108.86	\$5.00	\$113.86
31 – 100 people	\$121.24	\$5.00	\$126.24	\$5.00	\$131.24	\$5.00	\$136.24
101 – 180 people	\$151.64	\$5.00	\$156.64	\$5.00	\$161.54	\$5.00	\$166.54
Adult Resident							
1 – 30 people	\$110.82	\$5.00	\$115.82	\$5.00	\$120.82	\$5.00	\$125.82
31 – 100 people	\$141.91	\$5.00	\$146.91	\$5.00	\$151.91	\$5.00	\$156.91
101 – 180 people	\$171.61	\$5.00	\$176.61	\$5.00	\$181.61	\$5.00	\$186.61
Non - Resident							
1 – 30 people	\$162.63	\$5.00	\$167.63	\$5.00	\$172.63	\$5.00	\$177.63
31 – 100 people	\$191.00	\$5.00	\$196.00	\$5.00	\$201.00	\$5.00	\$206.00
101 – 180 people	\$220.52	\$5.00	\$225.52	\$5.00	\$230.52	\$5.00	\$235.52
Private Pool Rental	\$303.30	\$5.00	\$308.30	\$5.00	\$313.30	\$5.00	\$318.30

Swimming Clubs

The Kenora Swimming Sharks and Kenora Borealis rent the pool to run their respective swim clubs. Coaches for each club have their National Lifesaving Service certificate allowing them the ability to guard/coach their swimmers during each session. The City of Kenora is not responsible for supplying a lifeguard thus reducing our cost.

Recognizing that a lifeguard is not required that operating cost has been removed and a flat increase of \$2.50 per year for three years is being recommended.

KSS Pool rental	September 2022			September 2023		September 2024	
	Current rate	Increase	New rate	Increase	New Rate	Increase	New Rate
Minor ½ pool rate	\$30.25	\$2.50	\$32.75	\$2.50	\$35.25	\$2.50	\$37.75
Adult ½ pool rate	\$40.23	\$2.50	\$42.73	\$2.50	\$45.23	\$2.50	\$47.73
Minor Rate	\$60.49	\$2.50	\$62.99	\$2.50	\$65.49	\$2.50	\$67.99
Adult rate	\$80.46	\$2.50	\$82.96	\$2.50	\$85.46	\$2.50	\$87.96
Shared Adult and Minor rate	\$70.47	\$2.50	\$72.97	\$2.50	\$75.47	\$2.50	\$77.97

Programming Fees

Programming fees (ie. Swim lessons, day camps etc) historically have not been included in the Tariffs and Fees to allow flexibility for staff to create new or adjust existing programming. Staff are recommending that this remain status quo however all rates created for programming will take into consideration all operating costs incurred to deliver the program. Further all programming rates will need to be approved by the Director of Community Services or designate.

Corporate Services & Finance

DEPARTMENTAL	FEE DESCRIPTION	FEE
1. Tax Office	Tax Certificate	\$ 30.00 \$60.00
2. Tax Office	Duplicate Receipt of Taxes	\$ 5.00 \$10.00
3. General	Photocopy/Print Out – B & W	.25 Per page
4. General	Photocopy/Print Out - Colour	.50 Per page
5. Clerk's Office	Freedom of Information Request	\$ 5.00 (no tax) as per O.Reg.
6. Clerk's Office	Commissioner of Oath Services	\$20 \$25.00 for up to two signatures \$5 for every other signature to the same document
7. Customer Service	Utility Bill Stuffer	\$0.05 Per page
8. General	NSF Cheque	\$25.00 \$40.00
9. Customer Service	Birth Confirmation Letter	\$10.00
10. Customer Service	Burial Permits	\$10.00 each \$20.00 each
11. Customer Service	Marriage License Fee After-hours surcharge to issue additional Marriage License	\$150.00 \$200.00 Plus cost of additional license
12. Customer Service	Lottery Fees	3% of total price value for all lottery types

13. Clerk's Office	Civil Marriage Solemnization Fees (per ceremony)	\$300 - Monday - Friday \$350 - Saturday & Sunday \$450 - Unincorporated Area surrounding the City of Kenora, including on a vessel for this purpose. \$300- Flat Fee for Renewal of Vows
14. Clerk's Office	Use of Council Chambers	\$75 per Marriage ceremony Monday – Friday only
15. Customer Service	Credit Search – Personal Credit Search – Commercial	\$ 25.00 \$ 60.00
16. Customer Service	Re-printing of Utility Bills/Account History	\$10 per bill
17. Clerk's Office	Request Special Council Meeting	\$ 350.00
19. BY-LAW ENFORCEMENT	Bagging of Parking Meters Reserved Parking Stall	\$15.00/day/double \$ 8.25/day single \$30.00/stall/day *No Fee for the purpose of the establishment of outdoor commercial patios to a maximum of four spots, and subject to
Customer Service	Refund processing To cover the cost of refunding credits to customers when credits are not the result of an error by the City	\$25.00
Customer Service	Water / POA to tax account transfer Administration Fee This fee is charged when we are transferring an outstanding balance from a water/wastewater account or a Provincial Offences charge that we are permitted to place on the tax roll for collection purposes.	\$50.00
Customer Service	Account Payment Transfers If you have moved or you have more than one water utility account, you must ensure all your water utility accounts have been set up for internet/telephone banking or when making a payment at your financial institution. This fee is charged when a payment has to be transferred from one account to another	\$25.00

Customer Service	Collections Fees This collections fee is added to accounts when the outstanding account is transferred to a collection agency to collect on behalf of the municipality. The customer then would owe the balance of the account plus the additional 30% charged by the collection agency which is charged to the municipality for collection efforts	30% of balance transferred to agency
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Tax Certificates/NSF Charges - Reviewing other municipalities Tariff of Fees and Charges for tax certificates and NSF fees, these comparable municipalities are substantially higher than our existing fees and have not been reviewed for several years. The increase is to align with the cost of processing these requests and returns.

Commissioner of Oath services - is a well utilized service as there are very few agencies that offer this service in Kenora. The slight increase in this service aligns with the fees being charged in other comparable municipalities.

Burial permit fees - were introduced two years ago and are billed to the funeral homes on a monthly basis. These permits are time consuming and are usually requested with very little lead time to process. Often there are issues with the paperwork following these permits and take staff additional time to follow up with the funeral homes for changes or clarification on the completion of the forms. This increase is to align with the staff time required to complete these requests.

Reserved Parking Stalls - Often the City receives requests to reserve parking stalls to allow for construction or renovation of a building, or moving within a building in the downtown core. With the removal of parking meters enforcement can no longer bag a meter to reserve these spaces for this purpose. In order to reserve these stalls, staff must barricade the space(s) with specialized barriers and when the request is complete go and remove the barrier. Often the barrier is removed and we must go and replace or relocate if it is beyond just a few days. The cost to provide this service is above and beyond the \$1.00/hr/day (9:00 a.m.-6:00 p.m.) for the stall but the cost to provide the service to establish and complete the reservation.

Refund processing –This charge will cover the cost of refunding credits to customers when credits are not the result of an error by the City. Often we will have customers overpay accounts or keep paying accounts that are inactive/discontinued. They will request a refund and staff must clear the account and issue a cheque for repayment. This charge aligns with other municipalities who charge a fee for this service.

Water/POA to tax account transfer Administration Fee - This fee is charged when we are transferring an outstanding balance from a water/wastewater account or a Provincial Offences charge that we are permitted to place on the tax roll for collection purposes.

Account Payment Transfers - If you have moved or you have more than one water utility account, you must ensure all your water utility accounts have been set up for internet/telephone banking or when making a payment at your financial institution. This fee is charged when a payment has to be transferred from one account to another.

Collections Fees - This collections fee is added to accounts when the outstanding account is transferred to a collection agency to collect on behalf of the municipality. The customer then would owe the balance of the account plus the additional 30% charged by the collection agency which is charged to the municipality for collection efforts

Engineering & Infrastructure

At the November 16, 2021 Regular Council meeting, Council approved the amended Water and Wastewater Long Range Financial Plan Forecast as required under the Safe Drinking Water Act and Ontario Regulation 453/07. The plan recommended a 3.1% annual water and wastewater rate increase for the years 2021 to 2026. The plan has been amended to reflect rate changes of 3.1% for the years 2022 to 2026. This means that a monthly Water and Sewer bill for a family that uses 10 cubic meters of water in the month will rise from \$125.66 in 2021 to \$146.36 in 2026. No changes were made to the remainder of the plan. It will impact the Water & Wastewater budgets for 2022-2026 and the rates for that period will now be included in the Tariff of Fees and charges.

2022 - SCHEDULE 'D' - WATER & SEWER RATE CHARGES

TABLE 2022 (i)

	Meter Size	Ratio	Fixed Cost per Month	Water Cost	Sewer Cost
5/8"	15	1.0	\$48.38	\$1.64	100% water cost
3/4"	18	1.1	\$53.23	\$1.64	100% water cost
1"	25	1.4	\$67.73	\$1.64	100% water cost
1 1/2"	40	1.8	\$87.06	\$1.64	100% water cost
2"	50	2.9	\$140.30	\$1.64	100% water cost
3"	75	11.0	\$532.08	\$1.64	100% water cost
4"	100	14.0	\$677.23	\$1.64	100% water cost
6"	150	21.0	\$1,015.80	\$1.64	100% water cost
8"	200	40.0	\$1,934.91	\$1.64	100% water cost

**** Customers with approved bleeders shall receive a discount of 50% on their volumetric water consumption for the approved bleeding period as directed by the water and sewer supervisor each year. This period will be no earlier than November 1st and ending no later than April 30th of the following year.**

2023 - SCHEDULE 'D' - WATER & SEWER RATE CHARGES

TABLE 2023 (i)

	Meter Size	Ratio	Fixed Cost per Month	Water Cost	Sewer Cost
5/8"	15	1.0	\$49.88	\$1.69	100% water cost
3/4"	18	1.1	\$54.88	\$1.69	100% water cost
1"	25	1.4	\$69.83	\$1.69	100% water cost
1 1/2"	40	1.8	\$89.76	\$1.69	100% water cost
2"	50	2.9	\$144.65	\$1.69	100% water cost
3"	75	11.0	\$548.57	\$1.69	100% water cost
4"	100	14.0	\$698.23	\$1.69	100% water cost
6"	150	21.0	\$1,047.29	\$1.69	100% water cost
8"	200	40.0	\$1,994.89	\$1.69	100% water cost

**** Customers with approved bleeders shall receive a discount of 50% on their volumetric water consumption for the approved bleeding period as directed by the water and sewer supervisor each year. This period will be no earlier than November 1st and ending no later than April 30th of the following year.**

2024 - SCHEDULE 'D' - WATER & SEWER RATE CHARGES

TABLE 2024
(i)

	Meter Size	Ratio	Fixed Cost per Month	Water Cost	Sewer Cost
5/8"	15	1.0	\$51.43	\$1.74	100% water cost
3/4"	18	1.1	\$56.58	\$1.74	100% water cost
1"	25	1.4	\$71.99	\$1.74	100% water cost
1 1/2"	40	1.8	\$92.54	\$1.74	100% water cost
2"	50	2.9	\$149.13	\$1.74	100% water cost
3"	75	11.0	\$565.58	\$1.74	100% water cost
4"	100	14.0	\$719.88	\$1.74	100% water cost
6"	150	21.0	\$1,079.76	\$1.74	100% water cost
8"	200	40.0	\$2,056.73	\$1.74	100% water cost

**** Customers with approved bleeders shall receive a discount of 50% on their volumetric water consumption for the approved bleeding period as directed by the water and sewer supervisor each year. This period will be no earlier than November 1st and ending no later than April 30th of the following year.**

2025 - SCHEDULE 'D' - WATER & SEWER RATE CHARGES

TABLE 2025
(i)

	Meter Size	Ratio	Fixed Cost per Month	Water Cost	Sewer Cost
5/8"	15	1.0	\$53.02	\$1.79	100% water cost
3/4"	18	1.1	\$58.33	\$1.79	100% water cost
1"	25	1.4	\$74.22	\$1.79	100% water cost
1 1/2"	40	1.8	\$95.41	\$1.79	100% water cost
2"	50	2.9	\$153.75	\$1.79	100% water cost
3"	75	11.0	\$583.11	\$1.79	100% water cost
4"	100	14.0	\$742.20	\$1.79	100% water cost
6"	150	21.0	\$1,113.23	\$1.79	100% water cost
8"	200	40.0	\$2,120.49	\$1.79	100% water cost

**** Customers with approved bleeders shall receive a discount of 50% on their volumetric water consumption for the approved bleeding period as directed by the water and sewer supervisor each year. This period will be no earlier than November 1st and ending no later than April 30th of the following year.**

2026 - SCHEDULE 'D' - WATER & SEWER RATE CHARGES

TABLE 2025
(i)

	Meter Size	Ratio	Fixed Cost per Month	Water Cost	Sewer Cost
5/8"	15	1.0	\$54.66	\$1.85	100% water cost
3/4"	18	1.1	\$60.14	\$1.85	100% water cost
1"	25	1.4	\$76.52	\$1.85	100% water cost
1 1/2"	40	1.8	\$98.37	\$1.85	100% water cost
2"	50	2.9	\$158.52	\$1.85	100% water cost
3"	75	11.0	\$601.19	\$1.85	100% water cost
4"	100	14.0	\$765.21	\$1.85	100% water cost
6"	150	21.0	\$1,147.74	\$1.85	100% water cost
8"	200	40.0	\$2,186.23	\$1.85	100% water cost

**** Customers with approved bleeders shall receive a discount of 50% on their volumetric water consumption for the approved bleeding period as directed by the water and sewer supervisor each year. This period will be no earlier than November 1st and ending no later than April 30th of the following year.**

Risk Analysis: As per the requirements in the City's ERM Policy, there are minor financial, Governance, legal and Operational risk to the City by not proceeding with generating additional funding for repairs and to cover the costs associated with providing the service.

Communication Plan/Notice By-law Requirements: City Clerk, Accounts Receivables, public notice via renewal notices

Strategic Plan or other Guiding Document:

- 2.1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.
- 2.2 The City will keep in the forefront that there is a significant infrastructure deficit, and current and future Councils will need to continue to work towards allocating sufficient resources to be able to adequately address this issue.
- 2.9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support the quality of life.



November 30, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Heather Pihulak, Director of Corporate Services

**Re: Appointment to the Crime Prevention & Community Well-Being
Advisory Committee**

Recommendation:

That Council hereby appoints Kent Readman, Fire Chief to the Crime Prevention & Community Well-Being Advisory Committee for a term at the pleasure of Council no later than November 14, 2022; and further

That the appointment of Kyle Attanasio, CAO be hereby repealed.

Background:

On May 18th, 2021 Council passed by-law #63-2021 to establish a terms of reference for the new Crime Prevention & Community Well-Being Advisory Committee. A call for members was advertised and at the July 20, 2021 regular meeting of Council, appointments were made to the new Advisory Committee. At the time of the appointment it was identified within the report that our preliminary staff support to the Committee would be our CAO until such time as he identified a replacement for his appointment.

Since that time, our CAO has been evaluating City departments and realignment with certain initiatives and programs. It has been identified that Chief Kent Readman would provide a great deal of leadership and guidance to this new committee and therefore replacing CAO Kyle Attanasio on the committee is required by resolution of Council.

Budget: There is no budget impact to this change.

Risk Analysis: The risk is low associated with this report. It is an administrative change only.

Communication Plan/Notice By-law Requirements: resolution only

Strategic Plan or other Guiding Document: n/a



November 15, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Heather Pihulak, Director of Corporate Services

Re: Handi Transit Services Agreement

Recommendation:

That Council hereby authorizes a services agreement with the Kenora Handi Transit Board which outlines the responsibilities of the Board and the City to provide specialized transit services in the City of Kenora; and further

That three readings be given to a bylaw for this purpose.

Background:

The City has had a historical relationship with the Kenora Handi Transit Board dating back to the 80's when the Board became incorporated. City Administration provides extensive in-kind support services to the board including financial services providing day to day accounts payable, accounts receivable and payroll services. The City looks after all the fleet supports including bus purchasing, day to day maintenance of the fleet and storage of the buses. Council approves an annual budget for the Board and appoints one member of Council to represent the City on the Board.

The Board hires and discharges employees of the Board, establishes service levels including fees and manages the day to day operation of the service.

The intent of this agreement is not to change the relationship but to formalize through an agreement the relationship between the City and the Board. This agreement outlines the risks and liabilities of each party and the requirements of each party for the delivery of service.

The Board has identified the need for further assistance with various areas as a result of the development of this agreement in which the City may provide assistance and guidance to the Board in these areas. The City will assist the Board with filling key vacancies on the Board and start to identify gaps in operational documents that are a key part of operating a service and employing staff.

During this review we had extensive conversation with our insurers to try to mitigate some of the risk exposure for the City with this closely tied relationship. The insurance for each party was reviewed and the wording contained within the agreement under insurance is a direct reflection of those conversations.

Budget: There is no direct budget impact to this report.

Risk Analysis: It has been identified that there is risk associated with the closely tied relationship with the specialized transit services delivery due to the significant role the

City plays in supports to the Board. This agreement will not eliminate those risks, but clearly outline the responsibilities in each area.

Communication Plan/Notice By-law Requirements: bylaw required

Strategic Plan or other Guiding Document: Administrative



October 12, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Heather Pihulak, Director of Corporate Services

Re: Accounts Receivable and Collections Policy & Procedures

Recommendation:

That Council hereby adopts City Policy #AF-5-3 Accounts Receivable, Collections & Procedures Policy which forms part of the Comprehensive City Policy Manual; and further

That three readings be given to a bylaw for this purpose.

Background:

The City has existing accounts receivable and collections procedures that we have followed for several years, however a formalized policy adopted by Council has not been in place which clearly outlined these processes. This policy will undertake the existing procedures and provide a comprehensive policy which can be referred to by the public and administration in reference to how our collections and accounts receivables are managed.

The purpose of this policy is to establish the responsibilities, internal controls, authorizations and procedures for the accurate and timely preparation of invoices, statements and notices rendered by the City of Kenora and the management of the accounts receivable created by statements, invoices and agreements, including the authority to write-off uncollectible accounts. This includes ensuring adequate support for all amounts billed, timely collection of amounts outstanding, recording of transactions, reporting of outstanding accounts and ensuring that practices are consistent throughout the City.

Sound collections practice is to minimize the time between a sale and the cash collection for that sale. The longer it takes to collect the cash owed to the City, the greater the risk that amounts owed will become uncollectable. As such, we offer our customers standard payment options as well as pre-authorized payments which increases the likelihood of timely payments on a regular basis. In some cases where deposits are required for services, we retain service deposits which will also increase the probability of collecting or applying those deposits when necessary to outstanding balances.

In the 2018 budget deliberations the decision was made to significantly reduce the acceptance of credit cards within the City divisions as a cost saving measure. The fees and charges for this form of payment to the City for services was escalating and could save significant dollars on our annual budgets. Today's practice, the City's standard payment options include cash, cheque, or debit for most services/purchases. Visa and Mastercard are only accepted for services that cost \$500.00 or less to a maximum in one month. Customers with approved accounts with the City may not pay their City accounts with a credit card if such accounts are collectively in excess of \$500.00 in a calendar

month. Utility and tax payments must be made by a Standard Payment Option, or pre-authorized payment. Credit cards are not accepted for utility or tax payments unless processed through PaySimply.

Under Section 38.2 (2) of the Municipal Act, the treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes. Simply stated, the municipality has the option to transfer any outstanding balances for water & wastewater services to the tax roll to become collectable.

Currently property owners who rent their properties have the option to have the water & wastewater services remain in their name and included as part of their rental fees, or may direct the tenants to put the services into their name. If a tenant defaults on their payments, the balances are transferred to the tax roll of the property owner as permitted by the Municipal Act and other legislation. Since the Owner is not regularly receiving water bills, they do not know immediately if there are issues with the property (such as leaks) or that an account is in arrears and in jeopardy of being delinquent and potentially transferred to the tax roll. On rare occasions, in the past this has led to conflict between the Municipality and some property owners. Currently, the City cannot notify landlords of water & wastewater arrears on accounts in their tenants' name but they can, however, inform a landlord if a disconnection notice has been served on the property.

During the pandemic in 2020, Council approved waiving the interest for accounts in arrears and halting the collections efforts to assist those who had been financially affected by the pandemic. Those exceptions ended at the end of August 2020 and collections efforts resumed with a substantially high number of customers who were significantly behind in their water accounts. The backlog in collection efforts continued with many account balances being transferred to the landlords for payments. Although these accounts are transferred to ensure the City is paid for these outstanding balances, we continue to work with our collection agency to collect these outstanding accounts. Should collections be successful, the credits are applied to the landlord tax accounts where the balances were transferred.

Currently, the process to handle tenant accounts with outstanding balances include several steps for our staff. Reminder Letter #1 is sent to the tenant two (2) weeks after the Due Date and is a friendly reminder of the 'past due' amount. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made. Reminder Letter #2 is sent to the tenant 30 days after Reminder Letter #1 and advises the tenant that if they do not contact the City or make payment within 15 days, the overdue account will be prepared for sending to a Collection Agency. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made and that any further Reminder Letters will be sent to both the landlord and the tenant, given that the failure to pay such arrears has created a priority lien in the property owner's lands. Reminder Letter #3 is sent to both the tenant and the property owner approximately 60 days after Reminder Letter #1 and advises the tenant and the property owner that the account is now 90 days in arrears and that, if the City is not contacted or payment made within 15 days, the overdue account will be sent to a Collection Agency, and additional costs to the account being transferred to a Collection Agency will apply. The Reminder Letter will also advise that City services may be withheld and/or that the arrears may be added to the tax account and collected in the same manner as municipal taxes unless the account is paid in full or a Repayment Agreement is made. If payment is not received after 15 days

have passed since the sending of Reminder Letter #3, the Deputy Treasurer will review the circumstances of the account and will make recommendations on the appropriate course of action, which may include discontinuance of service, continuation of collection efforts with a Collection Agency, the transfer of the arrears to the tax account for the property in issue for collection in the same manner as municipal taxes and/or the pursuit of collection by way of any other statutory or other remedy available to secure payment of the arrears.

The City intends to gradually end the practice of permitting tenants to sign up for utility services. Instead, we have developed a compromise in which on the landlords behalf for properties rented by them, landlords may designate an authorized user on their accounts. This will take several years to transition to this new process and structure. We will, for some time, continue to have instances where tenants have signed up for services directly with us, which we will transition out over time. Moving forward, property owners will have the option to designate utility bills to tenants but in a different manner than currently exists. Two options will be provided to property owners who wish to have their tenant(s) responsible for paying utility bills:

- 1) Bills remain in the property owner's name and are sent to the rental property's mailing address or the property owner's mailing address; it is the sole responsibility of the property owner to ensure the bill is paid, even though the property owner may make arrangements with the tenant for payment of the account; or
- 2) Bills remain in the property owner's name, however, the property owner and tenant sign an Owner/Tenant Designation, in a form approved by the City (the "Owner/Tenant Designation"), to make the tenant an agent of the property owner. The bills are then sent to the tenant in care of the property owner with the intent being that such bills will be paid by the tenant on behalf of the property owner, but with the property owner is ultimately responsible to the City for their payment.

By signing the Owner/Tenant Designation and thereby subscribing to Option 2, the property owner is effectively authorizing the City to follow the following process with regard to who and where the utility bill and notices are mailed. The property owner will remain responsible for the payment of the bill, including other fees and charges in relation to any collection effort and may at any time seek and be provided with information regarding the status of the subject utility account. The person authorized to receive the bills and Reminder Letters is appointed by the property owner as the property owner's agent with respect to making payments and granting the City access to the property for purposes relating to the provision of utility services. Where there is an Owner/Tenant Designation in place, if the utility account is in arrears, the property owner will receive copies of all of the Reminder Letters noted above that are being sent to the tenant.

When the tenancy is terminated and the City has been notified, in writing, of such termination, the Owner/Tenant Designation will be terminated and all future utility bills will be sent to the property owner's mailing address or the rental property's mailing address, unless a new Owner/Tenant Designation Form is received by the City. Each time the name on the account changes, it is considered to be a new account, and incurs the new account fee.

Should Council support the adoption of this policy, a communication will be provided to all the landlords advising them of the new policy and the options for the landlords moving forward. They may choose which approach best works for them moving forward and handling their properties on a go forward basis as tenants vacate their properties. Until then, the City will continue with the existing practices for notices to the landlords once

outstanding balances reach a certain timeframe within policy. Our customer service staff will work with the landlords to establish the new process for each property as tenants vacate and answer questions that the landlords may have pertaining to the new process. A standardized form has been developed which will be used in accordance with the practices outlined in the policy but will not form part of the policy.

Regardless of which option the property owner chooses, the property owner remains responsible for the full payment of all utility charges, even if a designate is receiving the bill.

Budget: There is no direct budget impact to this policy.

Risk Analysis: The City has been in positions on a regular basis where they must balance between the privacy of a tenant and the necessary information a landlord requires to collect outstanding balances that are being transferred to their accounts. This policy and the adoption of the formalized policy will reduce the exposure of releasing personal information and provide both the tenant and the landlord with the information in advance of service being established with the expectations established for both parties.

Communication Plan/Notice By-law Requirements: bylaw required along with detailed communication to each landlord in the City.

Strategic Plan or other Guiding Document:

1-2 The City will forge strong, dynamic working relationships with the Kenora business community

Accounts Receivable and Collections Policy & Procedures



Section Administration & Finance	Date December 21, 2021	By-Law Number - 2021	Page 1	Of 22
Subsection	Repeals By-Law Number N/A		Policy Number AF-5-3	

Purpose

The purpose of this policy is to establish the responsibilities, internal controls, authorizations and procedures for the accurate and timely preparation of invoices, statements and notices rendered by the City of Kenora and the management of the accounts receivable created by statements, invoices and agreements, including the authority to write-off uncollectible accounts. This includes ensuring adequate support for all amounts billed, timely collection of amounts outstanding, recording of transactions, reporting of outstanding accounts and ensuring that practices are consistent throughout the City.

Definitions

"Accounts Receivable" means, as the context requires:

a claim for money, goods, services and non-cash assets; these are generally established via billing advice/invoice, statement or contract/agreement; these are set up as assets of the City and recognized as revenue earned ("accounts receivable");

or

when referring to a part of the City's corporate structure, that part of the City's Finance Department that is responsible for managing accounts receivable and collections ("Accounts Receivable");

"Allowance for Doubtful Accounts" means a contra account on the balance sheet associated with accounts receivable based on Delinquent Accounts; the credit balance in this account comes from the entry wherein Bad Debt Expense is debited; and the amount in this account is based on a regular aging analysis of accounts receivable and/or specifically identified Doubtful Accounts;

"Authorized Person" means an employee of the City who is an authorized person as defined in the City's procurement policy;

"Bad Debt Expense" means the expense recorded and charged to the Operating Department when an Allowance for a Doubtful Account is credited, such as a monthly general provision;

"City" means The Corporation of the City of Kenora;

Accounts Receivable and Collections Policy & Procedures

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“Collection Agency” means a business that is established to collect past-due accounts receivable on behalf of creditors and is appointed by the City to collect such amounts for the City;

“customer” means a person who receives goods or services from the City or is otherwise in a relationship with the City that requires payment(s) to be made by that person to the City;

“Delinquent Account” means an accounts receivable that is late or overdue on a payment;

“Doubtful Account” means an accounts receivable for which collection efforts are in progress or have been exhausted without successful collection and for which an allowance for Doubtful Accounts adjustments will be recorded;

“Due Date” means the last day by which a payment owing to the City must be paid, including under an invoice, statement or agreement;

“Good Standing” means that a person has no accounts receivable or has an accounts receivable that is current;

“Interest Charge” means the charge calculated on outstanding amounts from the Due Date, in accordance with the City’s Fees and Charges By-law, as may be amended from time to time, or as otherwise established by law or agreement;

“invoice” means a document requiring payment from a customer, including for goods or services provided by the City and, as the context requires, may include a bill, statement, notice or agreement;

“Operating Department” means a department of the City under the City’s corporate structure;

“PaySimply” means a secure third-party payment provider to pay online with any form of payment accepted by PaySimply;

“Reminder Letter” means a communication to a customer indicating that a payment is overdue;

“Repayment Agreement” means a written and signed repayment arrangement, authorized in accordance with this policy, negotiated with a person for repayment of a past due amount and which may or may not include repayment of Interest Charges;

Accounts Receivable and Collections Policy & Procedures

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“Standard Payment Options” means cash, cheque, debit card or online banking;

“statement” means a communication issued to a person indicating an amount owing to the City, and generally detailing the previous month’s balance and current month transactions including any Interest Charges; and

“write off” means to remove an accounts receivable that is deemed uncollectible from the City’s financial records.

2.0 Policy

- 2.1 This policy applies to all employees of the City who are responsible for collecting any payments owed to the City, including through the rendering of statements or the invoicing of customers.
- 2.2 Accounts receivable are important assets of the City and, as such, should be safeguarded by appropriate internal controls. This policy and the procedures contained in it are intended to establish strong internal controls over accounts receivable.
- 2.3 This policy and the procedures herein apply to the following related parties for which the City provides administrative functions:
 - Kenora Police Services Board
 - Kenora Handi Transit Board
- 2.4 This policy and the procedures set out herein may supplement, as required, the following accounts receivable as they are governed by separate legislation and/or policies and procedures:
 - Property taxes
 - *Provincial Offences Act*
 - Any Water and Wastewater
 - Library services
- 2.5 Where invoicing has not occurred in one of the other receivable systems noted below, it is expected that invoicing is to be processed through Accounts Receivable:
 - Recreation Services
 - Library Services
 - Parking/Enforcement Services
 - Provincial Offences

Accounts Receivable and Collections Policy & Procedures

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- Transfer Station and
- any other City department that has a separate software system, and funds which are outstanding and owed to the City

2.6 Written agreements should be standard practice before goods or services are provided to a customer and such agreements are to be signed by persons with authority to do so.

3.0 Responsibilities

The collection of accounts receivable and the proper exercise of discretion in that regard is a shared responsibility of the Operating Departments, Accounts Receivable, and City employees working in customer services. All staff will make every effort to collect outstanding accounts receivable and as efficiently and effectively as possible.

3.1 City Council is responsible to:

- 3.1.1 approve the initiation of legal proceedings for the purpose of collecting accounts receivable with a principal amount of \$50,000 or more, where Council considers it advisable to do so; and to
- 3.1.2 approve all non-collectible accounts receivable write offs of the City with a principal amount of \$25,000 or more, plus any related interest on a per account basis.

3.2 The Authorized Person of an Operating Department is responsible to:

- 3.2.1 provide information to Accounts Receivable when requested;
- 3.2.2 collaborate with Accounts Receivable and Operating Departments in collection efforts;
- 3.2.3 ensure, where ongoing services are provided to a customer with a Delinquent Account, to notify the customer that continued access to the services may be denied, until payment in full is made, or alternative repayment is arranged;
- 3.2.4 collaborate with Accounts Receivable as to which accounts to send to a Collection Agency;

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- 3.2.5 ensure that customers who are not or are no longer eligible for credit make payment in advance before receiving any future services;
- 3.2.6 transfer receivables recorded in their accounts receivable software to the Collection Agency when a matter has been referred to a Collection Agency and update the customer profile to outline that they are in receivable status; and
- 3.2.7 ensure that the affected Manager/Director is advised in a timely manner of Delinquent Accounts.

3.3 The Director of Finance is responsible to:

- 3.3.1 submit non-collectible accounts receivable write off requests to Council in accordance with the guidelines established herein; and
- 3.3.2 approve non-collectable accounts receivable write offs of the City with a principal amount of \$1,000 or more but less than \$25,000, plus any related interest on a per account basis.

3.4 The Deputy Treasurer is responsible to:

- 3.4.1 manage the overall accounts receivable and collection policy and procedure;
- 3.4.2 recommend to the Director of Finance any write offs with a principal amount that is \$1,000 or more, plus any related interest on a per account basis;
- 3.4.3 approve all non-collectable accounts receivable write offs of the City with a principal amount that is less than \$1,000, plus any related interest on a per account basis;
- 3.4.4 advise the Director of Finance of any accounts that have been transferred to collections;
- 3.4.5 approve any of the following:
 - o the reversal of interest on account where payment comes within a two (2) business days' grace period (ie: minor charges of interest from date payment received to the posting date);

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- o the reversal of interest where a payment may have been late but was ultimately paid in a reasonable amount of time and the customer has a history of timely payments;
- o the reversal of interest caused by City error, such as applying payment to an incorrect account; and
- o the removal of nuisance balances of interest for customers in Good Standing;

where the above adjustments are for an amount that is \$50 or less;

- 3.4.6 approve repayment arrangements for Delinquent Accounts;
- 3.4.7 approve a change in payment terms from 30 days to a longer term at the request of the Operating Department; and
- 3.4.8 approve the waiving of interest to be charged to a customer account.

3.5 **Accounts Receivable is responsible to:**

- 3.5.1 ensure customers are invoiced in a timely and accurate manner;
- 3.5.2 ensure communications to customers regarding collections occur in a timely and professional manner;
- 3.5.3 review the aged accounts receivable report for the Operating Departments on a regular basis and follow up on Delinquent Accounts;
- 3.5.4 manage the daily functions relating to accounts receivable and collection, including Accounts Receivable staff;
- 3.5.5 collaborate with Operating Departments to resolve disputed invoices/accounts/statements, reconciling balances and resolving customer issues;
- 3.5.6 negotiate and recommend repayment arrangements to the Deputy Treasurer;
- 3.5.7 identify accounts that should be written off and recommend them to the Deputy Treasurer for such purpose;

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- 3.5.8 monitor on a regular basis the activities of the Collection Agencies;
- 3.5.9 transfer uncollectable accounts receivable with a principal amount that is \$25,000 or more with the Deputy Treasurer's approval;
- 3.5.10 prepare and circulate a detailed monthly aged accounts receivable report for all accounts overdue by 60 days or more to the Deputy Treasurer and the Director of Finance; and
- 3.5.11 collaborate with the Operating Department in collection efforts.

4.0 Segregation of Duties

- 4.1 Segregation of duties separates roles and responsibilities to ensure that an individual cannot process a transaction from initiation through to collection without the involvement of others and thereby reduces the risk of fraud.
- 4.2 The segregation of duties is achieved for accounts receivable by the following duties being undertaken by different authorized individuals:
 - billing for goods and services should be limited to an employee in the Operating Department responsible for delivering the goods and services;
 - invoices, statements or other notices should be prepared or approved by an alternate employee;
 - payments should be accepted and posted by an alternate employee;
 - adjustments to customer accounts should be recommended by frontline staff and require supervisor approval; and
 - collection steps should be performed by the Finance Department staff.
- 4.3 In limited situations, where it is not practical to meet the minimum requirements listed in this policy, the Deputy Treasurer, in the Deputy Treasurer's discretion, may establish alternative procedures and mitigating controls, such as increased supervision, job rotation, or regular review of transactions.

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5.0 Sound Accounts Receivable Management

5.1 The fundamental rule of sound accounts receivables management is to minimize the time between a transaction and the cash collection for that transaction. The longer it takes to collect the cash owed to the City, the greater the risk that amounts owed will become uncollectable.

5.2 The reduction of invoicing is a proactive measure to increase cash flow and prevent Delinquent Accounts.

5.3 Policies to achieve the reduction of invoicing are as follows:

- Offering Standard Payment Options; and
- Offering pre-authorized payments.

5.4 Pre-Authorized Payments

5.4.1 Pre-authorized payments can be offered to City water and wastewater accounts as well as tax accounts, with withdrawal from accounts on a monthly basis. Pre-authorized payments may be also offered in the future for other accounts and on such terms as the City, from time to time, determines is advisable.

5.5 Deposits

5.5.1 See policy #AF-5-2, Water & Sewer Utility Account Deposit Policy.

5.5.2 Customers who lease parking spaces from the City are required to pay an established deposit for their City issued fob for the parkade. The established fob amount is currently outlined in the City's Tariff of Fees and Charges By-law. This deposit is returned to the customer upon termination of their lease for parking along with the issued fob to City Hall within two (2) business days of the termination. No partial refunds for cancellations will be issued until the fob is returned.

5.6 Payment Terms

5.6.1 The City's standard payment terms are 30 days. Exceptions include:

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- donations, which are not due until December 31 annually;
- Due Dates on water and wastewater direct billings;
- lease payments, which are due upon receipt; and
- other exceptions as specified in an agreement or contract.

5.6.2 Payment terms other than 30 days must be approved in writing by the Deputy Treasurer.

5.7 Payment Types

5.7.1 The City's Standard Payment Options include cash, cheque, or debit for most services/purchases. Visa and Mastercard are only accepted for services that cost \$500.00 or less.

5.7.2 Customers with approved accounts with the City may not pay their City accounts with a credit card if such accounts are collectively in excess of \$500.00 in a calendar month. Balances in excess of \$500.00 must be paid in one of the City's Standard Payment Options.

5.7.3 Utility and tax payments must be made by a Standard Payment Option, or pre-authorized payment. Credit cards are not accepted for utility or tax payments unless processed through PaySimply.

5.8 Interest Charges

5.8.1 Amounts in arrears (past Due Date) will be subject to Interest Charges, as established by the Fees and Charges Bylaw or otherwise (such as by other operation of law or agreement). All invoices, statements, letters, and agreements will clearly specify this charge.

5.8.2 There are a few instances where interest may not be charged, such as repayment arrangements. In all cases, the Deputy Treasurer must approve accounts where no interest is to be applied.

5.8.3 Interest is to be charged on principal balances only, unless otherwise stipulated by law or agreement.

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6.0 Credits/Refunds

6.1 Credit Invoices

6.1.1 A credit invoice should be used whenever an original invoice needs to be reduced or cancelled because:

- the customer did not receive the goods or service;
- the invoice was issued in error (wrong customer, quantity or amount);
- a deposit is held by the City which must be applied to the invoice; or
- other valid reason (must be documented).

6.2 Credit on customer accounts

6.2.1 Credits on customer accounts occur in various circumstances, such as:

- prepayment of a future invoice;
- invoice was cancelled or reduced after payment was received;
- deposits made where the cost of the work performed is less than the deposit taken;
- services cancelled and a pro-rated portion returned; or
- amount collected by a Collection Agency.

6.3 Credit Accounts that have no activity for one (1) year or more:

6.3.1 and the credit is less than \$10, the balance will be transferred to a miscellaneous revenue account, unless the customer requests a refund, in which case, the amount will be refunded to the customer, subject to records being available to verify refund entitlement.

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6.3.2 and the credit is \$10 or more, the customer may be contacted by mail to keep the credit active or to have a refund issued; the customer will have three (3) months to claim the credit; once the deadline has lapsed, the credit account will be transferred to a miscellaneous revenue account and will only be refunded by customer request, subject to records being available to verify refund entitlement.

6.4 Refunds

6.4.1 Payments received in error or paid in excess of the invoice total will be refunded or credited to the payer. No refund or credit will be made to the customer if the customer has other invoices that are outstanding to the City in any department.

6.4.2 Cheques will not be issued for amounts less than \$25.00 unless approved by the Deputy Treasurer or designate in special circumstances.

7.0 Application of Payment

7.1 Payments received from a customer may be applied to numerous invoices or may be partial payments of a particular invoice.

7.2 Where a payment is received specifying an invoice, the payment will be applied to the invoice specified by the customer, even if the payment is not the same amount as the invoice total. This will leave disputed or unpaid invoices as outstanding on a customer's account.

7.3 Where a payment is received but no specific invoice is indicated, the payment will generally be applied to the oldest amounts owing (interest before principal) to avoid potential interest being incurred in error.

8.0 Collection Procedures

8.1 General Procedures

8.1.1 Customers with overdue accounts may be contacted directly at any time throughout the collection process to discuss payment of outstanding accounts.

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- 8.1.2 To keep customers advised of their account balances, monthly notices will generally be mailed (or emailed if registered for electronic billing) to customers. Such notices will generally summarize the amount owed, activity in the account during the month, and Interest Charges.
- 8.1.3 There are minimal instances where notices may not be sent to customers and the withholding of such notices must be approved in writing by the Deputy Treasurer.
- 8.1.4 The Operating Department is primarily responsible for the collection of amounts due. Accounts Receivable transfers accounts to the tax roll, where applicable, and the Collection Agency, when retained, will assist the Operating Department in the collection of overdue accounts as required.
- 8.1.5 A Reminder Letter is to be sent to a customer indicating that the invoice is overdue.
- 8.1.6 If payment has not been received in accordance with the Reminder Letters, the Operating Department and/or Accounts Receivable will review the circumstances of each account and will make recommendations on the appropriate course of action, including any of the following:
- 8.1.6.1 Transfer applicable accounts to property taxes:
 - if authorized by applicable legislation; examples include water/wastewater services, development charges, remedial work to the property, waste/recycling collection fees, false alarms, and fire inspections; generally speaking, transfers may occur when the services that are transferred can be tied to the property;
 - 8.1.6.2 Offset the amount owing to the City against a payment owing in accounts payable (ie: exact same parties, legal/statutory, set-off clause in contract). The entity that is being netted must also be the same legal entity that originated the debt.
 - 8.1.6.3 Review letters of credit or other performance guarantees on hand to determine the ability to apply such instruments to the outstanding balance.

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- 8.1.6.4 Review, if applicable, the contract terms and conditions for actions to be taken relative to the outstanding balance. Nonpayment may constitute a breach of contract.
- 8.1.6.5 Solicit further assistance from the Division Director or Manager of the Operating Department responsible for the account.

8.2 Options and Procedures Specific to Water and Wastewater (“Utility”) Charges

8.2.1 Accounts - service in name of property owner and no Designation made

8.2.1.1 Arrears - Reminder Letters

8.2.1.1.1 Reminder Letters will generally be issued as follows:

- Reminder Letter #1 is sent to the property owner two (2) weeks after the Due Date and is a friendly reminder of the ‘past due’ amount. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made.
- Reminder Letter #2 is sent to the property owner 30 days after Reminder Letter #1 and advises the property owner that if they do not contact the City or make payment within 15 days, the overdue account will be prepared for sending to a Collection Agency. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made.
- Reminder Letter #3 is sent to the property owner approximately 60 days after Reminder Letter #1 and advises the property owner that the account is now 90 days in arrears and that if the City is not contacted or payment made within 15 days, the overdue account will be sent to a Collection Agency, and additional costs to the account being transferred to a Collection Agency will apply. The Reminder Letter will also advise that City services may be withheld and/or that the arrears may be added to the tax account and collected in the same manner as municipal taxes unless the account is paid in full or a Repayment Agreement is made.

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If payment is not received after 15 days have passed since the sending of Reminder Letter #3, the Deputy Treasurer will review the circumstances of the account and will make recommendations on the appropriate course of action, which may include discontinuance of service, continuation of collection efforts with a Collection Agency, the transfer of the arrears to the tax account for the property in issue for collection in the same manner as municipal taxes and/or the pursuit of collection by way of any other statutory or other remedy available to secure payment of the arrears.

8.2.2 Accounts – service signed up for by tenant

8.2.2.1 Reminder Letters

8.2.2.1.1 While the City intends to gradually end the practice of permitting tenants to sign up for utility services on their behalf for properties rented by them, there will, for some time, continue to be instances where tenants have signed up for such services. In these cases, the Reminder Letters will generally be issued as follows:

- Reminder Letter #1 is sent to the tenant two (2) weeks after the Due Date and is a friendly reminder of the 'past due' amount. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made.
- Reminder Letter #2 is sent to the tenant 30 days after Reminder Letter #1 and advises the tenant that if they do not contact the City or make payment within 15 days, the overdue account will be prepared for sending to a Collection Agency. The Reminder Letter will also advise that City services may be withheld until the account is paid in full or a Repayment Agreement is made and that any further Reminder Letters will be sent to both the landlord and the tenant, given that the failure to pay such arrears has created a priority lien in the property owner's lands.

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- Reminder Letter #3 is sent to both the tenant and the property owner approximately 60 days after Reminder Letter #1 and advises the tenant and the property owner that the account is now 90 days in arrears and that, if the City is not contacted or payment made within 15 days, the overdue account will be sent to a Collection Agency, and additional costs to the account being transferred to a Collection Agency will apply. The Reminder Letter will also advise that City services may be withheld and/or that the arrears may be added to the tax account and collected in the same manner as municipal taxes unless the account is paid in full or a Repayment Agreement is made.
- If payment is not received after 15 days have passed since the sending of Reminder Letter #3, the Deputy Treasurer will review the circumstances of the account and will make recommendations on the appropriate course of action, which may include discontinuance of service, continuation of collection efforts with a Collection Agency, the transfer of the arrears to the tax account for the property in issue for collection in the same manner as municipal taxes and/or the pursuit of collection by way of any other statutory or other remedy available to secure payment of the arrears.

8.2.3 Tenancies – where there are Designations

8.2.4 The purpose of this section is to, moving forward, provide property owners with the option to designate utility bills to tenants.

8.2.5 Options:

8.2.5.1 Two (2) options will be provided to property owners who wish to have their tenant(s) responsible for paying utility bills:

- 1) Bills remain in the property owner's name and are sent to the rental property's mailing address or the property owner's mailing address; it is the sole responsibility of the property owner to ensure the bill is paid, even though the property owner may make arrangements with the tenant for payment of the account; or

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- 2) Bills remain in the property owner's name; the property owner and tenant sign an Owner/Tenant Designation, in a form approved by the City (the "Owner/Tenant Designation"), to make the tenant an agent of the property owner; the bills are then sent to the tenant on behalf of the property owner with the intent being that such bills will be paid by the tenant on behalf of the property owner, but with the property owner ultimately responsible to the City for their payment.
- 8.2.5.2 In order to designate the tenant as agent for the bill, the property owner will provide the City with a completed copy of an Owner/Tenant Designation, which, among other things, will include the following basic information:
- Name of tenant(s) & contact information, including telephone, mailing and email address;
 - Name of all property owner(s) & contact information, including telephone, mailing and email address; and
 - Address of the property for which the utility service is requested.
- 8.2.6 By signing the Owner/Tenant Designation and thereby subscribing to Option 2, generally stated, the property owner is effectively authorizing the City to follow the following process with regard to who and where the utility bill and notices are mailed:
- 8.2.6.1 The property owner will remain solely responsible for the payment of the bill, including other fees and charges in relation to any collection effort and may at any time seek and be provided with information regarding the status of the subject utility account;
- 8.2.6.2 The person authorized to receive the bills and Reminder Letters is appointed by the property owner as the property owner's agent with respect to making payments and granting the City access to the property for purposes relating to the provision of utility services;
- 8.2.6.3 The property owner will at all times provide the City with current contact information for the property's tenant(s); and

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8.2.6.4 The City may cancel the Owner/Tenant Designation at any time and return to Option #1.

8.2.7 Regardless of which option the property owner chooses, the property owner remains responsible for the full payment of all utility charges, even if a designate is receiving the bill.

8.2.8 When the tenancy is terminated and the City has been notified, in writing, of such termination, the Owner/Tenant Designation will be terminated and all future utility bills will be sent to the property owner's mailing address or the rental property's mailing address, unless a new Owner/Tenant Designation is received by the City. Each time the name on the account changes, it is considered to be a new account, and incurs the new account fee.

8.2.9 Notice Where there is a Designation in Place

- 1) Where there is an Owner/Tenant Designation in place, if the utility account is in arrears, the property owner will receive copies of all of the Reminder Letters noted above that are being sent to the tenant.
- 2) When the property owner receives a copy of a Reminder Letter, the property owner has the option to submit a Request for Consideration of Water Shut Off to the City, in writing and in a form approved by the City, requesting that the City consider shutting off the water supply to the premises for the tenant who is in arrears.
- 3) The City will determine if shutting off the water is the next step in the collection process or is otherwise appropriate in the circumstances; if so, the City will advise the tenant and the property owner by letter that the water will be shut off if the arrears are not paid in full within 15 days; a copy of this letter will be sent to both the tenant and the property owner.
- 4) If the water is shut off, it will remain off until:
 - the property owner requests that the water be turned back on; the account is paid in full or, in the City's discretion, significant payment is made with additional payment arrangements that have been approved by the City; and any other conditions or requirements that City deems advisable are met or;

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- the City is required by law to restore the supply of water to the property or otherwise determines that it is appropriate to do so.

5) Once one of the options from #4 has occurred, the water will be turned back on by the City. Note: The City requires a minimum of 48 hours' notice to turn the water back on.

8.3 Repayment Arrangements

- 8.3.1 Repayment arrangements may be negotiated by the Operating Department with delinquent customers who agree to pay back their debt but are unable to repay their debt in one immediate lump sum.
- 8.3.2 Customers must sign a Repayment Agreement as evidence of their acceptance, and City approval of the Repayment Agreement must be granted in accordance with this policy.
- 8.3.3 Repayment arrangements must detail the schedule of payments negotiated with the customer.
- 8.3.4 Repayment arrangements must be approved by the Deputy Treasurer, Manager of the Operating Department, or designate(s), as the case may be in the circumstances.
- 8.3.5 Repayment arrangements that exceed 12 months must be approved by the Director of Finance.
- 8.3.6 The customer must provide post-dated cheques or sign up for pre-authorized payment for amounts as required by the repayment arrangement schedule.
- 8.3.7 Extension or renegotiation of a repayment arrangement agreement must be recommended by the Manager/Director and Deputy Treasurer and approved by them before a new repayment arrangement may be signed by the customer.
- 8.3.8 Absent exceptional circumstances, customers will not be provided with more than two (2) repayment arrangements. Subsequent requests will be denied and regular collection procedures as out in this policy will be followed.

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8.4 Collection Agencies

- 8.4.1 If the outstanding balance is less than the Small Claims Court limit, currently thirty-five thousand dollars (\$35,000), the customer account may be transferred to a Collection Agency, unless it is determined by the Deputy Treasurer that the account be transferred to the legal department.
- 8.4.2 The Collection Agency's fee is presently based on a percentage of each account collected as determined through the procurement process and included in the Tariff of Fees and Charges By-law and is paid by the delinquent customer.
- 8.4.3 The City currently utilizes the service of two (2) Collection Agencies. The City will place the accounts with one (1) Collection Agency. After nine (9) months, if no progress or recovery has occurred on these accounts, they are to be transferred to the second Collection Agency as a second placement.
- 8.4.4 Every month, the Collection Agencies are to provide Accounts Receivable with a status report on accounts referred to them. The Accounts Receivable Clerk will review the report and, for an account involving a person who has declared bankruptcy, is deceased, or the Collection Agency has coded the account as uncollectible, the account may, in whole or in part, be recommended for write off.

8.5 *Bankruptcy and Insolvency Act*

- 8.5.1 When Accounts Receivable receives a notice of bankruptcy, proposal to creditors or other official notification in accordance with the *Bankruptcy and Insolvency Act*, Accounts Receivable will review all Operating Departments' receivables for any outstanding balances and will communicate to the Operating Departments to review their accounts receivable systems to obtain balances owing to the City.
- 8.5.2 The Deputy Treasurer, or designate, will complete the proof of claim and sign on behalf of the City and submit such documents to the trustee to confirm the City's claim.

9.0 Write Offs

9.1 Doubtful Accounts will be written off when:

- listed with a Collection Agency

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- and identified by the Collection Agency as uncollectable, untraceable, deceased, bankrupt or advises that no assets remain to pursue further collection efforts; or
 - the account has been with the Collection Agency for more than two (2) years;
 - litigation is unsuccessful or deemed unlikely to be successful;
 - the City receives notification of bankruptcy from the Trustee in Bankruptcy;
 - payments are negotiated for a reduced amount;
 - it is deemed unfeasible to pursue the outstanding amount as the cost to collect would exceed the value of the debt; or
 - all collection methods are deemed to have been exhausted.
- 9.2 Write offs are applied against the related/appropriate Allowance for Doubtful Accounts or to the Bad Debt Expense account if no allowance was recorded.
- 9.3 **Interest adjustments or write off**
- 9.3.1 Where the interest on an account was accrued in the current fiscal year, the interest is reversed to the interest revenue account. Where the interest relates to prior fiscal years, the interest is written off.
- 9.4 An annual report of all accounts receivable write offs will be produced by the Manager of the Operating Department and reviewed/approved by the Deputy Treasurer and the Director of Finance.
- 9.5 The following positions may authorize the write off of Doubtful Accounts if, in their opinion, all means of collection have been exhausted. Job titles within the Operating Department Division authorized to write off receivables and limits are listed below. Within these thresholds, all of the listed employees are permitted to negotiate settlements with customers on behalf of the City, including:
- Manager level of Division: up to \$49.99 plus related interest
 - Deputy Treasurer: up to \$999.99 plus related interest
 - Director of Finance: up to \$24,999.99 plus related interest

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- Council: amounts of \$25,000 or more plus related interest

9.6 Any monies recovered from the customer subsequent to the write off will be posted as a recovery of bad debt.

10.0 Returned Cheques

10.1 Cheques may be returned by the bank for the following reasons:

- Account closed
- Funds not available
- Non-sufficient funds (NSF)
- Stop payment

10.2 Steps to be taken

10.2.1 Cheques will be processed by reapplying the payment to the customer account and adding the applicable returned cheque fee to the account.

10.2.2 A letter will be sent to the customer advising of the returned cheque.

10.2.3 The account will then follow the collection of accounts process including notice, and Collection Agency referral, where advisable.

10.2.4 If a customer submits two (2) returned cheques within a twelve-month period, absent exceptional circumstances, cheques will no longer be accepted unless they are 'certified'. Otherwise, the customer must pay with cash, debit card or by way of online banking.

11.0 Monitoring

11.1 A successful collection policy requires regular monitoring and acting as early as possible on outstanding accounts. Problems in individual accounts can be detected through a regular analysis of an aged accounts receivable listing. An aged accounts receivable listing divides each customer's account into invoiced amounts that are:

- Current;
- 31-60 days old;
- 61-90 days old;

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- 91-120 days old; or
 - More than 121 days old.
- 11.2 The longer an account is past due, the higher the risk of default. Past due accounts can be identified quickly by reviewing an aged accounts receivable listing and corrective action can be initiated promptly. As an account gets further behind, the balance may increase due to Interest Charges and the probability of collection decreases.
- 11.3 On a monthly basis Accounts Receivable will run an aged accounts receivable list and ensure appropriate staff are advised of delinquencies for the area in accordance with this policy.



December 4, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Roberta Marsh, Director of Human Resources

**Re: Harbourfront/Downtown Service Delivery Model
Harbourtown Ambassador Pilot Program**

Recommendation:

That Council hereby commits the reallocation of funding from the Pines/KHS Service Agreement totalling \$166,500.00 to the Community Services Division operating budget to support street beautification, cleaning and maintenance services through the delivery of:

- The Harbourfront/Downtown Service Delivery Model which includes the addition of one (1) Full Time Harbourtown Labourer and two (2) Labourer Helpers to the permanent staff complement at a net zero impact to the operating budget; and
- The New Harbourtown Ambassador Pilot Program to be delivered between May 1st – September 9, 2022. The amount to be funded for the delivery of this pilot program is \$153,000.00. Administration to consult with our community partners to identify synergies and opportunities for alternate funding sources.

Background:

The Harbourfront/Downtown Area is a priority for Council and it represents key area for Economic Development and Tourism. Coordinated efforts are required to ensure that the Harbourfront/Downtown Area is clean, safe, and functional. Kenora benefits from a strong network of community partners that operate within the Harbourfront/Downtown area.

On October 28, 2021 Pines/KHS informed the City of Kenora that it would not be renewing its service contract for 2022. For the past number of years Pines/KHS has held a vital role in the Harbourfront area by contributing to the City's economy through street beautification, cleaning and maintenance of Harbourfront Park, McLeod Park facilities.

To ensure service continuity, Administration undertook an internal review of its current workforce plan and service delivery model. The scope of the review was broadened to include community feedback received through the 2021 Community Survey and the 2021 OPP Policing Services Survey. In addition to street beautification and maintenance; safety, crime, and the impacts of social issues were identified as key areas of concern.

In response, Administration developed a workforce plan to ensure service continuity in the transfer of the street beautification and cleaning services from Pines/KHS to civic services. This service delivery model increases permanent staffing dedicated to the Harbourfront/Downtown by one (1) full time Harbourtown Labourer and two (2) fulltime Labourer Helper positions to the staff complement.

To complement the above and in support of the feedback received, Administration is recommending the introduction of the Harbourtown Ambassador Pilot Program. This program will provide dedicated focus to activating the Harbourfront/Downtown area while providing harmonized resourcing alongside our community, health, and law enforcement partners to improve the safety and health of all members of our community.

The Harbourtown Ambassador Pilot Program will ensure serve to:

- Activate City spaces
- Clean and beautiful streets and green space
- Visible, friendly, and knowledgeable resources
- Manage and mitigate risk
- Build on innovative and collaborative partnerships

If approved the Harbourtown Ambassador program would run during high season – May 1 – September 9, 2022.

Budget: The financial impact is zero as related to the Pines contract value being reallocated to internal labour. Increased operating cost for the 2022 Ambassador Pilot Program is \$153,000.00.

Risk Analysis: The financial risk of not undertaking these two initiatives based on the Enterprise Risk Management Policy would be moderate to major due to the impact on the local economy.

Communication Plan/Notice By-law Requirements:

Strategic Plan or other Guiding Document:

1-9 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.

2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.

2-9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support quality of life.

2021 – Economic Development and Tourism Strategy



December 3, 2021

City Council Committee Report

TO: Mayor and Council

FR: Kevin Gannon, Director of Engineering and Infrastructure Services

RE: Tree Cutting Services 2022

Recommendation:

That the hourly rates for tree cutting and stump grinding, submitted by United Tree Service on a "call as needed" basis only, be hereby accepted.

Background:

The City of Kenora requires the hiring of a tree cutting and stump grinding service, on an as-required basis, throughout the 2022 season.

The tender for Tree Cutting 2022 closed on December 2, 2021. One tender was received from United Tree Cutting Service, with pricing as follows:

<i>Description</i>	<i>Unit</i>	<i>Unit Price</i>
Bucket Lift Device with Operator and Ground Person	HR	\$155
Extra Ground Person	HR	\$40
Stump Grinder with One Person for Stumps up to 12" diameter	HR	\$80
Stump Grinder with One Person for Stumps 12" – 36" diameter	HR	\$188
Stump Grinder with One Person for Stumps over 36" diameter	HR	\$245
Professional Arborist Consultation	HR	\$50

Budget/Finance Implications: 2022 Operating Budget

Risk Analysis: As per the requirements of the ERM policy, there is a moderate risk when emergencies involving trees are not addressed in a timely manner, as the City may be held liable for damage that may occur, this can be mitigated by allowing for supplementary outside contracting of tree cutting services.

Communication Plan/Notice By-law Requirements:

Resolution required.

Distribution: R. Wilcott, S. Clifford

Strategic Plan or other Guiding Document:

Goal#1: Develop Our Economy

1-2 The City will forge strong, dynamic working relationships with the Kenora business community.



December 1, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Kevin Gannon, Director of Engineering and Infrastructure Services

**Re: Engineering and Infrastructure Services Quarterly Update –
September – November 2021**

Recommendation:

That Council hereby receives the Engineering and Infrastructure Services fourth quarter update as presented.

Background:

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. In an effort to provide Council with an update on progress towards achieving goals, the following report has been created.

Fleet Services

Capital projects:

Fleet has purchased the following vehicles and equipment in this quarter:

Roads Division

- 2021 Prinoth SW50 with 60" (inch) snow plow with coupler for all attachments. This Prinoth will be used for snow removal and sanding of sidewalks. This unit can be filled in the field by a side loader conveyor which will eliminate travel time to load at the operations building. Having the rear sander attachment on this machine allows for a third combination unit sanding the sidewalks while it is clearing snow, instead of sending another unit to sand behind it. This will allow the city to be more efficient, use the crews more wisely, and allow the Roads Division to meet the required minimum maintenance standard for sidewalks within the 48 hour time period.

Community Services

- 2021 Dodge Ram Regular cab 1500 4X4 with an 8' (foot) box equipped with a 38" (inch) electric hydraulic tommy gate. This truck is used by the Rec Centre staff at both arena facilities as required. This vehicle will also be used to assist Community Services. This vehicle replaced an older model vehicle which was moved to the Parks and Facilities Division, allowing use of another tommy gate, eliminating the need to wait on other divisions when one is needed.

Environmental Services Division

- 2021 Polaris Ranger 567cc full size UTV (Utility Tasks Vehicles) This UTV will be used for well testing at the landfill and will eliminate the need to rent a second ATV (quad) which will result in cost savings. When not in use by Solid Waste, it has the potential to be used in other departments which should result in savings for those departments. The old ATV (quad) was relocated to the Water & Wastewater Division to use around Coney Island.

There are still 2 (two) capital projects that have been ordered and for which PO's have been issued however, due to COVID, these delivery dates have been delayed. Dealers are still optimistic that these projects will be delivered before the end of the fiscal year. Both projects are for Environmental Services; a 2022 Dodge Ram 1500 crew cab 4 wheel drive and a Spector 53' steel open walking floor garbage trailer.

Fleet has carried over 5 (five) capital projects:

- GPS equipment
- 2021 Kubota RTV for Rec Centre
- 2022 Freightliner Vactor ramjet for W&WW
- 2022 Chevrolet Silverado 1 ton with electric dump box for Roads
- 2022 Chevrolet Silverado LT ¾ ton crew cab with 8' box for Roads

The global semi-conductor shortages have had a huge impact on these units being manufactured and delivered. COVID has also played a role in this delay, manufacturing plants were shut down for long periods of time and are still trying to catch up.

Fleet Division Operations:

The City hired a consultant (NADM) to conduct a thorough CVOR (Commercial Vehicle Operators Registration Program) internal audit. This is a huge milestone for the organization and was all due to the exceptional efforts of the team. The CVOR monitor, which is the internal Fleet Administrator, was a key component in capturing and ensuring consistent review of deliverables and that process corrections were obtained. I'm very proud of our entire team's achievement in this area and look forward to the progressive nature of this program's success. The next step in the process involves the contractor providing our team with a formal report that will include areas of focus to improve our program. It is important that the team review these recommendations and assess opportunities where improvements can be made which in turn will elevate the City of Kenora's position as a leader in vehicle and driver safety.

The CVOR registration certificate has been renewed for the year. There were 28 vehicles that required emissions tests and all validation tags (license plate stickers) were renewed. The IRP (International Registration Plan) and IFTA (International Fuel Trade Agreement) registrations for the two highway tractors were also renewed. All vehicles requiring rust check have been done for the winter and two vehicles were sent to Winnipeg for warranty/recall work this quarter.

The Operations scale inspection was completed on December 1st as well as the bi-annual scale calibration. Fleet paired with By-law and performed the annual licensing and taxi meter calibration tests for 18 taxis in total. The annual inspections for the two skid mount boilers have been completed and passed, we are just waiting for the TSSA certificates.

The Fleet Division has conquered all the bolts and cover plates on the Keewatin Bridge and has made and installed height restrictions signs on the CP Rail (Subway) Bridge on Veterans Drive. This project was achieved with teamwork between the Engineering, Roads and Fleet Divisions. The Fleet Division partnered with the Water and Wastewater Division to facilitate the annual inspection of the fuel station hydrocarbon filters and catch basins at the Operations Building. The fuel station had its annual Technical Standards & Safety Authority (TSSA) inspection, during which some minor defects were identified and repaired immediately.

The Fleet Division Manager along with the Director of Engineering and Infrastructure have had ongoing discussion with Volvo regarding a premature transmission failure on the 2019 L90 rubber tire loader for the Roads Division. After negotiations with the

Manager of Product Support for Volvo, Volvo has agreed to cover the costs for repair in full after initially issuing an invoice for those repairs.

In the month of October there was a tipping incident involving unit #218, a 2014 Western Star Tandem vector truck. This unit plays a big part in the Water and Wastewater Division and allows the department to perform digs for water and sewer repairs. They are currently renting a vehicle until this unit is back in service or replaced. The truck was initially towed to Joe Johnson Equipment in Winnipeg where they performed an inspection on the mounted body equipment. The truck was then towed to Connexion where they performed an inspection on the truck cab, chassis, and frame. Joe Johnson Equipment will provide us with both quotes which will be submitted to the insurance company to decide if it is repairable or will require replacement.

The Fleet Administration temporary job posting has been posted to ensure a smooth transition.

Fall is the busiest time in the Fleet Division as all vehicles begin to get "winterized", ready for the first snow and all summer equipment is put away. Every required vehicle was ready to go for the first snowfall this year.

Between September 1st and November 30th, the Fleet Division worked a total of 1829.25 hours on 221 vehicles and pieces of equipment for almost every division. The team completed 22 annual safety inspections and 56 preventative maintenance services in addition to regular repairs and maintenance.

Roads Department:

Brushing of roads completed to date:

Completed south side of tracks on Jones Road
Homestake Road to Transmitter Road
Section of Transmitter Road to just north of Gould Road
Started School Road off East Melick Road

Mowing/ Brushing of Roads:

- James Road
- Snow Drive
- Peterson Road
- Haney Road
- Bruckenburger Road
- Jarnel Drive & Jakson Road
- Worona & Worona Bay Road
- Coker Road
- Minenault Road
- Austin Lake Road & Schnarr Lake Road
- Kinger Road
- East Mellick Road

Before



After



Before



Mid Work



After



Manhole Repairs:

- Ninth Street North
- Fourth Avenue South
- Second Street South
- 3 on A Street
- Valley Drive (Catch Basin)

Before



After



Shoulder and Washout Repairs:

- Coker Road
- Hilly Lake Road
- Transmitter Road
- Homestake Road
- 8th Street North
- 8th Street South back lane

Before



After



Asphalt Repairs: Total amount of asphalt 542.55 m2 - 2021

- Lakeview Drive – east and west ends of Hospital bridge (re-occurring potholes)
- Norman Drive
- Main Street Rideout (2 Patches)
- Third Street North
- A Street (3 Patches)
- Fourth Avenue South
- First Street North
- Ninth Street North

Before



Before



After



After



Sidewalk repairs to date: 64 m3 of sidewalks - 2021

- Ninth Street North
- Fourteenth Avenue North
- Regina Avenue
- Main Street Rideout



Sidewalk Repair largest to date 39m

Culvert Replacements:

- Moore's Road
- Villeneuve North Road

Culvert/Storm Flushing/Inspections with Sewer and Water Division:

- Keewatin
- North Keewatin
- Norman
- Lakeview Drive Greenbelt
- North End
- Shauna Crescent
- Anderson Branch Road
- Airport Road at Donbrock Avenue

Before Culvert Flush



After Culvert Flush



**Culvert flushing
Keewatin**



Re-establishing storm ditch -



Sidewalk Railing Repairs: Railing moved out for sidewalk plows, telephone pole hazard.

Lyndale Ave

Before



After



Guard Rail Repairs:

- Ottawa Street
- Seventh Avenue South
- East Highway 17 (2 Locations)

Seventh Avenue South: Damaged guard rails replaced with jersey barriers and new sign installed.



Other Operating Achievements:

Grading of all rural gravel roads before freeze up:

- Essex Road & Hidden Trail Road
- Coker Road with 11 side roads.
- Austin Lake Road – Schnarr Lake Road
- Gauthier Rd – Halls Road
- Begg's Loop Road
- School Road
- Duffus Road
- End of Anderson Branch Road with 11 side roads.
- Carlton Road with 3 side roads.

- Homestake Road – Seitler Drive & Barkman Close
- Taillieu Road
- Moore’s Road
- Matheson Bay Road
- Strecker Road – Miller Road
- Ritchie Road – Lawton Road
- Miller Rapids Road
- Villeneuve South and North Roads

Seasonal night shift started November 21, 2021 for the removal of snow in the downtown core.

Removal of snow in City owned parking lots which consists of:

- City Hall
- Chipman Street parkade and lot
- First Street South–Thistle Drive lot
- The Muse
- Bernier Drive – Harbourfront lots
- Lakeview Drive
- McLeod Park
- Keewatin Arena
- Keewatin Public Library
- Dog park

Plowing of 19 accessible parking locations.

Shovelling of accessible ramps and City owned stairs at 16 locations.

Contractor, Joe Neniska & Sons have met the procurement requirements this year with the delivery of 7,300 mt (1000 kg = 1 mt) of sand for winter maintenance. A total of 440mt of bulk road salt is mixed with the sand.

We keep a small inventory of unmixed bulk salt (40-42mt) which is utilized when required for de-icing (freezing rain) events.

Water and Wastewater Division

Status Report Period: 2021 4th Quarter

Name of Project: Kenora Water Treatment Plant	
Project Manager: LBE ENGINEERING	Project Sponsor: Director of Engineering and Infrastructure Services
Start Date: August 2021	Completion Date: December 2021
Project Objective:	To complete installation of new pad mount primary transformer and new 450kw standby generator and transfer switch

Accomplishments:

- Project has been awarded to Lake of the Woods Electric.
- Selection of the Generator has been finalized.
- Budget has been set at \$ 975,000.00
- Construction has begun.
- Current expenditures to date for works is \$890,340.00

Schedule Status: On Schedule

Project Budget: \$975,000

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues		
	Responsible	Response/ Due Date
• Additional cost incurred to meet emissions requirements of the MECP	Change in environmental standards	Change order 1 Completed unit in production extra incurred
• ESA required additional manual transfer switch and additional splitter box for installation	ESA Requirement unforeseen during design	Change order 1 & 2 approved and unit in production extra cost incurred
• Rock breaking required for excavation extra	Unknown conditions	Extra incurred will finalize cost upon completion of trenching

Request for Project Adjustments:

Adjustment	Reason
• \$40,478.00	Change order 1 Generator upgrade and 800A manual transfer switch
• \$ 6494.00	Change order 2 Additional splitter box

Plans for Next Period:

- Continue excavation for underground electrical service.
- Begin installation of transfer switch and new electrical service entrance.
- Finalize removal of old generator and installation of new generator
- Finalize decommissioning of old transfer switch and removal of old transformers details.
- Finalize project completion and commissioning

Name of Project: Upgrades			
Project Manager: LBE ENGINEERING	Project Sponsor: Director of Engineering and Infrastructure Services		
Start Date: October 2021	Completion Date: December 2021		
Project Objective: Wastewater Treatment Plant grit separator raking mechanism refurbishment			

Accomplishments:

- Project was tendered and no bids were received on closing August 12, 2021.
- After a follow up to bidders the tender was modified and re-tendered and closed on September 17, 2021.
- Budget has been set at \$300,000.00
- Tender is for costs based on time and materials to refurbish the existing unit which has operated since 1977. While it is still in good shape, the moving parts are well worn and require replacement. The refurbishment was chosen over replacement which would likely have required a replacement of the headworks building and all processes contained within.
- No expenditures to date for these works.

Schedule Status: On Schedule

Project Budget: \$300,000.00

Budget Status: Original budget was \$300,000.00 by refurbishing the existing unit we will be able to realize a reduction in cost completing the works on a time and materials refurbishment

Lessons Learned / Best Practices:

Issues		
	Responsible	Response/ Due Date
• No Bidders on first tender opening August 12, 2021	Too much risk in bidding this project for Bidders	Went back to bidder to investigate why they chose not to Bid
• Re tender project after adjusting tender documents	bid opening on September 17, 2021	Work
• After further review original contract did not indicate a guaranteed Maximum Amount	Director of E&I Services engaged LBE on the concern and had the contract adjusted	New contracts arrived 30 Nov 2021

Request for Project Adjustments:

Adjustment	Reason
• \$-	Post Bid
• \$	

Plans for Next Period:

Contract to be signed by Council
Work expected to begin January 10, 2022

Name of Project: Valley Lift station Upgrades	
Project Manager: LBE ENGINEERING	Project Sponsor: Director of Engineering and Infrastructure Services
Start Date: October 2021	Completion Date: December 2021
Project Objective:	Replace existing pitless, piping structure and check valve assemblies to force main

Accomplishments:

- Project has been awarded to M Builds North Western Ontario.
- Mechanical design and construction methods have been finalized.
- Budget has been set at tender approved cost of \$ 468,900.00.
- Construction was set to begin in October.
- No expenditures to date for these works however we were able to negotiate a reduction in costs of \$14,100.00.
- Force Main Bypass valve replaced in house as part of Post Bid Addendum # 1

Schedule Status: On Schedule

Project Budget: \$468,900.00

Budget Status: Original budget was only \$300,000.00 however were able to realize a reduction in cost on our other Capital projects at the WTP and the WWTP to cover the additional cost of this project.

Lessons Learned / Best Practices:

Issues		
	Responsible	Response/ Due Date
<ul style="list-style-type: none"> Mechanical system Failure of force main check valves cracked and broken since May 2021 on both pumps. 	Pipe and valve deterioration	Temporary Emergency repairs completed to one pump and the other pump was disabled until repairs can be completed
<ul style="list-style-type: none"> Reduction in project costs with a post bid addendum # 1 	Revised work scope and materials	Complete cost savings realized \$14,100

Request for Project Adjustments:

Adjustment	Reason
<ul style="list-style-type: none"> \$-14,000.00 	Post Bid Addendum # 1
<ul style="list-style-type: none"> \$ 	

Plans for Next Period:

- Work was scheduled to begin in October when the new Flight Check valves arrive there was a 10 week delivery on these materials.

Environmental Services Division**Customers Served at the Transfer Station**

The Transfer Station served 13,404 customers in the past three months. These numbers do not include customers who used the recycling depot. The table below shows that 88.7% were residential, and 11.3% were commercial customers who used the scale facility.

Type of Waste	September	October	November	Total
Residential Customers	4,493	4,320	3,081	11,894
Commercial Customers	383	554	573	1,510

Tipping Fees Collected at the Transfer Station

Environmental Services has generated \$614,720 in revenue from tipping fees, including the sale of garbage bag tags in the past three months. The landfill received a higher amount of construction and demolition waste materials in October.

Description	September	October	November	Total
Tipping fee (\$)	184,863	250,773	179,084	614,720

Sale of Garbage Bag Tags

Environmental Services sold 60,920 bag tags in the past three months. Bag tags are sold at the Transfer Station, City Hall, and Library and from retail stores. The City provides a 5% discount per tag to retail stores. The garbage bag tag sales represent only 19.37% of the total revenue of the division.

Description	September	October	November	Total
Garbage bag tag sale	20,665	23,320	16,925	60,920
Revenue (\$)	40,520	45,510	33,050	119,080

Curbside Collection

Environmental Services collected 238.5 tons of garbage and 106.6 tons of blue box recycling from the curbside in the past three months. The diversion rate from the curbside is around 30.8%.

Type of Waste	September	October	November	Total
Garbage (tons)	88.8	79.3	70.4	238.5
Recycle (tons)	38.7	35.8	32.1	106.6

Garbage (Residential & Commercial)

Environmental Services collected/received 1,798.2 tons of commercial and residential garbage in the past three months. The garbage is disposed of at the Kenora Area Landfill. The curbside garbage represents only 13.2% of total garbage disposed at the landfill.

Type of Waste	September	October	November	Total
Garbage Residential & commercial (tons)	634.5	552.8	610.9	1798.2

Construction and Demolition Waste Materials

Environmental Services received 2,963.3 tons of construction and demolition waste from residential and commercial customers in the past three month period. The construction and demolition waste is disposed of at the Kenora Area landfill. Construction and demolition waste represent a significant portion of the waste managed by the department.

Type of Waste	September	October	November	Total
Construction & Demolition waste (tons)	793.6	1,450.2	719.5	2963.3

Scrap Metal

33.4 tons of scrap metal were collected at the Transfer Station for disposal/ recycling. The scrap metal is transported to the municipal yard on Ritchie road. The scrap metal is sold to a scrap metal contractor at the end of the year.

Type of Waste	September	October	November	Total
Scrap Metal (tons)	10.0	19.3	4.1	33.4

Sewer Sludge

Environmental Services received sewer sludge from the Wastewater Treatment Plant for disposal. The landfill buried 495.4 tons of sewer sludge in the past three months.

Type of Waste	September	October	November	Total
Sewer Sludge (Tons)	172.70	155.5	167.2	495.4

Industrial Ash

696.8 tons of Industrial ash was received at the landfill for disposal in the past three months from Weyerhaeuser. This is mixed with sewer sludge and used as cover material.

Type of Waste	September	October	November	Total
Industrial Ash (tons)	215.70	271.8	209.3	696.8

Hog Fuel

2,150 tons of hog fuel (mix of coarse chips of bark and wood fiber) was received at the landfill for disposal in these three months from Weyerhaeuser. This is used as a daily cover material to cover compacted garbage at the landfill in winter.

Type of Waste	September	October	November	Total
Hog Fuel (Ton)	246.7	862.9	1,041	2,150.6

Approved Contaminated Waste

The landfill has received 23.8 tons of approved contaminated soil for disposal in the three months. Approved contaminated waste is dirt or soil contaminated with diesel or gasoline. Contaminated waste is only accepted when a TCLP result shows a minimal presence of heavy metals. This is used as a daily cover material to cover the garbage in the landfill.

Type of Waste	September	October	November	Total
Approved Contaminated Waste (tons)	18.5	0	5.3	23.8

Electronic Waste

Environmental Services diverted 16.7 tons of electronic waste from the landfill in the past three months. This is free for the resident to dispose of at the Transfer Station. The Electronic Products Recycle Association provides service to remove the electronic waste collected at the Transfer Station.

Type of Waste	September	October	November	Total
Electronic Waste (tons)	7.6	4.1	5.0	16.7

Brush, Leaf & Yard waste

Environmental Services diverted 243.2 tons of brush, leaf & yard waste from the landfill in the past three months. The material is taken to the landfill and stored in a brush pile. A contractor is hired to grind the material along with tree branches. The ground product is placed in windrows for natural composting along with yard waste and grass.

Type of Waste	September	October	November	Total
Brush and yard waste wood chips (tons)	64.5	139.2	39.5	243.2

Blue Box Recycle Operation

Environmental Services transported 319.4 tons of blue box recycle waste materials to the recycling facility in Winnipeg from Kenora. The comingle portion was 48.8 %, cardboard was 42.1%, and mixed paper was 9.1%. No paper was transported to Winnipeg in October.

The City pays \$145 per ton to the recycling facility to recycle comingle, and the City is receiving an \$80-85 per ton of rebate for recycling cardboard.

Type of Waste	September	October	November	Total
Comingle (tons)	62.4	47.0	46.6	156
Cardboard (tons)	63.1	44.6	27	134.7
Mixed Paper (tons)	13.6	0	15.1	28.7

Dryden's Blue Box Recycle

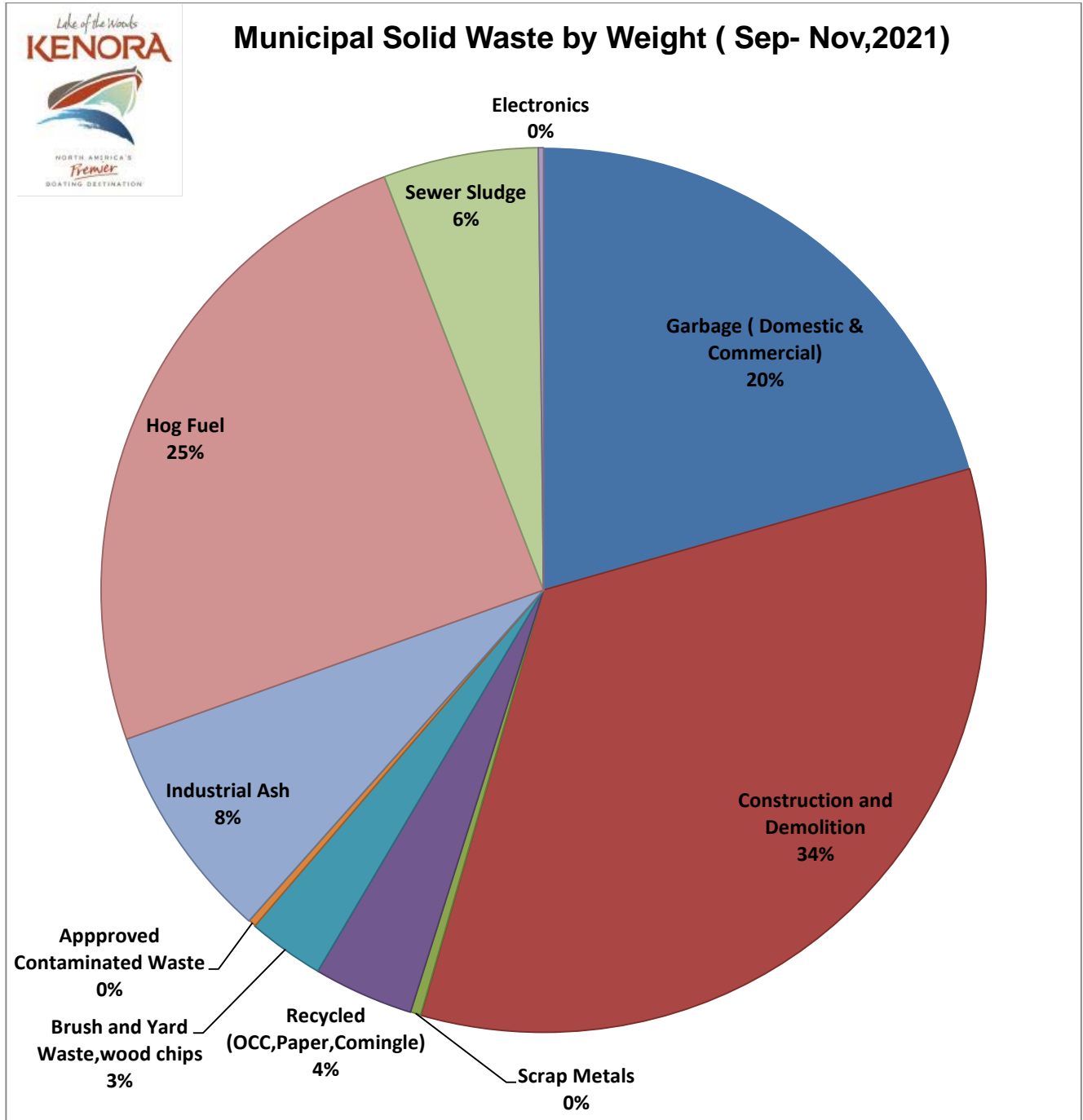
Environmental Services also helps the City of Dryden transport their blue box recycling materials to the recycling facility in Winnipeg. Environmental Services transported 208.3 tons of Dryden's blue box recycling waste materials to Winnipeg in these three months. Both Cities have an agreement to transport recycling. Currently Dryden is paying \$1,170 per trip to haul their recycle to Winnipeg.

Distribution of Municipal Solid Waste (Sep- Nov) 2021

The table below shows the municipal solid waste received /collected at the transfer station for disposal/recycling. A total of 8,740 tons of municipal solid waste was received for disposal in these three months. The Transfer Station diverted 612.7 tons of waste from the landfill, and 8,127 tons of municipal solid waste was disposed of in the landfill.

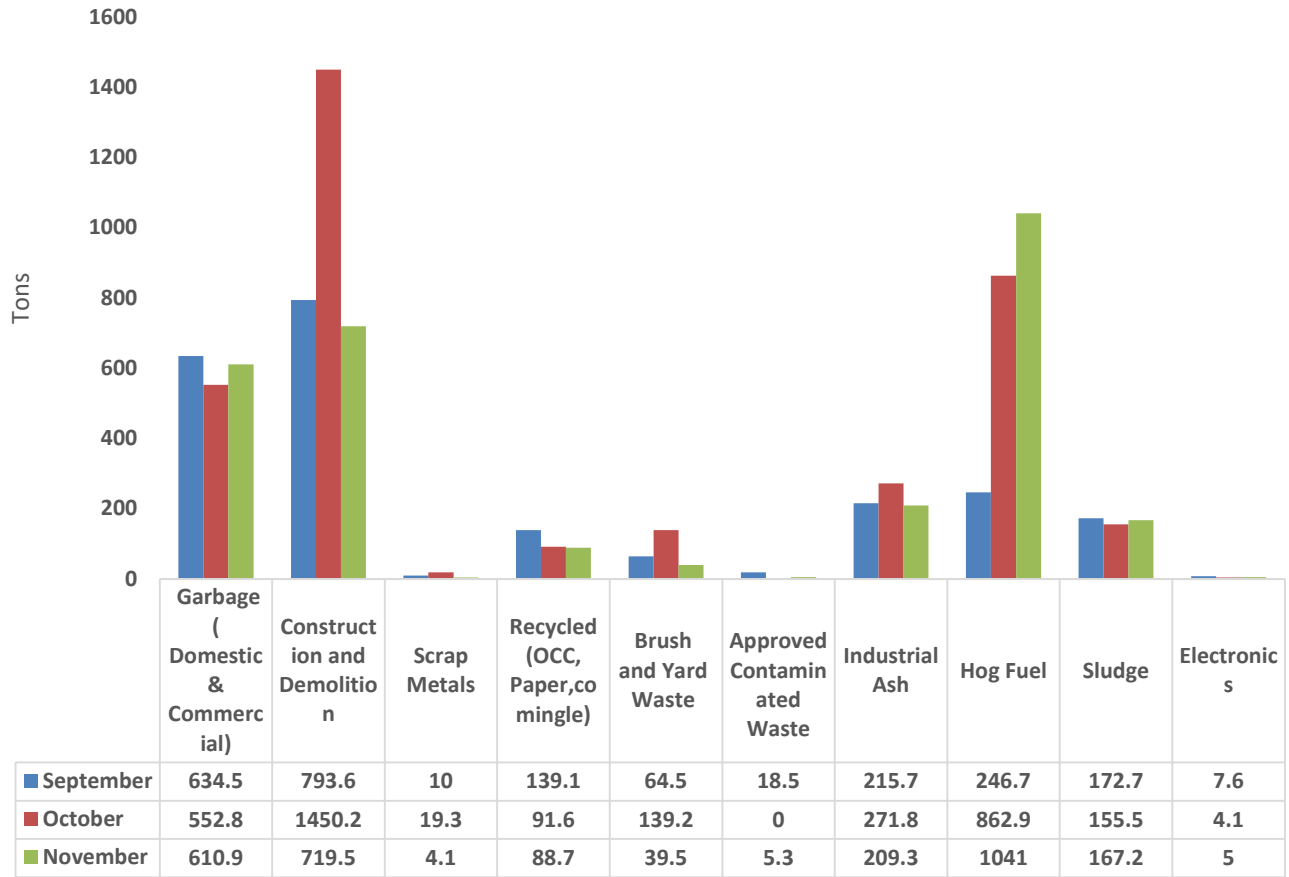
Waste Type	Weight (Tons)	Distribution
Garbage (Residential & Commercial)	1,798.2	20.5 %
Construction and Demolition waste	2,963.3	33.9 %
Scrap Metal	33.4	0.4 %
Blue Box recycle	319.4	3.6 %
Brush, leaf, and yard waste	243.2	2.7 %
Approved Contaminated waste	23.8	0.3 %
Industrial Ash	696.8	8.0 %
Sewer Sludge	495.4	5.6 %
Hog Fuel	2,150.6	24.6 %
Electronics Waste	16.7	0.2 %
Total	8,740.8	

The figure below shows the distribution of municipal solid waste collected in these three months (September, October and November) by weight. The municipal solid waste had 20% garbage, 34% Construction and demolition, 25% Hog fuel, 6% sewer sludge and 8% industrial ash.



The graph below shows monthly variations of municipal solid waste received at the transfer station.

Municipal Solid Waste Variations (Sep - Nov, 2021)



Environmental Services Capital Projects Update

21.448.01: Purchase of 3 - 40 yd. roll-off bin

Budget: \$30,000

Status: Complete

Purchased Price: \$28,374.3

21.448.02: Bin Area Expansion

Budget: \$200,000

Status: project cancelled

The tender price was 84% higher than the budget. The construction price was very costly. A reassessment of the project may take place in the future once the Blue Box transition impact is better known.

Lowest tendered price: \$325,175 plus HST

Engineering

Status Report Period: 2021 4th Quarter

Name of Project:	2021 Municipal Storm Works		
Project Manager:	Civil Technologist	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	October 2021	Completion Date:	November 2021
Project Objective:	Remove and replace storm sewer system on Railway St between Sedesky Rd and Pump Ave		

Accomplishments:

- Tender was issued, with a September 17, 2021 closing date.
- Easement agreement obtained from K-Sports Marine Inc.
- Tender awarded to Titan Contractors;
- Tendered works began November 2, 2021;
- Tendered works completed November 9, 2021;

Schedule Status: Currently untendered additional works to be undertaken in 2022 under Railway Street Phase 2, in order to complete project. Additional works to include installation of:

- Approximately 60 metres of 600mmØ storm main;
- A storm maintenance structure (MH);
- Ditching;
- Placement and grading of granular surfacing.

An easement through the subject property (1323 Railway Street) will be finalized, c/w legal survey, following project completion in 2022.

Project Budget: \$230,000

Name of Project:	2021 Municipal Paving Program		
Project Manager:	Civil Technologist	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	May 2021	Completion Date:	September 2021
Project Objective:	Rehabilitation and improvements to various municipal roads and lanes		

Accomplishments:

- Hwy 17 E from River Drive to 5th St S – Removal and replacement of pedestrian railing: Installation of new railing complete, removal of existing railing 50% complete. Removals to be completed early December 2021.
- Darlington Drive - Three wire guide removal and replacement completed; granular sealing not completed. Location to be assessed in spring of 2022 to determine need for granular sealing.
- Beach Road –Sidewalk complete; paving of eastbound and westbound lanes complete; landscaping complete; paving of gutters approximately 20% complete

– to be completed in spring 2022. Removal and replacement of pedestrian railing at Keewatin Beach scheduled for early December 2021.

Schedule Status: On Schedule

Project Budget: Municipal Paving \$1,443,604
 Lanes \$50,000
 Highway 17 E \$550,000

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues		
	Responsible	Response/ Due Date
<ul style="list-style-type: none"> Beach Road construction limits have been increased based on the available approved budget and tender prices received 		
<ul style="list-style-type: none"> Available approved budget allows for removal and replacement of poor condition pedestrian railing at 5th St S and Hwy 17 E intersection. Available approved budget allows for removal and replacement of non-compliant pedestrian railing on Beach Road at Keewatin Beach 		

Request for Project Adjustments:

Adjustment	Reason
•	
•	

Plans for Next Period:

- No activities scheduled for 1st Quarter 2022.
- Paving of gutters to be completed during the 2022 construction season, tentatively May/June 2022.

Status Report Period: 2021 4th Quarter Report

Name of Project:	2021 Sanitary Sewer and Storm Sewer CCTV Flushing and Inspections		
Project Manager:	Project Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	June 2021	Completion Date:	December 2021
Project Objective:	To flush and inspect the sanitary and storm linear assets to aid in cleaning, maintenance decisions, capital planning and asset management.		

Accomplishments:

- Received project report and contractor is currently addressing some deficiencies throughout.
- Cambrian Vacuum activated to supplement the remaining contract value.

Schedule Status: On Schedule

Project Budget: Sanitary sewer - \$100,000 Storm Sewer - \$60,000

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues			
	Responsible	Response/ Date	Due
•			

Request for Project Adjustments:

Adjustment	Reason
•	

Plans for Next Period:

- Review CCTV report for completeness and import data into City records.

Name of Project:	2021 Kenora Area Landfill Phase 1 Perimeter Road Construction		
Project Manager:	Project Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	September 2021	Completion Date:	May 2021
Project Objective:	To construct phase 1 of a road way and ditch lines surrounding the landfill extents and to install a permeable runoff retention basin for the natural attenuation areas.		

Accomplishments:

- Contractor mobilized equipment and began work late November 2021

Schedule Status: Schedule Variance

- Contractor scheduling delayed start of the project. Re-Compaction of base material and installation of surface material to occur in 2022.

Project Budget: \$500,000

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues			
	Responsible	Response/ Date	Due
•			

Request for Project Adjustments:

Adjustment	Reason
•	

Plans for Next Period:

- Maple Leaf drilling to reinstate monitoring wells after retention basin construction in early 2022
- Due to construction timing contractor to re-grade and re-compact the surface in addition to laying surface material in spring of 2022. Approximately 2 weeks of work.

Name of Project:	2021 Sewer and Water Rehabilitation Project		
Project Manager:	Project Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	April 2021	Completion Date:	September 2021
Project Objective:	To rehabilitate municipal sewer and water infrastructure including the replacement of surface works and including value added features where possible.		

Accomplishments:

- Project is substantially completed with the exception of three deficiencies to be addressed in the spring of 2022.

Schedule Status: On Schedule

Project Budget: Wastewater program - \$1,500,000 Water main program - \$1,500,000. Despite three future budget items to be finalized before the end of 2021 it is estimated the project will be approximately \$112,000 under budget. Of the \$112,000 in budget savings, \$22,790 is to be used to offset the Central Park Infrastructure Rehabilitation project.

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues			
	Responsible	Response/ Date	Due
•			

Request for Project Adjustments:

Adjustment	Reason
•	

Plans for Next Period:

- Titan to complete 12th Ave N sidewalk adjustment, 1 driveway patch and 7th Ave S sewer repairs in spring of 2022.

Name of Project:	2021 Railway Street Phase 2 – Utility Pole Relocation		
Project Manager:	Project Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	June 2021	Completion Date:	March 2022
Project Objective:	To rehabilitate and re-align Railway Street from Gould Road to the project limits of the 2020 rehabilitation work. To be completed by March 2022 is the realignment of the hydro		

network and other telecommunication providers along railway street.

Accomplishments:

- Synergy North's work of clearing the new pole alignment, moving their hydro infrastructure to the new pole and installation of underground conduit crossing complete.
- City of Kenora's street lights temporarily energized until construction works begin in 2022.

Schedule Status: On Schedule

Project Budget: CP Land budget amendment - \$175,000
Pole line relocation budget amendment - \$615,000

Budget Status: Satisfactory

Lessons Learned / Best Practices:

Issues			
	Responsible	Response/ Date	Due
• .			

Request for Project Adjustments:

Adjustment	Reason
•	

Plans for Next Period:

- Ensure telecommunications are on schedule to allow for 2022 construction
- Review City topographical survey update design drawings as required.
- Import as-built data into City GIS records.

Status Report Period: 2021 4th Quarter Report

Name of Project:	2021 Central Park Infrastructure Works		
Project Manager:	Project Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	August 2021	Completion Date:	September 2021
Project Objective:	To rehabilitate municipal sewer, water and storm infrastructure within Central Park.		

Accomplishments:

- Project completed ahead of schedule with no deficiencies.

Schedule Status: On Schedule and Complete

Project Budget: \$398,342 - Wastewater and water reserves - \$ 305,000, Storm reserves - \$90,000 and \$3,342 funded through the 2021 sewer water capital project that came under budget.

Budget Status: Minor Overage 5%

- In June of 2021 Council approved the use of anticipated savings from the 2021 Capital Sewer and Water Project to fund shortfalls. There has been additional savings under the same 2021 Sewer and Water Capital Project.
- The project has exceeded the approved sewer and water budget by \$18,847.72. Savings observed from the 2021 Sewer and Water Project are to be allocated

towards the variance in this capital sewer and water project, and reported upon to Council as per the 2021 budget amendment approved by the Director of Finance or Deputy Treasurer.

- Budget exceedance occurred as a result of unknown soil and ground water conditions. Additional materials were required to provide adequate sanitary pipe and maintenance hole support. See Figure 1: below.



Figure 1: Central Park - Geotextile Installation and Ground Water Infiltration

Lessons Learned / Best Practices:

Issues			
	Responsible	Response/ Date	Due
•			

Request for Project Adjustments:

Adjustment	Reason
•	

Plans for Next Period:

- None. Project Complete.

Name of Project:	Capital Bridges – Beggs Arch Culvert & Lajeunesse Bridge		
Project Manager:	Municipal Engineer	Project Sponsor:	Director of Engineering and Infrastructure Services
Start Date:	June 2021	Completion Date:	October 18, 2021

Project	Lajeunesse Bridge -Rehabilitation of the Deck & Footings
Objective:	Beggs Arch Culvert – Rehabilitation of the Footings

Accomplishments:

- Project has been awarded to KEM Construction of Thunder Bay.
- Stantec of Winnipeg is the engineering consultant performing inspection and contract administration.
- Construction has begun as of mid-June based on in water work restriction.

Schedule Status: Beggs Arch completed in July. Lajeunesse Bridge has been delayed from a Sept 1 opening to October 17, 2021 due to the project changing from a deck chip and patch repair to a deck replacement project based on the deck inspection after the asphalt surface was removed and half cell and delamination inspection was performed. Bridge was opened to traffic on October 18, 2021 a day past the expected re-scheduled opening as with poor weather up to October 17 the first opportunity for paving was October 18.

Project Budget: Beggs Arch Culvert \$249,390
Lajeunesse Bridge \$565,610

Budget Status: Satisfactory – contingency has been substantially used for change to new deck and more than expected below water level footing grouting and repairs for the Lajeunesse Bridge. Beggs Arch Culvert had more below water level footing grouting and repairs than originally anticipated. Both locations are still within budget at this time as per 3rd quarter reporting.

The underage from the Beggs Arch Culvert location will accommodate the increase scope of work and cost for the Lajeunesse Bridge full deck replacement as both locations are funded by Federal Gas Tax. Treasury has been informed of this circumstance and will be including this budget shift in the year end budget shift report to council. Final invoicing is still outstanding but expected to be within the total funding envelope available being cumulative sum of both bridges.

Lessons Learned / Best Practices:

Issues		
	Responsible	Response/ Due Date
• Ensure sufficient contingency funds for bridge and structure projects	N/A	N/A
•		

Request for Project Adjustments:

Adjustment	Reason
•	
•	

Plans for Next Period:

- Contractor to continue deck removal, forming and pouring of new cast in placed concrete deck and continue footing grouting for the Lajeunesse Bridge. To follow is guide rail installation and asphalt paving.
- Stantec to design new deck for the Lajeunesse Bridge.
- Project completed – no further reporting required for this project.



December 7, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Stace Gander, Director of Community Services

**Re: Application to Investing in Canada Infrastructure Program (ICIP) –
Community, Culture and Recreation (CCR)**

Recommendation:

That Council hereby directs administration to resubmit an application under the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation (CCR) program related to rehabilitation work at the Kenora Recreation Centre; and further

That the City of Kenora confirms its financial commitment of up to \$1,333,499.84 from the 2022 and 2023 Capital Budgets; and further

That Council hereby approves any expenditures for costs incurred that are deemed ineligible; and further

That Council hereby approves any cost overruns associated with the project.

Background:

In fall 2019, Administration submitted an application related to rehabilitation work at the Kenora Recreation Centre. Under that application, the City of Kenora would contribute up to \$1,333,499.84 over a five year period. If approved, ICIP would fund \$3,666,500.16 of rehabilitation work for a total of \$5,000,000 of rehabilitation work. While other local municipalities received significant levels of funding under the program, The City of Kenora's application was not successful.

On December 7, 2021, administration received an inquiry from ICIP asking if the City would be able to proceed with the project and if Council would cover any costs that exceed the \$5,000,000 limit and to cover any costs deemed ineligible through the transfer payment agreement.

At the December 3, 2021 Special budget meeting of Council, administration presented Council with its draft 2022 capital plan. Administration also presented the proposed capital spend for 2023 – 2026. A \$5,000,000 capital project for the Rec Centre would be a multi-year project. Total Rec Centre capital spend for 2022 inclusive of the proposed fitness equipment and baseball infield material is \$1,173,500. Capital project for 2023 is projected to be \$275,000. Therefore the total commitment for 2022 and 2023 exceeds the \$1,333,499.84 commitment being requested (totals \$1,448,500).

Under the funding envelop of 2019, projects had to be completed prior to 2027-28. In addition to federal criteria, Ontario's objectives for the 2019 proposed Community, Culture and Recreation stream project intake are noted below:

Projects will be assessed based on their alignment with these objectives:

- Meets community and user needs or service gap
- Promotes good asset management planning
- Represents good value for money
- Fosters greater accessibility

In addition to projects already identified in 2022 and 2023 budgets, projects that could be included if the funding if successful could include:

- Roof replacement on the Fitness Centre Side
- Dry pad replacement
- Walking track replacement
- Move and install new tennis courts
- Improve playing surface at the two baseball diamonds
- Renovations to arena locker rooms
- Miscellaneous rehabilitation projects intended to address the functionality of existing facilities in the rehabilitation and renovation category.

Budget:

The capital costs associated with this commitment are largely built into the 2022 capital budget. The commitment in 2023 is 275,000.

Risk Analysis: Under the Enterprise Risk Management Framework financial risk that exceeds \$1,000,000 is considered to be severe.

Communication Plan/Notice By-law Requirements:

By-law if contribution agreement is received from the ICIP.

Strategic Plan or other Guiding Document:

- 1-9 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.
- 2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.
- 2-9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support quality of life.



December 1, 2021

**City Council
Committee Report**

To: Kyle Attanasio, CAO

Fr: Stace Gander, Director of Community Services

Re: Applications to the Northern Ontario Heritage Fund Corporation (NOHFC)

Recommendation:

That Council hereby authorizes an application for funding to Northern Ontario Heritage Fund Corporation (NOHFC) under its Rural Enhancement Funding Stream for projects identified within the City's capital plan; and further

That Council approves any cost overruns associated with these projects.

Background:

The NOHFC's Rural Enhancement Funding Stream is targeting projects that provide incremental improvements, repairs and/or renovations to improve and extend the useful life of capital assets including: social and recreational facilities, municipal assets and community halls, which contribute to a healthy and vibrant community.

At the December 3, 2021 Special Council Meeting, Senior Leadership presented Council with the 2022 and the 2023 through 2026 capital plan. As part of that process, Administration presented Council with a detailed overview of projects in the Community Services Department. Under the current Rural Enhancement Funding Stream, Administration in conjunction with an NOHFC Advisor have identified an number of the 2022 and 2023 capital projects that can be submitted for funding. Administration will be developing Phase 1 applications for the following areas:

- The Kenora Recreation Centre rehabilitation work
- The Keewatin Arena rehabilitation work
- The Muse rehabilitation work
- Kenora Parks repair and improvement projects
- Kenora Docking improvement project
- Kenora Tourism improvement project
- Kenora baseball field improvement project

Budget: There is no financial impact related to this Phase 1 application beyond those costs outlined as part of the capital budget review.

Risk Analysis: The financial risk of these applications is related to not submitting applications for funding. If successful, the City of Kenora will be in an improved financial position.

Communication Plan/Notice By-law Requirements: By-law if contribution agreement is received from the NOHFC.

Strategic Plan or other Guiding Document:

1-9 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.

2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.

2-9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support quality of life.

2-10 The City will continue to explore opportunities to develop and improve our beaches, parks & trails.



December 14, 2021

**City Council
Committee Report**

To: Kyle Attanasio, CAO

Fr: Stace Gander, Director of Community Services

**Re: Application to the Northern Ontario Heritage Fund Corporation (NOHFC)
on behalf of the Kenora Rotary Club – Peace Park**

Recommendation:

That Council hereby authorizes an application for funding to the Northern Ontario Heritage Fund Corporation (NOHFC) on behalf of Kenora Rotary and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons for the new Peace Park; and further

That Council approves any cost overruns associated with the project.

Background:

At the October 20, 2020 Council meeting, Council authorized the use of Municipal lands locally known as the designated green space on First Avenue South between the former Blue Heron and former Laundromat to be designated as a "Peace Park". This new park which will include a monument honouring Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons ("MMIWGT2S+") in partnership with the Kenora Rotary Club.

Following the support for the use of the greenspace, administration has been actively working on a Memorandum of Understanding (MOU) between the City and the Kenora Rotary Club authorizing the conversion and maintenance of a Peace Park. Under the MOU being presented, the respective groups are responsible for the capital costs associated with the monuments and construction costs.

The NOHFC has opened a number of funding opportunities and this project appears to be an eligible fit for funding. Due to the fact that the groups do not own the municipal land, the City must be the applicant for the funding opportunity.

Budget: There is no financial impact related to this Phase 1 application.

Risk Analysis: There is low positive financial risk in undertaking this application to the Kenora Rotary and MMIWGT2S+ as it may contribute to their project costs.

Communication Plan/Notice By-law Requirements: By-law if contribution agreement is received from the NOHFC.

Strategic Plan or other Guiding Document:

- 2-4 The City will act as the catalyst for continuous improvements to the public realm;
- 2-10 The City will continue to explore opportunities to develop and improve our beaches, parks and trails.

Kenora's Economic Recovery Plan This project aligns with the objective to Bring Tourists Back to Kenora.



December 5, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

**Fr: Stace Gander, Manager of Community Services
Heather, Pihulak, Director of Corporate Services & City Clerk**

**Re: Missing and Murdered Indigenous Women and Girls,
Transgendered and Two Spirited Persons Monument – Memorandum of
Understanding – Peace Park**

Recommendation:

That Council hereby authorizes the Mayor and Clerk to execute the Memorandum of Understanding (MOU) between The Corporation of the City of Kenora and Wabaseemoong Independent Nation authorizing the placement of a monument honouring Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons in the new Peace Park; and further

That three readings be given to a bylaw for this purpose.

Background:

At the October 20th 2020 Council Meeting, Council supported and authorized the use of the green space located at First Avenue South as a Peace Park. As part of that vision, Council directed staff to enter into discussions with representatives of the Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons for the purpose of drafting a MOU related to a monument being located at the Peace Park. Those discussions have taken place and the MOU is now ready for execution.

Budget: The capital costs associated with the construction of the pad, the placement costs and the monument will be the responsibility of the Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons Committee.

Risk Analysis: There is a low to insignificant risk associated with this report.

Communication Plan/Notice By-law Requirements:

Notice to be given to the Kenora Rotary Club and the Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons Committee upon receipt of a Resolution of Council.

Strategic Plan or other Guiding Document:

- 1-9 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.
- 2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.

- 2-9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support quality of life.
- 2-10 The City will continue to explore opportunities to develop and improve our beaches, parks & trails.
- 3-7 The City will continue to build and strengthen our working relations with our Indigenous Partners, including Treaty 3 and the surrounding First Nations communities. Kenora is committed to ongoing outreach and building relationships, including joint meetings to identify issues of common concern and to discuss pathways for closer collaboration.

Location:



December 1, 2021

**City Council
Committee Report**

To: Kyle Attanasio, CAO

Fr: Stace Gander, Director of Community Services

Re: Community Services Quarterly Update –September – December 2021

Recommendation:

That Council hereby receives the Community Services Division fourth quarter update as presented.

Background:

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. In an effort to provide Council with an update on progress towards achieving goals, the following report has been created.

Parks & Facilities

Completed new LED Energy Efficient ice pad lighting upgrade at the Kenora Recreation Center

Before:



After



Norman Park Accessibility Path and retaining wall upgrades





Coney Island Footbridge island side abutment upgrade



Replaced two storage sheds with one new larger unit at Operations Center



Roof membrane and insulation replacement – Waste Water 700 Building

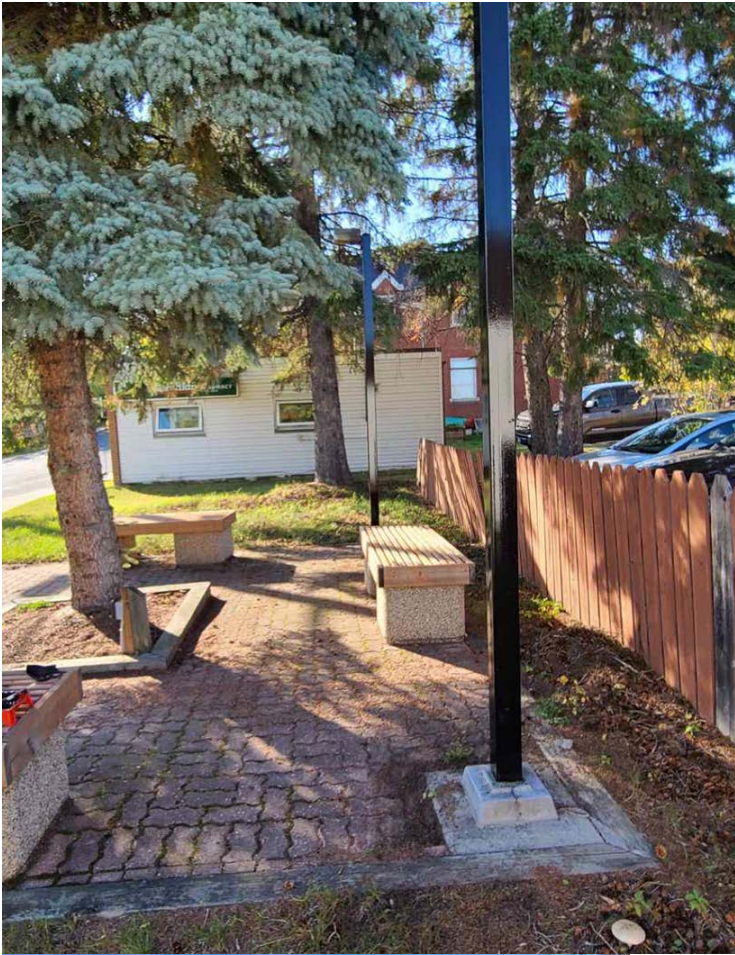


Completed docking upgrades at the Harbourfront, Water Treatment Plant, Coney Island and the Keewatin Rec Center. Includes 8 additional parking spots at the KMA as well as joining the portage



Refurbishing of City light standards and infrastructure









Tree planting project (17 new trees)





Training session on Baseball field maintenance and grooming with new Rascal Pro Infield Groomer.



Expanded the beach area at Garrow Park. Everything from the excavator to the right is new beach.



Raised and levelled dozens of monument stones at the Cemetery over the summer and fall. Large project but with significant improvement in visibility.



Tree well cleanup project and installation of ground covering.

Before:



Recreation & Tourism

Science North – Guinness Book of World Records Exhibit

The Lake of the Woods Discovery Centre in partnership with Science North hosted the Guinness Book of World Records exhibit from September 3rd to October 14th. Visitors and locals including multiple school groups had the opportunity learn about the Guinness Book of World Records while having the chance to set their records.



Science North – Science Week & Carnival

Science North and community partners including Tourism Kenora hosted Science week from September 20th – 25th that included multiple events throughout the week and culminated with a science carnival under the Whitecap Pavilion



Truth & Reconciliation Pow-Wow – Orange Shirt Day

The Whitecap Pavilion was utilized by Treaty 3 and partners to host a Truth & Reconciliation Pow-Wow in conjunction with Orange Shirt Day. This event was a huge success and organizers have reserved the date for the following year.



Main Street Tree Lighting

Tourism Kenora in partnership with Harbourtown Biz held the Main street tree lighting event on November 19th



Rec Centre Reopening – Pool & Thistle Arena

The Aquatic Centre reopened on August 30th after being closed for the majority of 2021. All programming including school board lessons has resumed to pre-covid status



The Thistle Arena ice was available for rent starting on September 20th. All pre-covid user groups with the exception of Beaver Brae Hockey Academy have returned and are utilizing both Kenora and Keewatin facilities

The first hockey tournament was held from November 19th – 21st.



Rec Centre Administration Operating Systems

The Recreation department made the final transition from Max Galaxy which was no longer supported to ActiveNet on October 12. This included customer and organization conversions, new online modules, adapting our financials into ActiveNet along with extensive training. Staff are still familiarising to the new system and ironing out small issues.

Kenora Recreation Centre & Keewatin Memorial Arena Repairs/Upgrades

- Upgraded waterline to Zamboni fill station due to failure. This has reduced the time to fill the Zamboni.
- Replaced one of the major circulation pump that control heat and hot water.
- Replaced on hot water storage tank in upper boiler room.
- Installed a new control system for the lane pool.
- Received approval from TSSA to reopen the waterslide. Due to COVID closure and the loss of waterslide contractor the waterslide had been shut down.
- Replaced exit doors in the Keewatin Memorial Arena.
- Replaced washroom partitions in the women's washroom at the Keewatin Memorial Arena.

Participant Visits by Activity

ACTIVITY	Year End 2020 (January – December)	Year End 2021 (January – December)
Lane Swim	4399	2416
Tot Swim	1030	661
WaterFit	1892	1208
GentleFit	1259	266
Schools	3684	4364
Public Swims	9851	5935
Family Swims	2696	89
Rentals	782	1207
Swim Lessons	3810	3043
Life Saving Society Programs	228	70
Special Olympics	123	92
Kenora Swimming Sharks/Kenora Borealis	1850	1450
Other (Special Programming)	422	550
Hot Tub	8402	4525
Pool Totals	40,428	25,876
Walking Track	7721	5797
Open Ice	1210	300
Fitness Centre	31,975	16,804
Group Fitness	2930	1059
Facility Total	84,264	49,836

- 2020 and 2021 were difficult years. Attendance numbers are down +50% due to restrictions and closures related to COVID - 19
- The Kenora Recreation Centre and Keewatin Memorial Arena closed January 1st – March 8th due to COVID – 19
- Aquatic Centre, Fitness Centre & Walking Track reopened March 8th
- The Kenora Recreation Centre and Keewatin Memorial Arena closed April 3rd – July 16th due to COVID – 19
- Fitness Centre & Walking Track reopened July 16th
- Aquatic Centre opened August 30th
- Restrictions were lessened to allow Group Fitness classes outside. We had 4 of our instructors offer outdoor classes at the Kenora Recreation Centre.
- All areas of the facility had a restriction on numbers attending the pool, gym and aerobics studio. Participants had to book appointments to attend all programs with limited numbers allowed; 15 participants in the gym for 1.25 hours, 9 participants in the Group Fitness Classes and the pool varied from each swim (30 participants in Family Swims, 6 people in lane swims and 15 in WaterFit). The facility removed participant numbers in all facilities and removed the booking procedures in October

Facility Rental Hours

Facility Booking in Hours	Year End 2020	July – November 2021
Thistle Rink	1703.25 hours	819 hours
Keewatin Memorial Arena	1083 hours	892.5 hours
Recreation Facility Rooms	1227.98 hours	349.25 hours

In 2020 the Kenora Thistle Arena and the Keewatin Memorial Arena were operating January – March 16th. The Kenora Thistle Arena opened mid-September and the Keewatin Memorial Arena opened November 1st.

In 2021 both facilities were closed January – July with no ice rentals. The Kenora Recreation Centre Dry Pad was used as a COVID vaccine clinic. The Keewatin Memorial Arena had Ice July 19th and the Kenora Thistle Arena had ice September 20th. July – August 2021 had 206 hours of regular summer user ice scheduled. Due to the shortened ice season in 2020 we saw an influx of ice being rented throughout the summer and added a tournament and a few new hockey camps.

Membership and Package Sales

Membership Type	Year End 2020	Year End 2021
Annual	107	74
Post-Summer - Secondary	4	10
90 Day	245	135
NEW 1 Month	196	147
NEW 6 Month	39	42
10 Visit Passes	291	234
25 Visit Passes	515	335
Instructional Program 10 and 25 Visit Passes	52	28

*The 2021 membership numbers only reflect sales in March & July– November 2021.

*All memberships were put on hold from March 16 – July 23 when gym opened. Some members requested refunds of their memberships, others continued to keep them on hold until they felt safe to re-enter the facility. All memberships were extended from the amount of time lost. Memberships were again put on hold during the lockdown beginning December 26, 2020.

* Memberships were adjusted when reopening on March 8th, however the facility closed April 3rd – July 16th and memberships had to be put on hold again. These closures resulted in many memberships purchased in 2020 to carry over into the New Year. We

had a few customers that did not feel comfortable returning and memberships are still on hold.

* Once the mandatory vaccine passport was implemented we had a few customers refund memberships as they were not permitted into the facility.

Parking Revenue

Parking Duration	Year End 2020	Year End 2021
Seasonal, Monthly, Weekly, Overnight and Day	\$57,291.73	\$79,004.85

* Parking Revenue was taken through the Discovery Centre, Pay Meters and Hotspot App.

*Anicinabe Park implemented paid parking in 2021 which resulted in a revenue of \$5248.

Ball Diamond Rentals

Ball Diamond Bookings in Hours	Year End 2020	Ball User Bookings in Hours	July – October 2021
Kenora Recreation Centre	579.43 hours	AH Flyers	39.5 hours
Millennium Park (A&W)	82 hours	Men’s Baseball League	285 hours
Kenora Central Park	6 hours	Women’s Baseball League	361 hours
Portage Bay (Keewatin)	86 hours	Seniors Baseball League	19 hours
Co-Op Ball Diamonds (Jaffray Melick)	44 hours	Minor Baseball League	122 hours
Total	797.43 hours		826 hours

Note: Data does not align due to a system change.

*The 2021 Baseball Season did not begin until July 5th. The Kenora Minor Baseball league did not start their season until September.

* The Kenora Chiefs Advisory book baseball fields all throughout the summer. Due to the change in system this is not reflected in the report. We also had tournaments throughout the summer that are also not reflected in this report.

Programs / Activities

Moved from Red Cross Swimming lessons to Lifesaving Society Swim for Life program	March Group Fitness – 22 classes offered weekly
March Swimming Lessons: Swim for Life Preschool: Minnow – Musky Swimmers 1 – 6 Canadian Swim Patrol Fitness Swimmer Sensory Swim Lessons	Pop Up Group Fitness Class – Introducing New Instructor: Tabata Kickboxing Tabata Step
March Swim & Play: 3 – 12 months 12 – 24 months 24 – 36 months	Virtual Awesome Adventures Day Camp April 12 th – 16 th 20 participants
Awesome Adventures Summer Day Camp 8 weeks June 28 th – August 20 th 16 participants	Outdoor Swim Programs: July - August National Lifeguard Waterfront Bronze Star Bronze Medallion & Emergency First Aid Bronze Medallion & Standard First Aid Canadian Swim Patrol Outdoor Private Lessons Outdoor Swim for Life: Swimmer 1 - 6
Outdoor Group Fitness Classes Rhythm Ride Step & Strength Power Pyramid HIIT Summer Sweat	July Pop up Indoor Group Fitness Classes: Zumba Summer Sweat Essentrics
August Group Fitness: 9 classes per week	Annual Mass Registration – 19 booths
September Group Fitness: 21 classes per week	September Swim Lessons: Swim & Play: 3 – 12 months, 12 – 24 months & 24 – 36 months Swim for Life Preschool Tues/Thurs: Minnow – Musky Swim for Life Swimmer Tues/Thurs: 1 – 6 Swim Fast Canadian Swim Patrol Swim for Life Preschool Sunday lessons Swim for Life Swimmer Sunday lessons
October Public Skating 14+ Open Hockey 55+ Open Hockey Tot & Me Public Skate	October Group Fitness: 22 classes per week
Bring a Friend Contest to Group Fitness classes for October	October Swimming Lessons: Swim for Life Preschool Tues/Thurs: Minnow – Musky Swim for Life Swimmer Tues/Thurs: 1 – 6 Swim Fast Canadian Swim Patrol

	Bronze Medallion & Emergency First Aid Adult Swim Lessons
Parent & Me Program – 10 participants	November Group Fitness: 17 classes per week

* School Board lessons began in September 2021

Risk Analysis:

As per the requirements of the ERM policy, operational risk would vary if the work were not completed based on several factors outlined in the ERM policy.

Communication Plan/Notice By-law Requirements: Information only

Strategic Plan or Other Guiding Document:

- 2-1 The City will ensure that our municipal infrastructure assets are managed and maintained using available resources through a robust asset management plan and process, with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems.

- 2-9 The City will support continuous improvements to creation and leisure amenities, particularly those that support the quality of life.



November 22, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Adam Smith, Director of Development Services

Re: Amendment to a By-law Respecting Construction, Demolition and Change of Use Permits and Inspections

Recommendation:

That Council gives three readings to a bylaw to adopt a new Construction, Demolition and Change of Use Permits and Inspections bylaw; and further

That By-law Number 100-2005 be hereby repealed.

Background Information:

Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, empowers Council to pass certain By-laws respecting construction, demolition, and change of use permits and inspections.

As part of the City's Service Delivery Review in 2020, the consultant retained for the project recommended an increase to building permits fees to reduce expenditures related to this service. The division currently operates at a net loss of approximately \$170-200,000 (based on 2019 and 2018 being used as baseline years). This loss is currently covered by the tax levy and while a goal of being revenue neutral may not currently be feasible, the gap should be significantly reduced. The current by-law was enacted in 2005 and since then has not been subject to any changes.

Staff are proposing to increase most fee classes, add some new fees reflective of structures regulated by the Ontario Building Code and delete those that are redundant to other classes or not regulated by the Code. During this review, staff also made several changes to align the existing by-law with the current iteration of Ontario's Building Code. Generally, the increases per square foot have been increased by roughly 43% which is commensurate to inflationary increases since 2005. To support Council in understanding impacts, staff have provided the following examples for different occupancy classes in the by-law:

Example Group A Occupancy (Assembly)

Pope John Paul II School (2006) 45,230 sq. ft.

Current Fee: \$31,661.00

New Fee: \$42,969.00

Example Group B Occupancy (Institutional/Care)

Kenora Jail Rapid Deployment Facility (2021) 26,156 sq. ft.

Current Fee: \$20,924.00

New Fee: \$27,464.00

Example Group C Occupancy (Residential)

Single family dwelling 4,972 sq. ft.

Current Fee: \$2,486.00

New Fee: \$3,729.00

Condominium (2020 - 561 Veterans Dr.) 9,600 sq. ft.

Current Fee: \$4,800.00

New Fee: \$7,200.00

Example Group F Occupancy (Industrial)

Warehouse (2008 - 60 Fourteenth St. N) 12,960 sq. ft.

Current Fee: \$4,536.00

New Fee: \$6,480.00

Alterations and Renovations

MNP (Meyer Norris Penny) 9,000 sq. ft.

Current Fee: \$4,536.00

New Fee: \$6,480.00

The SDR also involved a comparative analysis of communities including the City of Thunder Bay and Town of Collingwood. On average, permit fees for the City of Kenora were \$0.55 per square foot, whereas City of Thunder Bay was approximately \$1.37 per square foot and the Town of Collingwood's fees were \$0.95 per square foot. The Town of Collingwood's fees were approximately 76% higher than those of Kenora, and Thunder Bay's fees were 153% higher than that of Kenora.

Budget: The proposed fees are expected to reduce the gap between revenues and expenditures in the Division thus, decreasing the reliance on the tax levy.

Risk Analysis: There is a moderate financial risk but this is deemed to be an opportunity to increase revenues in the division thus reducing the impact on the tax levy and supporting service enhancements in the Building Division including new technology and review tools.

There is a moderate governance risk arising from a potential negative reaction from the development community. The City has received feedback on the high costs related to construction in Kenora, however, as demonstrated by the comparative analysis, the increases are not inconsistent with other comparable municipalities.

Communication Plan/Notice By-law Requirements:

Notice By-law

Strategic Plan or other Guiding Document:

3-4 The City will embrace the importance of empowering Staff to make decisions that consistently demonstrate our commitment to making prompt, efficient and courteous customer service to our residents

By-law 100-2005: Permit Fees

****New table created from bylaw**

Class of Permit, Occupancy and work description	FEE (\$/ft2)	FEE (\$/linear ft)	FEE (\$)
Construction – New Buildings, Additions, Mezzanines			
Group A: Assembly Buildings			
Shell Building Only	0.85 /sq. ft.		
Finished Building with interior walls/rooms	0.95 /sq. ft.		
Portable Classrooms per unit			100.00 flat fee
Outdoor Public Patio			75.00 flat fee
Outdoor Public Pool/Spa			275.00 flat fee
Group B: Institutional			
without detention/retention	1.00 /sq. ft		
with detention/retention	1.05 /sq. ft		
Group C: Residential			
detached, semi, row, townhouse, duplex	0.75 /sq. ft		
finished basement	0.75 /sq. ft		
attached garage/carport	0.45 /sq. ft.		
shed, uncovered deck, porch, detached garage	0.45 /sq. ft.		
apartments, residential care	0.80 /sq. ft.		
hotel, motel	0.90 /sq. ft.		
Group D: Business and Personal Services			
office building shell only	0.75 /sq. ft.		
office building with interior walls/rooms	0.85 /sq. ft.		
Group E: Mercantile			
retail stores shell only	0.70 /sq. ft.		
retail stores with interior walls/rooms	0.80 /sq. ft.		
Group F: Industrial			
warehouse/factory shell only	0.85 /sq. ft.		

By-law 100-2005: Permit Fees

warehouse/factory with interior walls/rooms	1.10 /sq. ft.		
parking garage (under or above ground/open-air)	0.80 /sq. ft.		
farm building/greenhouse - low human occupancy	0.35 /sq.ft		
Other Designated Structures			
air supported structures	0.45 /sq. ft.		
retaining walls over 1M exposed face		1.50 /lineal ft.	
demising wall or firewall		1.15 /lineal ft.	
Signs as per OBC			100.00 flat fee
solar collector (residential)			100.00 flat fee
solar collector (non-residential)			200.00 flat fee
Staged Permit Foundation to Grade			
(counts toward total permit fee)	0.20 /sq ft.		
Interior Finishes all Classifications:			
Interior finishes to previous unfinished areas	0.50 /sq. ft.		
Miscellaneous Categories:			
building fabricated elsewhere and moved onto site	0.55 /sq. ft.		
fireplace/woodstove incl. outdoor (each)			75.00 flat fee
exterior ramps and stairways (each)			75.00 flat fee
barrier free ramp			75.00 flat fee
balcony guard (replace)			55.00 flat fee
foundation repair or drain tile replacement			75.00 flat fee
deck and stairways (replace same size)			50.00 flat fee
reclad exterior (per storey)			65.00 flat fee

By-law 100-2005: Permit Fees

shoreline structure for private dock	0.45 /sq. ft.		
boathouse (single storey only)	0.60 /sq. ft.		
dock, floating, pile or crib by length		2.00 /lineal ft.	
elevator, lift, escalator			110.00 flat fee
pre-fabricated "cover-all" style structures	0.45 /sq. ft.		
temporary tents and buildings (max 180 days)			55.00 flat fee
major demolition more than 1500 sq. ft.	0.10 /sq. ft.		
minor demolition less than 1500 sq. ft.			65.00 flat fee
change of use (no construction)			100.00 flat fee
barrier free access to single-family detached or semi-detached			75.00 flat fee
Mechanical Work : independent of building permit			
HVAC per residential suite			65.00 flat fee
HVAC per non-residential suite			75.00 flat fee
sprinkler system (NFPA 13)			200.00 flat fee
commercial kitchen, spray booth			100.00 flat fee
Electrical Work: independent of building permit			
alter/replace life safety systems			150.00 flat fee
Plumbing Work: independent of building permit			
plumbing per fixture/drain (min. \$30.00)			25.00 flat fee
conversion from private to municipal service			75.00 flat fee

By-law 100-2005: Permit Fees

Alterations and Renovations: all classifications			
partitions, washrooms etc. less than 200 ft ²			65.00 flat fee
alterations to pervious finished areas	0.35 /sq. ft.		
replacement roofing with structural work	0.20 /sq. ft.		
Occupancy: all building prior to completion			
per suite or unit (excluding detached homes)			50.00 flat fee
Change of Permit Holder:			
property changes hands prior to completion			50.00 flat fee
Deferred Inspection			
permit has been dormant 12 months or more			50.00 flat fee
Plans Examination Deposit: Non-refundable, credited to final permit fee (at the discretion of the CBO)			
plans examination under 1,000 ft ²			50.00 flat fee
plans examination under 1,001 ft ² to 6,000 ft ²			200.00 flat fee
plans examination under 6,001 ft ² to 25,000 ft ²			500.00 flat fee
plans examination over 25,001 ft ²			2,000.00 flat fee
Special Charges:			
application fee where a Registered Code Agency will perform the plans examination and inspections functions for the municipality			Larger of 10% of normal fee or 200.00

By-law 100-2005: Permit Fees

inspection requested outside normal hours			60.00 /hour
re-inspection if work not ready when called			100.00 per call
re-inspection to verify Order complied with			100.00 per call
where inspector is on location as work progresses			60.00/per hour
Re-examination of plans after permit issued			50.00/per hour
Special research of records request			50.00/per hour
Special Inspection Fees where work is started prior to a permit being issued: at commencement stage of:			
Footings, foundations or other work to grade			25% fee increase
Structural framing or any part above grade			50% fee increase
At substantial completion of:			
Building completed or occupied			100% fee increase
Demolition or partial demolition			100% fee increase

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER XX400 - 202105

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A By-law Respecting Construction, Demolition and Change of Use Permits and Inspections

WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, empowers Council to pass certain By-laws respecting construction, demolition, and change of use permits and inspections;

NOW THEREFORE the Council of The Corporation of the City of Kenora enacts as follows:

1. SHORT TITLE

This By-law may be cited as the “Building By-law”.

2. DEFINITIONS AND WORD USAGE

In this By-law:

- (1) (a) **“Act”** means the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended.
- (b) **“as constructed plans”** means as constructed plans as defined in the Building Code.
- (c) **“architect”** means a holder of a license, a certificate of practice, or a temporary license under the Architect’s Act as defined in the Building Code.
- (d) **“applicant”** means the owner of a building or property who applies for a permit or any person authorized in writing by the owner to apply for a permit on the owner’s behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under authority of such person or corporation.
- (e) **“building”** means a building as defined in Section 1(1) of the Act.
- (f) **“Building Code”** means the regulations made under Section 34 of the Act.
- (g) **“Chief Building Official”** means the Chief Building Official appointed by the By-law of The Corporation of the City of Kenora for the purposes of enforcement of the Act.
- (h) **“Corporation”** means The Corporation of the City of Kenora
- (i) **“farm building”** means a farm building as defined in the Building Code.
- (j) **“owner”** means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property.
- (k) **“permit”** means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law and the Act, or to change the use of a building or part of a building or parts thereof as regulated by the Act.
- (l) **“permit holder”** means the person to whom the permit has been issued and who assumes the primary responsibility for complying with the Act and the Building Code.

- (m) **“plumbing”** means plumbing as defined in Section 1(1) of the Act.
 - (n) **“professional engineer”** means a person who holds a license or a temporary license under the Professional Engineer’s Act, as defined in the Building Code.
 - (o) **“registered code agency”** means an agency registered in accordance with the Act and the Building Code.
 - (p) **“sewage system”** means a sewage system as defined in Section 1(1) of the Act.
- (2) Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

3. CLASSES OF PERMITS

- (1) Classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall be as set out in Schedule “A” appended to and forming part of this By-law.
- (2) Plumbing shall be considered as construction and unless performed separately shall be included as part of the applicable class of permit as set out in Schedule “A” appended to and forming part of this By-law.

4. PERMITS

- (1) To obtain a permit, the owner or an agent authorized in writing by the owner shall file an application in writing by completing a prescribed form available from the Chief Building Official or from the Building Code Website and shall supply any other information relating to the application as required by the Chief Building Official.
- (2) Every application for a permit shall be submitted to the Chief Building Official and contain the following information:
- (3) Where the application is made for a **construction permit** under Subsection 8(1) of the Act, the application shall:
 - (a) use the provincial application form, “Application for a Permit to Construct or Demolish”;
 - (b) include complete plans and specifications, documents and other information as required by Article ~~12.34.1+3~~ Division C+B of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) state the valuation of the proposed work including materials and labour and be accompanied by the required fee as calculated in accordance with Schedule “A” appended to and forming part of this By-law;
 - (d) when ~~Section 2.3~~Subsection 1.2.2 Division C of the Building Code applies, be accompanied by a signed acknowledgment of the owner on a form prescribed by the Chief Building Official that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building;
 - (e) when Subsection 1.2.2 Division C~~Section 2.3~~ of the Building Code applies, be accompanied by a signed statement of the architect or professional engineer, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;

- (f) include, where applicable, the registration number of the builder or vendor as provided in the Ontario New Home Warranty Plan Act;

- (g) include, where applicable, the municipal business license number(s) of the builder, plumber, electrician, gas fitter, sheet metal worker, chimney builder or heating, air conditioning and ventilation contractor;
 - (h) include, where applicable, copies of all other permits required by other authorities having jurisdiction; and
 - (i) be signed by the owner or his or her authorized agent who shall certify as to the truth of the content of the application.
- (4) Where application is made for a **partial permit** under Subsection 8(1) of the Act, the application shall:
- (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (b) include complete plans and specifications, documents and other information as required by [Article 1.3.1.3. Division C Article 2.4.1.1B](#) of the Building Code and as described in this By-law covering the portion of the work for which immediate approval is desired;
 - (c) contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;
 - (d) state the time in which plans and specifications for the complete building will be filed with the Chief Building Official; and
 - (e) be accompanied by the fees applicable to the complete project as calculated in accordance with Schedule "A" appended to and forming part of this By-law.
- (5) Where application is made for a **demolition permit** under Subsection 8(1) of the Act, the application shall:
- (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (b) include complete plans and specifications, documents and other information as required by [Article 1.3.1.3. Division C Article 2.4.1.1B](#) of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all water, sewer, gas, electric, telephone, cable TV or other utilities and services; and
 - (d) be accompanied by the required fee as calculated in accordance with Schedule "A" appended to and forming part of this By-law;
- (6) Where application is made for a **conditional permit** under Section 8(3) of the Act, the application shall:
- (a) use the provincial application form, "Application for a Permit to Construct or Demolish";
 - (b) include complete plans and specifications, documents and other information as required by [Article 1.3.1.3. Division C Article 2.4.1.1B](#) of the Building Code and as described in this By-law for the work to be covered by the permit;
 - (c) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
 - (d) state necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;

- (e) be accompanied by the required fee as calculated in accordance with Schedule "A" appended to and forming part of this By-law; and
 - (f) state the time in which plans and specifications for the complete building will be filed with the Chief Building Official.
- (7) Where application is made for a **change of use permit** under Section 10(1) of the Act, the application shall:
- (a) describe the building or part thereof in which the occupancy is to be changed, by a description that will readily identify and locate the building;
 - (b) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
 - (c) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance rating and load bearing capacities, and details of the existing sewage system, if any;
 - (d) be accompanied by the required fee as calculated in accordance with Schedule "A" appended to and forming part of this By-law;
 - (e) state the name, address and telephone number of the owner; and
 - (f) be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.
- ~~(8) Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains **an equivalent material, system or building design** for which authorization under Section 9 of the Act is requested, the following information shall be provided:~~
- ~~(a) a description of the proposed material, system or building design for which authorization under Section 9 of the Act is requested;~~
 - ~~(b) any applicable provisions of the Building Code;~~
 - ~~(c) (a) evidence that the proposed material, system or building design will provide the level of performance required by the Building Code.~~
- (9) Where an application for a permit will require a **sewage system** permit under Section 8 of the Act, the application shall include:
- (a) a copy of the sewage system permit as issued by the Northwestern Health Unit.
- (10) The Chief Building Official may, where conditions in Subsections 8.(3) to 8.(5) of the Act and subsection (6) above have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code, any applicable law, and the signing of an agreement by the applicant to restore the property to its original condition in the event that the imposed conditions are not met within the time limit set out in said agreement.
- (11) The Chief Building Official shall not, by reason of the issuance of a permit or permits for a part or parts of the building issued under subsections (4) and (6) be under any obligation to grant any further permit or permits therefore.

- (12) Where a permit is issued for part of a building or project, this shall not be construed to authorize construction beyond the plans for which approval was given nor that approval will necessarily be granted for the entire building or project.
- (13) Where an application for a permit remains incomplete or inactive for six months after it is made, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the applicant.

5. REVISION TO PERMIT

After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing, to the Chief Building Official together with the details of such change, which is not to be made without his or her written authorization.

6. PLANS AND SPECIFICATIONS

- (1) Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition or change of use will conform with the Act, the Building Code and any other applicable law.
- (2) Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two (2) complete sets of plans, specifications, documents and other information required to be furnished with an application for permit having regard for the requirements of any Act, regulation or By-law respecting the examination or circulation of the application.
- (3) Plans shall be drawn to scale upon paper or other suitable durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule "C" to this By-law unless otherwise specified by the Chief Building Official.
- (4) Plans produced by a person other than the owner of the property upon which the construction is proposed shall be by a designer registered or qualified as required by the Act and Building Code and where required by Part [3 Division C2](#) of the Building Code the designer(s) shall be registered or qualified professional engineers and/or architects.

7. THE SITE PLAN

- (1) Site plans shall be referenced to an up to date plan of survey certified by a registered Ontario Land Surveyor and, when required to demonstrate compliance with the Act, the Building Code or other applicable law, a copy of such survey shall be submitted to the Chief Building Official:
- (2) Site plans shall show:
 - (a) lot size and dimensions of property lines and setbacks to any existing or proposed buildings;
 - (b) existing and finished ground levels or grades;
 - (c) existing rights of way, easements and municipal services; and
 - (d) proposed fire access routes and existing fire hydrant locations.

8. PAYMENT OF FEES

- (1) The Chief Building Official shall determine the required fees calculated in accordance with Schedule "A" appended to and forming part of this By-law for the work proposed and the applicant shall pay such fees. No permit shall be issued until the applicable fees thereof have been paid in full.

- (2) Where the fees payable in respect of an application for a construction or demolition permit issued under Subsection 8(1) of the Act or a conditional permit issued under Section 8(3) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys above grade and below grade measured as the horizontal area between the outside of the exterior walls of the building, provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- (3) Where fees payable in respect of an application for a change of use permit issued under Subsection 10(1) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys subject to the change of use measured as the horizontal area between the outside of the exterior walls of the building or to the outside of the walls separating the applicable floor area from other areas of the same storey.
- (4) Where fees payable in respect of an application are based upon the cost of the proposed work the Chief Building Official may place a valuation on the cost of the proposed work for the purpose of establishing the permit fee, and where disputed by the applicant, the applicant shall pay the required fee under protest and, within six months of the completion of the project, shall submit an audited statement of the actual costs, and where the audited costs are determined to be less than the valuation, the Chief Building Official shall issue a refund.
- (5) In the event that a cheque for payment of applicable fees is returned marked "Not Sufficient Funds", (N.S.F.) the permit shall be deemed to have not been issued and any work done pursuant to such permit shall cease forthwith and the permit shall only be re-issued upon receipt of applicable fees in cash or by certified cheque together with payment for any other cost incurred by the municipality as a result of such cheque being returned.
- (6) In the event that work is found to be started before an application has been made or a permit has been issued, a special inspection fee shall be applied in addition to any other fees applicable and shall be calculated in accordance with Schedule "A" appended to and forming part of this By-law and the applicant shall pay such fees.

9. REFUNDS

- (1) In the case of withdrawal of an application or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees, if any, that may be refunded to the applicant in accordance with Schedule "B" appended to and forming part of this By-law.
- (2) Subject to subsection 12(1)(b), there shall be no refund of permit fees where a permit has been revoked.

10. NOTICE REQUIREMENTS FOR INSPECTION

- (1) The owner or an authorized agent shall notify the Chief Building Official at least one business day prior to each stage of construction for which notice in advance is required under the Building Code.
- (2) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official.
- (3) Failure to give notice for inspection of each stage of construction for which notice in advance is required under the Building Code shall be ground for issuance of an order to uncover at the expense of the permit holder.
- (4) Where a mandatory inspection notice has been given to the Chief Building Official the work shall not be covered until the inspection has been performed or two full working days excluding the day of notification have passed.

11. PRESCRIBING FORMS

- (1) Forms not provincially prescribed but required by the municipality are prescribed as follows:
 - ~~(2) Application for a Change of Use of a building or part of a building is hereby attached as Schedule “D”;~~
 - ~~(3) Permission for Change of Use is hereby attached as Schedule “E”;~~
 - ~~(4) Application for the Use of an Equivalent is hereby attached as Schedule “F”;~~
 - ~~(5) Letter of Undertaking is hereby attached as Schedule “G”;~~
 - ~~(6)~~(2) General Review Commitment Certificate is hereby attached as Schedule “DH”;
 - ~~(7) Application for Occupancy is hereby attached as Schedule “I”;~~ and
 - ~~(8)~~(3) Occupancy Permit is hereby attached as Schedule “EJ”;

~~11.~~ 12. AS CONSTRUCTED PLANS

- (1) On completion of the construction of a building, the Chief Building Official may require a set of “as constructed” plans, including a plan of survey showing the location of the building.
- (2) As constructed plans shall be drawn to scale upon paper or other suitable durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule “B” to this By-law unless otherwise specified by the Chief Building Official, or alternatively;
 - (a) at the discretion of the Chief Building Official may be produced in AutoCAD or Adobe Acrobat file format and submitted on standard compact disk(s); or,
 - (b) at the discretion of the Chief Building Official may be produced in AutoCAD or Adobe Acrobat file format and submitted as an attachment to E-mail to the account maintained by the municipality in the name of the Chief Building Official.
- (3) Plans and specifications furnished according to this By-law or otherwise required by the Act become the property of the municipality and shall be disposed of or retained in accordance with relevant legislation.

13. PERMIT REVOCATION, DEFERRAL OF REVOCATION, AND TRANSFER

- (1) Revocation of permit:

The Chief Building Official may revoke any permit:

 - (a) If it was issued on mistaken, false or incorrect information;
 - (b) If, after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the Chief Building Official, been seriously commenced;
 - (c) If the construction or demolition of the building is, in the opinion of the Chief Building Official, substantially suspended or discontinued for a period of more than one year;
 - (d) If it was issued in error;
 - (e) If the holder requests in writing that it be revoked; or

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(f) If a term of the agreement under clause 4 (10) has not been complied with.

Notice:

- (2) Prior to revoking a permit under Clause 13 (1) (b) and (c), the Chief Building Official shall give written notice of intention to revoke to the permit holder at his or her last known address and, if on the expiration of thirty (30) days from the date of such notice, the ground for revocation continues to exist, the permit may be revoked without further notice and all submitted plans and other information may be disposed of.
- (3) Deferral of Revocation:
 - (a) On receipt of a notice of intention to revoke a permit, a permit holder may request in writing within thirty (30) days from the date thereof the Chief Building Official to defer the revocation of such permit.
 - (b) A request for deferral shall set out the reasons why the permit should not be revoked and the date by which the work will be commenced or resumed.
 - (c) Having considered the circumstances of the request and having determined that there have been no changes in the Act and the Building Code and any other applicable law which would have prevented the issuance of the original permit, the Chief Building Official may allow a deferral to a prescribed date and shall notify the permit holder.
 - (d) A request for deferral of revocation is subject to a fee in accordance with Schedule "A" appended to and forming part of this By-law.
- (4) Transfer of Permit to New Owner
 - (a) Permits are transferable only upon the new owner completing a permit application to the requirements of section 4.
 - (b) A fee, as prescribed in Schedule "A" appended to and forming part of this By-law shall be payable on a transfer of permit by the new owner who shall thenceforth be the permit holder for the purpose of the Act and the Building Code.

14. CORPORATION USE OF A REGISTERED CODE AGENCY

The Corporation following recommendation by the Chief Building Official may appoint a Registered Code Agency pursuant to Subsection 4.1.(1) of the Act to provide plans examination and inspection services to the Corporation in circumstances wherein the required service cannot be provided by staff of the Corporation.

- (a) Where a Registered Code Agency is employed a reduced application fee will be levied by the Corporation.
- (b) Where a Registered Code Agency is employed the applicant shall pay to the agency such reasonable fees as are required by the agency in regard to the work to be performed.
- (c) The Corporation may delegate the authority to appoint a Registered Code Agency to the Chief Building Official.

15. SEVERABILITY

Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

16. REPEAL

By-law Number 11-2000 of the Corporation, as amended, is hereby repealed.

**BY-LAW read a First & Second Time this ~~21st~~^{7th} day of ~~June~~
~~2005~~December 2021**

**BY-LAW read a Third & Final Time this ~~27th~~^{21st} day of ~~June~~
~~2005~~December 2021**

THE CORPORATION OF THE CITY OF KENORA:

per _____ ~~D. Canfield~~Dan Reynard -
MAYOR

SEAL

per _____ ~~P. Grouda~~Heather
Pihulak - ~~D~~CLERK

SCHEDULE "A" TO BY-LAW NUMBER 100- 2005

RESPECTING CLASSES OF PERMITS AND PERMIT FEES

1. CALCULATION OF PERMIT FEES

- (1) Permit fees shall be the product of the fee multiplier prescribed in **Section 6 Permit Fees** for the class of construction involved and the appropriate measure of the gross floor area of the project in square feet. For certain classes of construction the fee shall be a flat rate. Where plans are metric, 1 sq. m. = 10.764 sq. ft. or 1 m. = 3.281 ft.
- (2) Where the work regulated by a permit cannot be calculated otherwise, an application fee shall be calculated as \$~~107~~.00 for each \$1,000.00 value of the work proposed.
- (3) Fees for major revisions, partial renovations, building reclassification, and for classes of permits or construction not described or included in this schedule shall be determined by the Chief Building Official who shall have regard to the complexity and amount of service required relative to the classes of construction described herein.
- (4) The Chief Building Official may impose the value of the construction where in his/her opinion the declared value does not reflect the true value of all proposed work including design, labour and materials.
- (5) Floor area shall be the gross area of all floors whether above or below grade measured from the outer face of exterior walls to the centre of party walls or demising walls unless noted otherwise.
- (6) Mezzanines, lofts, habitable attics and occupied roof spaces shall be included in the gross floor area. Except for interconnected Floor spaces and atriums above the first level there shall be no deduction from the gross floor area for openings such as stairs, elevators, shafts, etc.
- (7) Crawl spaces of a height of 5ft or less are not included in the gross area.
- (8) Where the project does not have a floor or exterior walls, e.g., carports and pole barns, the greatest horizontal area of the roof structure shall be used to calculate gross area.
- (9) For signs, the area used for fees shall be the gross area of all sign faces.
- (10) New construction and additions include plumbing and all other regulated building services and components in the calculated fee.
- (11) The fee for a conditional permit where granted shall be equal to the regular permit fee plus a surcharge of 15% of the regular permit fee to cover additional administration and agreement.
- (12) The fee for a staged permit shall be equal to the regular permit fee plus an additional surcharge of \$30.00 for each stage issued subsequent to the original first stage permit.

2. MINIMUM PERMIT FEES

- (1) Except where specifically noted otherwise in this schedule, a minimum fee of \$30.00 shall be applied for all R1 and R2 zoned residential work and \$100.00 for all other zoned areas work.
- (2) Each separate structure shall require a separate application, fee and permit.
- (3) Revision or amendment to a permit or plans shall be at full cost recovery.

- (4) Tents on City property for civic functions shall be exempt from fees and permits provided that they have previously been professionally designed and are erected on existing engineered locations. In all other situations tents designated in the Building Code shall require application for a permit and payment of fees.

3. CLASSES OF PERMITS AND FEES

- (1) Buildings shall be classified according to the Major Occupancy based upon the Occupancy classifications in the Ontario Building Code.
- (2) For mixed occupancy floor areas, the permit fees for each of the applicable area classifications may be used, but only where such area exceeds 10% of the gross floor area.
- (3) Temporary buildings are structures that will be installed or erected for less than 180 days; all other structures are considered permanent.

4. EXEMPTION FROM PERMIT AND FEES

- (1) Painting and decorating, replacement millwork and cabinets without plumbing, replacement hot water heaters, replacement oil or gas fired appliances, replacement shingling of roofs of R1 and R2 zoned buildings, replacement of same size doors and windows, construction of residential fences, construction or demolition of structures less than 108 ft² without plumbing, demolition of buildings destroyed by fire and sheds or trailers required solely for the duration of construction projects are exempt from permits and fees.

5. VALIDITY OF PERMITS

- (1) Where a permit has been issued and the work is not completed two years from the date of issue a new application is required for completion of the remainder of the work.

6. PERMIT FEES

Commented [AS1]: New fee schedule in a separate attachment

Class of Permit, Occupancy and work description Construction – New Buildings, Additions, Mezzanines		FEE (\$/ft ²)	FEE (\$/lin ft)	FLAT FEE (\$)
Group A: Assembly Buildings	Shell Building only	0.60		
	Finished Building with interior walls/rooms	0.70		
	Portable Classrooms per unit			75.00
	Outdoor Public Patio			50.00
	Outdoor Public Pool			200.00
Group B: Institutional	Without detention/retention facilities	0.75		
	With detention/retention facilities	0.80		
Group C: Residential	Detached, Semi, Row, Townhouse, Duplex	0.50		
	Attached/Detached Garage/Carport (per bay)			75.00
	Shed, Uncovered Deck, Porch	0.25		
	Private Swimming Pools above ground			40.00
	Private Swimming Pools in ground			60.00
	Apartment Building, Residential Care Facility	0.55		
Group D: Business and Personal Services	Hotel, Motel, Residential School	0.65		
	Office Buildings Shell building only	0.50		
Group E: Mercantile	Office Buildings with interior walls/rooms	0.60		
	Retail Stores Shell building only	0.45		
Group E: Mercantile	Retail Stores with interior walls/rooms	0.55		

	Class of Permit, Occupancy and work d Construction – New Buildings, Additions,
Group F: Industrial Warehouse/Factory shell building only Warehouse/Factory with interior walls/rooms Parking Garage (under or above ground/open air) Farm Building/greenhouse - low human occupancy	
Other Designated Structures: Air supported structures Retaining walls over 3 ft high Communications Tower Demising wall or firewall Signs (other than painted on building) Storage tanks above ground/per tank Storage tanks below ground/per tank	
Staged Permit: Foundation to Grade Level Counts toward total permit fee	
Interior Finishes: All Classifications Interior finishes to previous unfinished areas	
Miscellaneous Categories: Building fabricated elsewhere and moved onto site (mobile/prefab homes) Fireplace/woodstove incl. outdoor (each) Exterior ramps and stairways Balcony Guard (replace) Foundation repair or drain tile replacement (SFD) Deck and stairways (replace same size) Reclad exterior (siding per building storey) Shore land structure for private dock Boathouse (single storey only) Dock, floating, pile or crib by length Elevator, Lift, Escalator Pre-fabricated "Cover-All" Style Structures Temporary tents and buildings (max. 180 days) Major demolition more than 1500 ft ² Change of use (no construction) Barrier Free Access to SFD or semi-detached	
	Class of Permit, Occupancy and work d
Mechanical Work: independent of building permit HVAC per residential suite HVAC per non-residential suite Sprinkler system (N.F.P.A. 13) Commercial kitchen, spray booth	
Electrical Work: independent of building permit Fire alarm system EMLD/hold open device (each)	
Plumbing Work: independent of building permit Plumbing per fixture/drain (min. \$30.00) Conversion from private to municipal service	
Alterations and Renovations: All Classifications Partitions, washrooms, etc. less than 200 ft ² Minor demolitions less than 1500 ft ²	

Alterations to previous finished areas
Replacement Roofing with structural work, built up roofing or metal roofing

Class of Permit, Occupancy and work description	FEE (\$/ft²)	FEE (\$/lin ft)	FLAT FEE (\$)
Occupancy: All Buildings Prior to Final Completion Per suite or unit (excluding detached homes)			50.00
Change of Permit Holder: Property changes hands prior to completion			30.00
Deferred Inspection: Permit has been dormant 12 months or more			50.00
Plans Examination Deposit: Non-refundable, credited to final permit fee Plans Examination under 1,000 ft ² Plans Examination over 1,001 ft ² to 6,000ft ² Plans Examination over 6,001 ft ² to 25,000ft ² Plans Examination over 25,001 ft ²			Deposit 30.00 100.00 250.00 1,000.00
Special Charges: Application fee where a Registered Code Agency will perform the plans examination and inspection functions for the municipality Inspection requested outside normal hours Re-inspection if work not ready when called Re-inspection to verify Order complied with Where inspector is on location as work progresses Re-examination of plans after permit issued Special research of records request			Larger of 10% of normal fee or 200.00 Per hr 60.00 Per call 30.00 Per call 30.00 Per hr 60.00 Per hr 50.00 Per hr 50.00
Special Inspection Fees where work is started prior to a permit being issued: at commencement stage of: Footings, foundations or other work to grade Structural framing or any part above grade At substantial completion of: Building completed or occupied Demolition or partial demolition			Fee Increase 25% 50% 100% 100%

SCHEDULE "B" TO BY-LAW NUMBER 100 - 2005

RESPECTING REFUND OF PERMIT FEES

REFUND OF FEES

1. Refund of fees paid must be made in writing to the Chief Building Official within one calendar year from the date of application for the original permit.
2. Notwithstanding any refund stated or calculated using this schedule there shall be no refund of fees paid where the original fee was less than Fifty Dollars (\$50.00) or the calculated refund is less than Thirty Dollars (\$30.00).
3. Refund of fees shall not be made where the permit has been signed off and occupancy inspection completed.
4. Refund shall be made to the person named on the original fee receipt unless that person makes a written request to release the refund to another named person.

Stage of Permit Process or Site Work when Refund Requested	Portion of Fee Refundable
CBO unable to issue permit for any reason	90%
Deposit paid and plan examination in process or complete	No Refund of plans examination deposit
Refund requested after permit issued but prior to any site work	80% less any plans examination deposit
Refund requested after construction started (all construction to be removed from the property)	50% less an additional 5% per inspection made and less any plans examination deposit
Refund requested after construction started and abandoned before completion without removal of construction	No Refund of Fees
Conditional Permit at any stage following signing of agreement (the agreement will still be enforced)	Applicable stage refund less the conditional permit surcharge fee
Permit Revoked for any reason	No Refund of Fees

SCHEDULE "C" TO BY-LAW NUMBER 100 - 2005

LIST OF PLANS OR WORKING DRAWINGS
Two copies to accompany applications for permits

1. The Site Plan showing location of all structures and their separation distances and setback distances from lot lines.
2. Foundation Plans indicating substrata and water table depth, size of footings, grade beams, piles, pile caps, type and compaction of backfill, drainage tile and/or works.
3. Floor Plans showing the location and dimensions of all rooms and suites and their occupancy uses.
4. Framing Plans showing all dimensions, spacing and types of all materials including lamination details of all built up beams, headers and posts.
5. Roof Plans indicating all standard trusses, girder trusses, jack trusses, rafters, flat areas, hips, valleys and chimneys and roof pitch(s).
6. Reflected Ceiling Plans.
7. Sections and Details of all walls, floors and roofs.
8. Building Elevations and grade level.
9. Electrical Drawings showing the location of all panels, switches, fixtures, smoke alarms and CO detectors, emergency lights and exit signs.
10. Heating, Ventilation and Air Conditioning Drawings indicating location of all pumps, tanks, and ducts, and showing all duct, pipe and register sizes.
11. Mechanical plans for all fire protection standpipes and sprinklers indicating location of all hose stations, sprinkler heads and fire department connection.
12. Plumbing plans and schematic layout indicating all pipe sizes.

NOTE: The Chief Building Official may specify that not all of the above-mentioned plans or details are required to accompany an application for a permit.

SCHEDULE "D" TO BY-LAW NUMBER 100 - 2005



Chief Building Official
60 Fourteenth St N
Kenora, Ontario, P9N 4M9

**City of Kenora
Occupancy Permit**
Building Code Act, S.O. 1992, c.23, s.11 as amended

Applicant _____	Construction Permit No. _____ _____
Address of Applicant _____ _____ _____	
Portion of building approved for use _____	
Location of Building _____	
Comments or Conditions _____ _____ _____ _____ _____ _____ _____	

PERMISSION is hereby granted to the above named applicant to use and occupy the building at the above location which the applicant has stated has been constructed in full compliance with all the provisions of the Building Code Act, and regulations and orders made there under and any By-law or amendments thereto of the Municipality which in part or in whole regulates the structural requirements, the erection, alteration, location, use, etc. of the building is;

- fully completed** and ready for occupancy
- Or **not fully completed** but is ready for non-residential occupancy in accordance with Division C. Part 1, Article 1.3.3.1 of the Code.
- Or **not fully completed** but is ready for residential occupancy in accordance with Division C. Part 1, Article 1.3.3.2 of the Code

Date Permit Issued

Chief Building Official (or designate)



**CITY OF KENORA
APPLICATION FOR
CHANGE OF USE**

Building Code Act, S.O. 1992, c. 23, s. 10, as amended

OFFICE OF THE CHIEF BUILDING OFFICIAL
60 Fourteenth St. N., 2nd Floor
Kenora, ONTARIO P9N 4M9

Phone: (807) 467-2020
Fax (807) 467-2246

Applicant _____
Address of Applicant _____
Location of building _____
Type of property / description _____

TAKE NOTICE that upon the date of this application the building or part of the building described below had the following use(s):

Description of part of building or suite:

Application is hereby made to change the above use in the above building or part of the building to the following use(s):

Signature of Applicant _____ date of Application _____

Fee paid: \$ _____ Received by: _____

Personal information contained in this form is collected under the authority of section 7 of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official, 60 Fourteenth St. N., 2nd Floor, Kenora, P9N 4M9 (807) 467-2020, or b) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing, 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 595-6666.

SCHEDULE "E" TO BY-LAW NUMBER 100 - 2005

COMMITMENT TO GENERAL REVIEW BY ARCHITECT AND ENGINEER

PART A TO BE COMPLETED BY OWNER Project Description:	Permit Application No.
--	------------------------

Address of Project: _____ Municipality: _____

WHEREAS the building code requires that the project described above be designed and reviewed during construction or demolition by an architect, a professional engineer or both that are licensed to practice in Ontario, and
WHEREAS Ontario law prohibits the construction or demolition of a building if a permit has not been issued to authorize it, and
WHEREAS architects and engineers are prohibited by law from undertaking general review of construction if a permit has not been issued,
 NOW THEREFORE the Owner, who intends to construct or demolish or have the building constructed or demolished, hereby confirms that:

1. The undersigned architect and/or professional engineers have been retained to provide general review of the construction or demolition of the building to determine whether the work is in general conformity with the plans and other documents that form the basis for the issuance of a permit, in accordance with the performance standards of the Ontario Association of Architects (OAA) and/or Professional Engineers Ontario (PEO);
2. All general review reports by the architect and/or professional engineers will be forwarded to the Chief Building Official;
3. Should any retained architect or professional engineer cease to provide general review for any reason during construction or demolition, the Chief Building Official will be notified in writing immediately, and another architect or engineer will be appointed so that general review continues without interruption; and
4. Construction or demolition will only be undertaken if an architect and/or professional engineers are retained to undertake general review, and a permit authorizing the proposed construction or demolition has been issued.

The undersigned hereby certifies that he/she has read and agrees to the above

Owner's Name: _____ Date: _____

Owner's Address: _____ Telephone: _____

Signature of Owner: _____ Print Name: _____ Fax: _____
 (or authorized agent)

Coordinator of the work of all consultants: _____ Telephone: _____

Address: _____ Fax: _____

PART B TO BE COMPLETED BY CONSULTANTS

The undersigned architect and/or professional engineers hereby certify that they have been retained to provide general review of the parts of construction or demolition of the building indicated, to determine whether the work is in general conformity with the plans and other documents that form the basis for the issuance of a permit, in accordance with the performance standards of the OAA and/or PEO.

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER: _____
 Consultant Name: _____ Signature: _____ Print Name: _____ Date: _____

Telephone: _____ Address: _____

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER: _____
 Consultant Name: _____ Signature: _____ Print Name: _____ Date: _____

Telephone: _____ Address: _____

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER: _____
 Consultant Name: _____ Signature: _____ Print Name: _____ Date: _____

Telephone: _____ Address: _____

ARCHITECTURAL STRUCTURAL MECHANICAL ELECTRICAL SITE SERVICES OTHER: _____
 Consultant Name: _____ Signature: _____ Print Name: _____ Date: _____

Telephone: _____ Address: _____



CITY OF KENORA PERMISSION FOR CHANGE OF USE

Building Code Act, S.O. 1992, c. 23, s. 10, as amended

OFFICE OF THE CHIEF BUILDING OFFICIAL
60 Fourteenth St. N., 2nd Floor
Kenora, ONTARIO P9N 4M9

Phone: (807) 467-2020
Fax (807) 467-2246

Applicant _____

Address of Applicant _____

Location of building _____

Type of property / description _____

TAKE NOTICE that upon the date of this permit the building or part of the building described below may have the following use(s) without requiring remedial construction:

Description of part of building or suite:

Conditions of use, if any:

Chief Building Official _____ Date _____

SCHEDULE "F" TO BY-LAW NUMBER 100 - 2005



**CITY OF KENORA
APPLICATION FOR
USE OF AN EQUIVALENT**

Building Code Act, S.O. 1992, c. 23, s. 9, as amended

OFFICE OF THE CHIEF BUILDING OFFICIAL
60 Fourteenth St. N., 2nd Floor
Kenora, ONTARIO P9N 4M9

Phone: (807) 467-2020
Fax (807) 467-2246

Applicant _____ Construction Permit No. _____

Address of Applicant _____

Location of building _____

Type of property / description _____

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Application is hereby made to use the following materials or systems not authorized by the Building Code:

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Material or System:

Details: _____

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Past performance, tests or other evaluation providing evidence of level of performance thereby achieving conformance with the requirements of the Building Code:

See attached schedules _____, or Details below:

Applicant: _____ Date: _____

Accepted as submitted, or Denied as not providing evidence of adequate performance

Chief Building Official: _____ Date: _____

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SCHEDULE "G" TO BY-LAW NUMBER 100 – 2005

LETTER OF UNDERTAKING

Standard Form as approved by: OBOA, APEO and OAA

TO THE CHIEF BUILDING OFFICIAL OF THE MUNICIPALITY OF: _____

ADDRESS: _____ TEL: _____

WHEREAS Sentences 2.3.1.1(1) of Ontario Regulation 403/97 as amended made under the authority of the *Building Code Act*, requires the building designated in table 2.3.1.1 to be designed by an Architect or Professional Engineer or both:

AND WHEREAS Subsection 2.3.2 of the said Regulations provides that, where a building has been designed by an Architect or Professional Engineer or both in accordance with Sentence 2.3.2.1(1), an Architect or Professional Engineer or both shall be responsible for the general review of the construction of the building in accordance with performance standards of the Ontario Association of Architects or the Association of Professional Engineers of Ontario, as applicable:

THEREFORE the owner, being the person who intends to construct or have a building constructed, hereby warrants that an Architect(s)/Professional Engineer(s) are retained for the general review of the construction of the building as required by Section 2.3 of Regulation 403/97 and that:

a) _____ the Architect who is retained to undertake the general review of the construction of the building is to do so in accordance with the Performance Standards of the Ontario Association of Architects, Ontario Regulation 517/84 as amended by Ontario Regulation 386/86, 50a, to wit Architects (including holders of a Certificate of Practice), with respect to the matters that are governed by the building code, shall:

NOTE: "design document" means a design or other document which formed the basis for the issuance of the building permit and includes all changes thereto that were authorized by the Chief Building Official as defined in the *Building Code Act*.

b) _____ each engineer who is retained to undertake the general review of the construction of the building is to do so in accordance with the Performance Standards of the Association of Professional Engineers of Ontario, Ontario Regulation 421/86, 91a, to wit Professional Engineers, with respect to matters that are governed by the building code, shall:

i. _____ make periodic visits to the site to determine, on a rational basis, whether the work is in general conformity with the plans and specifications for the building;
ii. _____ record deficiencies found during the site visits and provide the client, contractor and the owner with written reports of the deficiencies and the actions that must be taken to rectify the deficiencies;
iii. _____ review the reports of independent inspection and testing companies called for in the plans and specifications and which pertain directly to the work being reviewed;
iv. _____ interpret plans and specifications when requested to do so by the client, contractor or owner; and
v. _____ review shop drawings and samples submitted by the contractor for consistency with the intent of the plans and specifications.

NOTE: "plans and specifications" means a plan or other document which formed the basis for the issuance of the building permit and includes all changes thereto that were authorized by the Chief Building Official as defined in the *Building Code Act*.

e) _____ the owner, being the person who intends to construct or have a building constructed, agrees to have each of the retained Architect(s) and Professional Engineer(s) complete, properly authorize and return to the Chief Building Official, at the above noted address, the General Review Commitment Certificate(s) prior and as a condition precedent to permit issuance and hereby authorizes the retained Architect(s) and Professional Engineer(s) to forward directly to the Chief Building Official, forthwith upon their completion, all written reports arising out of the general review undertaken, pursuant to Section 2.3 of Ontario Regulation 403/97, by the retained Architect(s) and/or Professional Engineer(s).

Application No. _____	Permit _____	Project _____
Description _____	Location _____	
Name of Owner _____	Telephone No. _____	
Address _____	Postal Code _____	

Signature of the owner or a person authorized by said owner
to commit the owner and to act as his agent in this matter: _____ Date: _____

If the name of the signee above is different from _____
the owner, please print signee's name here: _____ Tel No. _____

IMPORTANT: Where any retained Architect or Professional Engineer ceases to provide the general review of the building during construction as required herein, another Architect/Professional Engineer shall be retained immediately so that the general review as described above will continue uninterrupted, and the registered owner shall forthwith, in writing, advise of such termination and submit the name of the new Architect/Professional Engineer to the Chief Building Official of this Municipality.

Every person who furnishes false information in any permit application under the *Building Code Act* or in any statement required to be furnished under this Act or a by-law passed pursuant to this Act, or pursuant to the Ontario Building Code, is, on conviction, liable to a fine.

WHITE - Return to: Chief Building Official _____ YELLOW - Owner _____ OBOA FORM 02B

Personal information contained in this form is collected under the authority of section 7 of the *Building Code Act, 1992* and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official, 60 Fourteenth St. N., 2nd Floor, Kenora, P9N 4M9 (807) 467-2020, or, b) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing, 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 585-6666.

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SCHEDULE "H" TO BY-LAW NUMBER 100 – 2005

GENERAL REVIEW COMMITMENT CERTIFICATE
Standard Form as approved by OBOA, APEO and OAA

Permit Application _____ Project _____
 Number _____ Location _____
 This is to Certify that: _____
 Name of Architect/Professional Engineer or Company (PLEASE PRINT) _____

is retained to undertake, as described in section 2.3 of the Ontario Building Code and in respect of the designated permit application number, the general review of the construction of the building in accordance with, if an architect, the performance standards of the Ontario Association of Architects (Section 50a of Ontario Regulation 368/86, amending Ontario Regulation 517/84) or, if a professional engineer, the performance standards of the Association of Professional Engineers of Ontario (Section 91a of Ontario Regulation 421/86, amending Ontario Regulation 538/84), to determine whether the construction is in general conformity with the plans, sketches, drawings, graphic representations, specifications and other documents that are prepared by an architect, professional engineer or both and that form the basis for the issuance of a building permit or any changes thereto authorized by the Chief Building Official.

Indicate by a checkmark the disciplines for which the above mentioned responsibilities are being assumed:

ARCHITECTURAL MECHANICAL STRUCTURAL ELECTRICAL FIRE PROTECTION PLUMBING

If an architect indicate by a checkmark if engaged as prime consultant to coordinate the general review of all designated disciplines

Signature of Architect or Professional Engineer _____	Print Signee's Name _____	Title or Position _____
Company Name _____	Telephone _____	
Address _____	Postal Code _____	

Section 50a of Ontario Regulation 368/86, amending Ontario Regulation 517/84 made under the Architect Act:

50a. The following are prescribed as performance standards with respect to the general review of construction, enlargement or alteration of a building by a member or holder (of a Certificate of Practice) as provided for in the building code prescribed under the *Building Code Act*:

1. The member or holder, with respect to the matters that are governed by the building code, shall
 - i. make periodic visits to the site to determine whether the work is in general conformity with design documents that were prepared by a member or holder;
 - ii. inform the client and contractor, in writing, as to the progress and quality of the work and as to any part of the work that the member or holder has observed during the visit to the site not to be in conformity with the design documents;
 - iii. review all changes to the design documents to determine whether the changes conform to the building code;
 - iv. review and comment on shop drawings and samples for general conformity with the design concept of the work; and
 - v. if the member or holder is specifically engaged to coordinate the general review of the professional engineers and reports of the inspection and testing companies, coordinate the general review of the professional engineers and the reports of the inspection and testing companies that pertain directly to the work being reviewed and arrange for the distribution of such reports to the client and the contractor; or
 - vi. if the member or holder is not engaged to perform any or all of the services listed in subparagraph v, cooperate with the professional engineer responsible for the coordination of the general review in order to assist the professional engineer in the carrying out of the functions described in that paragraph.
2. In paragraph 1, "design document" means a design or other document which formed the basis for the issuance of a building permit and includes all changes thereto that were authorized by the chief official as defined in the *Building Code Act*.

Section 91a of Ontario Regulation 421/86, amending Ontario Regulation 538/84 made under the professional Engineers Act:

91a. The following are prescribed as performance standards with respect to the general review of the construction, enlargement or alteration of a building by a professional engineer (or holder of a Certificate of Authorization) as provided for in the *Building Code Act*:

1. The professional engineer, with respect to matters that are governed by the building code, shall
 - i. make periodic visits to the site to determine, on a rational samplings basis, whether the work is in general conformity with the plans and specifications for the building;
 - ii. record deficiencies found during site visits and provide the client, the contractor and the owner with written reports of the deficiencies and the actions that must be taken to rectify deficiencies;
 - iii. review the reports of independent inspections and testing companies called for in the plans and specifications and which pertain directly to the works being reviewed;
 - iv. interpret plans and specifications when requested to do so by the client, contractor or owner; and
 - v. review shop drawings and samples submitted by the contractor for consistency with the intent of plans and specifications.
2. The professional engineer shall not review work in disciplines for which he or she is not qualified.
3. The professional engineer may delegate one or more of the functions described in paragraph 1 to another person where it is consistent with prudent engineering practice to do so and functions are performed under the supervision of the professional engineer.
4. In paragraph 1, "plans and specifications" means a plan or other document which formed the basis for the issuance of the building permit and includes all changes thereto that were authorized by the chief official as defined in the *Building Code Act*.

NOTE: The owner, being the person who intends to construct or have a building constructed, has agreed in a letter of undertaking to the Chief Building Official of this Municipality to have each of the retained Architect(s) and Professional Engineer(s) complete, properly authorize and return to the Chief Building Official, the General Review Commitment Certificate(s) prior and as a condition precedent to permit issuance and authorizes the retained Architect(s) and Professional Engineer(s) to forward directly to the Chief Building Official, forthwith upon the completion, all written reports arising out of the required general review undertaken pursuant to Section 2.3 of Ontario Regulation 413/90 by the retained Architect(s) and/or Professional Engineer(s).

WHITE - Return to: Chief Building Official YELLOW - Your Records OBOA FORM 02A

Personal information contained in this form is collected under the authority of section 7 of the *Building Code Act, 1992* and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official, 60 Fourteenth St. N., 2nd Floor, Kenora, P9N 4M9 (807) 467-2020; or, b) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing, 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 585-6666.

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SCHEDULE "T" TO BY-LAW NUMBER 100 – 2005



**CITY OF KENORA
APPLICATION FOR
OCCUPANCY**

Building Code Act, S.O. 1992, c. 23, s. 11; O.R. 413/90 as amended

OFFICE OF THE CHIEF BUILDING OFFICIAL
60 Fourteenth St. N., 2nd Floor
Kenora, ONTARIO P9N 4M9

Phone: (807) 467-2020
Fax (807) 467-2246

Applicant _____

Address of Applicant _____

Location of building _____

Type of property / description _____

Construction Permit No.

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TAKE NOTICE that upon the date of this application the building

- newly erected
- installed

at the above stated location has been constructed in full compliance with all the provisions of the **Building Code Act**, and regulations made thereunder and of any By-law, or amendments thereto of the Municipality which in part or in whole regulates the structural requirements, the erection, alteration, location, use, etc. of building and is

fully completed and ready for occupancy

OR **not fully completed** but is ready for *non-residential occupancy* in accordance with Article 2.4.3.1.(1) of the Code.

OR **not fully completed** but is ready for *residential occupancy* in accordance with Article 2.4.3.2.(1) of the Code.

and that full compliance has been made with any order made by the inspector under sections 12, 13 and 14 of the **Building Code Act**

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.....
Date of application and notice of completion _____ Signature of Applicant _____

Conditions for occupation - Except as authorized by the regulations no person shall occupy or use or permit to be occupied or used any building or part thereof newly erected or installed;

- (a) _____ until notice of the date of completion of the building or part thereof is given to the Chief Official;
 - (b) _____ until;
 - (i) _____ an inspection is made pursuant to such notice, or
 - (ii) _____ ten (10) days have elapsed after the service of the notice or after the date of completion whichever occurs last; and
 - (c) _____ until any order made by an inspector under Sections 12, 13 or 14 is complied with. **Building Code Act, S.O. 1992, c. 23, s. 11.**

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_____ green copy -- OFFICE _____ white copy -- APPLICANT

Personal information contained in this form is collected under the authority of section 7 of the *Building Code Act, 1992* and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official, 60 Fourteenth St. N., 2nd Floor, Kenora, P9N 4M9 (807) 467-2020, or, b) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing, 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 585-6666.

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SCHEDULE "J" TO BY-LAW NUMBER 100 – 2005



CITY OF KENORA

OCCUPANCY PERMIT

Building Code Act, S.O. 1992, c. 23, s. 11; O.R. 413/90 as amended

OFFICE OF THE CHIEF BUILDING OFFICIAL
60 Fourteenth St. N., 2nd Floor
Kenora, ONTARIO P9N 4M9

Phone: (807) 467-2020
Fax (807) 467-2246

Applicant _____ Construction Permit No. _____

Location of building _____

Portion of building approved for use _____

Comments or Conditions _____

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PERMISSION is hereby granted to the above named applicant to use and occupy the building at the above location which the applicant has stated has been constructed in full compliance with all the provisions of the **Building Code Act**, and regulations and orders made thereunder and of any By-law, or amendments thereto of the Municipality which in part or in whole regulates the structural requirements, the erection, alteration, location, use, etc. of buildings and is

_____ **fully completed**

OR _____ **partially completed** and ready for *non-residential occupancy* in accordance with Article 2.4.3.1.(1) of the Code

OR _____ **partially completed** and ready for *residential occupancy* in accordance with Article 2.4.3.2.(1) of the Code

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Date permit issued

Chief Building Official

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December 7, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Kevan Sumner, City Planner

Re: Amendment to Tariff of Fees for Planning Act Applications

Recommendation:

That Council gives three readings to a by-law to amend fees contained within By-law 37-2020, a By-law to Establish a Tariff of Fees for Planning Act Applications; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Planning Act Applications Tariff of Fees and Charges By-Law at its December 21, 2021 meeting to give effect to these rates outlined in the revised Schedules; and further

That bylaw number 37-2020 be hereby repealed.

Background Information:

Section 69 of the Planning Act authorizes a municipal council to prescribe a tariff of fees for the processing of applications made in respect of planning matters.

Fees for planning services were last updated in 2015. Since that time, the cost of administering planning applications have continued to grow with no corresponding increase in fees. The cost of advertising notices of planning applications has also increased during this time. Currently, some application fees do not even cover the cost of providing notice in the newspaper and to neighbouring residents. As a result, the cost of processing planning applications and by extension operations of the Division, is heavily subsidized by the tax levy.

In reviewing the tariff of fees, staff have given consideration to cost recovery and the fees being charged by comparable communities: Bracebridge, Collingwood, Dryden, and Thunder Bay, as summarized in the attached spreadsheet.

The fees as proposed in the attached by-law represent an increase from current fees, but remain lower than comparable municipalities. Some fees are recommended to be adjusted to match inflation since 2015. Others are recommended to be adjusted or additional circumstantial fees are proposed to more closely match actual costs of administering the processes. New fees are proposed for processes that consume significant staff resources, and new deposits are proposed for processes with significant costs associated with notices and/or legal reviews.

Fees for Licenses of Occupation are being reduced to \$0, to encourage the commercial use of city sidewalks. Businesses will still be required to apply for a license, to ensure that any use of sidewalks is reviewed and approved with consideration for such concerns as accessibility and safety.

Budget:

The proposed fees are expected to significantly shift planning department revenues towards cost recovery from applicants, decreasing but not eliminating reliance on the tax levy.

Risk Analysis:

There is a moderate financial risk but this is deemed to be an opportunity to increase revenues in the department thus reducing the impact on the tax levy and supporting service enhancements in the department including new technology and review tools.

There is a moderate governance risk arising from a potential negative reaction from the development community, especially from those businesses and professionals that make frequent planning applications. Application fees are sometimes viewed as "red tape" discouraging development. However, as demonstrated by the comparative analysis, the increases are not inconsistent with other comparable municipalities.

Communication Plan/Notice By-law Requirements:

Director of Development Services, Municipal Solicitor, Notice By-law.

Strategic Plan or other Guiding Document:

3-4 The City will embrace the importance of empowering Staff to make decisions that consistently demonstrate our commitment to making prompt, efficient and courteous customer service to our residents

EXHIBIT 1 – Summary of Proposed Changes

Description	Current Fees (2015)	Proposed Fee (2022)	Description
Official Plan and Zoning Amendment Fees			
Official Plan Amendment	\$1500	\$3000 + applicable fees (see below)	Adjustment to reflect cost of administration, plus additional fees as set out below.
Zoning Amendment, Temporary Use By-law, or removal of holding provision	\$1100	\$1250 + applicable fees (see below)	Inflationary adjustment plus additional fees as set out below.
Additional Meeting due to Amendment		\$350	New fee to recover costs associated with an additional meeting
Deposit for Notice Costs		\$1400	Deposit for recovery of costs of mailing notices and publishing in the Municipal Memo – excess returned to applicant
Minor Revisions requiring internal circulation only		\$500	Recovery of administrative costs due to amendments made by applicant.
Major revisions requiring new notice		\$500 plus new \$1400 newspaper notice deposit	Recovery of administrative costs due to amendments made by applicant.
Re-scheduling of meeting at request of applicant		\$500 plus new \$1400 newspaper notice deposit	Recovery of administrative costs due to a request to re-schedule made by applicant.
Minor Variance Applications			
Minor Variance	\$325	\$650	Adjustment to reflect cost of administration
Deferral of a PAC decision at request of applicant	\$100	\$200	Adjustment to reflect cost of administration
Amendment of Minor Variance application requiring recirculation	\$200	\$225	Inflationary adjustment
Amendment of Minor Variance application not requiring recirculation	\$100	\$115	Inflationary adjustment
Consent Applications			
Consent Application	\$550	\$1100	Adjustment to reflect cost of administration

Deferral of a PAC decision at request of applicant	\$100	\$200	Adjustment to reflect cost of administration
Amendment of Consent application requiring recirculation	\$200	\$225	Inflationary adjustment
Amendment of Consent application not requiring recirculation	\$100	\$115	Inflationary adjustment
Agreement as a condition of Consent approval	\$100	\$200	Adjustment to reflect cost of administration
Plan of Subdivision or Condominium			
Application for Plan of Subdivision / Condominium description (1-19, 20-30, 40+ lots/units)	<20 lots \$2000 20-40 \$4000 41+ lots \$5000	\$2250 + \$100/lot + applicable fees	Inflationary adjustment plus additional fees as set out below.
Draft Approval Extension Request		\$500	New fee to reflect cost of administration
Subdivision / Condominium Agreement	\$900 + fees	-	Removed – replaced with deposit for legal costs below
Amendment to subdivision / condominium agreement	\$400 + fees	\$455 + fees	Inflationary adjustment
Deposit for Notice Costs		\$1400 deposit	New deposit for recovery of costs of mailing notices and publishing in the Municipal Memo – excess returned to applicant
Deposit for Legal Fees		\$1000 deposit	New deposit for recovery of costs of legal services related to preparation of Agreements or other documents – excess returned to applicant
Site Plan Control			
Site Plan – minor	\$200 + fees	\$400 + fees	Adjustment to reflect cost of administration
Site Plan – major	\$800 + fees	\$900 + fees	Inflationary adjustment
Major revision requiring recirculation		\$400	New fee to reflect cost of administration
Minor revision not requiring recirculation		\$150	New fee to reflect cost of administration
Release of Site Plan Agreement	\$100 + fees	\$200 + fees	Adjustment to reflect cost of administration

Amendment of Site Plan Agreement	\$100 fees +	\$200 + fees	Adjustment to reflect cost of administration
Deposit for Legal Fees		\$1000 deposit	New deposit for recovery of costs of legal services related to preparation of Agreements or other documents – excess returned to applicant
Other Applications and General Fees			
Development Agreement	\$800 fees +	\$900 + fees	Inflationary adjustment
Deeming By-law	\$250 fees +	\$500 + fees	Adjustment to reflect cost of administration
Part Lot Control	\$350	\$400	Inflationary adjustment
Validation By-law	\$350	\$700	Adjustment to reflect cost of administration
Zoning Compliance Letter	\$50	Removed	Streamlining of services – all compliance requests handled under the zoning and building compliance process.
Building Compliance Letter	\$50	Removed	Streamlining of services – all compliance requests handled under the zoning and building compliance process
Zoning and Building Compliance Letter	\$90	\$100	Inflationary adjustment
Application for Letter of Comfort	\$175	\$350	Adjustment to reflect cost of administration
Application to purchase or lease municipal property – road/shore allowance abutting property owned by applicants	\$500 + costs and min. of \$1000 or fair market value	\$570 + costs and min. of \$1150 or fair market value	Inflationary adjustments
Application to purchase or lease municipal property – not part of road/shore allowance abutting property owned by applicants	\$500 + fair market value as established by Council	\$570 + fair market value as established by Council	Inflationary adjustment
Appeal of Order issued under Property Standards By-law	\$375 fees +	\$425 + fees	Inflationary adjustment
Technical Consent	\$350	\$700	Adjustment to reflect cost of administration
Costs in respect to	Cost recovery	Cost recovery	No change required

appeals to OMB (OLT)			
Processing Appeals to the OMB (OLT)	\$150	N/A	Removed, as we are not permitted to charge this fee.
License of Occupation – Sidewalk Café	\$75 annually	\$0 annually	Elimination of fees to encourage legally permitted commercial use of sidewalks
License of Occupation – Small Sidewalk Patio	\$200 annually	\$0 annually	Elimination of fees to encourage legally permitted commercial use of sidewalks
License of Occupation – Large Sidewalk Patio	\$350 annually	\$0 annually	Elimination of fees to encourage legally permitted commercial use of sidewalks
Merchandise Display	\$50 annually	\$0 annually	Elimination of fees to encourage legally permitted commercial use of sidewalks
Communication Tower Consultation	N/A	\$500	New fee to reflect cost of administration.
Phase I or Phase II Environmental Letter	N/A	\$250	New fee to reflect cost of administration
Special meeting of PAC	\$375	\$425	Inflationary adjustment
Copy of Comprehensive Zoning By-law	\$55	Remove	Documents are available online, the Planning Department does not have additional printed copies.
Copy of Official Plan	\$50	Remove	
Release from Title of any Agreement	\$300 fees +	\$300 + fees	No change required.

Exhibit 2 – New Schedule ‘E’ - Planning

Section	Fee Description	Fee	Details
Official Plan and Zoning Amendment Fees			
Planning	Official Plan Amendment	\$3,000.00	+ professional fees and/or deposit
Planning	Zoning By-law Amendment (including temporary use and interim control by-laws, includes removal of holding provision)	\$1,250.00	+ professional fees and/or deposit
Planning	Additional meeting due to amendment by applicant	\$350.00	
Planning	Deposit for Notice Costs	\$1400.00	Unused balance to be refunded to applicant.
Planning	Minor revisions requiring internal circulation only	\$500.00	
Planning	Major revisions requiring new notices, or requests from applicant to reschedule/defer meeting date	\$500.00	+ new deposit for notice costs
Planning	Re-scheduling of meeting at request of applicant	\$500.00	+ new deposit for notice costs
Minor Variance Fees			
Planning	Minor Variance Application	\$650.00	
Planning	Deferral of PAC meeting date at request of applicant	\$200.00	
Planning	Amendment to Minor Variance application requiring re-circulation	\$225.00	
Planning	Amendment to Minor Variance application not requiring re-circulation	\$115.00	
Consent Fees			
Planning	Consent Application	\$1,100.00	
Planning	Deferral of PAC meeting date at request of applicant	\$200.00	
Planning	Amendment to Consent application requiring re-circulation	\$225.00	
Planning	Amendment to Consent application not requiring re-circulation	\$115.00	
Planning	Agreement as a condition of Consent approval	\$200.00	
Plan of Subdivision or Condominium Fees			
Planning	Application for Plan of Subdivision / Condominium description	\$2250.00 + \$100/lot	+ professional fees and/or deposits
Planning	Draft approval extension request	\$500.00	
Planning	Amendment to subdivision / condominium Agreement	\$455.00	+ professional fees

Section	Fee Description	Fee	Details
Planning	Deposit for Notice Costs	\$1,400.00	Unused balance to be refunded to applicant.
Planning	Deposit for Legal Fees	\$1,000.00	Unused balance to be refunded to applicant.
Site Plan Control Fees			
Planning	Site Plan Control Application – Minor	\$400.00	+ professional fees
Planning	Site Plan Control Application – Major	\$900.00	+ professional fees and legal deposit.
Planning	Major revisions requiring recirculation	\$400.00	
Planning	Minor revisions not requiring recirculation	\$150.00	
Planning	Release of Site Plan Agreement	\$200.00	+ professional fees
Planning	Amendment of Site Plan Agreement	\$200.00	+ professional fees
Planning	Deposit for legal fees	\$1000.00	Unused balance to be refunded to applicant.
Other Applications and General Fees			
Planning	Development Agreement	\$900.00	+ professional fees
Planning	Deeming By-law	\$500.00	+ professional fees
Planning	Part Lot Control	\$400.00	
Planning	Validation By-law	\$700.00	
Planning	Zoning and Building Compliance Letter	\$100.00	
Planning	Application for Letter of Comfort	\$350.00	
Planning	Application to purchase or lease municipal property – road/shore allowance abutting property owned by applicants	\$570 + costs and min. of \$1150 or fair market value	
Planning	Application to purchase or lease municipal property	\$570.00 + fair market value as established by Council	
Planning	Appeal of Order issued under Property Standards By-law	\$425.00	+ professional fees
Planning	Technical consent	\$700.00	
Planning	Costs in respect to appeals to Ontario Land Tribunal	Cost recovery	
Planning	License of Occupation – Sidewalk Café	\$0	
Planning	License of Occupation – Small Sidewalk Patio	\$0	
Planning	License of Occupation – Large Sidewalk Patio	\$0	
Planning	Marchandise Display	\$0	

Section	Fee Description	Fee	Details
Planning	Communication Tower Consultation	\$500.00	
Planning	Phase I or Phase II Environmental Letter	\$250.00	
Planning	Special Meeting of PAC	\$425.00	
Planning	Release from Title of any Agreement	\$300.00	+ professional fees

The Corporation of the City of Kenora

By-Law Number 37 - 2020

A By-law to Establish a Tariff of Fees for *Planning Act* Applications

Whereas section 69 of the *Planning Act* R.S.O. 1990, c. P.13 provides that the Council of a municipality may, by by-law, establish a tariff of fees for Applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality in respect of the processing of each type of Application provided for in the tariff; and

Whereas the said Section 69 contains provisions respecting the reduction or waiver of the fees and respecting the limitations on the imposition of fees where the Application relates to development or redevelopment that includes affordable housing; and

Whereas such By-laws may not, pursuant to Regulation 584/06 be passed under the *Municipal Act*;

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

1. (1) Schedule "A" hereto and forming part of this by-law is enacted as a Tariff of Fees payable for the processing of Applications made in respect of Planning matters by The Corporation of the City of Kenora.

(2) Despite the Tariff of Fees established under Subsection (1), in processing applications related to development or redevelopment that will include affordable housing units, the required fee shall not be greater than the maximum fee prescribed by the Regulations made under the *Planning Act* for the type of application being made.
2. The fees are payable at the time the Application is made or service request is submitted, provided that:
 - (a) where costs are subsequently incurred, such as for payment of Professional Fees, and for which re-imbusement to the Corporation is required, such re-imbusement shall be made upon demand;
 - (b) where the Director of Development Services ~~Manager~~ or CAO of the Corporation considers it reasonable to do so, he or she may require from time to time that a deposit be paid to the Corporation to secure the anticipated costs of processing the Application.
3. The said Director of Development Services ~~Manager~~ or CAO is further authorized to enter into agreements on behalf of the Corporation relating to the payment of fees for matters referred to in the Tariff, provided that such Agreements do not vary a prescribed fee and are otherwise consistent with the provisions of this By-law and Section 69 of the *Planning Act*.

4. If an Applicant submits a written request to withdraw or discontinue an Application prior to the completion of the entire process relating thereto or if the Director of Development Services ~~Manager~~ or CAO determines that the file should be closed due to inactivity, then the Director of Development Services ~~Manager~~ or CAO may approve a partial refund of the fee which he or she deems reasonable in the circumstances.
5. The Director of Development Services ~~Manager~~ or CAO shall be responsible for the general administration of this by-law, including, without limitation, the enforcement hereof through collection activity and instructing legal Counsel to take such legal action as may be considered appropriate.
6. Any decision or determination authorized or required to be made hereunder shall be in the absolute discretion of the City or the City official involved, subject only to the provisions of Subsection 69(3) of the *Planning Act* respecting the payment of fees under protest and consequent appeals to the Local Planning Appeals Tribunal.
7. This By-law shall be known as the *Planning Act* Application Fees By-law.
8. This By-law shall come into force and take effect on the final passage hereof.

**By-Law Read a First and Second Time this ~~18th~~-21st day of ~~February~~December,
20210**

**By-Law Read a Third and Final Time this ~~18th~~-21st day of ~~February~~December
20210**

The Corporation of the City of Kenora:-

~~Rory McMillan~~Dan Reynard, ~~Deputy~~ Mayor

Heather Pihulak, City Clerk

SCHEDULE 'A' – PROCESSING OF APPLICATIONS MADE IN RESPECT OF PLANNING MATTERS

To By-Law Number 37-2020

Fee Description	Fee	Details
Official Plan Amendment	\$1,500.00	+ Professional fees, where applicable
Zoning By-law Amendment (including temporary use, holding and interim control bylaws)	\$ 1,100.00	+ Professional fees, where applicable
Application for Minor Variance	\$ 325.00	
Application for Consent	\$ 550.00	
Further consideration of an application upon deferral of a Planning Advisory Committee decision at request of applicant	\$ 100.00	
Amendment to any application noted above where such changes require recirculation	\$ 200.00	
Amendment to any application noted above where such changes do not require recirculation	\$ 100.00	
Special meeting of Kenora Planning Advisory Committee	\$ 375.00	
Copy of Comprehensive Zoning By-law	\$ 55.00	
Copy of City of Kenora Official Plan	\$ 50.00	
Application for Plan of Subdivision/condominium description	\$ 2,000.00 \$ 4,000.00 \$ 5,000	1-19 lots/units 20-39 lots/units 40 + units
Deeming by-law	\$ 250.00	+Professional Fees &Registration Fees
Part Lot Control	\$ 350.00	
Validation By-law	\$ 350.00	
Zoning Compliance Letter	\$ 50.00	
Building Compliance Letter	\$ 50.00	
Zoning and Building Compliance Letter	\$ 90.00	
Application for Letter of Comfort	\$ 175.00	
Technical Consent	\$ 350.00	
Costs in respect to appeals to LPAT		Cost Recovery including Professional Fees where applicable
Processing Appeals to LPAT	\$ 150.00	
Planning Agreements		
Site plan – minor and under 7 residential units	\$ 200.00	+Professional/registration fees
Site plan – major industrial/commercial/institutional and 7 and over residential units	\$ 800.00	+Professional/registration fees
Development agreement	\$ 800.00	+ Professional/registration fees
Subdivision/condominium agreement	\$ 900.00	+ Professional/registration fees
Amendment to subdivision/condominium or site plan agreement	\$ 400.00	+ Professional/registration fees
Agreement as a condition of consent	\$ 100.00	+ Professional/registration fees
Release from Title of any agreements noted above	\$ 300.00	+ Professional fees
Release of Site Plan Agreement	\$ 100.00	+Professional fees, where applicable
Amendment of Site Plan Agreement	\$ 100.00	+Professional fees, where applicable

SCHEDULE 'E' – PROPERTY
To By-Law Number 48-2019

Commented [AS1]: Merged into separate Planning Fees By-law

Section	Fee Description	Fee	Details
Property Sales and Leases			
	Application to purchase or lease municipal property— road/shore allowance abutting property owned by applicant(s)	\$ 500.00	+all costs including survey, legal, transfer and a minimum of either \$1000 or the established fair market value, whichever is more
	Application for purchase or lease of municipal property— property not a part of a road/shore allowance abutting property owned by applicant(s)	\$ 500.00	+ Fair market value or as established by Council
License of Occupation			
	Sidewalk Cafe	\$75.00 Annually May 15-October 15	Intended but not limits to use by Coffee Shops, Bakeries, Delis, and — confectionary — stores. Sidewalk Café Licences of Occupation will be restricted to establishments located on the ground floor, with the use of single row, tables, chairs and/or benches up against the building face
	Small Sidewalk Patio	\$ 200.00 Annually May 15-October 15	With occupancy of twenty (20) people or less
	Large Sidewalk Patio	\$ 350.00 Annually May 15-October 15	With occupancy of twenty-one (21) people or more. Currently restricted to Bernier Drive where installed patios offer unobstructed sidewalk width for pedestrian movement along the abutting sidewalk. Perimeter fencing is required regardless of sales and or consumption of alcohol
	Merchandise Display	\$50.00 May 15-October 15	A Merchandise Display Permit allows business owners to display their products and decorative — components (Planters, Pots etc.) on a portion of the sidewalk in front of their business

Whitecap Pavilion Rentals	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)	Peak/Off Season	
Hourly	\$32.80	
Half Day	\$210.00	
Full Day	\$525.00	

Lake of the Woods Discovery Centre	Rental Rates
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



December 6, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

**Fr: Adam Smith, Director of Development Services
Megan Dokuchie, Economic Development Officer**

**Re: Application to the Northern Ontario Heritage Fund Corporation –
McLeod Park and Husky the Muskie**

Recommendation:

That Council approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$493,077 for the rehabilitation and renovation of McLeod Park and Husky the Muskie; and further

That Council confirms its financial commitment of up to \$94,128 for the project to be funded through Municipal Accommodation Tax revenues; and further

That Council hereby approves any cost overruns associated with the project.

Background:

To support implementation of the Harbourfront Business Development Plan, Council awarded the detailed design and tender specifications project to KGS Group, HTFC Planning and Design and Number TEN Architects at a special meeting on October 12, 2021.

The consulting group has prioritized the renovation and rehabilitation of McLeod Park in its initial design work as the municipality has applied to the FedNor Tourism Relief Fund (TRF) for support to redevelop this area, alongside a refurbishment of Husky the Muskie. The TRF requires that projects must be completed by March 31, 2023, which allows for capital work to be undertaken during one construction season.

Through workshop sessions with both internal staff and Council, the consulting team has identified the opportunity to include additional elements at McLeod Park that were not initially contemplated during the master planning process. Potential amenities that are under consideration include, but are not limited to: additional picnic areas, playground elements, improved accessibility components, fishing pier/stage area, tiered seating, washroom rehabilitation, site feature signage, enhanced lighting and trellises.

Staff have identified an opportunity to seek additional funding for this project through NOHFC which will allow for an enhanced scope of work to be undertaken at McLeod Park and create further activation and amenities in this open space. Should this funding not be received, the City of Kenora will evaluate options to undertake a smaller scope of work at McLeod Park.

Budget: Total budget based on preliminary revised design concepts is estimated at \$941,280. The City of Kenora has applied to the TRF for \$354,075 of total project costs. The municipal contribution of \$94,128 will be supported through Municipal Accommodation Tax revenues. Total assistance from senior levels of government is estimated at 90 percent of total costs.

Risk Analysis: There is a high financial risk to be realized through this application. This risk is positive and should be accepted. If approved, this funding will lower the estimated municipal contribution to the project and allow for a broader scope of work to be undertaken at McLeod Park.

Communication Plan/Notice By-law Requirements: Resolution required.

Strategic Plan or other Guiding Document:

- 1-1 The City will provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district;
- 2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems;
- 2-4 The City will act as the catalyst for continuous improvements to the public realm.

Kenora's Economic Recovery Plan

Prioritize investment into Kenora's Harbourfront to stimulate the local economy and attract both local residents and tourists.



December 6, 2021

City Council Committee Report

TO: Kyle Attanasio, CAO

FR: Adam Smith, Director of Development Services

RE: Bell Canada Lease Confirming and Amending Agreement–Town Island

Recommendation:

That Council hereby authorizes the Mayor and Clerk to enter into a ten (10) year lease confirming and amending agreement between the Corporation of the City of Kenora and Bell Canada, effective January 1, 2022 for a portion of Town Island; and further

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

Background:

Since March 8, 1993, the Corporation of the City of Kenora (formerly the Corporation for the Town of Kenora) has maintained a lease with Bell Canada or its interest for approximately 40 metres by 70 metres of property that is situated on Town Island in the Lake of the Woods. This lease agreement has been amended and extended multiple times since 1993. The current lease agreement is set to expire on December 31, 2021.

The City of Kenora has negotiated a new lease confirming and amending agreement with Bell Canada for the period of January 1, 2022 up to and including December 31, 2031. It is anticipated that this agreement will be assigned to the Nature Conservancy of Canada (NCC) upon transaction of the property. Solicitors from the NCC have participated in the negotiation of this agreement alongside the City of Kenora and Bell Canada.

Budget: Annual rent is to be calculated and paid at \$3,500 + HST per annum.

Risk Analysis: There is low risk to executing this agreement as it will allow for maintained use of the infrastructure currently in place and utilized by Bell Canada on Town Island.

Communication Plan/Notice By-law Requirements: By-law required.

Strategic Plan or Other Guiding Document:

1-2 The City will forge strong, dynamic working relationships with the Kenora business community.



November 26, 2021

City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Kevan Sumner, City Planner

Re: Site Plan Agreement – Two Bears Marina

Recommendation:

That the Mayor and Clerk of the City of Kenora be authorized to execute a site plan agreement between the Corporation of the City of Kenora and Canadian Pacific Railway Company; and further

That three readings be given to a bylaw for this purpose.

Background:

Two Bears Marina Inc., acting as agent for the property owner, submitted a site plan control application in September, 2021, with the intent of obtaining site plan control approval for the expansion of the existing marina with the addition of docks and seven boat slips for the mooring of watercraft and barges.

Since April 2021, the Planning Division has been undertaking a formal compliance process with the tenant and property owner as a result of unpermitted expansion of the Two Bears marina. The goal in doing so was to bring the property into compliance with the City of Kenora's Zoning and Site Plan Control By-laws, and obtaining all necessary permits.

The applicant attempted to maintain the entirety of the expansion by proceeding with a minor variance to parking provisions in the Zoning By-law, specifically being the allowance for off-site parking. This application was defeated by the Planning Advisory Committee (PAC) in July 2021. However, the PAC did approve an application to expand a non-conforming use. In approving one but not the other, the tenant and property owner were allowed to legally expand the marina beyond the existing legally non-conforming docks on the western portion of the property, but only if the associated required parking was confined to the subject property.

Following the PAC decisions, the applicant has since removed 72 unpermitted docks from the property, but wishes to legally establish docks with seven boat slips for the mooring of watercraft and barges that were installed by DTL Construction in 2020.

The site plan control application and associated drawings were reviewed by the Site Plan Review Committee. Comments were provided and the necessary revisions were completed by the applicant. There are no outstanding concerns.

Refer to the site plans for drawings which display the proposed development as approved by the Site Plan Review Committee.

Budget: No impact. Application fee paid in accordance with the Tariff of Fees By-law. Security for the required works will be provided by the applicant, as required in the attached Agreement. All remaining costs for registration, etc. will be the responsibility of the developer.

Communication Plan/Notice By-law Requirements: Notice of meetings, of the Committee of a Whole, and Council provided as per the Notice By-law.

Risk Analysis: Analysis of planning applications is accomplished in accordance with the legislation provided through the Planning Act. Applications are required to be consistent with the Provincial Policy Statement, and meet the criteria listed in the Official Plan. The Agreement has been reviewed by legal counsel and sets out the course of action should there be a default by the property owner.

Strategic Plan or other Guiding Document: The Official Plan, Site Plan Control By-law (189-2010) and City Policy (PP-5-1), provides criteria for the evaluation of Applications for Site Plan Approval.



**The Corporation of the City Of Kenora
Notice of Complete Application and Public Meeting for a
Zoning By-law Amendment, File Number D14-21-10
Planning Act, R.S.O 1990, c.P13, s. 34**

Take Notice that Council of the Corporation of the City of Kenora will hold a Statutory Public Meeting, under Section 34 of the *Planning Act*, to consider a Zoning By-law Amendment as it pertains to Zoning By-law No. 101-2015, at the following time and location:

**Statutory
Public Meeting**

When: Tuesday, December 14th, 2021 at 12:00 p.m.

Location: Council Chambers, City Hall, 1 Main Street South, Kenora, ON

Council will be hosting a virtual meeting by live stream to allow for public viewing. Access to speak at the meeting can be made by registering with the City Planner at planning@kenora.ca

The Council of the Corporation of the City of Kenora will then have the opportunity to consider a decision regarding the application during their regular meeting on Tuesday, December 21, 2021 at 12:00 p.m.

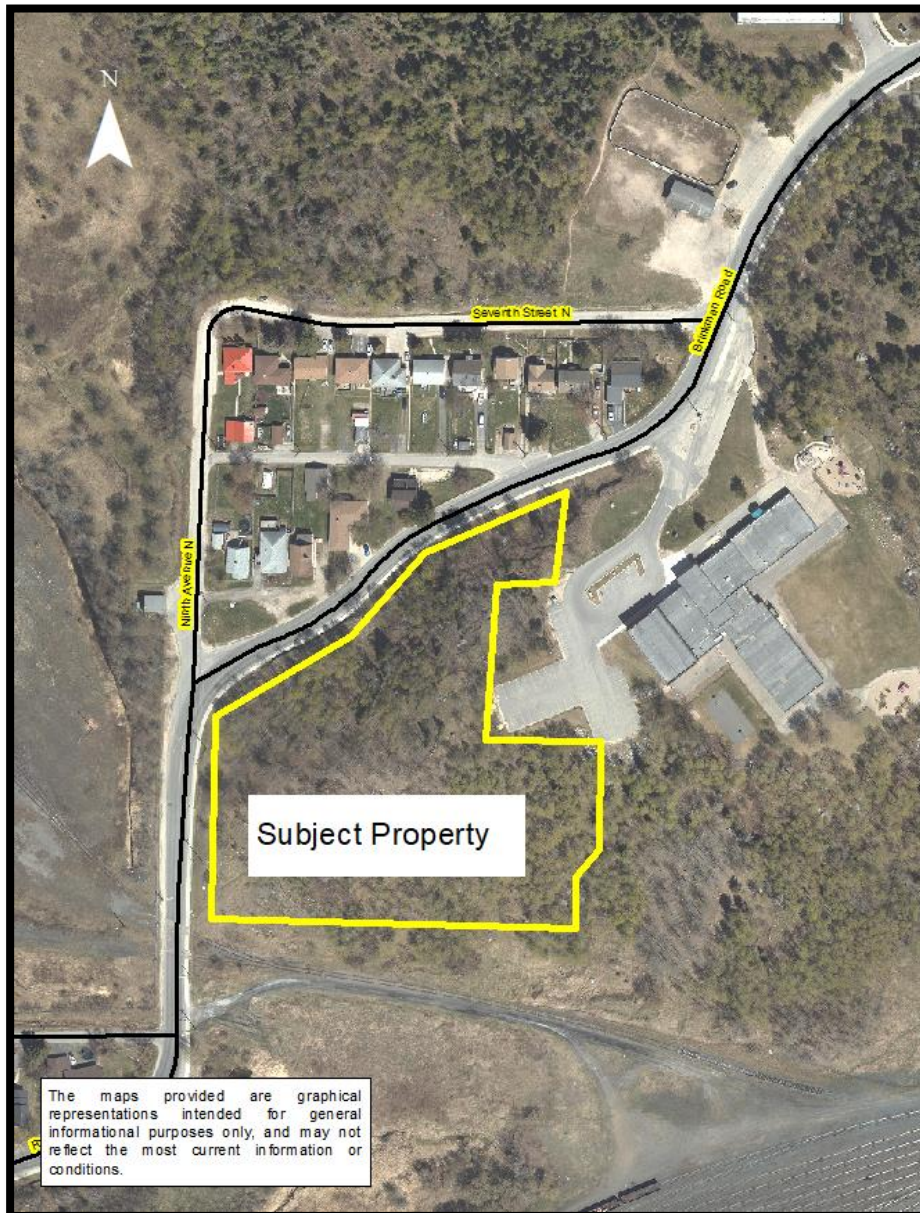
You are also invited to attend The Kenora Planning Advisory Committee (PAC), who hears applications and considers recommendations to Council, commencing at the following time and location:

PAC Open House

When: Tuesday, November 16, 2021 at 6:00 p.m.

Location: PAC will be hosting a virtual meeting via Zoom Meeting.

Access to the virtual meeting will be made available by registering with the Secretary-Treasurer at planning@kenora.ca.



Be Advised that the Corporation of the City of Kenora considered the Application for an Amendment to the Zoning By-law to be complete on October 25, 2021.

Location of Property: Unaddressed property on Ninth Avenue North and Brinkman Road, ON, as identified in the key map above.

Purpose: to amend the current zoning of the subject property from "RU" Rural Zone and "I" Institutional to "R3" Residential – Third Density Zone.

Effect of Approval: to permit the development of uses permitted within the "R3" Residential – Third Density Zone, including but not limited to multiple attached dwelling(s).

Virtual Statutory Public Meeting: Although Council meetings are being held virtually via live stream, there are still several ways in which the general public can provide input on the proposed application, as follows:

- a. **Submit comments in writing:** Persons wishing to provide comments for consideration at the Statutory Public Meeting may submit such comments in writing no later than Monday December 6, 2021 by email, to planning@kenora.ca or by regular mail to the address below, and quote File Number: **D14-21-10**.

Mr. Kevan Sumner, City Planner
60 Fourteenth Street North, 2nd Floor, Kenora, ON P9N 3X2

- b. **Register to Speak at the PAC Virtual Meeting:** If you wish to speak at the Statutory Public Meeting, you are asked to register in advance by email, to planning@kenora.ca no later than noon on Friday, November 12, 2021 and quote File Number: **D14-21-10**. To register by phone please call: 807-467-2059.
- c. **Register to Speak at the Statutory Public Meeting:** If you wish to speak at the Public Meeting, you are asked to register in advance by email, to planning@kenora.ca no later than noon on November 5th, 2021 and quote File Number: **D14-21-10**. To register by phone please call: 807-467-2059.

Failure To Make Oral Or Written Submission: If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the City of Kenora before the by-law is passed:

- a. the person or public body is not entitled to appeal the decision of the Council of The Corporation of the City of Kenora to the Local Planning Appeal Tribunal.
- b. the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Appeal of a decision of the Municipality in respect of this Zoning By-Law Amendment may be made by any person or public body not later than 20 days after notice of the decision is given.

Notice of Decision: If you wish to be notified of the decision of the Council of The Corporation of the City of Kenora in respect of the application for zoning by-law amendment, you must make a written request to Heather Pihulak, Clerk of The Corporation of the City of Kenora at 1 Main Street South, Kenora, ON P9N 3X2

Additional Information is available during regular office hours at the Operations Centre. Please contact Kevan Sumner, City Planner, if you require more information: Tel: 807-467-2059 or Email: planning@kenora.ca
Personal information that accompanies a submission will be collected under the authority of the Planning Act and may form part of the public record which may be released to the public.

Dated at the City of Kenora this 4th day of November, 2021