



# City of Kenora

## Committee of the Whole Agenda

Tuesday, June 5, 2018

9:00 a.m.

City Hall Council Chambers

### 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 June 19, 2018 meeting:-

- Amend the Parking Lot Bylaw to reflect changes to Recreation Parking Lots
  - Declare municipal owned lands as surplus and sell municipal lands
- Amend the 2018 Budget to withdraw funds from the Contingency Reserves in the amount of \$23,127.46 to offset the costs associated with emergency repairs to the leisure pool
- Amend the 2018 Budget to provide an allocation of \$470,000 to be funded through the City's Contingency Reserves for the purposes of the development of a road and water and sewer service extensions to a housing development
- Amend the 2018 budget to withdraw funds from the Citizens Prosperity Trust Fund to be debt financed in the amount of \$250,000 for 1/3 of the funding for the detailed design drawings and tender preparation for the Kenora Recreation Centre
- Amend the 2018 budget to withdraw funds from the contingency reserves in the amount of \$47,038.50 to offset the cost of the community energy plan
- Amend the Tariff of Fees and Charges bylaw, Schedule C, to reflect changes to Fire & Emergency Services rates
  - Amend the 2018 Budget for the construction of the Splash Pad

### 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 May 15, 2018 and the Special Committee of the Whole meeting held May 14, 2018 be confirmed as written and filed.

### D. Deputations/Presentations

- Kenora's 2017 Asset Management Plan Presentation
- Mary Bawden – Kenora Age Friendly Steering Committee

## E. Reports:

### 1. Finance & Administration

Item Subject	Pages
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- 1.1. April 2018 Financial Statements
- 1.2. Railway Rights of Way Property Taxes
- 1.3. Ontario Reg 284-09 2018 Budget Matters
- 1.4. Community Foundation Club Support
- 1.5. TBay Tel Agreement
- 1.6. FCM Advocacy Fund Request
- 1.7. KDMA Request for Funds
- 1.8. Municipal Insurance Renewal
- 1.9. Governance Audit Implementation Report
- 1.10. FCM MCIP Climate Staff Grant Application
- 1.11. Budget Amendment - Community Energy Plan
- 1.12. AMO Delegation Requests
- 1.13. 2017 Asset Management Plan

### 2. Fire & Emergency Services

Item Subject	Pages
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- 2.1 Tariff of Fees & Charges – Emergency Services Fees

### 3. Operations & Infrastructure

Item Subject	Pages
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- 3.1 Traffic Amendment – Lakeview Drive 50 kms
- 3.2 Darlington OCIF Top Up Funding Designation
- 3.3 Dufresne Island Parking Area Tender
- 3.4 Municipal Road Works Tender
- 3.5 Temporary Accessible Parking - Elections

### 4. Community & Development Services

Item Subject	Pages
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- 4.1 Amend Parking Lot Bylaw for Recreation Parking Lots

- 4.2 Accommodation Tax Bylaw Amendment
- 4.3 Kenora Pickleball Club MOU
- 4.4 Budget Amendment – Kenora Recreation Centre Leisure Pool
- 4.5 Budget Amendment - Kenora Recreation Centre Twinning
- 4.6 Budget Amendment & Tender Award - Splash Pad
- 4.7 New Horizons for Seniors Grant Application
- 4.8 Budget Amendment - Housing Development Partnership
- 4.9 Declare Lands Surplus and Sell Municipal Lands
- 4.10 Site Plan Control Policy Review
- 4.11 Letter of Concurrence Request – Redditt Road

**Other:**

**Next Meeting**

- Tuesday, July 10, 2018

**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) **Personal Matters about an Identifiable Individual (1 matter)**

**Adjournment.**



May 26, 2018

## City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Budget/Special Projects Officer

Re: April 2018 Financial Statements

### Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at April 30, 2018.

### Background:

Attached for your information, please find the April 2018 summary expense and user fee statements for the City of Kenora and the Council department. Also Expenses & User fees for Water & Wastewater and Solid Waste have been separated. At the end of April, the year is one third complete, so not including any seasonal or timing differences, there should be 67% of the budget remaining.

### Overall:

- Expenses at the end of April 2018 were close to budget with 71.58% remaining to be spent. Water & Wastewater 76.85% left in the budget and Solid Waste 72.57% left in the budget.
- User fee revenues to the end of April 2018 are close to budget with 69.59% left to collect. Water & Wastewater 67.83% left to collect and Solid Waste by the end of April had 75.12% left to collect.

### Expenditures:

- **General Government** - The General Government expenses to date are below budget with 70.21% of the expense budget unspent.
  - **Municipal Elections** – A significant portion of staff time has been budgeted to this department, but the allocations for the staff time has not yet been made, which is the reason for most of the under budget.
  - **Administrator's Office** – In April, 90k of the 125k legal budget has already been spent. These were anticipated expenses in the budget, and this is the main reason for this department being over budget in April.
  - **Building & Grounds Maintenance** – Utilities currently under budget 2 months of phone bills have not yet been posted to the GL.
  - **Rentals** – Materials & supplies budget over half spent due to some heat exchange issues with the building.
- **Protection** – The Protection Department expenses to date are below budget with 74.01% remaining in the budget.
  - **Fire Vehicles & Equipment** – Overspent at the end of April due to a large payment made for brake work that was required for one of the pumper trucks.

- **Emergency Measures** – Overspent at the end of April as the Everbridge Mass Notification Bill is paid in full at the beginning of the year.
- **911 Emergency Access** – Annual payment has not yet been made for 2018.
- **Transportation** – The Transportation Department expenses to date are below budget with 71.79% remaining in the budget.
  - **Paved Roads Maintenance** – Underspent currently as paved roads maintenance is completed over the summer months.
  - **Surface Treated Roads** – Underspent currently as surface treated road maintenance is completed over the summer months.
  - **Loosetop Roads Maintenance** - Underspent currently as loosetop roads maintenance is completed over the summer months.
  - **Winter Control Maintenance** – Expenses over budget as this is a seasonal department that will not have any more expenses until November/December.
  - **PW Barsky Facility** – Under budget as repairs & maintenance and materials expenses are currently down.
  - **Garage & Shop** – Over budget currently as parts are initially coded to garage and they are allocated out to specific vehicles on a quarterly basis. For 2018 this is in the process of being switched to being allocated on a monthly basis.
- **Environmental** – The Environmental Department expenditures are below budget with 70.15% left in the budget. 76.85% left in the budget in Water & Wastewater and 72.57% remaining in Solid Waste.
  - **Storm Sewers** – Department is currently over budget – more work has been done on storm sewers than anticipated and wage allocations are higher than expected.

#### **Water & Wastewater**

- **Sanitary System** – Under budget as no contract services work has been completed to date, also very little spent on materials and supplies to date. This can change on a job by job basis. Also note that our sanitary system employees have more time working on storm sewers this year than expected.
- **Sewage Treatment Plant** – Under budget as no Chemicals were purchased until May. Also note that taxes have not yet been posted.
- **General Water Standpipe & Booster** – Under budget as very little materials and supplies have been purchased to date.

#### **Solid Waste**

- **Hazardous Waste Day** – Expenses under budget as a hazardous waste program is only run during the summer months, commencing in June, on Thursdays. No expenditure has been incurred yet for 2018.
- **General Solid Waste Vehicles & Equipment** – Expenses are currently larger than the recoveries from other department use.

- **Health Services** – Health expenditures are right on budget with only payments for the cemetery to be made.
- **Social and Family Services** – Social and Family Expenditures are right on budget to the end of April.
- **Community Services** – Overall Community Services expenses are under budget with 72.5% remaining to be spent.

- **Parks** – All parks departments including ballfields are under budget as these are seasonal departments with most of the expenses to occur in the summer months.
- **KRC Complex** – Over budget as maintenance employee wages have been budgeted in thistle arena and Keewatin Arena. Actual time has not yet been reallocated to thistle arena.
- **Thistle Arena** – Under budget for the same reason as noted above in KRC complex.
- **Teams and Clubs** – Grants have not yet been paid out to the 3 community clubs.
- **Planning & Development** – Planning & Development expenses are under budget with 73.52% left in the budget.
  - **Planning Advisory Committee** – No travel or training has been completed to the end of April 2018.
  - **Tourism** – Below budget was expected as many of Tourism activities take place throughout the summer months, including the summer student wages.
  - **Events** – Over budget as one employees time is budgeted in Tourism but was being coded to this department. This will be reallocated to the proper department.

#### **User Fees:**

- Overall, user fees are close to budget projections with 69.59% of the budget still to be collected. 67.83% of Water & Wastewater User fees are also still to be collected and Solid Waste has 75.12% left to collect.
- **General Government**  
General Government is right on budget with 67.85% remaining to be collected.
  - **Municipal Elections** – This user fee is only budgeted for in an election year and at the end of April, election nominations had not yet opened.
- **Protection to Persons and Property**  
Protection to Persons and Property is below budget with 89.69% still remaining to be collected.
  - **Provincial Offences** revenue is dependent on the fines assessed in this area. The first quarter had not yet been posted at the end of April 2018.
  - **Building Inspection** – Revenue is below budget as expected as much of the construction work is completed throughout the summer months.
- **Transportation Services**  
Transportation user fees are close to budget with 72.7% remaining to be collected.
  - **Metered Parking** below budget as expected with the summer months being the busiest time for metered parking revenue. By law students also started in May.
  - **Docks and Wharfs** revenue has almost all been collected for the year. The city clerk has worked hard to make sure all dock slips are filled prior to the beginning of the season.
  - **Mall Parking Lot** – slightly behind budget at the end of April, expected to pick up during the summer months.
  - **Garage and Shop** – No work order billings have been completed to date.

- **Environmental Services**

Environmental services user fees are below budget with 79.79% remaining to be collected. 67.83% of Water & Wastewater User fees are also still to be collected and Solid Waste has 75.12% remaining to be collected.

- **Blue Box Collection** – Currently below budget, however, billings for April are not included.

**Water & Wastewater**

- **Water and Sewer** user fees are right on budget with 67.9% and 67.77% not yet collected respectively.

**Solid Waste**

- **Transfer Facility** user fees currently below budget however it should be noted that with tourism and summer residents the transfer facility is significantly busier during the summer months.

- **Community Services**

Community Services user fees are slightly below budget with 60.77% left in the budget.

- **Parks and Ball fields** – User fees are below budget as park revenues won't be secured until the beginning of the summer months when rentals are booked.
- **Thistle Arena** – User fees are ahead of budget as this is a seasonal department.
- **MSFC Pool** – User fees have exceeded budget however it should be noted that with the closure in the summer, user fees should level out by the end of the summer.

- **Planning and Development**

Planning and Development user fees are below budget with 90.07% remaining to be collected.

- **Tourism** – With many of our Tourism programs taking place during the summer months it was expected that our Tourism related departments would be below budget at the end of April.

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.



May 16, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Charlotte Edie, Treasurer**

**Re: Railway Rights-of-Way Property Tax Rates**

### **Recommendation:**

That Council hereby supports the Ministry of Finance consider the high-tonnage rate for the three railway right-of-way properties that meet the high-tonnage threshold within the City of Kenora.

### **Background:**

The Province initiated a review of the property taxation of railway rights-of-way in 2016 in response to municipal concerns that the rates were low and inequitable. Municipal rates varied from \$611.33 in Toronto to \$35.26 in Northwestern Ontario. Based on municipal and railway industry consultations, the Province announced changes to the rights-of-way rates in 2017 (see attachment).

In 2018 the Province announced further rate adjustments addressing issues such as rate indexing and the significant variation in rates across the province. In addition, beginning in 2018, municipalities can request an increase to the rates per acre for certain high-tonnage rail lines. These are identified as those with at least 70 million gross ton-miles per route mile annually. I have confirmed with the Province that one or more of the three properties will qualify as a high-tonnage line. The increase tax rate will be \$300 per acre. Municipalities that wish to utilize this increase rate are required to pass a formal resolution requesting the new rate. Pending verification of properties that meet the high-tonnage threshold, the high-tonnage tax rates would be implemented through a Minister's regulation.

**Budget/Finance Implication:** The railway right-of-way property tax rate could potentially increase from \$110 per acre to \$300 per acre on all three properties located in the City of Kenora.

**Communication Plan/Notice By-law Requirements:** Ministry of Finance.

### **Strategic Plan or other Guiding Document:**

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

### **Risk Analysis:**

While the risk is low associated with this report, the risk related to ongoing capital requirements has been assessed as high to critical, mitigated through a strong asset management plan to identify the right assets to replace at the right time to make the best use of our dollars. This increased revenues assists with that ongoing capital requirements related to infrastructure.





May 20, 2018

## City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Budget/Special Projects Officer

Re: Ontario Regulation 284/09: 2018 Budget Matters

### Recommendation:

That Council hereby adopts the report dated May 20, 2018 related to 2018 budget matters by Resolution as required under the Municipal Act, 2001, Ontario Regulation 284/09.

### Background:

On June 5, 2009, the Province approved legislation which changed the financial reporting and budget requirements of municipalities. As a result of the new requirements, municipalities are required to prepare annual Financial Statements in accordance with generally accepted accounting principles for local governments as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPA Canada). These accounting principles include accounting for employment liabilities, landfill costs and tangible capital assets.

The new PSAB accounting standards adopted for municipalities do not require that budgets be prepared on the same basis. Municipalities are, however, required to prepare a report, passed by resolution that shows how the surplus and deficit of the budget would be reflected in the financial statements. This report summarizes the differences between the financial statement reporting and the budget.

### Budget:

The result of changes to accounting standards is that the City's surplus for budgeting purposes differs from the surplus on the City's financial statements. The estimated effect on the 2018 budgeted ending surplus is as follows:

Acquisition of tangible capital assets	\$26,043,304
Amortization expense of tangible capital assets	<u>(\$7,643,223)</u>
	<u>\$18,400,081</u>

The changes to accounting and reporting requirements under PSAB are a financial accounting treatment only and do not affect operating surpluses. This difference is one of financial statement presentation only.

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

**Strategic Plan or Other Guiding Document:** Fiscal Responsibility: We manage the municipal finances in a responsible, prudent and transparent manner.

**ERM Assessment:**

An insignificant financial impact risk and rare likelihood generates a low risk for the City and Council related to this Ontario Regulation.



May 28, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Charlotte Edie, Treasurer**

**Re: Community Foundation Community Group Support**

### **Recommendation:**

That the Council of the City of Kenora hereby supports the Kenora Rotary Club and Central Community Club in their application to the Lake of the Woods Regional Community Foundation for funds for their capital projects.

### **Background:**

Under prevailing income tax legislation the Kenora & Lake of the Woods Regional Community Foundation (aka Community Foundation) is restricted to providing grants to organizations that have charitable status. As a result, the clubs must have a sponsor to apply for grants through the Community Foundation since they do not have charitable status. The Community Foundation has contacted the City and requested this support for their applications to proceed.

The City has provided sponsorship to many such organizations in the past including the Kenora Tennis Club, the Kenora Pickleball Club, Mount Evergreen Ski Hill, Nordic Biathlon Club and many more.

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

**Risk Analysis:** The risk associated with this report is a positive risk and it is low. The funding obtained by the clubs will be used for the capital programs both clubs have underway.

**Communication Plan/Notice By-law Requirements:** none

**Strategic Plan or other Guiding Document:** Administrative only



## City Council Committee Report

**To: Mayor and Council**

**Fr: Karen Brown, CAO**

**Re: Telecommunications Services Agreement with TBayTel**

### **Recommendation:**

That Council hereby approves an agreement with regards to Telecommunication Services with TBayTel, a municipal service board established by the Corporation of the City of Thunder Bay; and further

That The Mayor and the Clerk be hereby authorized to execute this agreement.

### **Background:**

The City has been approached by TBayTel to execute an agreement, which will enable TBayTel to provide telecommunications services within the City of Kenora boundaries. TBayTel is a municipal service board established by the Corporation of the City of Thunder Bay, which is governed under the Municipal Act. In order for TBayTel to provide telecommunications services within City of Kenora limits, they require the approval of Kenora City Council. The attached agreement is intended to provide TBayTel with that approval.

The agreement is the same agreement that has been previously used in another Northwestern Ontario municipality to authorize TBayTel to provide telecommunications services within their boundaries.

The agreement itself is for a 30 year term, with automatic 10 year renewals.

### **Budget / Financial Implications:**

There is no financial impact to the City as a result of executing this agreement.

### **Communication Plan/Notice By-law Requirements:**

TBayTel will be advised as to Council's decision on this matter. Any further communication would be at the discretion of TBayTel.

### **Strategic Plan or other Guiding Document:**

Guiding Principles – Goal #1: Develop our Economy

1-1 The City will provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district.

### **ERM Assessment:**

There is an extreme, but positive, external risk related to executing the agreement with TBayTel. This positive external risk should be pursued.



May 25, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Kasprick, City Clerk**

**Re: FCM Advocacy Fund Request**

### **Recommendation:**

That Council hereby receives the request for funds for contributions towards the optional Federation of Canadian Municipalities (FCM) Advocacy Fund; and further

That the City receives significant benefit to their membership and participation with the FCM as the organization provides regular advocacy, information, funding opportunities and communications to the City that advances the municipality in numerous ways; and further

That Council hereby supports the contribution of \$1,000 (plus HST) coming from Council donations to the Federation of Canadian Municipalities Advocacy Fund which will assist with a multi-faceted strategy that integrates polling, detailed platform development, sustained outreach, and an innovative communications and media plan to keep municipal priorities front-and-centre heading into the Federal Election in 2019, as well as in the crucial first months of a new government.

### **Background:**

The last federal election was a turning point that propelled municipal priorities onto the national agenda like never before. The next election is a vital opportunity to build on those gains. To ensure we have the right tools to seize this moment, FCM's Board of Directors has approved a 2-year Special Advocacy Fund. This fund is supported by FCM members using a fee structure similar to how membership fees are determined.

The Special Advocacy Fund will drive FCM's largest and most ambitious campaign ever, reaching out to every federal party. It means an intensive, multi-faceted strategy that integrates polling, detailed platform development, sustained outreach, and an innovative communications and media plan. It means an extended campaign that keeps municipal priorities front-and-centre heading into Election 2019, as well as in the crucial first months of a new government.

The Special Advocacy Fund is voluntary, and not tied to FCM membership. However, it's a vital opportunity for municipalities to take our historic progress to new heights and to continue to deliver for Canadians the same way we always have - together.

**Budget:** funds to be taken from the approved 2018 operating budget, Council donations

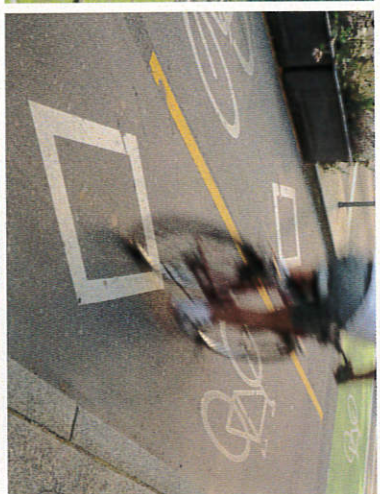
**Risk Analysis:** While there is no direct risk associated with not supporting this contribution, the importance of this contribution for FCM to advocate on our behalf to the Federal Government on important municipal issues is high. In order for FCM to develop and deliver this type of aggressive plan on behalf of Canadian Municipalities, they need the funding support to deliver.

**Communication Plan/Notice By-law Requirements:** N/A

**Strategic Plan or other Guiding Document:**

2-4 The City will act as the catalyst for continuous improvements to the public realm

2-14 The City will be an active and vocal champion for fair funding from provincial and federal governments, including gas tax and other transfer allocations. Priority will be given to initiatives that directly address the infrastructure and community development challenges of the city



FEDERATION  
OF CANADIAN  
MUNICIPALITIES

FEDERATION  
CANADIENNE DES  
MUNICIPALITÉS

# Seizing Our Moment Securing Our Future

FCM's Special Advocacy Fund



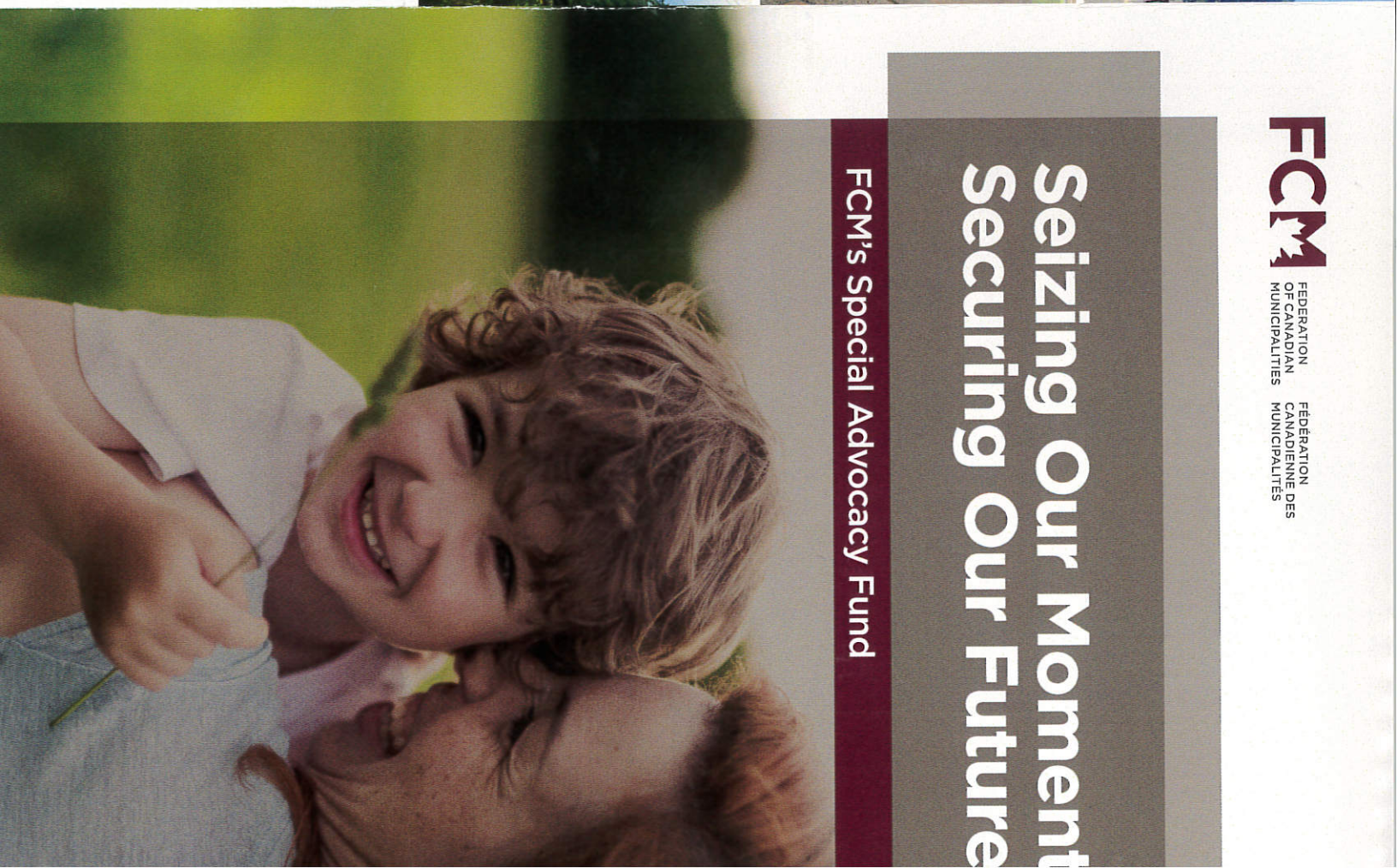
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To learn more about

FCM's Special Advocacy Fund, visit

[fcm.ca/advocacyfund](http://fcm.ca/advocacyfund)



# FCM delivers for municipalities

Starting with our Election 2015 breakthrough, FCM's hard work and influence has significantly shaped historic gains for local governments, including:

- ▶ The **Investing in Canada infrastructure plan** — a 12-year, \$180 billion federal investment in local infrastructure, from public transit to wastewater system upgrades.
- ▶ Canada's first-ever **national housing strategy**, including key commitments to repair and build affordable housing across the country.
- ▶ A strengthened **seat at the table**, including through unprecedented engagement with federal, provincial and territorial ministers, as well as with opposition leaders and the Prime Minister.
- ▶ A **predictable federal allocation model** for transit expansions that puts municipalities in the driver's seat.
- ▶ A \$2 billion **rural and northern infrastructure fund** — the biggest investment of its kind in a generation.
- ▶ Better access to **high-speed broadband** through the federal Connect to Innovate program and the CRTC decision to mandate universal broadband access.
- ▶ New **capacity-building programs** on asset management and climate change — led by FCM — as well as a new \$125 million capital investment in FCM's Green Municipal Fund.



## Dear Members

Your FCM Board of Directors is taking steps to propel local government to new heights through Federal Election 2019, and the crucial months following. This needs to be our biggest effort ever. That's why, in March your Board approved a Special Advocacy Fund to help make that happen.

As you know, FCM has a long track-record of delivering gains for municipalities, like the permanent Gas Tax Fund. Starting with Election 2015, we've shaped game-changing investments in local priorities like never before, and we've achieved new levels of influence for local governments. Now more than ever, all federal parties understand that local solutions tackle national challenges.

Our Election 2015 breakthrough has created new opportunities, and new expectations. To seize this moment — and to build on our historic gains — we need the right tools. We can't risk seeing federal parties move on from local priorities. Election 2019 is our vital opportunity to make municipal progress "the new normal," and to keep our priorities front-and-centre for years to come.

Enclosed you'll find more information about the Special Advocacy Fund, as well as your municipality's voluntary invoice. As the order of government closest to daily life, Canadians count on us to build more vibrant and livable communities. This is our moment. With your support we can continue to deliver.

A handwritten signature in black ink that reads "J Gerbasi". The signature is fluid and cursive.

**JENNY GERBASI**  
FCM President



# Now we need to take the next step

## ► What is the Special Advocacy Fund?

The last federal election was a turning point that propelled municipal priorities onto the national agenda like never before. The next election is a vital opportunity to build on those gains. To ensure we have the right tools to seize this moment, FCM's Board of Directors has approved a 2-year Special Advocacy Fund. This fund is supported by FCM members using a fee structure similar to how membership fees are determined.

## ► What will the fund be used for?

The Special Advocacy Fund will drive FCM's largest and most ambitious campaign ever, reaching out to every federal party. It means an intensive, multi-faceted strategy that integrates polling, detailed platform development, sustained outreach, and an innovative communications and media plan. It means an extended campaign that keeps municipal priorities front-and-centre heading into Election 2019, as well as in the crucial first months of a new government.

## ► Is the fund mandatory?

The Special Advocacy Fund is voluntary, and not tied to FCM membership. However, it's a vital opportunity for municipalities to take our historic progress to new heights and to continue to deliver for Canadians the same way we always have — together.



"Our choice in the next federal election is simple: either we continue to move forward as local governments, or we fall back. If we get this right, we'll see federal parties competing to support municipal priorities. We'll see a federal government that understands why full partnership with municipalities is the only way forward. Election 2019 is our opportunity to make that happen. We can't leave anything to chance."

**Don Iveson**  
*Mayor, Edmonton, AB*



"FCM has proven that it can deliver for communities of all sizes. We saw this in the last election, when our work put local issues on the federal map. We've seen it since then through the unprecedented federal investments that FCM has helped secure. Now we need to take this advocacy to the next level, to build our local priorities into the heart of the next government's mandate."

**Ray Orb**  
*Reeve, Rural Municipality of Cupar No. 218, SK*

To learn more about  
FCM's Special Advocacy Fund, visit  
**[fcm.ca/advocacyfund](http://fcm.ca/advocacyfund)**



May 25, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Kasprick, City Clerk**

**Re: KDMA Request for Funds**

### **Recommendation:**

That Council hereby receives the request from Kenora District Municipal Association for a contribution to the KDMA for developing a logo, website and social media presence; and further

That the City 2018 Municipal operating budget has been approved and this funding has not been included and therefore this request be considered during the 2019 budget process.

### **Background:**

Council received a request from KDMA on May 22, 2018 a request for funds to increase its presence and advocacy on behalf of the region. It is requesting that each member municipality contribute \$1,000 to a fund aimed at developing a logo, website and a social media presence.

The intent is to better communicate with not only the general public but with the members of Council in the association. Included in the website will be pages dedicated to each of our municipalities an about us page, a news page, and a communicate existing news within our region quickly and will allow the association to share its position on important regional issues.

**Budget:** Not included in the 2018 operating budget

**Risk Analysis:** There is very minimal risk associated with not supporting this request for the City of Kenora. If this request is supported by the majority of the membership in KDMA, there could be small adverse perception of the largest municipality in the association not supporting.

**Communication Plan/Notice By-law Requirements:** N/A

### **Strategic Plan or other Guiding Document:**

2-4 The City will act as the catalyst for continuous improvements to the public realm



May 22<sup>nd</sup> 2018

Mayor and Council,

The Kenora District Municipal Association in its efforts to increase its presence and advocacy on behalf of the region is requesting that each member municipality contribute \$1000 to a fund aimed at completed this project.

The project includes developing a logo, website and a social media presence. This will allow us to better communicate with not only the general public but with you our member councils. Included in the website will be pages dedicated to each of our municipalities, an about us page, a news page, and a contact page. Also included in this project is social media setup and maintenance, which will allow us to communicate exciting news within our region quickly, and will allow the association to share its position on important regional issues.

Please let me know if you have any questions, comments or concerns.

Sincerely,

Kevin Kahoot

President KDMA

Attached is the resolution the association passed requesting these funds.



May 25, 2018

## City Council Committee Report

**TO: Mayor and Council**

**FR: Bruce Graham, Risk Management & Loss Prevention Officer**

**RE: Municipal Insurance Renewal**

### **Recommendation:**

That Council hereby accepts the proposal for renewal of municipal insurance as presented by Gillons and Frank Cowan Company in the amount of \$282,517.00 excluding taxes; and further

That this amount includes \$275,226.00 for property, automobile and liability, \$6,191.00 for Volunteer Firefighter coverage, and \$1,100.00 for unmanned aerial vehicle coverage.

### **Background:**

The proposed renewal from Gillons and Frank Cowan includes the following changes.

The general liability premium has increased by 5% from \$74,746.00 to \$78,484.00. This increase is reflective of a general market increase and is not related to adverse claims history. In fact, I have been advised by our representative at Gillons that our claims history over the past year has been very good.

The property premium has increased from \$81,131.00 to \$109,115.00. This increase is the result of adjustments to some of our building valuations. Most notable was an increase in the value of our Wastewater Treatment Plant from \$9,290,029 to \$49,100,000.00. This resulted in an overall increase to our total property values of approximately 34% and this increase is reflected in the increased premium.

Similarly the equipment breakdown premium under the Property coverage, increased from \$7,450.00 to \$8,854.00 and again, this increase is the result of equipment valuations being adjusted.

Finally, our owned automobile premium increased from \$44,196.00 to \$44,595.00, an increase of just under 1%. This increase is due to an overall increase in the value of our fleet.

Three attachments accompany this report.

The first is the 2018 Municipal Insurance Program Renewal Report as prepared by Frank Cowan Company.

The second is the Property Valuations Report as prepared by Frank Cowan Company.

The third is a letter from Shelley McCool of Gillons' Insurance Brokers Ltd. outlining the renewal proposal.

**Budget:** As per 2018 budget.

**Risk Analysis:** Insurance intended to manage / mitigate costs related to claims against the City.

**Communication Plan/Notice By-law Requirements:**

Upon approval by council, the appropriate renewal documents will be signed.

**Strategic Plan or Other Guiding Documents:**

Goal #2: Strengthen Our Foundations

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.

By maintaining adequate insurance coverage we are ensuring that our assets are protected from loss.



# 2018 Municipal Insurance Program

CORPORATION OF THE CITY OF KENORA

Renewal Report for the Policy Term July 1, 2018 to July 1, 2019

In Partnership with:

Shelley McCool  
Gillons' Insurance Brokers Ltd.  
101 Park Street  
Kenora, ON P9N 1Y7

Prepared by:

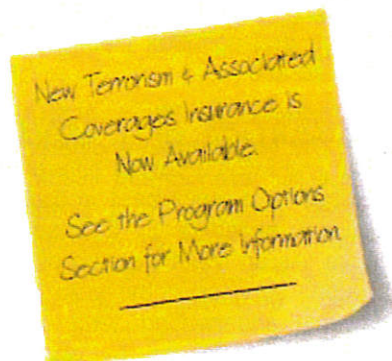
Jason Gervais, CRM, C.Tech, R.I.B. (Ont.)  
Regional Manager

Ref 37435/bm

9 May 2018

Frank Cowan Company Limited  
75 Main Street North  
Princeton, ON  
N0J 1V0

MIP 04-2017-v1



Insuring the Public Interest Since 1927

 **FRANK COWAN  
COMPANY**

# About Frank Cowan Company



Frank Cowan Company is a leader in providing specialized insurance programs, including risk management and claims services to municipalities, healthcare, education, community, children's and social service organizations across Canada. Proven industry knowledge, gained through nine decades of partnering with insurance companies and independent brokers, gives Frank Cowan Company the ability to effectively manage the necessary risk, advisory and claims services for both standard and complex issues.

Frank Cowan Company Limited is affiliated with Cowan Insurance Group Ltd., The Guarantee Company of North America and Millennium Credit Risk Management Limited through common ownership under Princeton Holdings Limited.

Frank Cowan Company is a Managing General Agent (MGA) with the authority to write and service business on behalf of strategic partners who share our commitment and dedication to protecting specialized organizations. Because our partners are long-term participants on our program, they understand the nature of fluctuating market conditions and complex claims and are prepared to stay the course.

**THE ADVANTAGE OF A MANAGING GENERAL AGENT** The MGA model is different than a traditional broker/insurer arrangement in that an MGA provides specialized expertise in a specific, niche area of business. As an MGA we also offer clients additional and helpful services in the area of risk management, claims and underwriting. And unlike the reciprocal model, a policy issued by an MGA is a full risk transfer vehicle not subject to retroactive assessments but rather a fixed term and premium.

We invite you to work with a partner who is focused on providing a complete insurance program specific to your organization that includes complimentary value added services that help drive down the cost of claims and innovative first to market products and enhancements. You will receive personalized service and expertise from a full-service, local and in-house team of risk management, claims, marketing and underwriting professionals.

As a trusted business partner, we believe in participating in and advocating for the causes that affect our clients. For this reason we affiliate with and support key provincial and national associations. In order for Frank Cowan Company to be effective in serving you, we, as an MGA, believe in fully understanding your needs, concerns and direction. Our support is delivered through thought leadership, financial resources, advocacy, services, education and more.

**RISK MANAGEMENT SERVICES** We are the leader in specialized risk management and place emphasis on helping your organization develop a solid plan to minimize exposure before potential incidents occur. Risk management is built into our offerings for all clients, fully integrated into every insurance program. Our risk management team is comprised of analysts, inspectors and engineers who use their expertise to help mitigate risk. We do everything we can to minimize your exposure before potential incidents occur. This includes providing education, road reviews, fleet reviews, contract analysis and property inspections.

**CLAIMS MANAGEMENT SERVICES** Our in-house team of experts has the depth of knowledge, experience and commitment to manage the complicated details of claims that your organization may experience. You deal with the public often in sensitive instances where serious accusations can be made. Your claims are often long-tail in nature and can take years to settle. Some claims aren't filed until years after the occurrence or accident. You want a team of professionals on your side that will vigorously defend your reputation. We understand your risks and your exposures and have maintained a long-term commitment to understanding the complex issues your organization may face so that we can better service your unique claims requirements.

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# Best in Class Value-Added Services

Frank Cowan Company offers more than just an insurance policy. As an MGA, we provide Canadian municipalities with a complete insurance program. What is the difference? A vested interest in helping you reduce your cost of claims. Every one of our best in class value added services helps to mitigate risk, which can translate into fewer claims.

## RISK MANAGEMENT

### Contract Reviews

Valuable feedback and insight on the suitability and effectiveness of liability provisions and insurance clauses in contracts and agreements.

### Road Risk Reviews

MVA's and road liability greatly impact your municipality's cost of risk. Access a qualified professional to analyze your roads and improve areas with a high frequency of claims.

### MMS Compliance

MMS compliance can help when defending a claim. A review of your operations, policies and procedures can assess your current state of compliance and uncover areas for improvement.

### Asset Valuation and Risk Inspections

Inspections review properties and operations for potential liabilities and provide extensive detail and documentation.

### Educational Seminars

Seminars and training that focus on methods to reduce risk and recurring incidents.

### Fleet Risk Solutions

An onsite risk evaluation of your municipal fleet will evaluate compliance, safety and risk management practices and provide tools to address risk issues.

### Policy and Procedural Reviews

Audit systems and processes to reduce potential losses by focusing on documentation, reporting and consistency with accepted standards and practices.

### Municipal GPS & Weather Monitoring

Municipalities with readily accessible information are better able to make smart decisions that help reduce redundancies and promote efficiency. Trusted information tied to GPS and weather can also help with assessing and defending a road related claim.

### Cyber Risk Preparedness

Cyber is a new and developing risk that many municipalities aren't prepared for. Cyber education and the implementation of specific policies and procedures can assist greatly with preparedness and mitigation. Network security assessment tools and Cyber Risk Insurance are also available.

### Risk Management Centre of Excellence

Online resource library dedicated to sharing information and tools to help manage risk. [excellence.frankcowan.com](http://excellence.frankcowan.com)

### Claims History Analysis

Identify the cause of claims and focus on trends and patterns to help eliminate risk sources.

## CLAIMS

### Claims Management Best Practices Framework

View the status of your open claims and claims history. Experience increased efficiency and see trends in claims data. Couple this with strong claims and risk management and your organization will be better prepared to help mitigate and manage future incidents.

### Guidewire ClaimCenter® Claims Management

View the status of claims in addition to data mining capabilities for risk management purposes so as to better identify risk trends and address them with mitigation techniques.

### Claims Education

Customized municipal seminars on claims related topics delivered to solve specific risk issues.

### Expertise

Canadian municipal claims experience and expertise is important. Our technically proficient claims team has hundreds of years of combined experience specifically in the municipal area. We have maintained a long-term commitment to understanding municipal issues so that we can better service your unique claims requirements.





May 25, 2018

## City Council Committee Report

To: Mayor and Council

Fr: Adam Smith, Special Projects and Research Officer  
Karen Brown, CAO

Re: Governance Audit—Implementation Report

### Recommendation:

That Council hereby accepts the implementation report from the George Cuff Governance Audit which occurred in April 2015.

### Background:

Over the period of April 27<sup>th</sup> through 29<sup>th</sup>, George Cuff conducted a combination of both a Governance Audit and Governance Seminars. This was based on ensuring that the governance structure aligned with the systematic changes that occurred as part of the Organizational Review. Provided is an update on the progress made in implementing each of the recommendations indicated in the Governance Audit Report.

- 1. We recommend that Council adopt this Report “in principle” as a first step. This puts the matter on the table for Council’s consideration.**

In June 2015, Council agreed to adopt the Report “in principle” which allowed Council to engage publicly in discussions on the audits as well as to make the findings of the audit public.

Status: **Complete**

- 2. We recommend that Council approve the attached role statements (Mayor, Councillors, CAO) (Appendix A) which provides greater clarity on how this system of local government ought to function. These are intended as supplementary to the legislation and not to conflict with it.**

In October 2015, Council accepted new policies relating to the roles of the Mayor, Council and the CAO, and these have been incorporated into the City’s policy manual, under the City Council section (CC-1-2, CC-1-3 and CC-1-4 respectively).

Status: **Complete**

- 3. We recommend that Council and the CAO/administration review the orientation process utilized by the City and determine what if any changes would improve the current approach. We have attached a PowerPoint presentation which we delivered recently across the US which should be used as a guideline in this review.**

In early 2018, City Council was requested to review the material provided to them following the 2014 election with the intent of providing insights as to how this process could be improved for the incoming Council in 2018. For this process,

Council Members were provided a series of questions intended to help generate feedback related to improvements that should occur to help improve the orientation process. The overwhelming feedback from the current Council was the need to put additional focus on areas related to Governance, Mayor / Council / CAO role statements, and the various protocol statements approved by City Council during the current term of office, together with the updated procedural bylaw as amended for the impacts of Bill 68. Other feedback included an ongoing opportunity for department visits, an updated City orientation handbook (already part of the regular Council orientation), plus a renewed focus on the “need to know” section of the orientation material with additional information to be included. A recommendation to include some George Cuff books for the new Council was also made, including the Guide for Municipal Leaders, Volumes 1 and 2, and Executive Policy Governance.

While the Council review is complete, the CAO in conjunction with the Senior Leadership Team, are currently working on reviewing and updating the orientation process and changes will be reflected in the orientation with the new Council. This includes a one day Municipal Governance Workshop training with the new Council and the Senior Leadership Team, facilitated through AMCTO.

Status: **Council Review Complete, Orientation Development is Ongoing**

4. **We recommend that Council adopt “in principle” the governance principles as attached (Appendix B).**

The new Council-CAO Covenant embodies the governance principles that were included as an Appendix to the Governance Audit Report. This policy was approved in October 2015 (CC-1-1).

Status: **Completed**

5. **We recommend that the CAO review the current reporting process/format to Council and determine what changes are necessary. A template “Request for Decision” is attached (Appendix C).**
  - a. **We further recommend that all management reports be addressed to the Chief Administrative Officer as per the approved organization structure.**
  - b. **We further recommend that the CAO determine which of her senior management (or herself) will speak to any report before Council.**

The City has various report templates, which include templates for provisions such as budget amendments or notice requirements, and these are available to staff on the City SharePoint system. Reports continue to be addressed to Council as Council is the decision making body for the City. All reports require CAO approval before being brought forward to Council. This approval is done electronically on the City's SharePoint system. The CAO has set out expectations with the appropriate staff as to who should attend Committee and Council meetings, with the general understanding that as appropriate, if the matter being discussed is more complex, the individual responsible for writing the report would come to speak to it. At a minimum, the applicable Senior Leadership Team member should be available to speak to reports as needed, or have informed the CAO when they are not available.

Status: **Completed**

**6. We recommend that Council be presented with draft protocol statements by management (see attached) (Appendix D).**

In December 2017, Council approved new protocol statements for inclusion in the City's policy manual, as follows:

- CC-2-1 – Council Protocol, which includes the following protocols:
  - Treatment of the Chief Administrative Officer (CAO)
  - Treatment of the Senior Administration
  - Access to Staff Information
  - Use of Public Property
  - Role of Citizens to Request information
  - Right of Citizens to Appear Before Council
  - Treatment of Boards and Committees
  - Respect for Each Other in Chambers
  - Authority of the Mayor to Host
  - Obligation to Inform
  - Attendance in City Hall
  - Council Approve Bylaws and Policies
  - In Camera Meetings
  - Procedural Bylaw
- CC-2-2 – Council-Staff Protocol, which includes the following:
  - Council is the Decision Making Body
  - Role of Administration
  - The Chief Administrative Officer (CAO) is Council's Sole Employee
  - Access to Information
  - Staff Report Approval Process
  - Council Communications with Staff on Staff Reports
  - Staff Attendance at Meetings
  - Council Concerns
  - Requests to Council from Staff
  - City Staff as Council Support
  - Request to Council from the Public
  - Process to be Followed for Non-Compliance by Council Members
  - Ensuring Effective Working Relationships

These Statements of Protocol were built off of the recommendations included in the Cuff Governance Audit Report, with amendments as recommended by staff.

Status: **Completed**

**7. We recommend that Council review its governance model and seek to strengthen it by improving opportunities for reflection on the key issues.**

**8. We recommend that Council adopt an "Agenda Committee" as part of the new approach to governance and in line with the proposed "Governance and Priorities Committee" (Appendix E).**

**9. We recommend that Council adopt the Governance and Priorities Committee model of governance as described and as appended (Appendix E).**

All three of the recommendations were evaluated when the City reviewed its Procedural By-law in November 2015. While the proposed committee structures were considered, Council and staff were cautious not to add another layer of administration to the policy-making process, so did not create a separate "Agenda Committee". Committee-of-the-Whole (COW) became the primary body for which

recommendations are discussed, but the decision was made to not rename COW to a "Governance and Priorities Committee". Housekeeping items were brought forward directly to Council meetings. For one year, the City also scheduled Council meetings so that there was for the most part a two week break between COW and Council. After the one year, the decision was made by Council to go back to a one week break between COW and Council.

Status: **Completed**

- 10. We recommend that Council "governance policies" be reviewed by the Governance and Priorities Committee (GPC) and any recommended changes be presented to a regular meeting of Council within 6 months. We have attached a couple of sample policy statements (Appendix F) and a list of potential governance policies.**

While not completed within the recommended six months, the following policies are incorporated into the City's current policy manual, some of which were introduced or updated since the governance audit occurred. These policies cover off the many of the potential governance policies contemplated under this recommendation:

- CC-1-1 – Council-CAO Covenant Policy
- CC-1-2 – Mayor Role Statement
- CC-1-3 – Council Role Statement
- CC-1-4 – CAO Role Statement
- CC-2-1 – Council Statement of Protocol
- CC-2-2 – Council-Staff Protocol Policy
- CC-5-1 – Council Code of Ethics
- CC-7-1 – City Council Conference / Per Diem Policy
- HR-1-1 – Recruitment Policy
- HR-1-6 – Succession Planning Policy
- HR-2-7 – Learning & Development Policy
- HR-2-7-2 – Business Travel, Seminars & Conferences Policy
- HR-2-7-3 – Tuition Fees Reimbursement Policy
- Procedural Bylaw

Some additional potential governance policies were identified in the audit, but were not moved forward to the policy stage and are not currently recommended for doing so. Areas identified as other potential policies not already included within the above list include: City's Role in the Region, Council Priority Setting and Organization Structure. The first two addressed during the City's strategic planning process, and during the goal setting with the CAO annually or as required. The last not brought forward due to ongoing transition occurring with the existing structure.

Status: **Completed**

- 11. We recommend that the Council review the draft Performance Review format for the position of Chief Administrative Officer and approve it for the use of Council when next assessing its CAO (Appendix G).**

Following the governance audit, Council reviewed in detail the draft performance review provided within that document. Some work was done with an external consultant to develop a more robust performance review system that allowed each member of Council to provide their own independent evaluation. After this was put in place, CAMA (Canadian Association Municipal Administrators) provided a

CAO performance measurement toolkit for municipal use. This toolkit was provided to Council, and it was determined that this format was preferable to the previous format that had been developed. The CAMA model has been put in place for use on a forward basis.

Status: **Completed**

12. **We recommend that Council adopt the Council-CAO Covenant (Appendix H) which ought to be used as a guide to the relationship between Council and its CAO.**

As previously stated, this policy was approved in October 2015. It has since been signed by all of Council as well as the CAO and incorporated into the Council section of the City's policy manual (CC-1-1).

Status: **Completed**

13. **We recommend that Council direct that the results of the Organization Review be implemented quickly and that the final structure be approved immediately.**
  - a. **We recommend that a seasoned staff member be assigned to the office of the CAO to act in an "executive assistant" capacity and to assist in managing the time demands on the CAO.**

Most of structural and staffing changes accompanying the Organization Review were completed between 2015 and 2016. This includes the hiring of the Special Projects and Research Officer to support the CAO's Office.

Status: **Completed**

14. **We recommend that the CAO proceed with making any managerial changes in title of those appointed to the newly-created positions; and further, and subject to any legal counsel, take any other steps deemed necessary relative to other changes in employment status.**

The staffing changes recommended in the final organizational report were all implemented in 2015 through 2016. This included changes in titles, new appointments, discussions with legal counsel, and all other steps deemed necessary to move forward with these changes. It should be noted here, however, that the City has continued to face ongoing challenges with regards to its recruitment efforts, including the ability to attract suitable candidates. As a result, some changes to the original recommendations have been made with regards to structure. In addition, some changes to staffing have been made from the recommendations as a result of monitoring the ongoing workload within certain departments, for example, the introduction of additional part time arena maintenance staff, as well as the need for an additional bylaw officer.

Status: **Completed**

15. **We recommend that the Mayor be regarded as the City's primary spokesperson on public policy issues including all Council decisions.**

This recommendation was included within the protocol statements that were approved by Council in December 2017. It is also entrenched within the City's Communication Policy which came into effect in February 2017.

Status: **Completed**

**Budget:** *N/A*

**Risk Analysis:**

The risk(s) from this report are insignificant as it is primarily for informational purposes.

**Communication Plan/Notice By-law Requirements:** *N/A*

**Strategic Plan or other Guiding Document:**

Governance Audit by George B. Cuff & Associates—Recommendations

Strategic Plan

3-1 The City will review and implement as appropriate the recommendations as contained within the City's organizational review and approved by Council.



May 24, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Special Projects and Research Officer**

**Re: Municipalities for Climate Innovation Program—Climate Change Staff Grants**

### **Recommendation:**

That through FCM's Municipalities for Climate Innovation Program—Climate Change Staff Grants, municipalities may be provided up to \$125,000 to supplement the salary of a new or existing municipal employee who will work on initiatives to improve adaptation to local climate change impacts or reduce greenhouse gas (GHG) emissions; and further

That Council supports this direction for the City and directs staff to apply for funding under the FCM's Municipalities for Climate Innovation Program—Climate Change Staff Grants.

### **Background:**

Lack of staff resources is one of the biggest barriers for communities looking to take action on climate change. These grants, disbursed over two years, help municipalities address staffing gaps and produce lasting improvements in their operations related to climate change.

Communities can use the funding to dedicate staff to activities such as developing or refreshing GHG emissions reduction or climate change adaptation plans, creating GHG emission inventories or adding climate change practices into daily municipal processes.

Under this program, FCM will fund 80% of eligible costs related to having the necessary staff for these activities. City administration believes that this funding could be directed towards hiring a new staff member to support the Facilities and Parks Division while assuming a leadership role in implementing projects such as the Community Energy Plan and Conservation and Demand Management Plan.

### **Budget:**

If successful under the program, the City will need to fund the remaining 20% of the new staff member's salary through reserves.

### **Risk Analysis:**

The recommendation carries a high financial risk, given that funding is only available for two years following which both salary and benefits will be covered entirely by the City. Administration believe that this risk should be pursued given that the member of staff will also be used to support other activities of the Division not specifically geared towards climate change.

**Communication Plan/Notice By-law Requirements:** N/A

**Strategic Plan or other Guiding Document:**

2-11 The City will consider the impacts of climate change in both rehabilitating existing and designing future infrastructure requirements, as well as work to mitigate the impacts of climate change in relation to City operations.

2-12 The City will lead and promote environmental sustainability through conservation, smart building design and, where feasible, retro-fit practices for city-owned facilities.





May 29, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Special Projects and Research Officer**

**Re: Budget Amendment - Community Energy Plan (CEP)**

### **Recommendation:**

That Council hereby approves an additional allocation of \$94,077 to be funded 50% through contingency reserves and 50% through the Ministry of Energy for the Community Energy Plan; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Operating and Capital Budget at its June 19, 2018 meeting to withdraw funds from the contingency reserves in the amount of \$47,038.50 to offset the cost of this purchase; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

### **Background:**

The City of Kenora began the Community Energy Plan project in August 2017 as a three stage process:

- 1) Stakeholder Engagement
- 2) Baseline Data Collection
- 3) CEP Development

Currently, the project is at Stage Two and is being led by VIP Energy Services Inc. The project end date extends into 2018 however the allocated 2017 budget was not carried over and as such this request is submitted to Council for approval.

### **Budget:**

Total project in 2017 was budgeted at \$144,807. Actual spending in 2017 was \$50,730. Unspent amounts were not carried over to 2018. Total estimated impact to 2018 budget is \$47,039 with remaining amounts to be reimbursed by the Ministry of Energy.

**Risk Analysis:** There is a low financial risk associated with this recommendation as unspent funds carried over into 2018 may not be entirely spent once the project is completed.

**Communication Plan/Notice By-law Requirements:** C. Edie, J. Ranger

### **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

1-3: The City will forge strong, dynamic working relationships with the Kenora business community

2-11: The City will lead and promote environmental sustainability through conservation, smart building design and, where feasible, retro-fit practices for city-owned facilities

2-12: The City will pursue operational and procurement measures that seek to reduce fuel and energy consumption, where feasible, for city-owned vehicles and equipment



May 27, 2018

## City Council Committee Report

To: Mayor and Council

Fr: Adam Smith, Special Projects and Research Officer

Re: Delegation Requests for 2018 Association of Municipalities in Ontario (AMO) Annual Conference

### Discussion:

The intent of this report is to provide background information and proposed delegation requests for Council consideration to enable staff to submit the delegation requests for the upcoming AMO Conference.

### Background:

The 2018 AMO Conference will be held at the Shaw Convention Centre and Westin Hotel on Sunday, August 19<sup>th</sup> to Wednesday, August 22<sup>nd</sup>. Once again, the AMO Conference offers an opportunity to meet with Provincial Ministers to address issues of local and regional importance.

Due to this year's conference being shortly after the provincial election, there is an opportunity to introduce a number of core issues to potentially a new government as well as highlight emergent challenges. Based on a review of the previous issues packages combined with feedback from staff and Council, the following delegation requests are being proposed:

### Policing Costs: Ministry of Community Safety and Correctional Services

In 2017, policing costs in the City of Kenora stood at \$715 per household which is amongst the highest in the Province. In terms of City operating expenses, 23% consisted of policing costs. The formula charges on calls for service over and above the base rate. Given Kenora's status as a hub community, its calls for service are significantly higher placing us in one of 6 communities in the province with policing costs still over \$600 per household. These costs have also been exacerbated by an unusually high volume of calls in which alcohol is involved. The City is charged a percentage of these calls for service. This includes breach of bail and probation which are primarily caused by alcohol dependency. To help address these issues, the City has engaged with the Kenora Substance Abuse and Mental Health Task Force in working towards implementing a Community Safety and Well-Being Plan. We understand that in 2019 there will be a review of the billing model and the City is keen on participating. That being said, we still would like to use this opportunity to highlight the costs borne by ratepayers and how the Province can help the City and its partners to address the many social issues that result in the high number of calls for service. Doing so will ultimately provide a better quality of life for many of our residents and create long term savings for both the Province and the City of Kenora.

### Changes to the Fire Prevention and Protection Act: Ministry of Community Safety and Correctional Services

With the recent changes to the Fire Prevention and Protection Act, which includes mandatory certification for all firefighters, there will be additional training and travel cost associated with providing training. Current costs for one recruit (not including instructors) for a one year period are estimated at \$1,026.00 per year given 100% attendance. As a result of the legislation, the mandatory training and certification increases to \$3,192.00/year. This is an increase of approximately \$2,166.00 per new recruit for NFPA Level 1 and 2 firefighter and does not include the 60 hour pumper operations course.

The fiscal issues associated with the regulation are only one of the problems. The main problem that will arise is being able to recruit firefighters who can commit 14 hours per month of their personal time to become a volunteer firefighter and then retain these individuals for years to come. The extensive time to become certified by volunteer firefighters will drastically reduce the number of people interested in volunteering and will close departments across the north as they will not be able to achieve certification.

#### Community Health Care: Ministry of Health and Long-Term Care

The City of Kenora is seeking an update on the progress towards a Manitoba-Ontario Health-Care Agreement. In addition, we would like to re-emphasize the need for specialists to carry out more treatment in Kenora. Another important issue is a walk-in clinic in Kenora. The current patient rostering system, used to pay general practitioners, makes creation of such a clinic difficult. Solutions are being sought by the Kenora Area Health Care Working Group (KAHCWG) with the Northwest LHIN. Finally, the City would like to continue its advocacy for a fully equipped All Nations Hospital in Kenora that will attract general practitioners and specialists.

#### Connecting Links Program: Ministry of Transportation

Kenora bridges are multi-million dollar structures, some worth tens of millions of dollars, which used to receive between 80% - 100% capital funding from the Province. The City owns and maintains 18 vehicular bridges that cannot be ignored. Kenora's bridge infrastructure is aging and represents a potentially major cost to the City that cannot feasibly be maintained only through municipal tax dollars and without assistance from the Province. A significant share of this infrastructure is on Highway 17 which is the primary route of the Trans-Canada Highway in Ontario. Although Highway 17A serves as an alternate route and by-pass around Kenora, when there is an accident, all traffic is diverted into the City. Moreover, it serves as a conduit into Kenora for surrounding communities including Wauzhusk Onigum First Nation and Obashkaandagaang First Nation. Unfortunately, Kenora is not eligible for funding under the Connecting Links program despite fitting within the policy of the program. Highway 17 is a critical roadway that serves provincial and municipal interests, carries long distance provincial highway traffic moving through communities, as well as local traffic within the community. We are in an extremely unique situation when compared to any other municipality in Ontario and are desperately seeking sustainable sources of Provincial funding to address the burden related to our bridges.

#### Highway 17 Twinning: Ministry of Transportation

In 2009, Prime Minister Stephen Harper, in conjunction with Ontario Premier Dalton McGuinty, announced the first stage of twinning Highway 17, commencing at the Ontario-Manitoba border. This announcement represented the first stage of a planned highway expansion that will eventually extend to Kenora. Since that time, there has still not been any progress on this expansion of the highway, yet the City has made significant investments into tourism infrastructure which has led to the sector becoming a crucial pillar for which the local economy depends upon. As traffic is continuing to increase from the west

to Kenora and other parts of Ontario, this is a serious bottleneck and safety issue which must be addressed.

#### Affordable Housing: Ministry of Housing

Affordable housing has long been identified as a need in Kenora, not only to affect homelessness but to attract workers and compensate for demographic trends. The Government of Canada's National Housing Co-Investment Fund is a positive step towards providing the necessary capital financing for municipalities and their partners in proceeding with affordable housing projects. However, this will not be enough to address the gaps that exist across the housing spectrum. Recent announcements such as the establishment of a Community Justice Centre and Youth Wellness Hub in Kenora will require housing supports to be truly effective. Although funding allocations to the KDSB under the Investment in Affordable Housing Program have increased in recent years, it is still inadequate to address an ageing stock and demand driven by out-migration from communities in the north.

#### Funding for Phase IV Downtown Revitalization & Kenora Recreation Centre Twinning: Ministry of Northern Development and Mines

The City would like to discuss its funding proposals to NOHFC on the detailed design work for the KRC Twinning project as well as Phase IV Downtown Revitalization. Fostering prosperous communities is not just tied to being able to sustainably fund capital assets such as roads and bridges, it requires sufficient financing for recreational and cultural infrastructure. Twinning the arena in the KRC will allow for new programming and attract more sporting events due to expanded capacity thus acting as a catalyst for economic growth. Expectations are also high for the City's Phase IV Downtown Revitalization project. In requesting \$1,000,000 from NOHFC, the City seeks to build off the success of Phases I – III which contributed to the creation of 513 jobs in the Harbourtown Centre. Phase IV focuses on the Chipman Street and First Street area and is a priority project for municipal council. To move forward, we require the financial support from the Province for land improvements that will redevelop this strategic area and further attract start-ups and spur business growth in downtown Kenora.

#### Disposition of Land

A land matter that has been discussed in a closed meeting.

#### **Budget:**

There are no budgetary implications associated with this report.

**Risk Analysis:** Although there isn't a recommendation assigned to this report. There is a high external risk this report is designed to mitigate. With potentially a new government being in place for the AMO Conference, the proposed issues ensure that our core issues are being discussed amongst Ministers that may be unfamiliar with them.

**Communication Plan/Notice By-law Requirements:** N/A

#### **Strategic Plan or other Guiding Document:**

##### Strategic Plan:

1-6 The City will lobby senior government for additional supports for local industry and business in relation to ongoing workforce development

2-15 The City will be an active and vocal champion for fair funding from provincial and federal governments, including gas tax and other transfer allocations. Priority will be given to initiatives that directly address the infrastructure and community development challenges of the city



May 29, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Special Projects and Research Officer  
Natalie Pearson, Deputy Treasurer**

**Re: 2017 Asset Management Plan for the City of Kenora**

### **Recommendation:**

That Council hereby approves the 2017 Asset Management Plan for the City of Kenora as prepared by Public Sector Digest (PSD); and further

That Administration continue to improve the data underlying the plan and strategies with which to manage the City's infrastructure.

### **Background:**

Kenora's Asset Management Plan as prepared by Public Sector Digest meets the requirements set out by the Minister of Infrastructure, Province of Ontario. This is a living document that will require constant updating and improvement. The basis for the latest update is to comply with Ontario Regulation 588/17, reflect the latest condition data underlying the City's capital assets and new developments such as Kenora's participation in FCM's Climate Asset Management Network.

Over the near-term, City staff will be working on measuring current levels of service and establishing target levels of service. This will correspond with the development of a climate change risk assessment framework that will help to prioritize key projects and aim to minimize the impact of projected changes in climate.

**Budget:** Administration plans to use current resources for the review, updating and improvements under this plan unless provincial funding specific to the assets covered within this plan becomes available.

### **Risk Analysis:**

Financial – the risk related to ongoing capital requirements has been assessed as high to critical, mitigated through a strong asset management plan to identify the right assets to replace at the right time to make the best use of our dollars.

Operations – the infrastructure deficit and need to ensure reliable infrastructure and ongoing capital programs has been assessed as critical, mitigated through the creation of a strong asset management plan.

**Communication Plan/Notice By-law Requirements:** The Asset Management Plan will be published on the City website and forwarded as required with any infrastructure funding applications.

## **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.

2-2 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.

2-11 The City will consider the impacts of climate change in both rehabilitating existing and designing future infrastructure requirements, as well as work to mitigate the impacts of climate change in relation to City operations.





May 18, 2018

## City Council Committee Report

**TO: Mayor and Council**

**FR: Todd Skene, Fire and Emergency Service Manager**

**RE: Tariff of Fees and Charges for the Fire and Emergency Services**

### **Recommendation:**

That Council hereby approves the new and adjusted rates as outlined in 'Schedule C' for the Fire and Emergency Services department; 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 Tariff of Fees and Charges By-Law Number at its June 19, 2018 meeting to give effect to these rates outlined in the revised Schedule "C"; and further

That By-law Number 55-2018 be hereby repealed.

### **Background:**

The Kenora District Services Board has increased the number of ambulance crews with the Kenora District, adding a third shift to current the complement. With this addition the ambulance base located on 14<sup>th</sup> Street North does not have enough parking space to accommodate the new staff. As a result, Kenora Fire and Emergency Services has been approached to provide four parking spaces, next door, at Station 1.

The current fees schedule rate for parking in the City of Kenora is \$50.00 (plus HST) per month per spot. Additionally, current rates were reviewed and the following fees have been added or adjusted within Schedule C. (See attached)

Part 1 Fire Prevention/Public Fire Education – C. Training – Firefighter Training - \$150.00 per student per day or as per cost determined by Chief.

Part 3 Services – D. Parking – Monthly Rate - \$50.00 + HST per month per spot.

**Budget:** 2018/2019 Operating Budget

**Communication Plan/Notice By-law Requirements:** Municipal Memo and Portal.

**Strategic Plan or other Guiding Document:** Aligns with the City of Kenora's Values contained within Strategic Plan 2015-2020, specifically, "we strive for continuous service improvements through innovation, leadership and best practices; we consider community, public and workplace safety in every decision we make; we manage the municipal finances in a responsible, prudent and transparent manner; and is consistent with Corporate Goal #2-3 "where the City will ensure prompt and immediate response times supported by

resilient communications in the event of system outages and other emergencies. Further, this position aligns with Corporate Goal #3-3 “where the City will ensure that customer service excellence is understood and ingrained in the culture and fabric of our organization. The City will commit to a citizen-first approach to maintaining relations with the public.”

**Risk Analysis:**

As per the City's ERM Policy, there is a low financial risk related with the added operational revenue for the rental of parking spaces for the expanding EMS base in Kenora and the additional revenue generated for training of outside fire departments and industry partners.

There is low operational risk associated with both additions to the fees schedule and in all cases with strengthen relations with EMS and surrounding departments.

## SCHEDULE 'C' – EMERGENCY SERVICES

### To By-Law Number 26-2018

Departmental Section	Fee Description	Fee
1. Fire Prevention/Public Fire Education		
A. Inspections/Licensing	LCBO License Renewal or Site Inspection/Compliance Letter	\$ 75.00  Charitable Fund Raisers Exempt
	Day Care/Group Home License Site Inspection/copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 100.00
i) Real Estate Requests	Single Family Dwelling site Inspection/Copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 150.00
	Assembly Occupancies Site Inspection Copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 150.00
	Boarding, Lodging and Rooming Houses Site Inspection/Copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 150.00
	Buildings up to and including six storeys in building height with residential occupancies Site Inspection/Copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 300.00
	Two-unit Residential Occupancies Site Inspection/copy/Release of Fire Inspection Report (includes follow-up inspection)	\$ 150.00
	Business/Personal Service/Mercantile and Industrial Occupancies Site Inspection/Copy	\$ 250.00
ii) Other Administrative Requests	Fire inspection reports or investigation reports e.g. Insurance adjustors' requests, company/other requests.	\$ 50.00
	Fire Inspection Service outside of City boundaries	Full Cost Recovery
	Open Air Burning Permit	\$ 15.00
	Site Inspection of Open Air Burning Permit	\$ 40.00

	Fireworks Site Inspection/Copy/Release of Inspection Report	\$ 75.00
	Portable Fire Extinguisher Inspections	\$ 75.00
B. Avoidable False Alarms	Avoidable False Alarms – in excess of two (2) incidents per calendar year	Fees are as per current rates set by Ministry of Transportation i.e. 2016 rate is \$450.00 / unit for first hour and \$225.00 for every half hour or part thereof
C. Training	Portable Fire Extinguisher Training	\$ 20.00/student to a maximum cost of \$200.00 per two (2) hour training session
	Requested Training and Lectures inside City boundaries	\$ 20.00/student to a maximum cost of \$200.00 or as per Chiefs discretion
	Training and Lectures outside City boundaries	Full Cost recovery
	<u>Firefighter Training</u>	<u>\$150.00 per day per student or as per cost determined by Chief.</u>
	Training Room Rental	\$ 150.00 per full day \$ 75.00 per half day
D. Fire Prevention Sign Rental	Event per 10 day sign rental	\$ 50.00 Partners are free of charge
2. Firefighting/Emergency Response		
B. Fire Watch as Required	Fire Watch e.g. fire alarm system failures	Full Cost Recovery
C. Emergency Response to Motor Vehicle Incidents of Highway 17 involving non-City Residents	Emergency response to Motor Vehicle Collisions on numbered Provincial Highways as per Ministry of Transportation agreements	Fees are as per current rates set by Ministry of Transportation i.e. 2016 rate is \$450.00 / unit for first hour and \$225.00 for every half hour or part thereof
D. Emergency Services outside of City boundaries	→	Full Cost Recovery
E. Hazardous Materials Response	→	Full Cost Recovery
3. SERVICES		
A. Air Bottles	Filling of air bottles for area Fire and Emergency Services	\$ 15.00/bottle
	Filling of air bottles for Industry	\$ 20.00/bottle
	Filling of air bottles – other, i.e. Dive Teams, Private or Provincial	\$ 20.00/bottle
B. Hose	Cleaning and Drying	\$ 5.00/length
	Rental	\$ 5.00/length/day

	Coupling Repair	\$ 25.00/coupling
C. Laundering of Protective Clothing	→	\$20.00/set of turnout gear
<u>D. Parking</u>	<u>Monthly Rate per spot.</u>	<u>\$50.00 + HST</u>



June 1, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Jeff Hawley, Operations & Infrastructure Manager**

**Re: Lakeview Drive Rate of Speed**

### **Recommendation:**

That Council hereby approves an amendment to the Traffic Regulation By-law Number 180-2015, Schedule "T" – Rate of Speed, to change the rate of speed for Lakeview Drive from Bernier Drive to Nethercutt Drive, from 40km to 50 km per hour; and further

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

### **Background:**

In July 2015 the rate of speed along Lakeview Drive, from Bernier Drive to Nethercutt Drive, was decreased to 40 kms per hour. In May 2016 a request to increase the speed back up to the pre-existing rate of 50 kms per hour was put forward but was unsuccessful in obtaining support at that time.

At the May 15<sup>th</sup> Committee of the Whole, interest was expressed by some Councillors, based on their observations and public comments to them, that the speed limit along Lakeview Drive be increased to 50km per hour.

The Ontario Provincial Police were consulted and support the recommendation to increase the posted speed for this area to 50km per hour.

The safety of the City's citizens is of utmost importance to the City. As such, there are processes in place to ensure public safety, regardless of speed:

- As of 2017 the City's Tourism Development Division has implemented a shuttle service from the Rec Center to the White Cap Pavilion during The Matiowski Farmers Market, to attempt to alleviate some of the congestion.
- A project is underway that will increase awareness of the under road pathway to McLeod Park, encouraging pedestrians to cross safely using this pathway as opposed to illegally crossing the roadway.

It is worth noting, a study conducted in 2010 by the Office of the Chief Coroner for Ontario, stated that 67% of the traffic fatalities occurred on roads with posted speeds over 50km/hr, and only 5% on roads below 50km/hr. However, it would be wrong to suggest speed alone is the culprit nor the solution.

The responsibility of a shared roadway falls upon the motorist, the cyclist and pedestrians who use and cross roadways, not just this section of road. As such, it is incumbent upon all citizens to be vigilant and aware of their surroundings. It seems that the fluctuation of speeds in this area, 50km/hr down to 40km/hr back up to 50km/hr, is of concern to

the general public, and this report is intended to alleviate that irritation and allow for a more seamless commute through the area.

By removing the 40 km per hour signage, the area in question on Lakeview Drive, will revert to the 50 km per hour City of Kenora rate of speed. Signage is only required for speeds outside of 50 km per hour, as per the Highway Traffic Act. However, to heighten awareness the City will erect 50 km per hour signs in place of the existing 40 km per hour signs along Lakeview Drive. It will now be necessary to amend Schedule "T" Rate of Speed of Traffic Regulation By-law No. 180-2015 to remove Lakeview Drive from the section – 40 Kilometre Per Hour Zone, as follows: -

**40 Kilometres Per Hour Zone**

<u>Column 1</u> <b>STREET</b>	<u>Column 2</u> <b>LOCATION</b>	<u>Column 3</u> <b>MAXIMUM SPEED</b> Kilometers per Hour
<b>Delete:</b> Lakeview Dr	From Bernier Dr to the south end of Nethercutt Dr	40

**Risk Analysis:**

Based on the City's ERM policy, it has been determined that there is a low to moderate risk. Which is consistent with similar roadways within the City. This risk will be mitigated by adherence to the Provincial Minimum Maintenance Standards.

**Budget:** N/A

**Communication Plan/Notice By-law Requirements:**

Resolution and By-law required. Distribution: J. Hawley, K. Koralalage, H. Kasprick, H. Lajeunesse, O.P.P.

**Strategic Plan or other Guiding Document:**

Goal #2: Strengthen Our Foundations

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.

 Schedule T - Rate of Speed - 40 km/h





May 23, 2018

## City Council Committee Report

**TO: Mayor and Council**

**FR: Jeff Hawley, Operations & Infrastructure Manager  
Marco Vogrig, Municipal Engineer**

**RE: Darlington Drive – OCIF Top Up Funding**

### **Recommendation:**

That Council approves the Darlington Drive resurfacing as the project to submit for the Ontario Community Infrastructure Fund (OCIF) Top-Up funding program; and further

That should the funding application be successful works would be for the 2019 construction season.

### **Background:**

Approximately \$100 million in provincial funding is available for the 2018 intake of the Ontario Community Infrastructure Fund (OCIF) Top Up Funding program. Eligibility for the 2018 intake is being targeted to communities whose formula-based grants in 2019 and 2020 add up to a combined total of less than \$2 million. Eligible communities with critical infrastructure projects may submit proposals to the top-up application component to bring their total OCIF funding up to \$2 million over 2 years.

Under the top-up application component, approximately \$100 million will be distributed among communities who successfully apply for additional funding through the Ontario Community Infrastructure Fund (OCIF). This allows communities to partner with the province to invest in critical infrastructure projects.

The Operations and Infrastructure Department is recommending this funding be dedicated to the Darlington Drive resurfacing project which is scheduled for construction in 2018 through 2021 (four year staged project). The construction budget for this project has been estimated at \$1.7 million. \$170,000 worth of work has been scheduled for this project in 2018.

The primary reasons for recommending the Darlington Drive resurfacing project for this funding are:

- The project is anticipated to span several years but this funding will significantly mitigate the stress on our budget.
- The maximum amount of subsidy available via this funding source will make a significant contribution to the overall project costs.
- Darlington Drive is a high traffic corridor used by residents and visitors alike and based on its current lifecycle and AMP best practices, is at an optimal point for these works to begin.

### **Budget:**

OCIF Top-Up Funding to a maximum of \$343,454 of the estimated project cost of \$1.7 Million and an estimated Operating Budget contribution of \$300,000 in 2019.

### **Risk Analysis:**

As per the requirements of the City's ERM policy, there is a high financial risk and senior management and the Chief Administrative Officer have discussed the appropriate allotment of these funds if acquired. There would be a major financial gain in revenue (\$250k-1M) if the OCIF Top up Funding were approved for this project. The added revenue for this project

would alleviate financial strain on the existing budget, allowing the funds that would have been used towards this project to transfer elsewhere.

**Communication Plan/Notice By-law Requirements:**

Resolution required. Distribution: J. Hawley, M. Vogrig, C. Edie

**Strategic Plan or other Guiding Document:**

Goal #2: Strengthen Our Foundations

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.

2-2 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.

2-14 The City will be an active and vocal champion for fair funding from provincial and federal governments, including gas tax and other transfer allocations. Priority will be given to initiatives that directly address the infrastructure and community development challenges of the city.



May 24, 2018

**City Council  
Committee Report**

**To: Mayor & Council**

**Fr: Marco Vogrig, Municipal Engineer**

**Re: Dufresne Island Parking Area**

**Recommendation:**

That the tender submitted by Moncrief Construction, in the amount \$284,212.32 (plus HST) for the construction of the Dufresne Island Parking Area be hereby accepted.

**Background:**

In June 2017, Council passed a motion that approval be given in support of the Dufresne Island North Side Road Access and Parking Lot. In October 2017, a special service bylaw was passed in order to recoup the additional costs of the construction through a payment system for 1/28<sup>th</sup> of the project by each affected landowner. In April 2018, a tender was issued by Hatch Corporation on behalf of the City for the construction works of the access and parking area.

Tenders for the Dufresne Island Parking Area closed on Thursday May 24 2018, with three companies submitting tender pricing:

Moncrief Construction	\$284,212.32 (plus HST)
Pioneer Construction Inc.	\$353,755.00 (plus HST)
Titan Contractors	\$451,498.48 (plus HST)

**Budget/Finance Implications:**

The total project budget is \$425,000, including construction works and engineering fees. \$100,000 will be utilized from the Dufresne Island Reserve. \$325,000 from Reserves to be recouped through a special service bylaw and lump sum or annual payments from affected landowners.

**Risk Analysis:** It has been brought to the City's attention that an unsafe situation currently exists in this area, landowners are using the side of the highway to park and unload, producing a significant risk to public safety. The creation of this parking area will mitigate the risk by building a parking area off of the highway for vehicles and pedestrians.

There is a minor financial risk to the City, in initially funding the project – there is a low risk that the funds will not be recouped from some landowners, however, this should be remedied by the special service bylaw that was passed.

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

Distribution: J. Hawley, M. Vogrig, C. Edie

**Strategic Plan or other Guiding Document:**

Goal #1 Develop our Economy

1-9 The City will promote Kenora as a 365-day lifestyle destination

Goal #2 Strengthen Our Foundations

2-4 The City will act as the catalyst for continuous improvements to the public realm.

2-7 The City will encourage and support the development of vacant and transitional lands for uses that support our vision.



May 24, 2018

**City Council  
Committee Report**

**To: Mayor & Council**

**Fr: Marco Vogrig, Municipal Engineer**

**Re: 2018 Municipal Road Works Tender**

**Recommendation:**

That the tender submitted by Moncrief Construction, in the amount \$1,203,011.93 (plus HST) for the 2018 Municipal Road Works be hereby accepted.

**Background:**

Tenders for the 2018 Municipal Road Works program closed on Thursday May 24 2018, with two companies submitting tender pricing:

Pioneer Construction Inc.	\$1,278,173.17 (plus HST)
Moncrief Construction	\$1,203,011.93 (plus HST)

This year's work consists of seven proposed locations as identified on the attached tender comparison bid spread sheet.

**Budget/Finance Implications:**

Capital 2018 – Municipal Paving Program \$1,443,604      Lane Paving \$50,000

**Risk Analysis:** As per the requirements in the City's ERM Policy, there is a moderate operational (infrastructure) risk in not completing these works. The risk will be mitigated by continuing to identify degradation, repair and pave the roads on an ongoing basis.

**Communication Plan/Notice By-law Requirements:**

Resolution required.

Distribution: J. Hawley, M. Vogrig. C. Edie

**Strategic Plan or other Guiding Document:**

Goal #2 Strengthen Our Foundations

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.



May 25, 2018

## City Council Committee Report

**TO: Mayor and Council**

**FR: Jeff Hawley, Manager of Operations & Infrastructure and  
Heather Kasprick, City Clerk**

**RE: Temporary Accessible Parking Stall for Elections**

### **Recommendation:**

That Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law No. 180-2015 to include the following amendment to Schedule "K" – Accessible Parking on Municipal Streets:

<u>Column 1</u> <b>STREET</b>	<u>Column 2</u> <b>LOCATION</b>	<u>Column 3</u> <b>SIDE</b>	<u>Column 4</u> <b>TYPE OF PARKING</b>	<u>Column 5</u> <b># SPACES</b>
<b><u>ADD:</u></b> Main Street South	From 40.8 metres north of McClellan Avenue, northerly for 7.3 metres	East	Parallel	1

That this amendment be implemented on "a temporary basis only" for the period starting October 9, 2018 to and including October 22, 2018 to cover the duration of the Municipal Election.

### **Background:**

In preparation for the Municipal Election a barrier free parking space is required on Main Street South in front of City Hall, while the Revision Centre (Council Chambers) is open to the public, to provide a more convenient location for electors attending Council Chambers, in keeping with legislation for 'an accessible election mandate.'

It is recommended the parking space closest to the entrance into the City Hall parking lot be established (so a curb cut-out is not required), from Main Street South, and be converted to a barrier free space, on a temporary basis only.

It is further recommended that the barrier free space be "temporary" starting October 9, 2018 and removed by October 22, 2018.

### **Risk Analysis:**

There is no risk associated with this amendment to the Traffic Bylaw.

**Budget:** N/A

### **Communication Plan/Notice By-law Requirements:**

J. Hawley, M. Vogrig, K. Koralalage, By-Law Enforcement

### **Strategic Plan or Other Guiding Documents**

2-4 The City will act as the catalyst for continuous improvements to the public realm.



May 14<sup>th</sup>, 2018

**City Council  
Committee Report**

**To: Mayor & Council**

**Fr: Josh Nelson, Tourism & Recreation Division Lead**

**Re: Amend Parking Lots and Structures Bylaw: Keewatin Memorial Arena and The Kenora Recreation Centre**

**Recommendation:**

That Council hereby approves an amendment to Schedule "A" to Parking Lots By-Law Number 66-2006 to amend "Lot C", "Lot L" & "Lot K" to read:

Lot "C" **Front Street, Keewatin Arena Parking Lot**

Control: Peace Officer & City Designated Towing Company (at owner's expense)  
Fees: Front Lot #1: See Below  
Back Lot #2: See Below

November 1<sup>st</sup> to April 30<sup>th</sup>: Nil

May 1<sup>st</sup> to October 31<sup>st</sup>:

Overnight: \$7.00 plus applicable taxes  
Weekly: \$35.00 plus applicable taxes  
Monthly: \$130.00 plus applicable taxes  
Seasonal: \$390.00 plus applicable taxes

Parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.

; and further

Lot "L" **Kenora Recreation Center Long Term Parking (Lot 6)**

Control: Peace Officer & City Designated Towing Company (at owner's expense)  
Fees: Overnight: \$7.00 plus applicable taxes  
Weekly: \$35.00 plus applicable taxes  
Monthly: \$130.00 plus applicable taxes  
Seasonal: \$390.00 plus applicable taxes

Overnight parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.

; and further

Lot "K"      **Kenora Recreation Center Front & Rear Parking Lot – Boat Launch**  
Control:      Peace Officer & City Designated Towing Company (at owner's expense)  
Fees:          **Lot 1, 2, 3, 4:** Free four (4) hour parking  
                 **Lot 5, 7:** \$1.00 per hour  
                                 Monthly - \$75.00

Special Regulation: Lot 1, 2, 3, 4 - Vehicles in excess of 6.7 meters not permitted unless otherwise designated during a special event  
Lot 5 – Vehicles with trailers only permitted  
Lot 7 – Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.  
No overnight parking between 2:00 am and 6:00 am; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its Parking Lots bylaw at its June 19, 2018 meeting to reflect changes to various Recreation parking lots; and further

That Council gives three readings to a by-law to amend By-Law Number 66-2006 for this purpose.

**Background:**

The Kenora Recreation Centre parking areas are extremely busy in the summer months and the demand for parking in this area continues to increase. In order to ensure fairness across the City in regards to parking and use of City owned parking areas, the Recreation staff have reviewed the current by-law and its effect on the parking lots at the Kenora Recreation Center. It was noted that currently there is misuse of the free daily parking in each of the lots. Staff determined that this was an excellent chance to review the by-law and implement potential changes that would have a positive impact on the Recreation operating budget.

Tenants of the Kenora Recreation Center (Physio & Senior Center) will receive a designated number of parking passes for staff issued by the Kenora Recreation Center.

The recommended changes are as follows:

**Lot C Current Wording:**

Lot "C"      **Front Street, Keewatin Arena Parking Lot**  
Control:      City Designated Towing Company and Peace Officer  
Fees:          Front Lot #1:              See Below  
                                 Back Lot #2:              Parking Prohibited

November 1<sup>st</sup> to April 30<sup>th</sup>: Nil

May 1<sup>st</sup> to October 31<sup>st</sup>:

Overnight: \$7.00 plus applicable taxes  
Weekly: \$35.00 plus applicable taxes  
Monthly: \$130.00 plus applicable taxes  
Seasonal: \$390.00 plus applicable taxes



Parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 metres are permitted; and further  
No refunds for unused parking.

**Lot C Proposed Wording:**

Lot "C"      **Front Street, Keewatin Arena Parking Lot**  
Control:      City Designated Towing Company and Peace Officer  
Fees:          Front Lot #1:              See Below  
                    Back Lot #2:              See Below

October 31<sup>st</sup> to April 30<sup>th</sup>:    Nil

May 1<sup>st</sup> to October 31<sup>st</sup>:  
Overnight: \$7.00 plus applicable taxes  
Weekly: \$35.00 plus applicable taxes  
Monthly: \$130.00 plus applicable taxes  
Seasonal: \$390.00 plus applicable taxes

Parking vouchers shall be available from the Kenora Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.

**Lot L Current Wording:**

Lot "L"      **Kenora Recreation Center Long Term Parking (Lot 6)**  
Control:      Community Services Attendant & City Designated Towing Company (at  
                    owner's expense)  
Fees:          Overnight: \$7.00 plus applicable taxes  
                    Weekly:      \$35.00 plus applicable taxes  
                    Monthly:     \$130.00 plus applicable taxes  
                    Seasonal:    \$390.00 plus applicable taxes

Overnight parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.

**Lot L Proposed Wording:**

Lot "L"      **Kenora Recreation Center Long Term Parking (Lot 6)**  
Control:      Peace Officer & City Designated Towing Company (at owner's expense)  
Fees:          Overnight: \$7.00 plus applicable taxes  
                    Weekly:      \$35.00 plus applicable taxes  
                    Monthly:     \$130.00 plus applicable taxes  
                    Seasonal:    \$390.00 plus applicable taxes

Overnight parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No refunds for unused parking.

**Lot K Current Wording:**

Lot "K" **Kenora Recreation Center Front & Rear Parking Lot – Boat Launch**  
Control: Community Services Attendant & City Designated Towing Company (at owners expense)

Fees: Free Daily Parking

Special Regulation: Vehicles in excess of 6.7 meters are permitted  
No overnight parking between 2:00 am and 6:00 am

**Lot K Proposed Wording:**

Lot "K" **Kenora Recreation Center Front & Rear Parking Lot – Boat Launch**  
Control: Peace Officer & City Designated Towing Company (at owner's expense)

Fees: **Lot 1, 2, 3, 4:** Free four (4) hour parking

**Lot 5, 7:** \$1.00 per hour  
Monthly - \$75.00

Special Regulation: Lot 1, 2, 3, 4 - Vehicles in excess of 6.7 meters not permitted unless otherwise designated during a special event  
Lot 5 – Vehicles with trailers only permitted  
Lot 7 – Vehicles in excess of 6.7 meters not permitted  
No refunds for unused parking.  
No overnight parking between 2:00 am and 6:00 am

**Budget:** Additional revenues would increase general operating revenues for the Recreation department. Minimal upfront costs to implement (purchase additional signage and use two old ticket machines that are in inventory).

**Communication Plan/Notice By-law Requirements:** By-Law No. 66-2006 amendment. Notice of Council decision to be circulated to By-Law, Communications, Recreation Department. Public notice is recommended.

**Risk Analysis:** There is a moderate positive financial risk associated with this by-law change particularly with the amendment to Lot "K" charging for daytime parking in lots 5 & 7. There is also a low governance risk which can possibly be mitigated through proactive communication with the public.

**Strategic Plan or other Guiding Document:**

2-4 - The City will act as the catalyst for continuous improvements to the public realm

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



May 24<sup>th</sup>, 2018

**City Council  
Committee Report**

**To: Mayor & Council**

**Fr: Josh Nelson, Tourism & Recreation Division Lead**

**Re: Municipal Accommodation Tax**

**Recommendation:**

That Council adopted a Municipal Accommodation Tax bylaw on April 17, 2018 which implements a 4% local supporting tax on all accommodations in the City of Kenora; and further

That Council now deems it necessary to make amendments to the bylaw to reflect changes that have been identified by administration; and further

That Council hereby supports all Bed and Breakfasts to charge the Municipal Accommodation Tax on seventy five percent (75%) of the room rate understanding that the other twenty five percent (25%) of the rate is considered breakfast; and further

That the Accommodation Tax commence and take effect on October 1, 2018; and further

That Council gives three readings to a new Accommodation Tax bylaw; and further

That bylaw number 34-2018 be hereby repealed.

**Background:**

Staff reviewed the deputation by Kendall House Bed & Breakfast and, after researching other municipalities implementing the Municipal Accommodation Tax (MAT), staff recommends offering all Bed & Breakfasts in the Kenora area the opportunity to apply the MAT to only 75% of the total room rate, understanding the remaining 25% is deemed the breakfast component. As stated under Transient Accommodation Tax Regulation 435/17; the MAT can only be applied to the accommodation portion of the bill and not any additional services (ie. parking, banquet room rentals, etc.)

Currently, Ottawa is the only municipality in Ontario offering an exemption for Bed & Breakfasts. In discussions with Ottawa's finance department, it was noted that the municipality initially applied the tax to all fixed accommodations and their staff recommended quarterly remittance for smaller accommodations in conjunction with HST remittance as well as the opportunity for Bed & Breakfasts to apply the MAT to only 75% of the room rate. Despite these recommendations Ottawa City Council asked staff to develop an exemption policy under which each Bed & Breakfast has to apply individually (not guaranteed to be accepted) and meet the following guidelines:

1. The Bed & Breakfast establishment meets the definition of the Zoning By-law 2008-250 as amended

2. The Bed & Breakfast establishment is occupied and operated by the property owner, and is classified in the residential property tax class
3. The accommodation purchases are invoiced by the Bed & Breakfast establishment and not a third party home-sharing listing entity

Other municipalities that were contacted (Thunder Bay, Toronto, and Mississauga) are not providing an exemption.

Due to the size of the Kenora community, staff recommended the MAT be implemented across all accommodation types to alleviate any concerns of creating a small competitive advantage. If an exemption for Bed & Breakfasts is allowed, it has potential to create precedent for other smaller establishments that aren't necessarily a Bed & Breakfast to request the same exemption.

The excess revenue from the MAT will be used for Tourism and Economic Development projects which will benefit all properties moving forward, therefore staff are not recommending any full exemptions.

Further to this amendment request, the Kenora Hospitality Alliance has asked for a one month extension on the implementation of the MAT. With the busiest season fast approaching, the accommodations are looking for extra time to adapt their systems to be able to collect the tax. Staff recommend this extension as the City of Kenora continues to strengthen its partnership with the Kenora Hospitality Alliance.

Current wording:

#### **9. Effective Date**

This bylaw shall come into force and take effect on September 1, 2018.

Proposed wording:

#### **1.3**

Bed & Breakfasts have the opportunity to charge the Accommodation Tax (4%) on only 75% of the total room rate understanding that the remaining 25% is considered the breakfast portion.

#### **9. Effective Date**

This bylaw shall come into force and take effect on October 1, 2018.

**Budget:** Minimal decrease in Accommodation Tax revenue for 2018.

**Communication Plan/Notice By-law Requirements:** By-Law No. 34-2018 amendment. Notice of Council decision to be circulated to By-Law, Communications, Tourism Kenora, Economic Development, Kenora Hospitality Alliance and other accommodations outside of the Kenora Hospitality Alliance.

#### **Risk Analysis:**

**Bed & Breakfast Exemption:** There is a low negative governance risk by not accepting the proposal of a full Bed & Breakfast exemption that can be alleviated by informing all Bed and Breakfasts of the potential positive impacts of the MAT.

**Extension:** There is a low negative financial risk from forgoing one month of MAT revenue, however, there is a high positive governance risk to granting the extension as

it is a priority to continue to foster the positive working relationship with the Kenora Hospitality Alliance.

**Strategic Plan or other Guiding Document:**

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

# The Corporation of the City of Kenora

## By-law Number 34 - 2018

### A By-law to Establish a Municipal Accommodation Tax

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Whereas the City may, by by-law, impose a tax in respect of the purchase of transient accommodation in the municipality in accordance with Part XII.1 of the *Municipal Act*, 2001, S.O. 2001, Chapter 25, as amended, and the Transient Accommodation Tax Regulation 435/17; and

Whereas at its meeting of April 17, 2018, Council approved the establishment of an accommodation tax to be imposed on the purchase of accommodations of short duration within the City of Kenora, which will generate revenue which will be shared with the Kenora Hospitality Alliance (KHA) who promote local tourism with the balance of the funds being allocated towards economic development and tourism initiatives as further described in Regulation 435/17;

Therefore the Council of the City of Kenora enacts as follows:

#### 1. Application of Tax

1.1 A purchaser shall, at the time of purchasing accommodation, pay an accommodation tax in the amount of four percent (4%) of the purchase price of the accommodation provided for a continuous period of less than 30 nights provided in a hotel, motel, inn, bed and breakfast, resort, and Airbnb/VRBO, or any place in which accommodation is provided.

1.2 A provider of transient accommodation shall include on every invoice or receipt for the purchase of transient accommodation a separate item for the amount of tax on transient accommodation imposed on the purchase, and the item shall be identified as "Municipal Accommodation Tax".

#### **1.3**

Bed & Breakfasts have the opportunity to charge the Accommodation Tax (4%) on only 75% of the total room rate understanding that the remaining 25% is considered the breakfast portion.

#### 2. Exemptions

2.1 The municipal accommodation tax imposed by subsection 1(1) does not apply to:

(a) The Crown, every agency of the Crown in right of Ontario and every authority, board, commission, corporation, office, or organization of persons a majority of whose directors, members or officers are appointed or chosen by or under the authority of the Lieutenant Governor in Council or a member of the Executive Council;

- (b) Every board as defined in subsection 1(1) of the *Education Act*;
- (c) Every university in Ontario and every college of applied arts and technology and post-secondary institution in Ontario whether or not affiliated with a university, the enrolments of which are counted for the purposes of calculating annual operating grants entitlements from the Crown on accommodations provided to students while the student is registered at and attending the institution;
- (d) Every hospital referred to in the list of hospitals and their grades and classifications maintained by the minister of Health and Long-Term Care under the *Public Hospitals Act* and every private hospital operated under the authority of a license issued under the *Private Hospitals Act*;
- (e) Every long-term care home as defined in subsection 2(1) of the *Long-Term Care Homes Act, 2007*, retirement home and hospices;
- (f) Every treatment centre that receives provincial aid under the *Ministry of Community and Social Services Act*;
- (g) Every house of refuge, or lodging for the reformation of offenders;
- (h) Every charitable, non-profit philanthropic corporation organized as shelters for the relief of the poor or for emergency;
- (i) Every tent or trailer sites supplied by a campground, tourist camp or trailer park;
- (k) Every accommodation supplied by employees to their employees in premises operated by the employer; and
- (j) Every hospitality room in an establishment that does not contain a bed and is used for displaying merchandise, holding meetings, or entertaining.

2.2 All other revenues generated from the accommodation services; whether sold individually or included in a room package; are excluded from the Municipal Accommodation Tax, including but not limited to, meeting room rental, food and beverage, room service, laundry services, internet access, parking etc.

### **3. Tax Collected by Service Provider**

3.1 Providers of transient accommodation shall include on every invoice or receipt for the purchase of transient accommodation a separate item identified as "Municipal Accommodation Tax" for the amount of MAT imposed on the purchase.

3.2 Providers of transient accommodation shall collect the MAT from the purchaser at the time the accommodation is purchased and shall remit the MAT to the municipality within the time prescribed in any MAT notice and shall include monthly statements in the form required by the municipality detailing the number of rooms sold, purchase price and levy collected.

3.3 The City Treasurer, or designate, is designated to establish the notices, forms and remittance statements, past due notices and monitor collection for the service providers.

## **4. Allocation of Funds**

4.1 Revenues generated by this MAT will be deemed for municipal economic development and tourism purposes.

4.2 A Destination Marketing Program existed in the municipality prior to the imposition of the MAT, and therefore the municipality is required to remit the total amount of Destination Marketing Fee revenues collected by the Destination Marketing Program from accommodations in the municipality in the fiscal year prior to the tax coming into effect (2017). This DMP exists as the Kenora Hospitality Alliance (KHA) and therefore the annual remittance to KHA will be \$140,309.00 which will be remitted in two installments on May 31<sup>st</sup> and December 31<sup>st</sup> annually. Further to the annual remittance to the KHA in 2019 and beyond will be based on the previous years' remittance adjusted by a 10 year rolling average of the annual percentage change in Ontario's total tourism receipts, as published by the Ministry of Tourism, Culture and Sport.

4.3 The excess funds beyond those remitted to the KHA will be allocated to a reserve for tourism and economic development projects.

4.4 The MAT reserve funds will be utilized for tourism and economic development priorities as established through the planning process of the Lake of the Woods Development Commission.

## **5. Penalties and Interest**

5.1 Penalties and interest at the rate applicable to overdue property taxes shall be payable by the providers of transient accommodation on the non-payment of the full amount of the MAT by the due date set out in the notice, and interest may be added on the first day of default and on each month thereafter in which the default continues.

## **6. Liens**

6.1 All MAT penalties and interest that are past due shall be deemed by the City Treasurer to be in arrears, and shall be transferred to the tax collectors' roll of the City to be collected in the same manner as municipal property taxes and shall constitute a lien upon the lands.

## **7. Audit and Inspection**

7.1 Every transient accommodation service provider shall keep books of account, records, and documents sufficient to furnish the City and its designated tax collectors with the necessary particulars of sales of accommodation, amount of levy collected and remittance.

7.2 The City Treasurer, or designate, is designated pursuant to section 3 and may inspect and audit all books, documents, transactions and accounts of transient accommodation providers and require transient accommodation providers to produce copies of any documents or records required for the purposes of administering and enforcing this by-law, as required.



## 8. Offence and Penalties

8.1 Every person who contravenes any provision of this by-law is guilty of an offence as provided for in subsection 429(1) of the *Municipal Act, 2001*, and all such offences are designated as continuing offences as provided for in subsection 429(2)(a) of the *Municipal Act, 2001*.

8.2 A person who is convicted of an offence under this by-law is liable, to a minimum fine of \$500.00 and a maximum fine of \$100,000 as provided for in subsection 429(3), paragraph 1 of the *Municipal Act, 2001*.

8.3 A person who is convicted of an offence under this by-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00 and the total of all of the daily fines for the offence is not limited to \$100,000, as provided for in subsection 429(3) paragraph 2 of the *Municipal Act, 2001*.

8.4 When a person has been convicted of an offence under this by-law, the Superior Court of Justice or any court of competent jurisdiction thereafter may, in addition to any penalty imposed on the person convicted, issue an order:

(a) prohibiting the continuation or repetition of the offence by the person convicted; and

(b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

### ~~9. Effective Date~~

~~This bylaw shall come into force and take effect on September 1, 2018.~~

### 9. Effective Date

This bylaw shall come into force and take effect on October 1, 2018.

By-law read a First and Second Time this ~~17<sup>th</sup>~~-19<sup>th</sup> day of ~~April~~June, 2018

By-law read a Third and Final Time this ~~17<sup>th</sup>~~-19<sup>th</sup> day of June~~April~~, 2018

The Corporation of the City of Kenora:-

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David S. Canfield, Mayor

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Heather Kasprick, City Clerk



April 24, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Karen Brown, CAO**

**Re: Memorandum of Understanding (MOU): Kenora Pickleball Club**

### **Recommendation:**

That Council hereby supports the Kenora Pickleball Club's development plans to convert the existing tennis courts at Garrow Park into multiple, fully accessible, regulation sized Pickleball Courts; and further

That once the project is complete the City will be responsible for maintenance and operation of the Pickleball Courts; and further

That Council hereby authorizes the Mayor and Clerk to enter into a Memorandum of Understanding (MOU) between the Corporation of the City of Kenora and the Kenora Pickleball Club, effective May 22, 2018 which outlines the parties understanding of the project; and further

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

### **Background:**

At the October 2017 Committee of the Whole, a report was brought forward by City Administration discussing the Ontario Trillium Fund (OTF) and two different groups who were working towards separate projects, both intended for the benefit of the community. These groups were the Kenora Rotary Club (Splash Park) and the Pickleball Club (Pickleball Courts). Both groups had requested the City to work with them to pursue Trillium funding for their respective project. Neither group was eligible to pursue this funding independently. After considerable discussion, Council passed a resolution supporting the application for the Splash Park on behalf of the Kenora Rotary Club for the 2017 funding intake, for funding intended for 2018 capital works. While not included in the resolution, there was discussion by Council that the City would plan to apply for Trillium funding during the 2018 intake for funding intended for 2019 capital works for the Pickleball Courts on behalf of the Kenora Pickleball Group. A separate report will be coming forward on this funding application to a future meeting of Council.

The intent of the Pickleball Group project is to convert the existing Tennis Courts at Garrow Park into Pickleball Courts. These courts are smaller tennis courts and will have a new acrylic surface, nets, and other ancillary temporary/permanent fixtures that the Kenora Pickleball Club will purchase. Under the MOU, the Pickleball Group is responsible for all costs involved with the conversion.

For this purpose, an MOU has been written to formalize the understanding between Council and the Kenora Pickleball Club. The MOU was first circulated to the Club on Tuesday, May 1, 2018. A secondary City review recommended additional changes, which were shared with the Club on May 26, 2018. The Club has confirmed they are in agreement with the MOU as presented to Council.

There are a few highlights in the MOU for Council to consider:

1. The Kenora Pickleball Club will be responsible for 100% of all capital costs associated with the conversion of the Garrow Park Tennis Courts into Pickleball Courts, including any related servicing until the project is complete.
2. The Pickleball Courts will remain a City asset, and the costs associated with the ongoing operation and maintenance of the Pickleball Courts will be the sole responsibility of the City of Kenora.

One final item that the City will need to investigate is whether or not the new acrylic floor surface would be suitable for other use, or if some form of protection is required, which could include not allowing the use of this area by other groups. At the current time, the worst case scenario may be that other organizations will no longer be allowed to use this area as a mobilization site. It is important for Council to understand this potential restriction on use when the MOU is approved. At this time, the three groups (Pickle Ball Group, Rowing Club and the Kenora Borealis) have not finalized these discussions with the City.

#### **Budget:**

Operating Costs will need to be factored into Garrow Park budget once the courts have been converted. It is anticipated that there will be no significant increase to the annual maintenance and operating costs. The additional acrylic finish to the court, as well as line painting to outline the standard Pickleball court sizes will be new features, and will have to be refinished and painted at least every ten years. Maintenance staff have estimated that a full update could cost anywhere within the range of \$10,000 - \$15,000.

#### **Risk Analysis**

There is an insignificant financial risk related to the potential additional and ongoing maintenance requirements related to the new Pickleball Courts.

If the project is not approved, there is a moderate governance risk that there could be a significant negative impact on the City's public image based on past discussions by Council on moving forward with the Pickleball Group proposed court conversion. Conversely, there is a minor governance risk related to approving the MOU in that it may restrict the use by other organizations of the former Garrow Park Tennis Court area.

**Communication Plan/Notice By-law Requirements:** bylaw and communication to the other user groups

#### **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.

2-9 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



May 17, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: James Tkachyk, Parks & Facilities Division Lead**

**Re: Emergency Repairs to Leisure Pool**

### **Recommendation:**

That Council hereby approves an additional allocation of \$23,127.46 to be funded through the Contingency Reserves for emergency repairs to the Kenora Recreation Centre leisure pool; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Operating and Capital Budget at its June 19, 2018 meeting to withdraw funds from the Contingency Reserves in the amount of \$23,127.46 to offset the costs associated with these repairs; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

### **Background:**

In March, 2018, the leisure pool experienced a total fail of one half of the salt water chlorine generating systems. Chemicals had to be mixed and added manually to the pool and monitored hourly to offset what the chlorine generating system does in order to keep the pool operational.

Adding chlorine manually is not a best practice, as chemicals are added in high concentrated doses when required and are not evenly distributed for long periods as the concentration makes its way through the pool volume.

The failure was due to corrosion of the computer components inside the controller. The pool basement where the controls are housed is a corrosive environment caused by the chemicals used and high humidity levels. All controls, electrical and electronic components are affected by the basement environment. Staff are researching best practices that can mitigate corrosion in pool mechanical rooms; however, it is worth noting that the salt water chlorine generating systems cannot be relocated.

### **Budget:**

In order to undertake the improvements, a budget amendment is required to add this item to the 2018 Capital Budget with the cost of \$23,127.46

### **Risk Analysis:**

There is moderate financial risk as this is an addition to the capital budget, however, this has been mitigated by the City of Kenora's contingency reserve, which is intended to address unexpected items.

There is a high governance risk, with the failure to pursue this budget amendment potentially resulting in the erosion of public confidence in Council. There is a high public usage of the leisure pool, and without the repairs required as mentioned in the background information, the depletion of the mechanics that require repairs will accelerate and will result in major repairs.

**Communication Plan/Notice By-law Requirements:**

Notice in accordance with the City's notice by-law.

**Strategic Plan or other Guiding Document:**

1.10 - The City will promote and leverage its recreation and leisure amenities to support local economic activity, tourism and to strength community ties with our regional neighbours.

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

May 28, 2018



## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Kasprick, City Clerk**

**Re: Budget Amendment – Kenora Recreation Centre Twinning Design**

### **Recommendation:**

That Council hereby accepts a total project cost for detailed design drawings and tender preparation for the twinning of the Kenora Recreation Centre in the amount of \$750,000 with two thirds (2/3) of the funding from NOHFC and one third (1/3) funding being ; and further

That an application has been made to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$500,000 (2/3 funding) to undertake the detailed design work and tender ready drawings; and further

That Council hereby approves an allocation of \$250,000 to be debt financed through the Citizen's Prosperity Trust Fund a financial commitment of 1/3 funding for detailed design drawings and tender preparation for the twinning of the Kenora Recreation Centre contingent on NOHFC funding approval; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Capital Budget at its June 19, 2018 meeting to withdraw funds from the Citizens Prosperity Trust Fund to be debt financed in the amount of \$250,000 for 1/3 of the funding for the detailed design drawings and tender preparation for the Kenora Recreation Centre; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

### **Background:**

Further to the March 28, 2018 report on the twinning of the Kenora Recreation Centre, and further information to Council since that report, this report is to gain Council's support for the City's 1/3 funding portion to the project should the NOHFC application be approved.

As per the original report, an initial upfront cost of \$750,000 will be needed to complete the detailed design and tender ready documents which will allow for the project to be fully ready for public tender. The Gas Tax was not considered an option for funding this as it is already required for other Operations and Infrastructure projects.

An option is to acquire funds in the form of debt financing from the Prosperity Trust Fund. This had previously been used for the projects outlined below, with the dates showing when the debenture will be paid off:

- Fire Hall, expected repayment 2027
- Discovery Centre, expected repayment 2025
- Whitecap Pavilion, expected repayment 2025
- Highway 17 east and west, expected repayment 2030

- Marine Water Line, expected repayment 2020

Staff are pursuing grant applications for the cost of the twinning project which would look to cover 66 percent of the total cost.

There are best practices that Council can look at to consider the expansion for Kenora. It is important to note that staff will consider the options outlined below for Kenora's model if it is directed to move forward with this project:

- Town of Dorchester, ON recently twinned its arena, naming rights were sold \$250,000 for 5 years. Town population 9,329;
- Municipality of Lambton Shores, fundraising team raised \$3.6 million (over and above the RED grant they received) in 2005-2006 for The Shores Recreation Centre in Forest population 11,000 but like Kenora has tourist and seasonal component;
- Another fundraising group in Thedford, ON raised \$400,000 in 2010 for The Legacy Centre (multipurpose centre with Library, Nursery School, Large hall with kitchen, dressing rooms, etc) although latter was with significant stimulus dollars, a well-planned fundraising program with expert advice and with a volunteer campaign cabinet can do wonders; and
- Company that assisted with those 2 projects and a Beach Enhancement project in Grand Bend (raised \$1.5 million for that one again with naming rights) was called DVA Navion and now may have changed name to Inspire Inc.

Debt financing the 1/3 portion of the \$750,000.00 is therefore the recommendation from Administration, with the application submitted to NOHFC in the amount of \$500,000.

**Budget:** Debt financing the 1/3 portion of the \$750,000.00 contingent on the approval from NOHFC in the amount of \$500,000

**Risk Analysis:** As per the City's ERM Policy, this recommendation has been assessed as a high risk to public trust and confidence as a commitment from Council has not been confirmed for the proposed development. Approving the undertaking of the detailed design process and preparation of tender ready drawings without a final commitment to the project by Council can result in a high risk to the municipality on the expenditure of this nature.

**Communication Plan/Notice By-law Requirements:** Public Notice for Budget Amendment and bylaw

**Strategic Plan or Other Guiding Document:**

Twinning aligns with the City Goals and Corporate Actions as follows:

1-8 The City will promote Kenora as a 365-day lifestyle destination

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

1-11 The City will support, promote and expand the tourism industry. In recognition of the growing importance of tourism within the economy, Kenora will pursue the recruitment and facilitation of a new event(s) which celebrates Kenora as a thriving dynamic year-round destination

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 improvement to the public realm

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

2-11 The City will lead and promote environmental sustainability through conservation, smart building design and where feasible, retro-fit practices for city-owned facilities.





May 24, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Special Projects and Research Officer**

**Re: New Horizons for Seniors Program Application**

### **Recommendation:**

That Council has directed staff to pursue funding opportunities for the Garrow Park Pickleball court conversion project as per the MOU between the City of Kenora and Kenora Pickleball Club; and further

That administration has identified that the Government of Canada's New Horizons for Seniors Program (NHSP) may provide up to \$25,000 to make necessary modifications or repairs to existing facilities, or to purchase/replace equipment and furnishings to enable programs and activities for seniors; and further

That Council directs staff to apply for funding under the Government of Canada's New Horizons for Seniors Program.

### **Background:**

The NHSP is now accepting applications until June 15<sup>th</sup> 2018 for organizations to receive funding of up to \$25,000 for projects that are seniors' led or inspired. To be eligible, the municipality must demonstrate:

- Senior involvement in the project's development and/or implementation in a meaningful way.
- Benefit a broad clientele
- Propose activities that address an identified need or an area of concern within the community
- Strive to have a lasting impact on communities
- Involve collaboration and partnerships
- Use resources efficiently and effectively
- Occur within a 12-month (52-week) period. NHSP only funds projects that will be completed within this time frame.

Based on the above criteria, City administration believe that the proposed Pickleball court conversion would be an ideal fit. Given that the City would not be notified about a proposal until early 2019, staff would still seek other funding opportunities to further off-set costs.

### **Budget:**

According to a project study completed by LBE Group Inc. the conversion of the two tennis courts to 8 pickleball courts will cost approximately \$118,279 plus taxes. This consists of resurfacing the existing court, paint coat application, new posts and nets and a four foot high fence separating each court area. If successful, the City would need to supplement the \$25,000 from the Government of Canada with donations collected by the Kenora Pickleball Club and an additional funding source.

**Risk Analysis:**

The recommendation carries a high financial risk, however, this is perceived to be an opportunity since the cost off-sets from being successful under the program are significant. Moreover, it would still allow the City to apply under a provincial grant program to stack funding and mitigate the risks from relying solely on donations for the project.

**Communication Plan/Notice By-law Requirements:**

Kenora Pickleball Club has been contacted regarding the grant and will continue to be involved in drafting the application.

**Strategic Plan or other Guiding Document:**

2-4 The City will act as the catalyst for continuous improvements to the public realm

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

3-12 The City will recognize the importance of leveraging partnerships and work together with our Community and Strategic Partners as appropriate to implement the various strategies as developed by those organizations for the improvement of the City and our Community.



May 18, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Megan Dokuchie, Economic Development Officer**

**Re: Request for Development Support: Kenora Municipal Non-Profit Housing Corporation**

### **Recommendation:**

That Council of the City of Kenora hereby supports the Kenora Municipal Non-Profit Housing Corporation (KMNPHC) application for funding to the Canada Mortgage and Housing Corporation (CMHC) in the form of road, water, and sewer service extensions to the property line of the proposed development project location within the municipality; and further

That Council hereby approves an allocation of \$470,000 to be funded through the City's Contingency Reserves for the purposes of the development of a road and water and sewer service extensions to a housing development under the KMNPHC; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Five Year Capital Plan at its June 19, 2018 Regular Meeting of Council; and further

That Council gives three readings to a By-Law to amend the 2018 capital budget for this purpose.

### **Background:**

Council was made aware of a potential housing development to be undertaken by the KMNPHC. Suzanne Belanger, Executive Director for Direct Management Services Inc. (contracted to provide Property Management services to the KMNPHC) has met with Community and Development Services staff, as well as Operations and Infrastructure staff, to discuss this potential development of 100 units in a municipal property location within the City (currently privately owned).

The City of Kenora's Official Plan and Strategic Plan: 2015 to 2020, have made affordable housing a key principle and priority in guiding community development into the future. Both of the strategic documents speak to the City supporting housing in an integrated manner within new or existing development. They also reflect on a mix and range of housing types that meet the physical and financial needs of all current and future residents.

To help inform these commitments, Council will note that City staff have completed multiple studies including the 2014 Affordable Housing Study and the State of Housing Report. Through the latter, core housing need in the community was determined and a series of problem statements in Kenora's housing market were formulated. These statements have been used as part of the assessment process for policy tools to be included as part of an *Enabling Housing Action Plan*.

The type of development being proposed ensures that various cohorts of the 65+ age bracket will have the opportunity for a move in ready, affordable unit. The built form is proposed to be a sustainable, efficiently operated building with one and two bedroom units that will offer a variety of sizes at a range of market rents. The 100 units proposed allows for a financially stable development and extremely efficient to operate (i.e., due to density, square footage, energy, frontage fees, and potential partnerships).

The additional benefit of this type of development is that it will increase the market supply of single detached dwellings. As the population ages, and individuals/couples are searching for a smaller scale space within Kenora, they will now have the opportunity to relocate within Kenora, affordably. As such, potential homebuyers will have more of an opportunity to purchase a single detached home, freeing up the market.

The funding program is provided through the CMHC, whereby the CMHC is the mortgage housing funder. The KMNPHC is anticipating a planning period of approximately two years to work through the development process. The first phase is the planning phase which is comprised of:

1. Securing the land;
2. Planning processes (i.e., rezoning as per the City of Kenora's Zoning By-Law);
3. Architectural and engineering drawings;
4. Provide proof to the CMHC that there will be a need for it in the community (pre-renting indicators, waiting list, and other marketing exercises).

KMPHC currently maintains a waiting list which demonstrates demand for this market of housing.

Staff undertook a preliminary exercise to forecast the cost of water, sewer, and road extensions to the property line of the subject parcel. The costing is impacted by the contours from the GIS which show a 5-6 metre drop down from the current end point of the identified property to the east property line of the development. In order to get gravity sewer to the existing sewer and water tie-in point, there is substantial infilling required leading up to the subject property that will be at a considerably higher elevation than the existing ground level.

Municipal support for the project is essential for the CMHC application. It is important that Council understands that the KMNPHC is planning for 100 units; however, achieving the funds for the build will ultimately be determined by the mortgage lender (CMHC). The KMNPHC must demonstrate that it has the financial capacity to take on the project.

If there is approval for a smaller development, it's important to note that the development is planned to be phased, to ensure that there is a sustainable, efficient development that will have 100 (or potentially more), as the market demands.

The KMNPHC's next step is to work on the business plan to present to CMHC, in the hopes of generating interest in the development. In addition, the KMNPHC will work with Community and Development Services on required re-zoning (and any other potential planning processes), in the summer of 2018.

**Budget:**

Budget support of \$470,000 is recommended to be allocated and funded through the City of Kenora's Contingency Reserve.

**Risk Analysis:**

There is a moderate financial risk, with the allocation and funding of the servicing and roadwork extension to the subject property costing the City \$470,000, which is mitigated by the City's budgeted contingency reserve.

There is a moderate governance risk in the form of a potential supportive partnership between the City of Kenora and the KMNPHC to ensure a successful application to the CMHC for funding.

There is a major external risk related to demographics, as the funding requirement in the form of a partnership for the KMNPHC's application to the CMHC has the potential to be successful. In the event that it is successful, the housing market in Kenora could have a potentially significant shift for many demographics.

**Communication Plan/Notice By-law Requirements:**

Notice in accordance with the City's notice by-law.

Community and Development Services, City of Kenora

Operations and Infrastructure, City of Kenora

City Clerk, City of Kenora

Chief Administrative Officer, City of Kenora

Kenora Municipal Non-Profit Housing Corporation

**Strategic Plan or other Guiding Document:**Strategic Plan:

2-5 The City will encourage new housing partnerships leveraging the skills and expertise of public sector, private sector and community-based agencies within Kenora and beyond

2-6 The City will support the development of a diverse range of housing types with an emphasis on affordable options for families, seniors and individuals in need of transitional and emergency housing

2-7 The City will encourage and support the development of vacant and transitional lands for uses that support our vision

2015 Official Plan

Principle 3: Kenora shall support the location of affordable housing in an integrated manner within new or existing development.



May 29<sup>th</sup>, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Devon McCloskey, City Planner**

**Re: Request to Purchase Property for Lot Addition – Area of Veterans Drive and Dowcett Street**

### **Recommendation:**

That the Council of the City of Kenora declares the following City owned lands as surplus to the requirements of the Municipality:

Lots 5 and 6 on Plan M106, being PINs 42179-0431, 42179-0432, 42179-0433, and the western portion of Sultana Avenue being PIN 42179-0439; and further

That as per City Policy #PP-4-1, a complete application has been received which includes the complete application form, application fee, appraisal of the fair market value; and further

That Notice of the receipt of application will be given to abutting property owners and owners within 60 metres, published in the newspaper for two consecutive weeks (June 7<sup>th</sup> and 14<sup>th</sup>) and posted on the City's website; and further

That the applicant's surveyor contact the City to receive survey instructions for the portion of unopened roadway that is subject of the application, and that their solicitor reviews the description of the lands to ensure that it can be conveyed, and that all PINs will be consolidated and merged; and further

That the applicant provides to the City, payment for the fair market value of the lands, in accordance with the appraised value as received; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to declare municipal owned lands as surplus and sell municipal lands; and further

That upon completion of registration of the survey that Council will give three readings to By-law to authorize the sale of lands for lot addition to Ayrie Developments (Kenora) Inc.

### **Background:**

In the fall of 2017, the Planning Department received a development proposal for the construction of a 3 or 4 Multi-Attached Dwelling Unit on property located at Dowcett Street and Veterans Drive.

In January of 2018, the property was successful rezoned from R2 to R3 to allow for the development. The property was recently transferred to the Ayrie Developments, and the City has been working with them toward finalization of a Site Plan.

An Application for Condominium is also in progress, and may be considered for Draft Plan Approval by the Planning Advisory Committee (PAC) this month.

In order to maximize the opportunity by inclusion of a 4<sup>th</sup> unit, the developer has requesting to purchase abutting lands for lot addition. Together with circulation of the Site Plan, City staff were made aware of the request to purchase, and have not brought forward any concerns. In giving consideration for the draft plan approval of condominium, and with Council's indication of support for entertaining the sale; the Planning Department would be able recommend to the PAC that a condition of approval is included, to ensure that that the subject lands are successfully transferred to the owner, prior to granting final approval for condominium.

Please refer to the sketch attached, where the lands subject to request for acquisition are displayed with dimensions. The two vacant and unserviced residential lots fronting on Dowcett Street to the North are shown in green, and the portion of Sultana Avenue, which is abutting the property on the East side is displayed in yellow.

**Budget:** No impact, all costs to be the responsibility of the developer as per the City's Tarrif of Fees By-law for Planning Applications and purchase of land.

**Risk Analysis:** There is an inherent low risk of public disapproval for the transfer of property; however it is recommended that the City pursues in accordance with the City's Policy for Land Disposition, and entertains the proposal which would allow for an infill housing development which is strongly supported by the Official Plan, and Strategic Plan.

**Communication Plan/Notice By-law Requirements:**

Per the City's Sale of Land Policy, Committee of a Whole and Council Agendas.

**Strategic Plan or other Guiding Document:**

This project supports the City of Kenora's Vision 20/20 Strategic Plan's priority to Build Our Foundations and further supports potential future development. In particular, this project aligns with the following:

1.1 – The City will provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district;

The development also support the Official Plan, including Principle 1 – Sustainable Development, which promotes infill and intensification, directs residential development to land within the settlement area by way of infilling.

It also supports Principle 3 – Affordable Housing, which promotes a mix and range of housing types that shall meet the physical and financial needs of all current and future residents, in particular the aging population and new entrants to the housing market, with the goal of providing a timely response to housing needs associated with a diversified economy.



May 25<sup>th</sup>, 2018

## City Council Committee Report

**To: Mayor and Council**

**Fr: Devon McCloskey, City Planner**

**Re: Review of Policy PP-5-1 Site Plan Control**

### **Recommendation:**

That Council gives three readings to a bylaw to authorize amendments to the City of Kenora Site Plan Control Policy PP-5-1; and further

That by-law number 79-2016 be hereby repealed.

### **Background:**

As a result of the Planning Department's review, as well as feedback received from the Investment Readiness Assessment, it is being recommended that in order to ensure a less burdensome application process toward Site Plan Control (SPC) Approval, that updates and improvements to the policy are warranted.

The Planning Act, provides for Municipalities to designate lands within its boundaries or parts thereof as being subject to Site Plan Approval prior to development or the issuance of Building Permits. As such, the City passed By-law 189-2010 to designate the whole of the city as a site plan control area, and to exempt certain classes of development.

To complement the designation by-law, Policy PP-5-1 is intended to provide an outline of the procedures and requirements, and some design guidelines for the preparation and submission of Site Plan Control Applications.

The first policy was adopted in 2010, and numerous applications have been processed and approved since.

Section 8.4 of the Official Plan provides clear intent for the city to utilize SPC to ensure that development in the City is attractive and compatible with adjacent uses. The policy also recognizes the need to ensure that the process does not create an undue delay or additional costs in the development process.

As per the policy, item 2.1.6, criteria for the requirement of public consultation is listed in five (5) subsections, as follows:

*The criteria for requirement for public consultation are:*

*(i) If proposed development is new, free-standing construction of 300m<sup>2</sup> gross floor area, or greater, and is not the subject of any other application which requires public consultation under the Planning Act; or*

*(ii) If the proposed development is an addition, 50% or greater in size of the existing building and is not the subject of any other application which requires public consultation under the Planning Act; or*



- (i) If proposed development results in a change of use which requires more than 5 parking stalls, and is not the subject of any other application which requires public consultation under the Planning Act; or*
- (ii) If the proposed development is for the installation of a new drive-through facility and is not the subject of any other application which requires public consultation under the Planning Act; or*
- (iii) If the application has been referred to Council and Council recommends that the public be consulted.*

As noted by the Eric McSweeney, of McSweeney and Associates who delivered the Investment Readiness Assessment, the requirement is over and above the prescribed process required by the Planning Act. Scheduling City staff, Developer staff, reserving space, and holding a Public Meeting, does place an increased burden on an applicant.

Whereas the proposal is a permitted land use by the Official Plan and Zoning By-law, there is no opportunity for the public to appeal a decision of a site plan, and the Act does not provide for public consultation.

It is recommended that the policy is amended by deleting the public consultation requirements noted in section 2.1.6, as well as the second part of paragraph 2.1.5, which states "including whether or not the consideration of the application must include public consultation."

It is further recommended that other general housekeeping matters are also addressed. These are denoted within a tracked changes version of the policy. Amendments include the ability for a proponent to register their own agreement as noted in 2.1.11.

Requiring the submission of 1 original hardcopy application form and drawings; along with a digital copy of all of the submission, as noted in 4.1 c) and 4.2.

That the expectation of an landscaping plan noted in paragraph 7 would be to provide the City with a drawing of all the remainder lands exclusive of buildings, structures, parking areas, and so forth. The plan must identify existing and proposed landscaping facilities which may provide for site navigation, drainage, pedestrian walkways, cycling access or parking, beautification such as greenscaped yards, inground gardens or containers.

Finally, that an awareness of predation by nuisance animals such as white tail deer should be considered in both species selection as well as location of landscape features, and changing the term "native plant species" to "indigenous plant species".

**Budget:** No special requests required, City staff time allocated for policy review

**Risk Analysis:** Low Risk – It is anticipated that the policy change will enable improved communication between proponent, City Staff, and Council. Recommendation - pursue policy updates

**Communication Plan/Notice By-law Requirements:** Notice By-law, Manager of Community and Development Services, Building Official, City Planner, Communications Lead.

**Strategic Plan (2016 to 2020):**  
**Develop Our Economy -**

- Provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district
- Forge strong, dynamic working relationships with the Kenora business community
- Foster and support entrepreneurial business development
- Promote Kenora to external investment audiences

**Official Plan (2015)**

Section 3.15 Land Use Compatibility – site plan can be used to ensure compatibility between uses.

Section 8.4 Site Plan Approval – the process should not create undue delay or additional costs in the development process

## Site Plan Control Policy



Section	Date	By-law Number	Page	Of
Community & Development Services	June <del>1914</del> , 201 <del>86</del>	<del>79</del> -201 <del>86</del>	1	9
Subsection	Repeals By-law Number		Policy Number	
Site Plan Control	<del>79190</del> -201 <del>60</del>		PP-5-1	

### 1.0 Purpose

1.1 Site Plan Approval is administered by the Planning Division pursuant to Section 41 of the Planning Act. Site Plan approval is one prerequisite to an application for a building permit. The following is an outline of the procedures and requirements, along with some design guidelines for the preparation and submission of Site Plan Control Applications.

### 2.0 Approval Procedure

2.1 Applications will be submitted directly to the Planning Division.

2.1.1 The application fee must be paid at the time that the application is made. There are no refunds if the application is withdrawn or denied by City Council.

2.1.2 The City Planner, or designate, shall review the application for completeness and to determine whether or not an agreement will be required.

2.1.3 Completed Site Plans shall be circulated to various internal City departments and outside agencies as deemed necessary for review and comment. A meeting of the Site Plan Review Group shall be held within ten (10) business days of receiving the completed Site Plan Application.

2.1.4 The Site Plan Review Group (SPRG) shall consist of a representative from Operations and Infrastructure (which includes Engineering, Roads, Water & Wastewater), Community & Development Services (which includes Parks, Building and Planning). Planning Staff shall also circulate the Site Plan Application to the Fire and Emergency Services, Kenora Hydro and, in some cases, the Ontario Provincial Police for comments.

2.1.5 The City Planner shall notify the Applicant of the comments of the Site Plan Review Group., If revised plans are required, the Applicant shall re-submit the plan and the preceding steps shall be followed, including whether or not the consideration of the application must include public consultation.

~~2.1.6 The criteria for requirement for public consultation are:~~

- ~~(i) If proposed development is new, free-standing construction of 300m<sup>2</sup> gross floor area, or greater, and is not the subject of any other application which requires public consultation under the *Planning Act*; or~~
- ~~(ii) If the proposed development is an addition, 50% or greater in size of the existing building and is not the subject of any other application which requires public consultation under the *Planning Act*; or~~

## Site Plan Control Policy

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~~(i) If proposed development results in a change of use which requires more than 5 parking stalls, and is not the subject of any other application which requires public consultation under the Planning Act; or~~

~~(ii) If the proposed development is for the installation of a new drive-through facility and is not the subject of any other application which requires public consultation under the Planning Act; or~~

~~(iii) If the application has been referred to Council and Council recommends that the public be consulted.~~

~~If revised plans are required, the Applicant shall re-submit the plan and the preceding steps shall be followed.~~

~~2.1.72.1.6~~ Where applicable, when the plans meet the satisfaction of Site Plan Review Group, the City Planner shall prepare three (3) copies of the Site Plan Agreement and present to the owner/developer for signature. Upon receipt of the signed Site Plan Agreement by the developer/owner, the City Planner will prepare a report to Council for formal approval by by-law.

2.1.8. Where applicable, prior to presentation of the Site Plan Control Agreement to Council, a Standby Irrevocable Letter of Credit shall be required for the value of the work, to guarantee implementation of grading, paving, servicing and landscaping works shown on the approved plan. The amount of the security required will be recommended by the Site Plan Control Group.

Prior to presentation of the Site Plan Control Agreement to Council, a deposit, in the amount of \$500.00 shall be provided to the City which shall be deposited only toward the legal fees, including but not limited to review of the agreement and registration of same.

2.1.9. All costs associated with the processing of the application are the responsibility of the Applicant. Costs incurred by the municipality, over and above the deposit will be invoiced. These cost include, but are not limited to, professional fees, legal fees, registration

2.1.10. The City Planner or Chief Building Official shall exercise the City Council's powers and authority under the Planning Act, R.S.O. 1990, c.P.13, as amended and the City of Kenora Site Plan By-law to approve plans and drawings, to impose conditions and to require agreements.

2.1.11. The Clerk's Office shall provide one signature copy of the Site Plan Control Agreement to the Applicant, the City Planner and the Chief Building Official. The City of Kenora shall ~~require that register~~ all Site Plan Agreements are registered on title and proof of registration shall be provided to the City Clerk. Costs associated will be borne by the Applicant.

## Site Plan Control Policy

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- 2.1.8. The Site Plan Agreement must be fully executed and registered before a building permit can be issued.
- 2.1.9. The signing officers, being the Mayor and City Clerk, for the City of Kenora, shall execute the Agreement upon formal approval of Council. Execution by the City may be withheld until required insurance certificates and security have been received.
- 2.1.10. Prior to the release of any or all financial securities by the City a site inspection shall be conducted by Building and/or Planning Division staff, and a written recommendation from the City Planner to the Treasurer or Clerk, to authorize proceeding with the release, in accordance with the approved plans.

### 3.0 Commenting Agencies

- 3.1 The Applicant shall contact appropriate agencies directly to discuss their requirements.
- 3.2 Specific approvals or permits may be required from the following:
- (a) Various government agencies;
  - (b) Telecommunications;
  - (c) Local gas, hydro, & cable utilities; and/or,
  - (d) Northwestern Health Unit.
- 3.3 Proof of approval or a permit shall be required and submitted to the City prior to final site plan approval and/or the issuance of a building permit. Comments received from the circulation of applications to such agencies shall be reviewed. The City Planner (and/or consultants where used) shall review and analyze the application, and where necessary, request revisions.

### 4.0 Submission of Application

- 4.1 General:  
Dependent on preconstruction meeting/s, and scope of work  
The following items may be required in order to apply for site plan approval:
- a) Completed original application form;
  - b) One copy of a recent property survey prepared by an Ontario Land Surveyor;
  - c) ~~One Six (16)~~ copies of the proposed site plan, together with ~~one reduced copy (11x17). A~~ digital copy (i.e. .pdf) shall be submitted, ~~where required by the Municipal Engineer; and,~~
  - d) An application fee in accordance with the City's current fee schedule.
  - e) Proof of payment of taxes up to and including current year.

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Dependent on preconstruction meeting/s and scope of work,

4.2 The following plans or schedules together with one reduced copy (11x17), shall be submitted with the application. A digital copy shall be submitted, where required by the Municipal Engineer. Insufficient or missing information shall only delay processing of the application.

- (a) Site Plan;
- (b) Elevation or Cross-Section Plan;
- (c) Servicing and Drainage Plan; and,
- (d) Landscape Plan.

4.3 If applicable, the following information shall be identified on the above plans or schedules:

- a) Boundaries, dimensions and area of the subject property;
- b) Location, dimensions and setbacks of existing and/or proposed structures;
- c) Elevation and cross section views for each building to be erected, including conceptual design of the building(s);
- d) Highway widening;
- e) Access ramps, curbing and traffic direction signs;
- f) Loading and parking facilities, access driveway, surfacing of such areas;
- g) Walkway and walkway ramps, including surfacing;
- h) Lighting;
- i) Landscaping features such as walls, fences, hedges, trees or other ground cover to include the description of type, number, location and height of plantings;
- j) Garbage and waste disposal;
- k) Easement and public utilities;
- l) Grading, alteration or drainage plan showing rooftop drainage handling system, surface grading (existing and proposed), catch basin locations;
- m) Signage;
- n) Service hook-up locations for telephone, hydro, water, sewer;
- o) Exterior building materials; and/or,
- p) Location and type of air conditioner units.

## 5.0 Drawing Requirements

5.1 As an aid to interpreting the design drawings, drawings shall be clearly drawn, labeled and coordinated to include the following basic information:

- (a) Drawing name;
- (b) Date of production;
- (c) Schedule of revisions;

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- (d) Author (contact person);
- (e) Key plan (to indicate location of subject lands);
- (f) A north arrow;
- (g) Location/address of property;
- (h) Project name;
- (i) Owners name and address;
- (j) Consultant(s) firm name and address, along with signed stamp or seal as deemed appropriate; and,
- (k) All measurements in metric units only

## 6.0 Signage

- 6.1 All signage shall be designed in accordance with the requirements of the City of Kenora Sign By-law.
- 6.2 A sign permit will be required.

## 7.0 Landscaping

### 7.1 General:

7.1.1 The City expectation of a landscaping plan is to identify how all yards and remaining areas of property, aside from buildings, structures, and parking areas are proposed to be developed. The Plan should identify existing and proposed landscaping facilities which may provide for site navigation, drainage, pedestrian walkways, cycling access or parking, beautification such as greenscaped yards, in-ground gardens, or containers.

7.1.2 Predation of plantings by White tailed deer is common, the incorporation of Applicants shall be encouraged to use indigenous native plant species is encouraged (City of Kenora Approved Species List) wherever possible and appropriate. Any trees or shrubs that die shall be replaced at the cost of the proponent, within a reasonable amount of time, as determined by the Parks Lead.

### ~~7.1.2~~ Plant species should be selected for:

- (a) -Year round appearance;
- (b) Low maintenance;
- (c) Compatibility with adjacent properties; and,
- (d) Adaptability and hardiness.

7.2 Landscape plans shall be final design and working drawings. All landscape plans are to be drawn in metric and shall be prepared by a qualified landscape architect.

Landscape plans are to conform to the Site Plan. The grading is to conform to the Site Grading and Drainage Plan for the project.

7.3 The landscape plan shall clearly identify and document pertinent site information and design details as follows:

- (a) A key plan indicating the exact location of the site with a north arrow;
- (b) The following grading information:

- (i) Natural features which are existing and those which the builder has designated for preservation shall be indicated;
- (ii) Existing and proposed contours Regulatory flood, top of bank contours and bottom of bank contours of all water courses within the property;
- (iii) Adjacent roads and properties surrounding the subject lands

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shall be adequately marked with spot elevations to show the slope of the land;

- (iv) Elevations of proposed walls within the project boundaries are to be marked with "top of wall" and "bottom of wall";
- (v) Steps shall be shown indicating their number and size. Spot elevations are to be shown at the top and bottom of the steps;
- (vi) Drainage flow arrows to indicate direction of drainage;
- (vii) All catch basins and sub-drains shall be clearly marked with proposed spot elevations;
- (viii) Structures: indicate building entrances and spot elevations at each entrance (door and garages) and show the finished ground floor elevations of all buildings; and,
- (ix) Location and elevations of underground structures.

- (c) Location of existing and proposed features including walkways, parking lots, screens, protective fencing, exterior lighting, street furniture, hydrants, curbs and existing and proposed ground signs.

7.4 Plant material shall be clearly labeled with a key system. A plant list shall accompany each landscape plan. A typical plant list shall provide the following type of information:

- (a) Botanical name;
- (b) Common name;
- (c) Caliper;
- (d) Height;
- (e) Spread;
- (f) Root;
- (g) Remarks; and,
- (h) Quantity.

7.5 Details and/or specifications shall be included to clarify the drawings:  
Planting details - coniferous and deciduous trees and shrubs (staking, guying, installation, pruning, etc.);

- (a) Soil types and additives (fertilizers, peat moss, mulch, etc.);
- (b) Landscape structures - benches, play structures, fences, walkways,
- (c) retaining walls, planters, edgers, stairs, ramps, etc.);
- (d) Surface materials (paving, sodding, etc.); and,
- (e) Any other landscape features requiring clarification.



7.6 All plant materials, whether deciduous, coniferous, or shrub shall satisfy the following requirements:

- (a) Freedom from common insects, disease, excessive maintenance; with respect to spraying, fertilizer, pruning and watering;
- (b) Moderate rate of growth and ultimate height; and,

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- (c) Completely hardy for the area and related exposure in which it is to be located.

7.7 All existing trees to be preserved or removed are to be accurately located and clearly specified as to the type, diameter and condition on plan. All healthy existing plant materials should be protected where possible and appropriate.

7.8 Type of materials.

7.9 Indicate the type and location of all easements, sight triangles and road widening.

7.10 Indicate all existing and proposed street trees adjacent to the site.

**8.0 Grading and Drainage**

8.1 General:

- 8.1.1 Site grading shall retain and incorporate existing land form features, where possible. Cutting and filling shall be kept to a minimum.
- 8.1.2 Site grading shall provide for drainage within the site and direct runoff to suitable outlets or to sub-surface utilities. Zero change in surface runoff is desired. Additional surface water flow over side or rear lot lines onto adjacent properties shall not be permitted.
- 8.1.3 The finished grade of a site shall be consistent with surrounding lot development grades. The finished grade shall be free of rubble or construction debris. The grading shall conform to the boundary grading plan and drainage plan. Erosion control measures shall be included.

8.2 Grading and Drainage Plan Requirements:

A plan, stamped by a professional engineer, showing existing and proposed elevations shall be required. On this drawing, the following information shall be illustrated:

- (a) Existing and proposed elevations along property lines at reasonable intervals;
- (b) Spot elevations (minimum) and contours (where possible), at 0.5 metre intervals;
- (c) Existing and proposed grades throughout property;
- (d) Existing site features such as tops/bottoms of slopes, drainage

courses, existing trees, buildings (all corners and reasonable intervals between, finished floor, all access/egress points), steps, ramps, walls, parking lots, curbs, roadways, pedestrian walkways, etc.;

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- (e) Existing and proposed drainage such as direction of flow, percent slope, overland swales or detention area design, pipes and culverts, berms, etc.; and,
- (f) Delineation of curbs, gutters and drainage structures.

#### 8.3 Lot Grading:

Lot grading shall conform to the following requirements:

- (a) All underground utility lines or other buried objects shall be located before commencing work;
- (b) Protection for all landscape elements currently existing that shall be retained shall be encouraged;
- (c) Fill material shall be specified if surplus excavated and graded material is inadequate, unsuitable, or if special fill should be needed for specific circumstances;
- (d) Require approval of design engineer for use of excavated or graded material used as fill will be needed;
- (e) Excess materials and debris shall be removed from the site;
- (f) Fill materials shall be free of all debris, including large rocks and/or stones;
- (g) All rough spots and low areas shall be eliminated to ensure proper drainage; and,
- (h) Finished grade shall be approved by the Municipal Engineer prior to the release of securities posted for site plan compliance.

#### 8.4 Grading Design Criteria:

8.4.1 Front yards of all lots shall be graded to drain towards the street, where applicable.

8.4.2 All boulevards shall be graded with a constant slope from the curb to the street limit.

8.4.3 The minimum driveway grade shall be 1-~~0~~%.

8.4.4 The maximum driveway grade shall be 6%.

8.4.5 There shall be a platform at the same grade as the road/street, a minimum of 6 metres in length, incorporated into the driveway.

#### 9.0 Parking Policy

##### 9.1 General:

The following objectives apply to the design of parking lot. All parking lots shall be designed, constructed and maintained:

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- (a) For the safe and efficient movement of motor vehicles and pedestrians on the site, and at points of ingress and egress related to the site;
- (b) So that runoff from the parking area drains properly from the site and so that snow may be adequately and safely stored on site and/or removed from the site; and,
- (c) Parking spaces and areas are required in accordance with the provisions of the City of Kenora Zoning By-law.

#### 9.2 Loading Space Requirements:

Loading spaces for commercial and industrial uses shall be in accordance with the City of Kenora Zoning By-law.

#### 10.0 Garbage Storage

- 10.1 Garbage storage facilities shall be located where convenient for the user, and where there is appropriate access for the truck. They should be located in an inconspicuous location and/or screened from the street by landscaping.
- 10.2 All garbage shall be stored inside the building(s) and moved to the point of collection on collection day.
- 10.3 If garbage is stored outside, a properly designed enclosure is required, which shall be shown on the site/landscape plans for approval.
- 10.4 Garbage storage facilities shall be fully enclosed with walls and a gate.
- 10.5 Garbage containers shall be "bear proof".

#### 11.0 Fire and Emergency Services

- 11.1 When fire and emergency access to a building is required in conformance with the Building Code, the design and construction of such access routes shall be reviewed by the Chief of the Fire Department.

#### 12.0 Appeal to the Local Planning Appeal Tribunal Ontario Municipal Board Appeals may be submitted in accordance with Section 41 of the Planning Act

~~12.1 Appeal to O.M.B. per Section 41 (12) of the Planning Act (12):  
If the municipality fails to approve the plans or drawings referred to in subsection (4) within 30 days after they are submitted to the municipality or if the owner of the land is not satisfied with any requirement made by the municipality under subsection (7) or by the upper tier municipality under~~

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~~subsection (8) or with any part thereof, including the terms of any agreement required, the owner may require the plans or drawings or the unsatisfactory requirements, or parts thereof, including the terms of any agreement required, to be referred to the Municipal Board by written notice to the secretary of the Board and to the clerk of the municipality or upper tier municipality, as appropriate. 2002, c. 17, Sch. B, s. 14 (5).~~



May 28<sup>th</sup>, 2018

## City Council Committee Report

To: Mayor and Council

Fr: Devon McCloskey, City Planner

Re: Request for Letter of Concurrence, Redditt Road – Tbaytel

### Recommendation:

That in accordance with City Communication Tower Policy #PP-1-1, Forbes Brothers Ltd. Telecommunication Services, Agent for Tbaytel, has applied to the City for a letter of concurrence for the location of a new 100 m self support tower at 276 Redditt Road; and further

That the Government of Canada, through Innovation, Science and Economic Development Canada (Formerly Industry Canada), has exclusive jurisdiction for approval of such sites with approvals obtained by the applicant in coordination with Transport Canada; and further

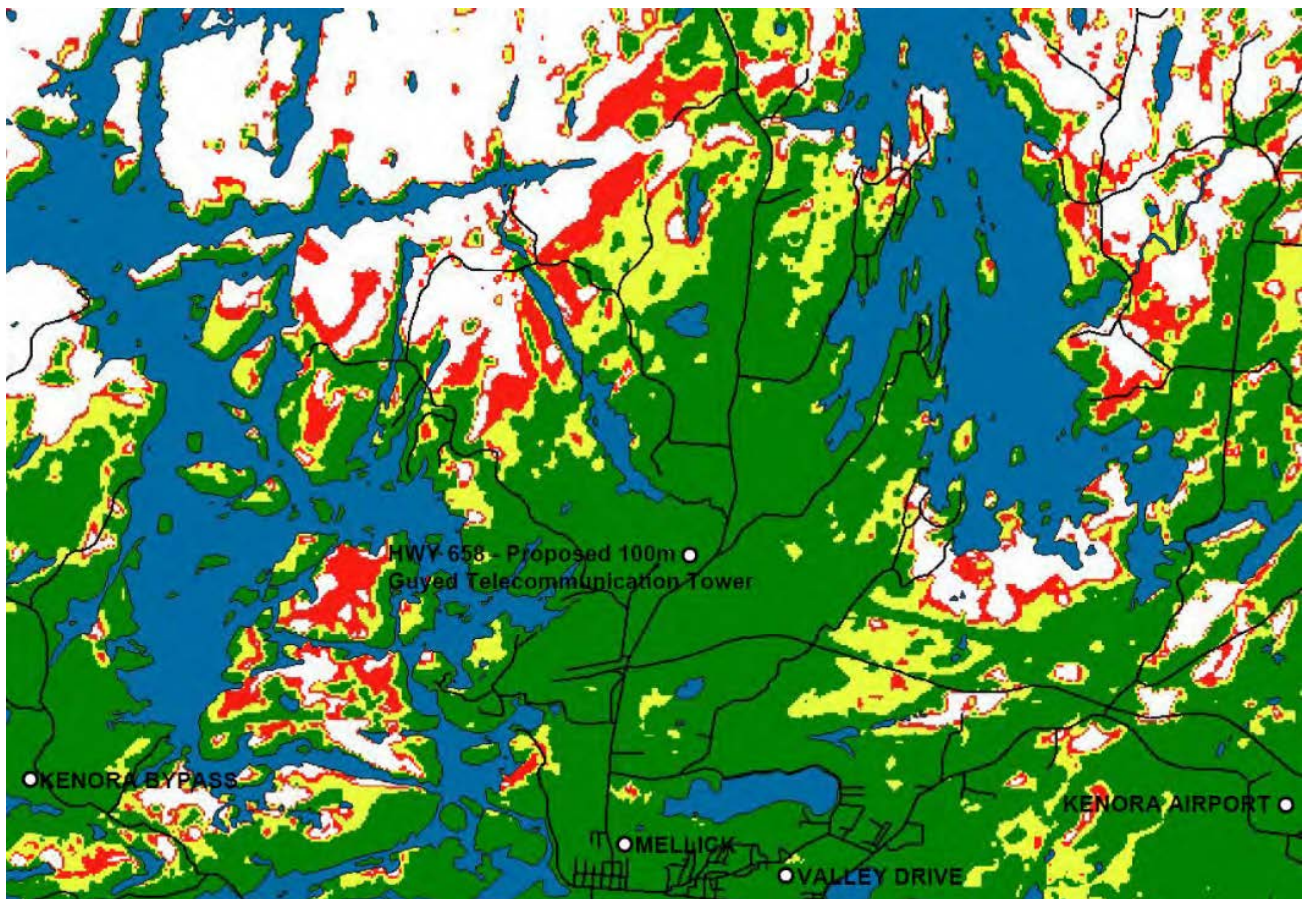
That as a result of the City's requirements for notification and public meeting held per the City of Kenora Communication Tower Policy, with no outstanding objections, that if still no objections are received after the last day to submit public comments (June 6<sup>th</sup>, 2018) that the CAO be authorized to execute the letter of concurrence herein indicating that requirements of the City of Kenora communication Tower Policy have been met.

### Background:

In October of 2003, the City of Kenora adopted a policy to ensure public consultation by proponents of communications towers within the City of Kenora. The policy has been an excellent tool to ensure that the public is aware when a tower is proposed. The policy was updated in 2009 to bring it into alignment with the requirements of Innovation, Science and Economic Development Canada. Innovation, Science and Economic Development Canada is the approval authority for cellular tower location, however they require consultation with the municipality. In 2017 minor updates were made to the Policy to eliminate the need for public consultation for certain towers.

Forbes Brothers Ltd., agent for Tbaytel, submitted a request for a letter of concurrence on April 20<sup>th</sup>, 2018. It was described that Tbaytel continues to make improvements to their wireless network to expand coverage and increase their capacity. The location was selected to improve wireless services along Hwy 658 as well as the surrounding area including Black Sturgeon Lake, Alcock Lake and the Winnipeg River. Refer to the existing and proposed coverage map below:





Forbes Brothers Ltd. on behalf of Tbaytel has met all of the requirements of the City's policy with respect to public consultation. No comments or objections associated with the proposal have been received.

Notice of intent and public meeting was placed in the the May 3<sup>rd</sup>, edition of the newspaper, and circulated to property owners within 300 metres on April 30<sup>th</sup>. One interested person attended the public meeting held on May 23<sup>rd</sup>. Questions were answered by Forbes Brothers Ltd. and Tbaytel. To date no objections have been received. The mandatory comment period will end on June 6<sup>th</sup>, 2018.

The application was circulated on April 20<sup>th</sup> to City departments including Building, Fire and Emergency Services, Engineering, Roads, Water and Waste, and no concerns were received.

Transport Canada assessed the Aeronautical Assessment Form for Obstruction Evaluation for this site and determined the tower requires both day and night markings to be in compliance with Canadian Aviation Regulations 621, as anticipated by Tbaytel and noted in the mail notification. To comply with CAR 621 a medium intensity white beacon will be installed at the top of the tower for day marking. At night this beacon will automatically switch to a medium intensity red beacon. A steady burning aviation red light will be installed at the mid-point of the tower for night marking.

The attached information provides Council with the form of notification, letter of request, and sketch of the subject location.

**Budget:** No impact, administration fee paid by applicant for miscellaneous planning matters

**Risk Analysis:** Toward identifying the risk that communication towers may pose negative impacts to use of property in their vicinity, the City of Kenora developed and approved the Communications Towers Policy. Since requirements for a letter of concurrence have been met (with the exception of the lapsing date for public comments), the potential for risk should be deemed to have been mitigated.

**Communication Plan/Notice By-law Requirements:**

Notice given in accordance with City policy, public communication provided by the Committee of the Whole and Agenda and Minutes of Council.

Distribution of approvals requested to be provided to the City Planner and Applicant

**Strategic Plan or other Guiding Document (2016 to 2020):**

**Develop Our Economy -**

- Provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district
- Forge strong, dynamic working relationships with the Kenora business community
- Foster and support entrepreneurial business development
- Promote Kenora to external investment audiences

**City of Kenora Official Plan (2015):**

**Supported by Principle 4 – Diversified Economy**

Kenora shall maintain and seek opportunities for a strong, diversified economy that provides a wide range of employment opportunities for its residents, including youth to withstand global market conditions and provide financial stability.

**And Principle 5 – Tourist Destination**

Over the lifetime of this Plan, the City of Kenora shall continue to expand its role as an urban, cultural service centre and tourist destination, providing services to the traveling public and residents of the area.