



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

**Wednesday, March 8, 2023**

**9:00 a.m.**

**City Hall Council Chambers**

Live Stream Link: <https://kenora.civicweb.net/Portal/>

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**Present:**

Mayor Andrew Poirier  
Councillor Robert Bernie  
Councillor Graham Chaze  
Councillor Lindsay Koch  
Councillor Barbara Manson  
Councillor Lisa Moncrief  
Councillor Kelsie Van Belleghem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Stace Gander, Director of Economic Growth and Recovery, David Pratt, Director of Fire & Emergency Services, Greg Breen, Director of Engineering & Infrastructure, Ryan Marsh, Director of Finance, Roberta Marsh, Director of Human Resources, Risk & Insurance, Marco Vogrig, Municipal Engineer, Andrew Smith, General Manager of Recreation, Dave Mellor, General Manager of Engineering

**Blessing & Land Acknowledgment** – Councillor Bernie

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 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.

**A. Public Information Notices**

As required under Notice By-law #160-2022 the public is advised of Council's intention to adopt the following at its March 22, 2023 meeting:-

- Council Adopt the 2023 Municipal Operating Budget
- Adopt the 2023 Water & Wastewater Utility Budget
  - Adopt the 2023 Solid Waste Utility Budget

**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**

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

That the Minutes from the last regular Committee of the Whole Meeting held February 8, 2023 and Special Committee of the Whole meetings held January 30<sup>th</sup>, February 1<sup>st</sup>, February 2<sup>nd</sup> February 6, and March 1, 2023 be confirmed as written and filed.

## **D. Deputations/Presentations**

Councillor Koch announced that today is International Women's Day and highlighted the contributions that women make professionally and personally to our community and society. Special recognition was provided to all our small business owner/operators who are women and are a key driver of our local economy. We can do more and be more when all genders work together and there is room for all voices. Councillor Koch encourages all young people to share their ideas and opinions.

### **Mount Evergreen Ski Hill – Blair McCallum**

Mr. McCallum presented an update on the Mount Evergreen Ski Hill. Mount Evergreen land is City owned property which is ran by a registered not-for-profit volunteer Board of Directors. This Board puts in countless hours to ensure that Mount Evergreen continues to be a valuable asset to our community since the 1950's. Mount Evergreen Ski Club Board of Directors is a separate entity to that of the Kenora Nordic Club. They have recently expanded with the lit trails that have opened this year.

Mount Evergreen Ski and Recreational Area parkland consists of almost 50% of the city's total parkland. The facility is frequently attended by local members of the community, including Indigenous communities, schools, and workplaces. In 2023, they had 321 local season pass members. Mount Evergreen is also used by many individuals outside of our community as well, contributing greatly to tourism. On average, in 2023, 24% of all day users are from outside our community. Most weekends, out of town day users are around 40% with a high value of 70% on the weekend of February 11-12th. These numbers are consistent with what they saw in the 2021/22 season, with a high of 56% of day users from out of town.

In 2018, Mount Evergreen Ski Club hired a consultant to review the feasibility of expanding Mount Evergreen Ski and Recreation Area into a four season destination. The results of the study showed tremendous potential for year round activities and the expansion of the services Mount Evergreen provides. This would create new tourism opportunities for the City of Kenora and recreation based activities aimed at a wide group of people.

In 2022, the Board of Directors for Mount Evergreen committed to moving Mount Evergreen to a four season operation. This move will be completed over multiple funding phases to ensure that they remain fiscally sound and be able to maintain operations throughout the expansion. Phases of expansion will include a new operations facility and equipment, implementation of non-winter activities, replacement of lifts, and a new chalet and guest services building.

The expansion of Mount Evergreen directly contributes to the City of Kenora's Parks and Recreation Master Plan, the Beaches, Parks and Trails Plan, and the Five Year Economic and Tourism Plan. Through surveys completed to inform the parks and recreation master plan, residents, stakeholders and user groups acknowledged that ski trails (alpine and nordic) should be enhanced over the next 10 years and participation trends in that time span also indicate that they should be enhanced. Many outdoor amenities in the Parks and Recreation Master Plan that were indicated to be enhanced, such as pump tracks/bike skills parks, festival and community performance spaces, youth spaces, multi-purpose program rooms, and campgrounds are all

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included in Mount Evergreen's four season development plan.

Phase 1 of the Four Season Plan will include the construction of a new operations facility and equipment better the quality of our winter operations. Primary deliverables for Phase 1 include: New operation facility and garage to store equipment and staff operations; Purchase an updated groomer; Purchase new snowmaking equipment; Updating lighting on the hill. The deliverables for this phase were chosen due to priority needs for the facility. In order to ensure that they grow our winter operations to fund future developments, the above are needed. An operations facility will be important to use as a temporary ski chalet during future development.

They have requested funding for the Phase 1 of the Four Season Plan from the following agencies: NOHFC-50%; FEDNOR-40%; City of Kenora MAT. The remaining portion of the costs would be covered by Mount Evergreen Ski Clubs capital project reserves and fundraising efforts. The projected cost for the implementation of Phase 1 is currently at \$2,000,000. Future phase implementation/development of shoulder season activities. These may include: Downhill mountain biking trails; biking skills park and pump track; zip lines/climbing apparatuses; outdoor events/festivals. Future Phase includes updating Mount Evergreen lifts. Current lifts are approaching 60 years old. New lifts would be also able to support shoulder activities such as downhill mountain biking. Future Phase is the construction of new guests services building and chalet. Chalet would support year round food services and meeting space.

Council thanked Mr. McCallum for his presentation and a copy was left with the Clerk.

#### **Peter Kirby & Doug Orchard Composting Project -Feasibility Study & Pilot Project**

In 2018 they did a survey of 21 food outlets in Kenora and they expressed great enthusiasm to participate in a composting program. They made the best effort to meet with every candidate and gave a brief overview of the mission of the group. They have toured sites in Manitoba and they are great successes in several Manitoba communities. The life of the landfill is estimated at 25 years. If done correctly in the City of Kenora with curbside program it will increase the life of the landfill by 8 years. It will provide a tremendous opportunity to join First Nations who are also looking for landfill solutions. It will be much more costly to build a new landfill as you require leche containers which is extremely expensive. Starting with a feasibility study would be the best approach, followed by a pilot program and then ultimately a curb side program. Governments are moving towards banning organics and we have an obligation to future generations to do something.

Council thanked Mr. Kirby for the presentation and information was left with the Clerk.

#### **Ken Ames, Project on the corner of Sunset Bay & Transmitter Road**

Mr. Ames wanted to recognize two City employees from the Roads division who looked after the Sunset Bay area and is very thankful for the service provided for snow clearing in the area.

Mr. Ames expressed concerns regarding the development in his neighbourhood.

#### **Wes Siemens, Multi Unit Residential Water Rates**

Wes Siemens has been investing in apartment buildings for over 15 years. The change in billing formula has affected the City. The history to the change of the billing model was a condo owner came to the City and complained that they were paying an individual unit meter charge and what was proposed is that instead of changing that building to one meter, they decided to change and charge a meter fee for all buildings. New buildings would be required to add individual meters to every building for new builds. The new charge was always referred to a

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water meter fee, but because there wasn't an actual meter, they started to call it a multi-unit water meter. The results from the survey were against what was proposed.

The current billing model for multi units that was adopted is 50% of what a single family would pay, plus usage. Multi units in Kenora pay the highest water rates in the province. Since this came in Mr. Siemens has sold three buildings and own less rental buildings in Kenora now. He is optimistic that this new Council will review these rates and is confident that a new billing model could be realized that would not directly impact rental units so negatively.

Mr. Siemens provided a Northwestern Ontario water rate comparison which included Kenora, Ear Falls, Dryden, Red Lake and Thunder Bay to Council.

Councillor Van Belleghem will be bringing a notice of motion forward to ask administration to look into this rate structure.

Council thanked Mr. Siemens for his presentation and a copy of the rate comparable was left with the Clerk.

## **E. Reports:**

### **1. Corporate Services / Finance / Human Resources**

#### **1.1 External Salary Review – Compensation Review**

##### **Recommendation:**

That Council hereby supports the adoption of the new City of Kenora non-union salary grid; and further

That Council directs future salary administration to streamline the Professional and Managerial Pay Grid to reflect the 100% percentile of the midpoint of the established external salary range based on the external 2021 Compensation Review Survey results; and further

That the implementation placement of existing employees on the Professional and Management Pay Grid is set at the step closest to the salary of the current incumbent, in accordance with policy, effective January 1, 2023, or as otherwise approved by Council; and further

That administration modernize total compensation for those in the employee group of Professional and Management – Non Union.

**Discussion:** Roberta Marsh, Director of Human Resources, Risk and Insurance clarified what staff are included in this review. There are three groups of employees that are included in the non-union employees: the professional managerial staff who oversee our core City services, our Museum staff and our paid for call.

In accordance with our salary administration policy, Administration has performed an external salary survey to compare the current salary levels for City of Kenora manager and professional staff to the external market. Total compensation considers salary range, healthcare benefits, and standard hours of work and performance metrics. Additionally we looked at impacts of COVID and trends other municipalities are starting to see. 40 Municipalities across Ontario participated in the survey and data was collected on all the different factors. It is important to note that the data collected was based on 2021 salary information and any annual economic adjustments to the Management Pay Grid may have not occurred.

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The recommendation is for Council to adopt the new grid based on the research prepared and provided that we streamline the grid to reflect 100% percentile midpoint and to implement in accordance with the policy.

It was questioned how much of an impact it would make to the budget if we delayed the implementation of the grid until July or September. Some members are concerned about the reality of the budget and some members would like to see the recommendation changed to July 1<sup>st</sup> implementation. It was suggested that the change would help in the budget deliberations.

There are concerns about the high amount that municipalities in Ontario are mandated to pay through municipal tax dollars that belong with other levels of government. We are responsible to pay for over \$6M in costs such as land ambulance, social services, social housing and more that are a direct impact to our budgets. This salary increase is for our own staff who provide municipal services and ensure a fair wage is provided and we retain our staff.

It is important to note that salaries are individual. We have to look at each individual and calculate what the impact is to each one. We are continuing to recruit throughout this process and our wages have been noted as under review.

It would be a significant amount of work to recalculate the amounts to provide a revised number for different implementation dates for Council prior to the March 22 meeting. There was no direction to administration to proceed in recalculating or providing further information prior to the March 22 meeting.

## **1.2 2023 Municipal Operating Budget, Solid Waste and Water & Wastewater Utility Budgets**

### **Recommendation:**

That Council hereby approves the City of Kenora's 2023-2025 Municipal Operating Budget, Solid Waste and Water & Wastewater Utility Budget as reviewed and amended; and further

That in accordance with Notice By-law Number 160-2022, public notice is hereby given that Council intends to formally adopt the 2023 Municipal Operating Budget, Solid Waste, and Waste & Wastewater Utility budgets at its March 22<sup>nd</sup> Council Meeting; and further

That Council authorizes City Administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the amended budgets; and further

That Council give three readings to a By-law to adopt the 2023 Municipal Operating Budget, Solid Waste and Water & Wastewater Utility budget.

**Discussion:** Ryan Marsh, Director of Finance provided background information on the budget process. The draft Municipal Operating Budget was reviewed at a special budget meeting held on February 2, 2023 and further summarized on March 1<sup>st</sup>, 2023. The amendments to the original draft are as follows:

- 1) Contribution to Kenora District Service Board for land ambulance services be increased by the amount of \$150,000
- 2) Community Safety Well-Being position and operating budget of \$162,000 be included
- 3) Addition of operating funding for the Sustainability Committee of \$75,000
- 4) Approved Compensation Review Implementation of \$395,410
- 5) Reserve contribution holiday of \$316,000
- 6) Utilization of the Tax Write-Off Reserve, appropriation from reserve of \$653,630

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## 7) Reduction in Policing Costs in the amount of \$511,417

The resulting total additional requirement for 2023 is \$1.533 million or 5.36% increase from the 2022 budgeted tax levy. The draft budget maintains existing levels of service.

Under the draft solid waste operating budget and five year capital plan were reviewed with Council at a special budget meeting held March 1st, 2023. It should be recognized that the draft budgets are based on maintaining existing service levels and reflect existing approved rate structure.

The draft water and waste water utility budgets reflect the Water and Wastewater long range financial plan forecast recommendations. One of the recommendations of the financial plan was to implement a 3.1% increase to water and sewer rates for 2021. Council did not act on that recommendation. The plan was then amended to cancel the 2021 increase. The 3.1% annual increases for the remaining term from 2022 to 2026 remain in the plan. These increases would support the ongoing replacement of existing assets, begin to address the infrastructure deficit, and improve revenue stability.

The 3.1% increase effective January 1<sup>st</sup>, 2023 is to be reflected in the 2023 water and sewer operating budget.

### **1.3 Electronic Monitoring Policy #HR-2-5**

#### **Recommendation:**

That Council hereby adopt a new Electronic Monitoring Policy #HR-2-5 in accordance with the Employment Standards Act, 2000 (ESA); and further

That this policy form part of the City of Kenora's Comprehensive Policy Manual; and further

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

**Discussion:** Roberta Marsh explained that this policy is coming forward as a result of changes to the Employment Standards Act which occurred April 11<sup>th</sup>. Bill 88 was passed implementing the Working for Workers Act, 2022. The policy contains a number of changes for employers including a requirement for a policy on electronic monitoring in the workplace and how we provide notice of how we use electronic monitoring. It provides a description on how and what circumstances the employer may electronically monitor employees and how the information may be used.

The ESA's changes do not affect or limit an employer's ability to use information obtained through the electronic monitoring of its employees in any way it sees fit. The City of Kenora like many municipalities does capture data through various means such as fobbing into doors, and our various software programs. There are lots of different data points to improve services, respond to incidents or incidents where there is theft or damage. This policy spells out all the different systems and tools that we use to collect data. It is not exhaustive and as we move forward, we will continue to advise employees of changes.

It is important to note that if we were to use this information, we would have to follow the standards and have reasons to look at data. This policy does not take away the responsibilities under the Employment Standards Act when there is a question or issue that comes to light. The policy is meant to be broad, but it does not eliminate that the employer has to pass several tests before we use that data.

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## 2. Fire & Emergency Services

No Reports

## 3. Engineering & Infrastructure

### 3.1 2022 Kenora Drinking Water System Summary Report

**Recommendation:**

That Council of the City of Kenora hereby receives the 2022 Kenora Drinking Water System Summary Report, for the period January 1<sup>st</sup>, 2022 to December 31<sup>st</sup>, 2022.

**Discussion:** Greg Breen, Director of Engineering & Infrastructure advised Council that in accordance with the Safe Drinking Water Act, 2002 requires prior to March 31<sup>st</sup> of each year a report outlining specifics of the system. A Drinking Water System Inspection conducted by the Ministry of the Environment, Conservation and Parks took place on April 15<sup>th</sup>, 2022. The final inspection rating was 96.92%. Two non-compliances were identified in the Inspection Report. These non-compliances, as well as a summary events leading to the non-compliances and corrective actions taken are detailed in Section 5 of the attached report.

Council provided congratulations to staff for the corrective actions and the detailed report.

### 3.2 DWQMS Element 20 – Management Review Information

**Recommendation:**

That Element 20 Management Review Information of the Drinking Water Quality Management Standard (DWQMS) requires that a Management Review be conducted once per year; and further

That this review be presented to Council as owners of the Drinking Water System; and further

That Council hereby receives this report to satisfy the requirements of Element 20 of the DWQMS.

### 3.3 DWQMS Element 15 – Infrastructure Maintenance, Rehabilitation & Renewal Information

**Recommendation:**

That Element 15 Infrastructure Maintenance, Rehabilitation and Renewal of the Drinking Water Quality Management Standard (DWQMS) requires that an annual report be presented to Council as owners of the Drinking Water System, and Council hereby receives this report to satisfy the requirements of Element 15 of the DWQMS.

**Discussion:** Council expressed appreciation to the staff in the Water and Wastewater division for the work they do and Mr. Breen expressed the passion and dedication by the various staff he has already experienced in his early time here at the City.

## 4. Community Services

No Reports

## 5. Development Services

### 5.1 NPC-300 Class 4 Designation for property owned by 1000059403 ON Inc

**Recommendation:**

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That the unaddressed property owned by 1000059403 ON Inc located east of Ninth Avenue North and south of Brinkman Road, legally described as Lots 246-248, 253-271, and 243-252, Block 8, Registered Plan No. 88 (PIN 42169-0162) be hereby designated as a Class 4 Noise Area pursuant to the Ministry of the Environment, Conservation, and Parks' Noise Guideline NPC-300, conditional on the following:

- a) Submission of a detailed noise impact assessment and provision of any recommended noise control measures to the satisfaction of the City; and
- b) Completion of a related Site Plan Agreement, which shall include a requirement to provide notice to prospective purchasers and tenants that the dwellings are located in a Class 4 Noise Area and that agreements respecting noise mitigation may exist and if so, to be registered on title.

**Background:** Kevan Sumner, City Planner advised that this was from a zoning amendment that took place in 2021 to rezone this property to R3 high density residential. As development has progressed we have a request from the developer to classify this as a class 4 noise area pursuant to the Ministry of Environment. That is a designation that needs to come from the planning authorities. There is support for the preliminary Noise Impact Assessment, which means noise levels are allowed to be 10 dBA louder than ordinarily permitted, at 60 dBA during the daytime and 55 dBA at night. That is specific to the adjacent railway tracks where trains are moving. Part of the approval of the condition will require any purchasers to be fully aware of the noise conditions.

It was questioned if there is an efficiency that could be created to handle these applications. In large municipalities where these are more frequent, some incorporate them into the noise bylaw. Without an established procedure, and due to the infrequency of these applications, they would remain with Council hearing these applications.

## **5.2 New Site Plan Control Bylaw**

### **Recommendation:**

That Council hereby approves a new Site Plan Control Bylaw; and further

That bylaw number 105-2022 be hereby repealed; and further

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

**Discussion:** Bill 23 (More Homes Built Faster Act) passed late last year. Changes made to the Planning Act under Bill 23 require that municipalities exempt development of up to 10 residential units from Site Plan Control. We prefer our bylaws to be consistent with public legislation to ensure it is easy for the public to review and have all information consistent and that is what initiated the amendment to the site plan control bylaw. We did further review on the bylaw to see if we could streamline other requests from the need for site plan control. Administration recommends to remove the requirement for Site Plan Control approval for non-residential development outside of the settlement area, day care centres, and on municipally owned land on Tunnel Island, which the planning department is confident may be regulated without the need for site plan control approval. For developments outside of the settlement area, site plan control approval will still be required if a development is located on or adjacent to areas of environmental concern, including Black Sturgeon Lake.

The updated by-law proposes to remove responsibility for administration of the site plan control by-law from the Chief Building Official, to reflect the current practice of the by-law being administered by the City Planner, Associate Planner, and/or Director of Development Services.

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The updated by-law will give more discretion in calculation of financial securities, to give some flexibility in exceptional circumstances where it is determined that a lesser security is suitable to protect municipal interests.

## **F. Proclamations**

None

## **G. Other**

### **12:00 p.m. – Zoning Bylaw Amendment D14-23-01 Unaddressed Property-Jones Road Recommendation**

That Council hereby approves the Application for Zoning By-law Amendment, File No. D14-23-01, to change the zoning of the subject property from “ML” Light Industrial Zone to “ML[55]” Light Industrial, Exception Zone with permitted site-specific Agricultural Use (greenhouse); and further

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

## **H. Next Meeting**

- Wednesday, April 12, 2023

## **I. Adjourn to Closed**

### **Resolution #2 - Moved by Councillor G. Chaze, Seconded by K. Van Belleghem & Carried:**

That Council now adjourn to a closed session at 11:01 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) i) Personal Matter about an Identifiable Individual (1 matter-Kenora Age Friendly Committee)

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

Council reconvenes to open session at 11:07 a.m. with the following reports from its closed session:-

### **Kenora Age Friendly Committee Appointment Recommendation:**

That Council hereby appoints Mayor Andrew Poirier, and alternate Councillor Robert Bernie to the Kenora Age Friendly Committee for a term of November 14, 2026 or at the pleasure of Council.

## **K. Close Meeting**

Meeting adjourned at 11:10 a.m.