



MINUTES

**Of a Meeting of the Council of the City of Kenora
Wednesday, April 19, 2023
5:00 p.m.**

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

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**With** Mayor A. Poirier in the Chair, Councillor B. Bernie, Councillor L. Koch, Councillor L. Moncrief, Councillor K. Van Belleghem

**Regrets:** Councillor G. Chaze and Councillor B. Manson

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Roberta Marsh, Director of Human Resources, Risk & Insurance, Stace Gander, Director of Economic Growth & Recovery, Ryan Marsh, Director of Finance, Andrew Smith, General Manager of Recreation & Culture

## **Call to Order**

Mayor Poirier called the meeting to order at 5:00 p.m.

## **Blessing & Land Acknowledgment** *Delivered by Councillor Moncrief*

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.

## **Public Information Notices as per By-law Number 160-2022**

Mayor Poirier then read the following notices:-

As required under Notice By-law #160-2022, Council hereby advises the public of its intention to adopt the following at today's meeting:-

- Authorize the 2023 Council Remuneration

## **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Poirier then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

Councillor Moncrief declared a perceived pecuniary interest as it relates to agenda item 17 and 18 regarding awards contracts. It is not an indirect or direct pecuniary interest, but a perceived pecuniary interest.

### **Confirmation of Minutes**

#### **1. Moved by, Seconded by & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – March 22, 2023

### **Deputations**

None

### **Additions to the Agenda**

None

### **2023-2026 Multi-Year Accessibility Plan**

#### **2. Moved by L. Moncrief, Seconded by K. Van Belleghem & Carried:-**

That Council hereby accepts the 2023–2026 Multi-Year Accessibility Plan in accordance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

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

#### **3. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That Council hereby amends the Terms of Reference for the Accessibility Advisory Committee; and further

That bylaw number 60-2014 be hereby repealed; and further

That three readings be given to a bylaw to adopt a new Terms of Reference.

### **Sustainability Advisory Terms of Reference**

#### **4. Moved by R. Bernie, Seconded by K. Van Belleghem & Carried:-**

That Council hereby amends the Terms of Reference for the Sustainability Advisory Committee; and further

That bylaw number 171-2020 be hereby repealed; and further

That three readings be given to a bylaw to adopt a new Terms of Reference.

### **Council 2023 Remuneration**

#### **5. Moved by K. Van Belleghem, Seconded by L. Moncrief & Carried:-**

That in accordance with Council's Annual Remuneration Policy #CC-15-1, Council hereby establishes Council's 2023 Remuneration to be set at Mayor \$41,263.61 and Council \$20,706.50 effective January 1, 2023; and further

That in accordance with Notice By-law #160-2022, notice is hereby given that Council intends to adopt a by-law establishing Council remuneration rates for 2023 at its April 19, 2023 meeting; and further

That bylaw number 53-2022 be hereby repealed; and further

That the appropriate by-law be passed for this purpose.

### **Building Officials Appointment**

#### **6. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That pursuant to Sections 3(2) of the Building Code Act, S,O 1992 c23, as amended, Council shall appoint a Chief Building Official and as many inspectors as are necessary for the enforcement of this Act; and further

That Council hereby appoints Barbara Mocny, and Grant Schwartzentruber as Building Official(s) under the Building Code Act for the Corporation of the City of Kenora for the purpose of carrying out or enforcing regulations in accordance with the Building Code Act; and further

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

### **Short Term Accommodation Options**

#### **7. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That Council hereby accepts the Short Term Rental Accommodations Regulatory Options Report; and further

That the Planning Department be directed to proceed with public engagement, to obtain input from stakeholders regarding options for regulating short term rentals; and further

That the Planning Department report back to Council regarding the results of the public engagement and next recommended steps with the regulatory options.

### **D09-23-01 Official Plan Amendment – City Wide Bill 23 Impacts**

#### **8. Moved by R. Bernie, Seconded by K. Van Belleghem**

That Council hereby approves the Application for Official Plan Amendment, File No. D09-23-01, to bring the Official Plan policies into compliance with *Bill 23: More Homes More Choices Act*; and further

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

### **Motion Deferred Indefinitely**

**Discussion:** Council wishes to take a little more time to review prior to making an informed decision.

### **Motion to Defer #8 & 9 (D09-23-01 OPA & D14-23-02 ZBA)**

#### **8a. Moved by K. Van Belleghem, Seconded by L. Koch & Carried:-**

That Motion number 8 and motion 9 on tonight's agenda with respect to approving an Official Plan Amendment (D09-23-01) and Zoning Bylaw Amendment (D14-23-02) be deferred indefinitely for further review.

**D14-23-02 Zoning Bylaw Amendment – Policy Implementation of OPA 9. Moved by L. Koch, Seconded by R. Bernie**

That Council hereby approves the Application for Zoning By-law Amendment, File No. D14-23-02, to replace existing definition and regulations for Secondary Dwellings with a definition and regulations for Additional Residential Units; and further

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

**Motion #8 Deferred Indefinitely, Automatically Defers # 9**

**D14-23-03 Zoning Bylaw Amendment – 1439 Railway Street 10. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That the Application for Zoning By-law Amendment, File No. D14-23-03, to remove the "HL" Hazard Land Zone from the subject property should be approved in part, for removal of the HL zone from the portion of the property illustrated in Figure 7 of the Planning Report, and further

That the remaining "HL" Hazard Land Zone should be amended to "HL[56]" Hazard Land, Exception Zone with permitted site-specific use of non-habitable accessory storage buildings, in which no chemical storage is to be permitted, and further

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

**Final 2022 Council Remuneration Reporting 11. Moved by K. Van Belleghem, Seconded by L. Moncrief & Carried:-**

That Council receives an updated remuneration report which includes the Northwestern Health Unit as required under Section 284 of the Municipal Act, 2001, as amended, setting out the Annual Statement of Remuneration and Expenditures for Members of Council in accordance with Remuneration By-law #53-2022.

**Health & Safety Policy Statements 12. Moved by R. Bernie, Seconded by K. Van Belleghem & Carried:-**

That Council of the City of Kenora hereby accepts the City of Kenora Occupational Health and Safety Policy, the City of Kenora Workplace Harassment Policy and the City of Kenora Workplace Violence Prevention Policy; and further

And that the signatures of the Mayor and CAO are affixed to said policies along with the date of endorsement and are posted in all workplaces.

**Discussion:** A reminder that Council supported a resolution to support Bill 5, a bill Stopping Harassment and Abuse by Local Leaders Act. Members of the public can write to their MPP to voice their support for this bill.

### **NOHFC Phase 2 Funding Application**

#### **13. Moved by K. Van Belleghem, Seconded by L. Moncrief & Carried:-**

That Council hereby authorizes the City of Kenora's total contribution in the amount of \$160,000 for the project; and further

That the applications to the Northern Ontario Heritage Fund Corporation (NOHFC) under its Rural Enhancement Funding Stream have been completed with the requested contribution of \$490,000; and further

That the City be responsible for any cost overruns or any costs deemed ineligible for these projects.

### **Private Road Agreement – 2839441 Ontario Inc**

#### **14. Moved by L. Moncrief, Seconded by K. Van Belleghem & Carried:-**

That the Mayor and Clerk of the City of Kenora be authorized to execute a Private Road Agreement between the City of Kenora and 2839441 Ontario Inc.; and further

That the appropriate bylaw be passed for this purpose.

### **Planning Advisory Committee – Secretary/Treasurer Appointment**

#### **15. Moved by K. Van Belleghem, Seconded by L. Moncrief & Carried:-**

That the Council for the City of Kenora, appoints Alberic Marginet to be the Secretary-Treasurer for the City of Kenora for the Planning Advisory Committee, commencing May 1, 2023; and further

That bylaw number 91-2018 be hereby repealed; and further

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

### **Water & Wastewater Monthly Summary – February 2023**

#### **16. Moved by R. Bernie, Seconded by K. Van Belleghem & Carried:-**

That Council of the City of Kenora hereby accepts the February 2023 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Various Agreements**

#### **17. Moved by K. Van Belleghem, Seconded by R. Bernie & Carried:-**

That the Mayor and Clerk be hereby authorized to execute the following agreements on behalf of the Corporation of the City of Kenora:

- LMD Contracting – metal roofs
- Urban Systems – Active transportation plan
- Titan Contracting – Pocket park servicing works

- Titan Contracting – Municipal paving program
- Moncrief Construction – Sewer and Water reconstruction
- M & L Supply, Fire & Safety – Fire supplies
- Boyer Truck Sales – U body sander/dump truck
- Verne Reimer Architect – Engineering-ice slab replacement

That three readings be given to bylaws for this purpose.

**Councillor Moncrief Abstained.**

### **Approval of By-laws**

**18. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That the following By-laws be now read a First & Second Time, and approved in their present form and presented for Third & Final Reading:~

- #32-2023 - Confirmation
- #33-2023 - Accessibility Advisory Committee Terms of Reference
- #34-2023 - Sustainability Advisory Committee Terms of Reference
- #35-2023 - Council 2023 Remuneration
- #36-2023 - Building Officials Appointment
- #39-2023 - D14-23-03 Zoning Bylaw Amendment – 1439 Railway Street
- #40-2023 - Private Road Agreement – 2839441 Ontario Inc
- #41-2023 - Planning Advisory Committee – Secretary Treasurer Appointment
- #42-2023 - Agreement with LMD Contracting – metal roofs
- #43-2023 - Agreement with Urban Systems – Active transportation plan
- #44-2023 - Agreement with Titan Contracting – Pocket park servicing works
- #45-2023 - Agreement with Titan Contracting – Municipal paving program
- #46-2023 - Agreement with Moncrief Construction – Sewer and Water reconstruction
- #47-2023 - Agreement with M & L Supply, Fire & Safety – Fire supplies
- #48-2023 - Agreement with Boyer Truck Sales – U body sander/dump truck
- #49-2023 - Agreement with Verne Reimer Architect – Engineering-ice slab replacement

**Councillor Moncrief Abstained.**

### **Approval of By-laws**

**19. Moved by L. Koch, Seconded by R. Bernie**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

- #37-2023 - D09-23-01 Official Plan Amendment – City Wide Bill 23 impacts

**Motion Deferred Indefinitely by 8a**

### **Approval of By-laws**

**20. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

**Motion Deferred Indefinitely by 8a**

**Notices of Motion:**

**Multi-Unit Water Rates and Billing Model**

**21. Moved by K. Van Belleghem, Seconded by L. Moncrief & Carried:-**

I, Councillor Kelsie Van Belleghem, provided Council a Notice of Motion at the March 22, 2023 regular meeting of Council of my intent to bring forward the following motion at tonight's April 19, 2023 meeting:

That Council hereby directs Administration to engage in a fulsome review of the current water and wastewater funding model to ensure equitable, and sustainable revenue streams are in place to support the capital and operational needs of these assets; and further

That Council authorizes the procurement of a third party to conduct this review with a report provided for a budget amendment to fund the costs associated with the consultant fees in advance of securing the third party.

**Discussion:** Want to ensure our billing model is equitable. Our water and wastewater system are funded by user pay model and is not subsidized by taxpayers dollars. There are concerns about the forecasted reserves for the utility and a review will provide confirmation that we have an equitable funding model based on best practices.

**Off Leash Dog Park in Keewatin**

**22. Moved by L. Moncrief, Seconded by K. Van Belleghem & Carried:-**

I, Councillor Lisa Moncrief, provided Council a Notice of Motion at the March 22, 2023 regular meeting of Council of my intent to bring forward the following motion at tonight's April 19, 2023 meeting:

That Council hereby directs Administration to explore the development of an off leash dog park within the western neighbourhood of the City (Keewatin); and further

That the plans outline location options and costs associated with the development as well as sponsorship opportunities for Council consideration; and further

That this information be provided to Council by the July 12, 2023 Committee of the Whole meeting.

**Zoning Options in the Harbourtown Centre**

**23. Moved by R. Bernie, Seconded by L. Moncrief & Carried:-**

I, Councillor Robert Bernie, provided Council a Notice of Motion at the March 22, 2023 regular meeting of Council of my intent to bring forward the following motion at tonight's April 19, 2023 meeting:

Whereas the new City of Kenora Official Plan is awaiting approval from Province and therefore delaying the adoption of a new Official Plan and Zoning Bylaw for the City of Kenora; and

Whereas in order to support and enhance the unique functional focal points that form a diverse and vibrant downtown which supports commercial development in the Harbourtown Centre for the commercial health of the downtown;

Be it Resolved that Council of the City of Kenora hereby directs administration to explore zoning options for framing a commercial vision for the Harbourtown Centre for Council consideration.

**Discussion:** It has been identified as a priority through the election to ensure that our community is set up with a vibrant downtown.

### **Proclamations**

None

### **Announcements**

**The following was highlighted by Council:**

1. Councillor Van Belleghem, Saturday April 22<sup>nd</sup> is Earth Day. Encouraged everyone to participate in one of the clean-up activities in this week. Kenora FreeCycle Days are coming up May 20 & 21<sup>st</sup>. FoodCycler buckets and filter replacements are available for sale. Policy decisions are not made on social media and Council encourages you to reach out to them to ask questions, not posting comments on social media. All of the contact information is public and City Hall is main point of contact for inquiries.
2. Councillor Koch recognized the KingFisher Days play at TryLight Theatre. It is National Volunteer Week and expressed gratitude to all the volunteers in the City. The pot hole hotline and encourage the public to call 467-2334 to report pothole concerns through the pothole hotline.
3. Councillor Bernie referenced a recent report through the Ombudsman office regarding an investigation and 58 recommendations called Missing In Action: Misty's Story. This is a very sad situation and one that everyone should read and be aware of.
4. Mayor Poirier has been asked to attend a trip in Ottawa to meet with various Ministers to discuss housing, mental health, and social challenges in our communities. This will be a good opportunity to be at the table and highlight the issues we have in our community. Next week there will be a very good contingent attending the annual NOMA conference in Thunder Bay. There is a great agenda and several Ministers will be in attendance. The KDMA group will also meet in advance of the NOMA meeting and get the association meeting again following the 2022 election.
5. Councillor Moncrief noted on Saturday Common Ground will be sharing stories at Beaver Brae. There will be 6 story tellers as well as lunch being served. Tickets are still available through the Library and the Muse.
6. Roberta Marsh provided Council an update on the claims process for claims against the City. Notice of claims are managed in accordance with the claims review and adjudication process as outlined by our insurance provider – Intact Public Entities



is the current Insurer for the Corporate of the City of Kenora. To advance the claims related to property damage including vehicles, citizens are reminded to contact their insurance provider to support the claims management process.

7. Roberta Marsh announced that the City is in final stages of the offer to a new Director of Planning and Building Services. Roberta advised that we are in the first round of interviews and now into the second round of interviews with the Community Safety & Well Being Coordinator. The individual will have dual role to support the Committee of Council as well as to enhance City services through research and best practice on how our services can support community safety.
8. Kyle Attanasio, CAO provided accolades to our roads crew who have done a good job all winter keeping our roads cleared and now working diligently on pot holes. We live in a climate that pot holes are prevalent and are working hard to address newly emerging ones.

### **Adjourn to Closed Session**

#### **24. Moved by L. Koch, Seconded by R. Bernie & Carried:-**

That pursuant to Section 239 of the Municipal Act, as amended, authorization is hereby given for Council to move into a Closed Session at 5:50 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters–CAO, Mayor, Development Services updates)
- ii) Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 matter-development)
- iii) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (1 matter–development project)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 10:20 p.m. with no reports from its closed session.

### **Close of Meeting**

#### **25. Moved by R. Bernie, Seconded by K. Van Belleghem & Carried:-**

That this meeting be now declared closed at 10:20 p.m.

**The Corporation of the City of Kenora:**

**Confirmed As Written This .....Day**

**Of.....2023**

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**Mayor**

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**City Clerk**