



**City of Kenora**  
**Committee of the Whole**  
**Minutes**

**Tuesday, December 14, 2021**  
**9:00 a.m.**

**City Hall Council Chambers**

The livestream meeting recording can be found at:  
<https://kenora.civicweb.net/Portal/>

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**Present:**

Mayor Daniel Reynard  
Councillor Graham Chaze  
Councillor Mort Goss  
Councillor Rory McMillan  
Councillor Andrew Poirier  
Councillor Sharon Smith  
Councillor Chris Van Wallegem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Manager of Administration/City Clerk, Charlotte Edie, Director of Finance, Adam Smith, Director of Development Services, Roberta Marsh, Director of Human Resources, Kevin Gannon, Director of Engineering & Infrastructure, Stace Gander, Director of Community Services

**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 Acknowledgment – Councillor Goss**

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with our Indigenous people.

We give thanks for the many blessings we enjoy in the City of Kenora. We seek wisdom in our minds, clearness in our thinking, truth in our speaking and always love in our hearts, so that we may try always to unite the Citizens of Kenora. Let these principles guide us in our decision making.

**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.

Councillor Smith declared an indirect pecuniary interest as it relates to agenda item number 3.2 regarding Engineering & Infrastructure report in regards to the section in the report pertaining to the NADM audit report as her spouse is a consultant that works with NADM and was involved with the City audit.

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

#### **Resolution #1 - Moved by Councillor R. McMillan, Seconded by G. Chaze & Carried:**

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** (virtual attendance)

Michael Cleland, Mike Roma and Tom Janzen from RC Strategies attended virtually to present an update on the draft development of the Parks & Recreation master plan.

There are three phases of the development of this master plan and will provide a blueprint for decision making about parks and recreation investments over the next 10 years. It informs the priorities that should be advanced for decision making through the City's business planning and budgeting process. Justifying sustained and enhanced investment in parks and recreation and outlining strategies for optimizing the use of existing infrastructure. Identifying gaps in service delivery and facility provision and prioritizing recommendations for future investment in infrastructure along with outlining service levels and development guidance for different types of indoor and outdoor facilities. Identifying ways in which the entire parks and recreation delivery system can be strengthened is an overall objective.

The survey results provide guidance on developing the plan and the survey responses were very helpful in shaping the initial development of the plan.

Mayor Reynard thanked the delegation for the information and the progress on the Parks & Recreation Master Plan.

### **E. Reports:**

#### **1. Administration & Finance**

##### **1.1 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.

**Discussion:** Financial statements are trending in the same way in most departments. Any deficits that you are seeing in these statements, we will be using the COVID funding to offset those losses. Once there is a total at end of the year Charlotte will report what will be used and what we will be offsetting with that funding.

##### **1.2 2021 Q3 Investments**

#### **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.

**Discussion:** Charlotte Edie, Director of Finance provided an overview of the investments. The change is the \$11,749,000 debt we previously held with the Prosperity Trust Fund is now with Prudent Investor. The book value is now \$34,514,000 at the end of June \$22,609,000 that reflects the transfer of the \$11M debt. The market value at the end of September is \$35,663,740 the year to date actual return on these investments at the end of Sept 30 is 4.1% and the return since inception which is Sep 2020 is 7.6%. The second part of the Prosperity Trust Fund is a portfolio of \$4.9M that were put in trust to gradually move over to the Prudent Investor/OneFund regime as well. The third portfolio is still with Manulife Asset Management and RBC Dexia. Had we left all the investments with RBC Dexia this is the return we would have seen which is much lower and is the benchmark for our change. Rate of return since inception is 2.63%. There are other investments that are not part of the Prosperity Trust Fund which was also reported. This is our general fund investments which sit at \$20,299,563 and we hold it in a few different portfolios.

### **1.3 2021 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.

**Discussion:** We continue to pursue these write offs even once written off and does not include water and waste water as these amounts are transferred to the tax roll.

### **1.4 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.

**Discussion:** Council met on December 3<sup>rd</sup> to review the capital budget including the unusual spend. Staff included the changes that were directed by Council at this meeting. As part of the budget we included the Railway Street Phase II project for 2022 and we funded the portion that is not funded through ICIP. Since that time, the new announcement of the NORDS funding came and we are proposing to use \$493,461 be used for Phase II in 2022. Since the development of the budget we had a plotter fail and have moved the \$20,000 budget from 2023 to 2022 for replacement of that plotter. We had also included the McLeod Park/Husky's landing project which we are now receiving \$941,280 from NOHFC and use the allocation for bridge art work of \$50,000 for the project and not use the RED funding because NOHFC is so much more. In the unusual spend side Council suggested we double the CIP funding, to \$200,000. The net tax

levy allocation was reduced by \$318,000 and proposing we appropriate it to capital reserves for future years.

### **1.5 Request to Phase Out Vacancy 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.

### **1.6 Section 357**

#### **Recommendation:**

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

### **1.7 General Tariff of Fees & Charges Bylaw**

#### **Recommendation:**

That Council hereby approves a new Tariff of Fees and Charges bylaw 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.

**Discussion:** The report is focused on user fees in the various divisions. Each Director provided an overview of the user fee increases and justification for each.

### **1.8 Crime Prevention and Community Well Being 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.

### **1.9 Handi Transit Service 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.

### **1.10 Accounts Receivable Collections Policy**

#### **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.

### **1.11 Harbourfront Downtown Service Delivery Model**

#### **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 1<sup>st</sup>– 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.

**Discussion:** Looking for the feedback of our business community, residents and visitors to see how this program work and will be able to determine if the program met its objectives. We took the time to research and best practices in other communities and have done our due diligence to find what other municipalities are doing and determine what our municipal mandate is. We are working with other agencies and partners to try to best support one another. Kyle expressed the City's gratitude to the Pines/KHS Board for their years of service to the City and the good work that Buck Matiowski and his team did down on the Harbourfront over the years.

The Harbourn town Ambassador Program would have three different components to the program. We are in discussion with our business community with what the best times are for this program and really looking to expand the service in a variety of ways.

## 2. Fire & Emergency Services

### No Reports

## 3. Operations & Infrastructure

### 3.1 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.

### 3.2 Engineering & Infrastructure Q4 Report

#### Recommendation:

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

**Discussion:** Kevin would like to understand what Council would like to see in these future quarterly reports. Council appreciates these reports and the information being provided within these reports. When look at resurfacing projects, would like to see the dollars being spent in the various areas of sidewalks and roadways.

Councillor Smith stepped away from her Chair while the CVOR portion of the report was discussed. It was suggested that we get this information out to the public quicker with interactive information for the public to understand when their roads will get plowed. We have a tool within the organization called Lynxfield which is linked to our vehicles. The team is discussing the use of this tool and there are municipalities that do have interactive maps of where plows are, and sometimes those are used effectively and some ineffectively. Kevin will continue to review these options and provide his best recommendation in these areas.

## 4. Community Services

### 4.1 Application for Funding-ICIP Program – Kenora Recreation Centre

#### 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.

**Discussion:** It was questioned if we are successful with the application and when it comes forward, what would the funding entail for the project. We contemplated replacement of the

roof, dry pad replacement, walking track, moving the tennis courts and significant improvements to the ball diamonds. This is seventy four cent dollars.

#### **4.2 Application to NOHFC Rural Enhancement Funding Stream**

##### **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.

#### **4.3 Application to NOHFC for Kenora 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.

**Discussion:** The costs associated with the project is the Peace Pole, the landscaping and the monument itself.

#### **4.4 Missing & Murdered Indigenous Women Monument MOU**

##### **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.

#### **4.5 Community Services Q4 Report**

##### **Recommendation:**

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

**Discussion:** Stace acknowledged the work of staff. It was questioned if additional docking could be added to the Garrow Park area for the public. On a busy summer day, the dock is under water because it's so busy on that dock.

## **5. Development Services**

#### **5.1 Construction, Demolition & Change of Use Permits & 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.

**Discussion:** As part of the service delivery review, these fees have not been raised since 2005

and the language has been updated to reference the new building code legislation. This allows us to look at service improvements with e-permitting platform as well.

## **5.2 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.

**Discussion:** This is not a full cost recovery, however, these fees will bring us closer to recovering many of our costs associated with Development Services. There are specific fees that need to be captured through the applications which are driving significant staff time in the planning file applications. These fees should be cost recovery and taxpayers should not be subsidizing the costs associated with these applications. There will always be a gap in the costs as we still want to encourage development, but reducing the gap supports service enhancements and reduces the tax levy subsidy that currently occurs. It was suggested we implement at 2% fee increase annually so these fees automatically increase annually. Kyle noted we will review that recommendation and see how it can be handled in the future.

## **5.3 Application to NOHFC for McLeod Park & 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.

## **5.4 Bell Canada Lease Confirming & 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.

## **5.5 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.

## **F. Proclamations**

None

## **G. Other**

### **Public Zoning Amendment Meeting Held at 12:00 p.m. D14-21-10-Unaddressed property, East of Ninth Avenue North**

#### **Recommendation:**

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-10, to change the zoning of the subject property from "RU Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone; and further

That Council gives three readings to a by-law to that effect.

## **H. Next Meeting**

- Tuesday, January 11, 2022

## **I. Adjourn to Closed**

### **Resolution #2 - Moved by Councillor G. Chaze, Seconded by R. McMillan & Carried:**

That Council now adjourn to a closed session at 11:36 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, the Closed Session will 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)

## **J. Reconvene to Open Meeting**

Council reconvenes to open session at 3:35 p.m. with no reports from its closed session.

## **K. Close Meeting**

Meeting adjourned at 3:35 p.m.