



**City of Kenora**  
**Committee of the Whole**  
**Minutes**  
**Tuesday, April 9, 2019**  
**9:00 a.m.**  
**City Hall Council Chambers**

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**Present:** Mayor Daniel Reynard  
Councillor Mort Goss  
Councillor Rory McMillan  
Councillor Andrew Poirier  
Councillor Kirsi Ralko  
Councillor Sharon Smith  
Councillor Chris Van Walleghem

**Staff:** Karen Brown, CAO, Heather Pihulak, City Clerk, Jeff Hawley, Operations & Infrastructure Manager, Charlotte Edie, Treasurer, Stace Gander, Community Services Manager, Adam Smith, Development Services Strategist, Devon McCloskey, City Planner

**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 April 16, 2019 meeting:-**

- Council will establish their remuneration rates for 2019
- Amend the 2019 Capital Budget to withdraw funds from the Bridge Audit Reserves in the amount of \$100,000 to offset the costs of preventative bridge maintenance and repairs
- A new Tariff of Fees and Charges By-Law to give effect to new Rates in Schedule "D" Operations and Infrastructure, Water and Wastewater Fees
- Declare the City owned lands described as Part of "Mining Street" on Plan 3, also known as Fourth Avenue North, between Third Street North and Fifth Street North, described as PIN 42170-0145 in the City of Kenora as surplus to the requirements of the Municipality
- Amend the 2019 budget to increase the total pickleball project cost from \$120,361 to \$137,763 based on funding and donations towards the project (\$17,402)

**B. Declaration of Pecuniary Interest & the General Nature Thereof**

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

Councillor Ralko declared an indirect pecuniary interest as it relates to agenda item number 3.3 regarding the Municipal Road Works tender as it relates to her employment with the Shewchuk Law Office.

Councillor Ralko declared an indirect pecuniary interest as it relates to agenda item number 3.4 regarding sewer & water rehabilitation tender as it relates to her employment with the Shewchuk Law Office.

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

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

That the Minutes from the last regular Committee of the Whole Meeting held March 12, 2019 and the Special Committee of the Whole minutes held March 5, 2019 be confirmed as written and filed.

### **D. Deputations/Presentations**

#### **Charlene Ramage – Getting Ahead Program – Supportive Housing Development**

Not Present

#### **Ryan Bartmanovich – Proposed Water Meter Changes**

Are in the property rental market in Kenora. Undergo major upgrades and renovations and have mixed properties in commercial and residential areas throughout the downtown area. They are opposed to the proposed changes to the water meters for various reasons. First, the City is in a housing crisis. We need more housing. Adding additional costs are not easily passed on due to the Landlord Tenant Board. But during change overs it will eventually be passed down to tenants. These new costs will be unrecoverable funds from long term tenants. The reality is new tenants will be charged extra on change over to make up for long term tenants. This will create an added burden on new tenants.

There is negative implication of property values. These added costs will have negative impact on building values with long term tenants. If you look at a building and it has had long term tenants with little change over, as an investor he will probably walk away. With financing costs and all other fees plus a new fee of \$89.96 per unit. He believes building values will become depressed and why would he buy a building that can't financially stand alone and has an unrecoverable fee of \$1079.52 / unit until the units change over. The City wants investment. He is certainly not going to invest in a property that can't fund themselves.

Not-for-profits get their funding from taxation. So these non-profits will need more money that we will all have to contribute to. If costs go up for non-profit housing, non-profit will need additional funds, which means funds from the government. The 2016 census showed 41.6% of tenant households spending 30% or more of income on shelter. In the 2016 Census, Kenora average monthly shelter costs for rented dwellings was \$873. This is effectively adding a 10% surcharge to the average renter. To the lowest income renters, with the cheapest possible rents, this surcharge can easily be over 20%. How can that be good for affordable housing? Does that follow the recommendations of the City of Kenora Action Plans? This promotes homelessness not housing.

The current policies are stifling growth. Very little has been built in the last 4 decades for affordable housing. Adding costs to affordable housing in a region of already high costs is not supportive of affordable housing. Many business owners we know personally are struggling to find staff. They are passing up work because they can't get housing for staff. Retail and hospitality are suffering because of the housing shortage and housing costs. Contributing to added costs isn't going to help. How can Kenora provide housing for staff for a casino with these housing issues?

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In the City of Kenora's Enabling Affordable Housing Action Plan 2018 regulatory focus area, Action #1 Review regulations and by-laws to identify unnecessary barriers/ disincentives to the creation of affordable housing, in particular small units. Adding an \$88.96 fee per unit would appear to be a disincentive to the creation and maintaining of affordable housing. In the City's 2018 State of the Housing report, concerns are raised about the need for multi-unit housing, the needs of affordable living for seniors on fixed incomes. How does raising costs help this? This is a disincentive for new development in the multi-unit sector. The same report states "The combination of high rental rates and housing prices in private developments and a long waiting list for subsidized housing, creates a risk of homelessness for low income households". This water surcharge will contribute to increased rental rates, compounding the problem.

The way the survey was presented, it could appear that much of it was slanted to get the desired responses. As a homeowner they would see the survey question and think that building owners are getting away with paying less than what is fair. The survey had errors. 2" meter rate did not include sewer. Therefore showing only ½ the true costs. Resulting in misleading the reader. The survey talks about fairness. How can a building with for example 40 units cost the same to service as 40 single detached homes? 40 meters vs 1. 40 sewer lines vs 1. Will the results of the survey be available to the public? When will the results be completed? When should I get a written response?

Where does this stop. Some 3 unit building owners have been formally notified. Some have not. Are you going to go after the downtown commercial owners spaces next? How about the hotels? Where does this stop?

Based on correspondence with council, it seems that this matter has already been decided and these proceedings are just a formality. We voted in much of this council based on the affordable housing platform. This proposal doesn't appear to me to follow that mandate. This proposal will only make things worse. Not better. This added service charge is in direct opposition to the housing issues that are so prevalent in this community.

Mayor Reynard thanked Mr. Bartmanovich for his deputation and a copy was left with the Clerk.

## **E. Reports:**

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

#### **1.1 Council 2019 Remuneration**

##### **Recommendation:**

That Council hereby approves the 2019 Council remuneration effective January 1, 2019

That in accordance with Notice By-law #144-2007, notice is hereby given that Council intends to pass a by-law setting out Council remuneration rates for 2019 at its April 16<sup>th</sup>, 2019 meeting; and further

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

**Discussion:** \$752 is the combined increase for Council. It was questioned if the amounts outlined in the report were correct. Charlotte Edie, Treasurer will clarify and provide confirmation of the rates to Council.

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## **1.2 Human Resource Management Strategy Update**

### **Recommendation:**

That Council hereby accepts the 2018 HRM Strategy Update, highlighting City achievements for 2018, together with early 2019 activity, under the City's Human Resource Management Strategy.

**Discussion:** The implementation of the organizational review is complete and therefore no further updates to Council are provided. The last piece is a performance review process which the SLT members are reviewing. The HR Strategy is a living document and will continue to evolve.

## **1.3 Drinking Water Quality Management System Endorsement**

### **Recommendation:**

That Council hereby approves the City of Kenora Drinking Water Quality Management System Operational Plan Commitment and Endorsement; and further

That the Mayor be hereby authorized to execute the Endorsement.

## **1.4 Ministry of Municipal Affairs & housing one Time Funding**

### **Recommendation:**

That Council hereby directs administration to place the one-time funding payment from the Ministry of Municipal Affairs and Housing in the amount of \$725,000 into a reserve for the purposes of providing municipal servicing for future affordable housing development; and further

That Council hereby approves administration to access these dollars through authority to be granted under a Council approved Capital Facilities Bylaw, or alternatively through specific and independent Council approval.

**Discussion:** CAO Karen Brown explained that on March 20<sup>th</sup> the City received a message from the Honourable Steve Clark, Minister of Municipal Affairs and Housing, advising that Kenora will receive a one-time payment of \$725,000 which will flow in this fiscal year. This is unexpected funding that Karen is recommending we reserve for housing development in Kenora. It was questioned how much infrastructure \$725,000 can build and referencing affordable housing is concern. Council would like to see the word 'affordable' removed and it should simply be for housing development. Would like to keep it open but also make real prudent decisions on maximizing our dollars to use this funding for investment in housing in our community. Suggest a friendly amendment could be made at Council to remove the word "affordable" from the recommendation.

There is a concern that we need to quit thinking about everything we need to pay for today. There is nothing wrong with us going out to borrow money to service some of these projects. If we are going to restrict ourselves on development based on what we can afford today based on the reserves of today, we will not move forward as a community. We have to look at what it is going to do for us economically not just next year but for future councils and future generations. That is not long term thinking.

### **Amended Recommendation:**

That Council hereby directs administration to place the one-time funding payment from the Ministry of Municipal Affairs and Housing in the amount of \$725,000 into a reserve for the purposes of providing municipal servicing for future housing development; and further

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That Council hereby approves administration to access these dollars through authority to be granted under a Council approved Capital Facilities Bylaw, or alternatively through specific and independent Council approval.

### **1.5 Prudent Investor Standard for Municipal Investments: Next Steps**

#### **Recommendation:**

That Council hereby accepts the report Prudent Investor Standard for Municipal Investments: Next Steps; and further

That administration undertake additional due diligence to determine the best approach to move to the prudent investor standard with a future report to Council with recommendation from administration.

### **1.6 Synergy North – Council & Shareholder Representative Appointments**

#### **Recommendation:**

That Council previously appointed John McDougall to represent the City of Kenora as a Board Member on the Synergy North Board; and further

That Council hereby appoints John McDougall as the City of Kenora Shareholder Representative and Proxy for the purposes of any required votes and any Shareholder's meetings held during the term of his appointment to the Board of Directors for Synergy North.

## **2. Fire & Emergency Services**

### **No Reports**

## **3. Operations & Infrastructure**

### **3.1 Traffic Bylaw Amendment – 24 Hour Parking Lakeside**

#### **Recommendation:**

That Council hereby approves an amendment to the Traffic Regulation By-law Number 180-2015, Schedule "C" – Limited/Restrict Parking, to impose 24 hour parking on First Avenue South and Second Avenue South; and further

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

### **3.2 Budget Amendment – Bridge Repairs**

#### **Recommendation:**

That Council hereby approves an additional \$100,000 in bridge maintenance costs to be funded through the bridge audit reserves for preventative bridge maintenance and repairs as identified in the 2018 Biennial Bridge Inspection Report; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Capital and Unusual Spend Budget at its April 16<sup>th</sup>, 2019 meeting for this purpose; and further

That Council give three readings to a by-law to amend the 2019 Capital and Unusual Spend Budget for this purpose.

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### **3.3 Municipal Road Works Tender**

#### **Recommendation:**

That Council hereby approves the tender submitted by Moncrief Construction in the amount \$1,364,407.60 (plus HST) for the 2019 Municipal Road Works.

**Discussion:** Jeff provided Council with a map with the areas that will have these works done. Council is receiving numerous calls regarding roads and it is important that they have the information so they can relay the information to the public when asked.

### **3.4 Water and Sewer Rehabilitation Tender**

#### **Recommendation:**

That the tender submitted by Titan Contractors, in the amount \$2,155,190.50 (plus HST) for the water and sewer rehabilitation works be hereby accepted.

**Discussion:** Council asked for further details on these projects as well.

### **3.5 Tariff of Fees and Charges Amendment – Water & Wastewater Fees**

#### **Recommendation:**

That Council hereby approves an amendment to Schedule "D" of the Tariff of Fees and Charges bylaw to include various additional water and wastewater rates; 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 April 16, 2019 meeting to give effect to these rates outlined in the revised Schedule "D"; and further

That By-law Number 31-2019 be hereby repealed.

## **4. Community Services**

### **4.1 Lake of the Woods Museum Constitution**

#### **Recommendation:**

That Council authorizes an amendment to By-law Number 80-2000 to cover the Establishment, control and management of the Lake of the Woods Museum and the Art Centre; and further

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

**Discussion:** It was questioned if the membership requirements of the Committee are consistent with our meeting policy. We should be ensuring that we are consistent with policy across all our boards and committees where we have the jurisdiction to do so. Stace Gander, Community Services Manager will take back the information back to Lori Nelson at the Museum to ensure there are no concerns with the changes to the terms of reference for the Committee.

### **4.2 Parking Lot Bylaw Amendment Kenora Recreation Centre – Boat Launch**

#### **Recommendation:**

That Council hereby approves an amendment to Schedule "A" to Parking Lots By-Law Number 082-2018 to amend "Lot K" to read as follows:

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

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Fees: Lot 1, 2, 3, 4: Free four (4) hour parking  
Lot 5, 7: \$5.00 per day  
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; and further

That Council gives three readings to a by-law to amend By-Law Number 082-2018 for this purpose.

**Discussion:** Council requested clarification on the fact that overnight parking is indeed included as it currently is not clear within the report.

#### **4.3 Vending Truck Agreement Harbourfront & Discovery Centre**

**Recommendation:**

That Council hereby authorizes the following vending truck services for seasonal operation at the Kenora Harbourfront & Lake of the Woods Discovery Centre:

Chad Gropp, Gropps Country Catering – Kenora Harbourfront  
Chad Gropp, El Groppo Grande – Kenora Harbourfront  
Ben Libitka, Shaved Ice/Snow Cone – Kenora Harbourfront  
Ryan Landon, T&L Holdings Kenora Inc. (Ye Old Chip Truck) – Kenora Harbourfront  
Ryan Landon, T&L Holdings Kenora Inc. (Ye Old Chip Truck) – Lake of the Woods Discovery Centre; and further

That Council gives three readings to bylaws authorizing the agreements between the City of Kenora and the above parties for purpose of providing seasonal vending truck services at the Kenora Harbourfront and Lake of the Woods Discovery Centre for the term of June 1<sup>st</sup>, 2019 to August 31, 2023; and further

That the Mayor and City Clerk be hereby authorized to execute each agreement.

#### **4.4 Norman Beach Aqua Park**

**Recommendation:**

That Council hereby approves the operation of a floating water park (aqua park) in the waters off the Norman Beach; and further

That Council hereby directs administration to enter into a memorandum of understanding with Twenty-One Venture Inc. to operate a floating water park beginning in June 2019.

**Discussion:**

In 2010, The City engaged Scatliff+Miller+Murray to work with The Beaches, Parks & Trails Committee of the Lake of the Woods Development Commission to undertake a study resulting in the Beaches, Parks & Trails Plan. One of the recommendations in the Plan was for the City to expand its attractions by incorporating an aqua park at one of its beaches. It was further suggested that City look to a partnership with the private sector for a project like this.

Over the past several months, the City has been approached by two groups interested in operating an aqua park in Kenora. The groups and City staff, both Development Services and Community Services, entered into a due diligence phase which involved the evaluation of various locations and operating models that could be achieved based on the options.

Twenty-One Ventures Inc. from Steinbach Manitoba, would now like to enter into a memorandum of understanding with the City to operate a floating water park off the beach at Norman Park.

The park is slated to operate from June 22, 2019 until September 2, 2019. The park will operate 7 days per week between the hours of 10 am and 6 pm. All patrons will be required to wear a personal floatation device. Twenty-One Ventures Inc. will supply lifeguards and will use the guidelines from the Lifesaving Society of Ontario.

Stace will provide Council with some detailed schematic drawings for review. This is an employment opportunity for our lifeguard staff that are otherwise laid off during the summer months when the pool is closed.

It was suggested that we should double check with our insurer on the risk management aspects and we want ensure that the language is tight around protection for the City.

#### **4.5 Pickle Ball Park Tender**

##### **Recommendation:**

That Council hereby approves a budget amendment to the Pickle Ball Project to increase the total project cost from \$120,361 to \$137,763 based on the results of the low bid in the RFP process, with offsetting funding being provided through donations already raised; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Capital Budget at its April 16, 2019 meeting for this purpose; and further

That Council give three readings to a by-law to amend the 2019 capital budget for this purpose.

**Discussion:** There has been some additional funds that have come in for the project so there may be an updated number before Council for this project. Trying to have project done for the first week of July.

## **5. Development Services**

### **5.1 2018 Strategic Plan Progress Report**

#### **Recommendation:**

That Council hereby accepts the 2018 Strategic Plan Progress Report to highlight the previous year's activities by City departments in accordance with the City of Kenora's Strategic Plan – Our Vision is 20/20.

### **5.2 Community Energy Plan**

#### **Recommendation:**

That Council hereby approves the Community Energy Plan for the City of Kenora as prepared by VIP Energy; and further



That Council hereby directs administration to work to implement the measures designed to reduce energy costs at municipal facilities and support conservation throughout the community.

### **5.3 Community Safety and Well-Being Plan**

#### **Recommendation:**

That Council hereby approves the development of a new Community Safety and Well-Being Plan; and further

That Council hereby approves an allocation of \$4,000 to be funded through Council Donations to acquire the services of a consultant.

**Discussion:** Because it is a very tight budget year, it was the CAO's recommendation to use Council's donation line which has been traditionally underspent.

### **5.4 Subdivision Agreement – 47D Andy's Camp Road**

#### **Recommendation:**

That the Mayor and Clerk of the City of Kenora be authorized to execute a Subdivision Agreement between the City of Kenora and William F. Wickham and Darlene Wickham, to allow for the creation of seven (7) Rural Residential lots with frontage on the Winnipeg River, with the exception of Lot 1, and a road for access to the rear of the lots; and further

That the appropriate bylaw be passed for this purpose.

**Discussion:** There are still requirements that have to be met before anything can be sold. It is up to the developer and their agent to determine how quickly the lots can be sold as there are conditions surrounding the road and the drainage. There is a process that needs to be followed before those lots can be sold. There was a road constructed that the City was not aware of, but the City is still working with the developer and will complete their first inspections and when it is brought into standards it will move ahead however there is a time period. There is a security requirement of 10% of the value which will be maintained before we sign the agreement.

### **5.5 Land Sale – 4<sup>th</sup> Avenue North**

#### **Recommendation:**

That the Council of the City of Kenora declares the City owned lands described as Part of "Mining Street" on Plan 3, also known as Fourth Avenue North, between Third Street North and Fifth Street North, described as PIN 42170-0145 in the City of Kenora as surplus to the requirements of the Municipality; and further

That the southern portion of Fourth Avenue, being 21 metres in width and approximately 0.099 hectares in area, be closed; and further

That in accordance with the City policy, value of the lands will be determined by appraisal if required; and further

That toward a sale of the lands, surveying and procedures for consolidation of the PINs, merger or deeming by-law would be completed; and further

That Notice of the Closure of an Unopened Road Allowance and Intent to Deem City Property Surplus is given in accordance with the Public Notices By-law Number 144-2007; and further

That an agreement of purchase and sale would include as a condition that any further required planning applications are approved (i.e. Site Plan Control Approval) and that the buyer undertakes to obtain a building permit for the development of a 10 unit Group Home within 2 years of the closing of the transaction, and to complete same within 3 years of the closing of the transaction, failing which the property will be transferred back to the Seller and the purchase price reimbursed to the Buyer; and further

That the undertaking shall survive and not merge on closing; and further

That the Mayor and Clerk are hereby authorized to execute an agreement between the Corporation of the City of Kenora and the Kenora District Services Board for the sale of land; and further

That Council hereby gives three readings to a By-law for this purpose.

**Discussion:** There is interest from the KDSB to purchase the land to develop a group home. Circulation took place for the neighbourhood and there are concerns from the area. There have been other interested parties in the property and purchasing the property and there may need to be some consideration to those previous requests. The building is over to the east side of the property, and we do not anticipate that shading will be an issue. There was some general thought around a requirement for the development of a fence and if we always request property owners to install fencing. A group home is permitted now in the zoning bylaw. Our policy allows us to sell it with the highest and best use. The issues identified can be addressed before Council.

## **F. Proclamations**

None

## **G. Other**

- Councillor Van Walleghem has been working with Tourism on another car show for the July 1<sup>st</sup> weekend. It would be a good reason for people to come to the City for July 1<sup>st</sup>.
- Councillor Smith mentioned the economic development workshop in Dryden and how things have changed with economic development.
- Councillor McMillan extended condolences to the family regarding the passing of elder Nancy Morrison. She was a blessing to the community and will be missed.

## **H. Next Meeting**

- Tuesday, May 14, 2019

## **I. Adjourn to Closed**

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

That Council now adjourn to a closed session at 10:36 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, the Closed Session will discuss items pertaining to the following:-

- i) Disposition of Land (1 matter)**
- ii) Personal Matter About an Identifiable Individual (1 matter)**

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

Council reconvenes to open session at 2:36 p.m. with no reports from its closed session.

## **K. Close Meeting**

Meeting adjourned at 2:36 p.m.