



City of Kenora
Committee of the Whole
Minutes
Tuesday, May 14, 2019
9:00 a.m.
City Hall Council Chambers

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, Kelly Galbraith, Deputy Clerk, Jeff Hawley, Operations & Infrastructure Manager, Charlotte Edie, Treasurer, Jonathon Ranger, Deputy Treasurer, Stace Gander, Community Services Manager, Adam Smith, Development Services Strategist, Devon McCloskey, City Planner, Heather Lajeunesse, Enforcement Division Lead

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 May 21, 2019 meeting:-

- Council will set the tax ratios and tax rates for 2019
- Council will adopt the 2019 Business Improvement Board Levy
- Amend the 2019 Capital Budget to withdraw funds from the cemetery reserves in the amount of \$18,850 for the completion of the chain link fence extension project
- Amend the 2019 parks reserve budget in the amount of \$5,246.54 for playground development in the old Keewatin ballpark
- Amend the 2019 Capital Budget to withdraw funds from the contingency reserves in the amount of \$57,546.50 plus applicable taxes for the completion of the Keewatin Arena Fire Alarm System Replacement project
- Amend the 2019 Capital Budget to withdraw funds from contingency reserves in the amount of \$21,000 for the repairs at the Kenora Recreation Centre water supply line
- Amend the 2019 Capital Budget to withdraw funds from sewer and water reserves in the amount of \$127,657 for the roof replacement at the Water Treatment Plant
- Amend the 2019 Capital Budget to withdraw funds from the Land Planning Reserve in the amount of \$20,000 for the Growth Management and Vacant Land Supply Analysis
- Amend the 2019 Capital Budget for an allocation of \$475,000 funded through Contingency Reserves for a development of a gravel driveway, water main extension and rink relocation in the Evergreen area
- Council declares the following City owned lands as surplus to the requirements of the Municipality, and that the southern portion of Fourth Avenue, being 21 metres in width

and approximately 0.099 hectares in area, be closed; Being 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

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 1.9 regarding the Kenora Rowing Club as it relates to her employment with the Shewchuk law firm.

Councillor Ralko declared an indirect pecuniary interest as it relates to agenda item number 3.1 regarding the Sultana Pumping Station upgrades as it relates to her employment with the Shewchuk law firm.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor McMillan, Seconded by Councillor Goss & Carried:

That the Minutes from the last regular Committee of the Whole Meeting held April 9, 2019 and the Special Committee of the Whole meetings held April 8 and 9, 2019 be confirmed as written and filed.

D. Deputations/Presentations

Synergy North Presentation

Robert Mace, President & CEO of Synergy North, joined by John McDougall, member of Mergeco Hydro Board of Directors, presented on the progress of Kenora and Thunder Bay Hydro coming together as one company to form Synergy North. Mr. Mace would like to provide periodic updates to Council on the progress post-merger. A lot of work was done pre-merger to prepare for the change and they hit the ground running on January 1, 2019.

Staff visits have been done with Kenora staff visiting the Thunder Bay office and vice versa. Staff are excited and embracing the big change. Synergy North has a strong emphasis on safety, planning and building relationships, as well as building consistency between service areas.

Rebranding is currently taking place including logos at the Operations Centre in Kenora and Thunder Bay, vehicle logos, utility bills, etc. A real-time outage map has been made available online, which allows customers to see any outages in their area and includes the length of time the outage is expected to be and social media outreach. Improvements to automated systems are also underway. Customers are able to log into the Synergy North Portal to schedule a move, setup a new account, etc.

Planning for future investment in Kenora is also underway. Integrating local priorities into a plan, enhancing equipment and tools, engaging local resources, expanding the Distribution System Plan to include the Kenora service area and putting together a multi-year capital investment plan are in the works.

Synergy North is helping the community grow by expediting a \$350,000 program to allow the Tbaytel fibre program to proceed and planning for new local developments.

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Managing risk is being done on a daily basis. Currently environmental risk is high and Synergy North would like to remove the risk. The process of PCB removals has been accelerated. 40 transformers were identified, 33 have been removed with 7 remaining. Active management of cyber security and I.T. risk is also being done. Advocating public and staff safety is always on the forefront for Synergy North. 3 fleet vehicles in Kenora have recently had an AED installed.

Mayor Reynard thanked Mr. Mace for his presentation and a copy was left with the Deputy Clerk.

Dawn Rankin/Janet White – Proposed Group Home 4th St

Dawn Rankin

The thoughts shared today are those of many concerned citizens. As a property owner since 1973 and as a concerned resident Ms. Rankin is concerned about the proposed group home on Fourth Street North.

On March 21st, the City posted in the local paper a "Notice of Complete Application to Purchase City Property". It stated that the City received an application from an abutting land owner to purchase City unopened road allowance for lot addition to 400 Fourth Street North and that for this purpose, notification was being given of the by-law that would be given consideration to declare lands available for disposal. However, the City did not receive an application from the actual abutting landowner, but from a third party being the Kenora District Services Board (KDSB). This was brought to the City's attention and also questioned why equal opportunity to purchase was not made public. There was no response made until April 15th, at which time the City advised that the matter was being deferred to this meeting, today.

In March, the KDSB made an offer to purchase for the vacant lot at 400 Fourth Street North, conditional on the successful purchase of the abutting unopened road allowance from the City. On the afternoon of Sunday, April 13th, the actual property owner received a cash offer for more than what KDSB offered. An escape clause allowed the KDSB 48 hours to deem their offer null and void or drop all of the conditions. Almost 48 hours later, on the morning of Tuesday, April 15th, the City advised us in writing, and I quote: "The City's policy for land disposition, sets out that road allowances can be sold to abutting property owners for the purposes of a lot addition. As a result, only proposals for lot development with a lot addition would be consistent with the policy. The intent of the notice was to inform you that the City had received such a proposal." End quote. However, that only became so when the KDSB chose to drop all conditions on their offer to purchase for the lot at 400 Fourth Street North within the 48 hour escape clause with the actual landowner.

The City accepted the application from KDSB long before they became the legal abutting land owner, as required in accordance to City policy. The delegation questions the legalities of this transaction and feels the process has not been transparent and has not adhered to City policy.

Furthermore, in 2015, Joanne Wetendorf was in the process of purchasing the vacant lot at 400 Fourth Street North when her investor and contractor asked that she inquire about the sale of the City unopened road allowance next to it to see if a merge were possible to accommodate a 4-unit apartment building for seniors - exactly what the City is proposing to do now, but for a group home that the City or the KDSB is seemingly unwilling to provide any information, until it is a done deal. In 2015 a City Official that told Ms. Wetendorf that this particular unopened road allowance could not be purchased and is now the hired consultant for the KDSB. We question if this is a conflict of interest as this individual would have had access to confidential information, making decisions highly prejudicial for the KDSB. Ms. Wetendorf called the KDSB

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recently to see if she could learn more about the proposed project. She was excited when Ben Reynolds assured her that a community meeting would be held to discuss concerns. When asked when this would happen, he said maybe later in May. When asked if that would be after May 21st when the City makes their decision his answer was, yes. This is very disturbing, making everyone feel that this is an already done deal, especially when Ben said "I really do hope that the City sells us that property".

On April 16th, the City communicated that KDSB's proposal for lot development with a lot addition is consistent with policy and that this proposal is for affordable housing which is a significant priority for the City and Council. It was questioned if the chronically homeless and offenders/addicts to reside in a group home will be paying for affordable housing or will it be the tax payers? We deserve a voice and some consideration as to where these developments are placed or not placed.

The City states that a Group Home is strongly supported by the City's Official Plan re: policy 3.12: It is the intent of this Official Plan to recognize the need for group homes, to recognize the needs and concerns of residents, and to ensure effective integration of group homes in the community. The City and Council do have an obligated duty and responsibility to address all residents' needs and that includes the neighbourhood. How is effective integration of these group home tenants whose own communities and families can't handle them and, you want to put them next door to us.

What has happened in Kenora in just the last few months is proof enough. Robbery at Penner's Jewellers; robbery at Uptown Café; damages to the new facility at the Knox Church and cannot keep staff; deliberate fire at KACL rental on Main Street; significant damage to a home in Keewatin by the same two individuals who started the KACL rental fire; devastating fire at Lila's Block; past suspicious fires at the rental building at bottom of Matheson Street Bridge; Hing's Apt Block; and the Adam's Block.

The neighbourhood has a right to feel safe in their homes that they have maintained and taken ownership and pride in over the years, a right to quiet enjoyment of invested homes.

The delegation has also spoken to residents in the vicinity of the group home up from Ninth Street North and feel their fears are warranted. There is intimidating loitering, used needles everywhere, private property trespassing, increased vandalism and theft. Security devices have become a common necessity since the integration of this group home.

They have also asked what assurances there are that this facility will not be a boarding house. The City responded "that a boarding house is also a permitted use of the property, but that is not what KDSB proposed". One of the neighbours was told by KDSB recently, that this building can become whatever it needs to be according to available funding down the road. How can the City ensure proper integration when they do not know what the facility will become? They asked if the group home would be institutional, a correctional facility, or for people mandated through the judicial system. The City responded that "the zoning is R-2 and is not proposed to be amended", however, at the same time they received this information, the City was in the very process of amending the Official Plan, Section 3.34.5 Public Uses, to add a new provision allowing institutional use for all lands within the City of Kenora.

The City and Council must appreciate the fear and apprehension in the North end of Kenora and what will happen if the City allows the sale of the unopened road allowance abutting 400 and 338 Fourth Street North to the KDSB for development of a group home and/or whatever it will

become. Ben Reynolds of KDSB consented that no-one wants this in their back yard and he's right. There are too many unknown variables for the City to make a conscionable decision in favor of selling this property to the KDSB for the questionable development intended and afterward.

The KDSB can and will find another site that will hopefully not adversely impact families, children, seniors, single women living alone, nor a Women's Place centre or a new Habitat for Humanity home.

Ms. Rankin stated they are residents, tax payers, consumers, volunteers and business owners. They want to be valued and respected as contributing members of this community and asked Council to hear their plea.

Janet White

Being a property owner in the area, the proposed changes in the residential zoning and with the City selling the road allowance it seems as though the City is sliding this change through. There appears to be more questions than answers and there appears to be a need for more representation than what is here today.

If the zoning for the City of Kenora is going to be changed, many land owners would be concerned. Our neighbourhood is currently zoned R2 which is mainly single family dwellings, duplexes, and boarding homes with 4 tenants or less. The proposed changes are to allow institutional zoning in all R2 areas as well as changes to other zones. This is not transparent on behalf of the City, if this is the plan the public would require a bigger meeting than today's Committee of the Whole.

Also the unknown, the fact that the City wasn't educating the residents or people adjacent to the proposed facility, making them aware of what's happening creates distress and concern amongst those property owners. Who will actually live there? They were told it would be a group home however, there is not actual description of a group home given, including how many units. The next time they asked it is going to be for the chronically homeless. What type of facility will it be? If they get the zoning changed will it be institutionalized? Who will live there? What is the zoning going to be? What will be on the site? Will there be case management? Will there be supervision and what type of supports will there be?

There is a homeless issue not only in Kenora but with the whole Northwestern district, however, while proving safety and security for one group you cannot take that away from another group which would be their group. It sounds like with the institutional zoning it can be very high density.

After reading the KDSB ten year plan, they only need 230 square feet for accommodation and a private washroom for one person. Depending on what they name the facility that will be built, there is a classification called Housing First. The classification while vague and broad is a model where anyone whether they have mental health issues or addictions, or hard to house, there is no pre-conditions imposed, therefore anybody could live there. These are additional concerns from the neighbourhood.

Councillor Smith thanked Janet for her deputation and informed those in attendance that the zoning meeting will be held at 12:00 pm today and invited them to attend as this is an opportunity to ask questions and bring forward any concerns regarding the proposed changes to the official plan.

Don Kinger – Group Home 4th St N

Mr. Kinger agrees with the first deputations regarding the same matter. Mr. Kinger advised that the KDSB is not answering or returning phone calls as he has called twice in the last three weeks and have not gotten a return phone call. He questioned if that is that working with the neighbours or hiding from the neighbours.

No matter what type of group home goes up there is can be changed at any time depending on funding. People from the jail are released and stay in Kenora and we do not want these people on our street.

Councillor Smith apologized for her comment and noted she did misspeak. She reiterated she does not know what is going in there (Fourth Street North) and advised if the process moves forward there will be a community consultation and an opportunity address concerns.

Mark Belanger – Water Billing Changes-Affordable Housing

Mr. Belanger has lived in Kenora all his life and has been a property owner and landlord for forty-two years and is speaking about the state of the rental housing industry in Kenora and the impact of the city by-law passed last year regarding sewer and water rates.

Recently Mr. Belanger turned over two of his apartment units and was absolutely bombarded with responses. In forty-two years he has never seen such a demand for apartments. He had inquiries from pharmacists, social workers, project managers home care workers, nurses and many more. People want to move to our community but are unable to find a place to live. These people would be a welcome addition to our community and would add so much to our city. Kenora is in desperate need of more rental housing, a lot more. Despite the fact that we have been through an extended period of historically low interest rates that has fueled a building boom in much of the rest of the country, there has been little to no new purpose-built rental construction in Kenora for decades.

High construction costs, a difficult regulatory environment, high maintenance costs, taxes, utilities, insurance. In short, building rental housing in Kenora simply isn't profitable. The market place speaks for itself and that is why we are in the situation we find ourselves in today. Some of these factors are within our local control, some are not.

The water and sewer bylaw change will drastically change the way the city bills sewer and water. Under the new bylaw every single apartment, in buildings of four units or greater, no matter how small, will pay the same for water service as a single detached home. This was a correction to unfair billing practices of the past and done in fairness so that everybody pays the same. This bylaw introduces way more unfairness on an industrial scale. Kenora will be the only jurisdiction in the country with a billing structure like this. There is a very good reason that no other communities bill like this, because it is outrageously unfair. Mr. Belanger provided examples and comparisons of various buildings to Council.

Municipal government is about providing services and charging people taxes and fees to pay for these services. With "user pay" being the cornerstone of the billing system, the cost of a service should reflect the cost of providing that service. What is plainly obvious is this new billing system is completely disconnecting the cost of providing a service from the price the city is charging some of its users, but not all users. It would appear that this new rate structure is not a fee for a service but a tax on multi-unit residential buildings.

Anybody that has done even 5 minutes of analysis can see this new by-law is the most unfair thing the city has ever seen. The issue of some multi-unit buildings having their own meters and paying the individual rate, is not a fairness issue. These buildings have individual meters simply because the builder chose to do this when they constructed the building or did upgrades. It was entirely their choice. As for the condo owners who have complained about this, they knew this when they purchased their properties.

This is not an insignificant amount of money. No other jurisdiction in the country charges fees this high. Kenora's water rates for multi-unit properties will be the highest in the country by a wide margin.

The good aspect of this by-law is the City will get more revenue, single family homes, hotels and businesses are going to keep enjoying rates that are comparable to other cities across Ontario. The financial burden to operate the system will be shifted to somebody else. In the near term these increases are so large that it is going to de-stabilize the entire rental industry, both private and public. Rents are tightly controlled in Ontario, under this year's guide line the maximum increase allowed is 1.8 %. The cities tax increase was double that rate. In the short-term landlords cannot pass these costs on. What most politicians and city managers don't realize is that in the rental business margins are small. Kenora is not that profitable and has not attracted any new investment in decades. Hitting the industry with a huge cost increase, making Kenora by far the most expensive city for sewer and water for multi-unit residential buildings in the entire country, will make any future development even less likely. Landlords will not be able to make their mortgage payments; buildings will fall into dis-repair. More and more young people will not be able to stay here or move here because there will be no place to live.

With respect to social housing, this new by-law will blow a hole in their budgets. This by-law will cost KDSB, that is, local and regional tax payers, hundreds of thousands of dollars per year. If City council thinks that tax payers in Dryden, Red Lake and unorganized areas are going to pay for Kenora's outrageous water rates think again. They will have no choice but to cut their maintenance budgets and cancel any future expansion plans. If they are going to build new units, why would they build them in Kenora when they can save tens of thousands of dollars per year by building those new units in Red Lake or Dryden.

The City cannot even begin to make any significant head way on improving the rental housing situation without private capital. Yes, social housing plays a role, but governments at all levels simply don't have the budgets to provide the housing stock that is required.

Treating local landlords and other concerned residents with contempt by senior city officials is not in the long-term interest of Kenora. When investors see how Kenora has treated their landlords they will take their capital and invest it in other communities instead.

Another aspect that should be considered is the future growth of the city. The cost of adding an additional fifty housing units to Kenora and what would cost more to service with sewer and water infrastructure, fifty detached homes, with several km's of pipe, 50 main shut off valves, fifty meters and probably a sewer lift station or two, or one fifty unit apartment building with one pipe feeding it and one valve to shut it off? If there is ever going to be new housing stock built this by-law will dramatically alter that development. It is way too expensive to operate anything with 4 units or more, so development will be skewed towards three units or less. This is far more expensive for the builder as well as the City. This lower density housing is more expensive to service with sewer and water on a per unit basis. Also, to service these properties with roads, sidewalks, street lighting, garbage collection, snow removal will all cost way more

when you are not building multi-unit buildings. To the point, this by-law will eliminate the most cost-effective form of housing in a market that is already struggling with high costs.

Most of the units affected by the implementation of this by-law are old, small rental units, both public and private. These units are where our poorest citizens live. Seniors living on OAS, people on disability, people working for minimum wage, people of modest means. In the longer term, if this by-law is allowed to stand, these people will be paying three and four times as much for their water as people in neighboring communities. At the same time people living in single family homes, hotel and business owners, our wealthiest citizens, will be enjoying water rates that are comparable to all other cities in the region.

This is the most socially regressive public policy and it is an embarrassment to our community. There is a very good reason that no other jurisdiction in Canada has a billing structure like the one Kenora is proposing, the reason is it is just bad public policy. Seven of these documents are the election platforms of our present Mayor and Council.

Mr. Belanger requested Council to strike this by-law down. He left documentation for Council to read as part of his presentation.

E. Reports:

1. Administration & Finance

1.1 Q1 Investment Report

Recommendation:

That Council hereby accepts the 2019 first quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

1.2 March 2019 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at March 31, 2019.

1.3 Ontario Regulation 284/09: 2019 Budget Matters

Recommendation:

That Council hereby adopts the report by Deputy Treasurer, Jon Ranger, related to 2019 budget matters as required under the Municipal Act, 2001, Ontario Regulation 284/09.

1.4 Contracts & Expenditures Approved January – March 2019

Recommendation:

That Council hereby accepts the 2019 January – March Contracts & Expenditures Approved report.

1.5 2019 Tax Ratios and Rates

Recommendation:

That Council hereby adopts Revenue Neutral Tax Ratios for 2019 to mitigate reassessment impacts between property classes; and further

That three readings be given to a by-law to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year 2019; and further

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That three readings be given to a by-law to adopt the estimates for all sums required for the year, to establish rates to be levied for same and to provide for penalty and interest in default of payment thereof for 2019; and further

That in accordance with Notices By-law #144-2007, public notice is hereby given of Council's intention to set tax ratios and tax rates for 2019 at its May 21, 2019 meeting.

Discussion: There was some discussion on the provincial downloading of the Health Unit and the impacts to the Municipality. Jon provided clarification on what the Revenue Neutral Tax Ratios are.

1.6 2019 BIZ Levy Request

Recommendation:

That Council hereby approves the Harbourtown Centre Business Improvement Board budget request in the amount of \$47,595.69 for 2019; and further

That Council gives three readings to a bylaw to adopt the estimates for funds to be raised for 2019 on behalf of the Harbourtown Centre Business Improvement Board; and further

That in accordance with Notice Bylaw Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2019 Business Improvement Board Levy at its May 21, 2019 meeting.

1.7 2019 Canada Day Community Foundation Sponsorship

Recommendation:

That Council hereby supports the Canada Day Committee's request to name the City of Kenora as a sponsor in their application for funds through the Kenora & Lake of the Woods Regional Community Foundation for support of the 2019 festivities.

1.8 Nordic Biathlon Club Application to the Community Foundation

Recommendation:

That the Council hereby supports the Kenora Nordic and Biathlon Club's (KNBC) request to name the City of Kenora as a sponsor in their application for funds through the Kenora & Lake of the Woods Regional Community Foundation for the purchase of range mats in the amount of approximately \$3,500.

1.9 Kenora Rowing Club Application to the Community Foundation

Recommendation:

That the Council hereby supports the Kenora Rowing Club's (KRC) request to name the City of Kenora as a sponsor in their application for funds up to \$5,000 through the Kenora & Lake of the Woods Regional Community Foundation for the purchase of 3 rocket hubs and stroke coaches for approximately \$5,000.

1.10 Kenora Urban Trails Community Foundation Sponsorship

Recommendation:

That Council hereby supports the Kenora Urban Trails Committee's request to name the City of Kenora as a sponsor in their application for funds through the Kenora & Lake of the Woods Regional Community Foundation to support the purchase of two water bottle filling stations.

1.11 Provincial Legal Aid Funding Cuts

Recommendation:

Whereas Premier Doug Ford's recent Ontario budget has cut funding to Legal Aid Ontario (LAO) by \$133 million, which is 30% of LAO's budget, retroactive to April 1, 2019; and

Whereas the 30% cut to the LAO budget has already had a direct negative impact on the Northwest Community Legal Clinic and the services they provide; and

Whereas the Northwest Community Legal Clinic is committed to upholding the rights of the most vulnerable people of the Rainy River and Kenora Districts on issues that are most critical to them, including Ontario Works, Ontario Disability Support Program, Canada Pension Plan, Landlord and Tenant issues, Criminal Injuries Compensation, Powers of Attorney, Consumer and Debt Issues, Aboriginal Status Registrations, Birth/Death Certificates, Name Changes and many other areas that impact low-income people; and

Whereas the budget cuts to Legal Aid Ontario will have a devastating impact on the Northwest Community Legal Clinic's ability to provide legal services to Ontario's most vulnerable population aimed at ensuring that people with low incomes are able to meet their most basic needs, which in turn gives them the ability to live with health and dignity as active members of their communities; and

Whereas the Northwest Community Legal Clinic has been providing service to the Kenora-Rainy River Districts for over 40 years;

Therefore be it Resolved that the Corporation of the City of Kenora calls upon Premier Ford and Attorney General Caroline Mulroney to make a commitment to access to justice; to respect the commitment of their government to not decrease front line services; and to confirm that funding for community legal clinics will not be decreased; and further

That the resolution be shared with Premier Doug Ford, Sylvia Jones, Solicitor General, Caroline Mulroney, Attorney General, AMO, NOMA, MPP Greg Rickford, all Ontario Municipalities and Grand Council Treaty Three.

Discussion: Councillor Ralko expressed her support for the recommendation brought forward. She spoke on this issue with some of the Ministers at the recent NOMA conference including Minister Rickford. There is a discrepancy on the numbers of clients due to a change from 2017 to 2018 in the way clients have been categorized. Councillor Ralko shared that with the proposed changes the impacts to Kenora as a provincial court hub will be greatly impacted. Council requested that the resolution be shared with Sylvia Jones, Solicitor General, Caroline Mulroney, Attorney General and Grand Council Treaty Three.

1.12 Boards & Committees Appointment Policy #CC 14-1

Recommendation:

That Council hereby authorizes an amendment to Boards & Committees Appointment Policy #CC 14-1; and further

That bylaw number 9-2011 be hereby repealed; and further

That three readings be given to a bylaw to adopt this policy amendment into the City's Comprehensive Policy Manual.

1.13 Urban Recreation Trails Committee TOR

Recommendation:

That Council hereby adopts a new terms of reference for the Kenora Urban Recreational Trails Committee to reflect administrative supports and membership to the committee; and further

That Council hereby appoints Heather Gushulak to the Kenora Urban Recreational Trails Committee representing the Ministry of Tourism, Culture and Sport; and further

That bylaw number 9-2015 be hereby repealed; and further

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

Discussion: Councillor Smith shared that a representative from the Ministry of Tourism, Culture and Sport has been a long standing member of the Kenora Urban Trails Committee however, the committee's term of reference did not reflect this therefore they have been revised.

2. Fire & Emergency Services

No Reports

3. Operations & Infrastructure

3.1 Sultana Pumping Station Electrical Upgrades

Recommendation:

That Council hereby accepts the proposal submitted by Black and McDonald, Winnipeg in the amount of \$324,000 (plus HST) for the Sultana Pumping Station, Electrical Upgrades.

4. Community Services

4.1 Budget Amendment – Cemetery Fence Extension Project

Recommendation:

That Council hereby approves a 2018 capital budget carry over in the amount of \$18,850 for the Cemetery Chain Link Fence Extension project which was a 2018 capital project in which works were not completed in the 2018 construction season; 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 May 21st, 2019 meeting to withdraw funds from the cemetery reserves in the amount of \$18,850 for the completion of the chain link fence extension project; and further

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

Discussion: Councillor VanWalleghem spoke to vandalism being a concern in the cemetery. The chain link fence is said to allow for clear sightlines.

4.2 Budget Amendment – The Friends of Old Keewatin Ballpark

Recommendation:

That Council hereby approves the request by The Friends of Old Keewatin Ballpark to collapse the established special reserve fund held in the Parks reserve in the amount of \$5,246.54 for

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further development in the old Keewatin ballpark; and further

That in accordance with Notice By-law Number 144-2007 public notice is hereby given that Council intends to amend its 2019 parks reserve budget at its May 21st meeting for the purpose of withdrawing funds in the amount of \$5,246.54 for playground development in the old Keewatin ballpark; and further

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

4.3 Budget Amendment – Keewatin Arena Fire Alarm

Recommendation:

That Council hereby approves a capital budget carry over in the amount of \$57,546.50 plus applicable taxes to fund the Keewatin Arena Fire Alarm System Replacement project which was a 2018 capital project which was not completed in the 2018 budget year; 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 May 21st, 2019 meeting to withdraw funds from the contingency reserves in the amount of \$57,546.50 plus applicable taxes for the completion of the Keewatin Arena Fire Alarm System Replacement project; and further

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

4.4 Budget Amendment – Water Supply Line – Recreation Centre

Recommendation:

That Council hereby approves a budget amendment in the amount of \$21,000 to decommission and valve the water supply line at the north end of the Kenora Recreation Centre to be funded through contingency reserves; 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 May 21st, 2019 meeting to withdraw funds from contingency reserves in the amount of \$21,000 for the repairs at the Kenora Recreation Centre water supply line; and further

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

Discussion: It was asked if there any concerns that the ice pad has permanent damage. The City's engineers have been onsite to document the heave that has taken place and will continue to monitor as the frost thaws.

4.5 Budget Amendment – Water Treatment Plant Roof

Recommendation:

That Council hereby accepts the tender submitted by Oakwood Roofing in the amount of \$915,748, plus applicable taxes for the replacement of the water treatment plant roof; and further

That Council hereby approves an additional allocation in the amount of \$127,657 for the roof repairs to be funded through the sewer and water reserves; 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 May 21st, 2019 meeting to withdraw funds from sewer and water reserves in the amount of \$127,657 for the roof replacement at the Water Treatment Plant; and further

That the 2019 operating and capital budgets be hereby amended for this purpose.

Discussion: Council requested that the other bidders be identified on the report to Council for transparency. It was asked that the changes to the report be brought forward to the Council meeting on May 21, 2019.

4.6 MOU for Floating Water Park at Norman Park

Recommendation:

That Council hereby approves the Memorandum of Understanding (MOU) between The Corporation of the City of Kenora and Twenty-One Ventures Inc. for the operation of a floating water park at Norman Park under the terms and conditions established in the agreement; and further

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

Discussion: Security concerns after midnight were identified. Stace Gander, Community Services Manager will discuss this further with the projects investors.

4.7 Extension of Lease Agreement South end of the Main Street Wharf

Recommendation:

That Council hereby authorizes a five (5) year lease extension agreement with Jeff Gordon, C.O.B as Houseboat Adventures for the South end of Main Street Wharf commencing May 1, 2019 and ending November 30th, 2023 for terms outlined within the agreement; and further

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

Discussion: The details of the lease agreement were discussed, including the length of the term and whether or not the agreement is transferable in the event of a change in ownership.

4.8 Lease Agreement for 1008 Ottawa Street

Recommendation:

That Council hereby authorizes the CAO to execute a lease agreement with TBT Engineering for Unit B, at 1008 Ottawa Street, Keewatin for the term beginning May 1, 2019 as outlined in the lease; and further

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

4.9 Moratorium on Hockey Tournaments

Recommendation:

Whereas in 2017 the former term of Council placed a moratorium on all new hockey tournaments until such time as a second ice surface was created at the Kenora Recreation Centre; and

Whereas at the March 19, 2019 regular meeting of Council, Council ceased the needs assessment of a twinned ice surface at the Kenora Recreation Centre for this term of Council;

Therefore be it Resolved that Council hereby authorizes the removal of the moratorium placed on all new hockey tournaments on July 18th, 2017 to allow staff to look at new opportunities should something arise.

Discussion: Council requested that the language in the moratorium be revised to outline the importance that new tournaments will only take place at a time where Kenora Minor Hockey Groups are not utilizing the ice.

Amended Recommendation:

Whereas in 2017 the former term of Council placed a moratorium on all new hockey tournaments until such time as a second ice surface was created at the Kenora Recreation Centre; and

Whereas at the March 19, 2019 regular meeting of Council, Council ceased the needs assessment of a twinned ice surface at the Kenora Recreation Centre for this term of Council;

Therefore be it Resolved that Council hereby authorizes the removal of the moratorium placed on all new hockey tournaments on July 18th, 2017 to allow staff to look at new opportunities should something arise; and further

That new opportunities would only be pursued should the minor hockey groups not be utilizing the ice during the requested times.

4.10 OTF Capital Investment Stream Application

Recommendation:

That Council hereby approves an application to the Ontario Trillium Foundation (OTF) under the Capital Investment Stream by the City of Kenora in partnership with the Kenora Sportsplex; and further

That Council directs staff to apply for funding under the Capital Investment Stream for the Kenora SportsPlex second floor development project.

Discussion: It was asked if any of the projects identified at the SportsPlex could be completed in 2019 as prices are increasing with time. Stace Gander, Community Services Manager has gone back to the successful bidder to validate the costs again. It was asked if we will re-apply to Enabling Accessibility fund this year. Intake for this would be in the late fall however the project streams have not been announced yet.

5. Development Services

5.1 Budget Amendment - Growth Management and Vacant Land Supply Analysis

Recommendation:

That Council hereby approves an additional allocation of \$20,000 to be funded through the Land Planning Reserve for a growth management and vacant land supply analysis; 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 May 21, 2019 meeting to withdraw funds from the Land Planning Reserve in the amount of \$20,000 for this project; and further

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

5.2 10-Year Review of the Endangered Species Act

Recommendation:

That Council hereby approves the attached submission to the Government of Ontario's 10-Year Review of the Endangered Species Act

Discussion: Councillor McMillan requested that a copy of the letter also go to Grand Council Treaty Three.

5.3 Budget Amendment - KDSB 20 Unit Supportive Housing Project Request

Recommendation:

That Council of the City of Kenora hereby supports the Kenora District Services Board's request for funding in the form of a gravel driveway and water main extension to the property line of the proposed project location within the Municipality; and further

That Council of the City of Kenora hereby supports the realignment of the Evergreen Community Centre Ice Rink to allow for a full road allowance for access to property to the west of Brinkman Rd and South of 9th Street North; and further

That conditional upon approval of the relevant Zoning By-law Amendment and the commitment by the KDSB to move forward with this construction, Council hereby approves an allocation of \$475,000 to be funded through the City's Contingency Reserves for the development of a gravel driveway, water main extension and rink relocation; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Five Year Capital Plan at its May 21, 2019 Regular Meeting of Council for an allocation of \$475,000 funded through Contingency Reserves for this development; and further

That Council gives three readings to a By-Law to amend the 2019 capital budget for this purpose.

Discussion: Council requested that the report be renamed KDSB 20 Unit Supportive Housing Project Request. Drainage concerns from the Ninth Street North development were discussed. Engineering and Planning met with a concerned resident to discuss their concerns and it was identified there would be no impact on existing dwellings.

5.4 Closure of Roads and Declaration of Surplus Land Toward Sale of Land – Property Located at Fourth Ave North and Fourth Street North (Revised Report)

Recommendation:

That the Council of the City of Kenora declares the following City owned lands as surplus to the requirements of the Municipality, and that the southern portion of Fourth Avenue, being 21 metres in width and approximately 0.099 hectares in area, be closed;

Being 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; 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 PIN with abutting lands, merger or deeming by-law would be completed; 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. That the undertaking shall survive and not merge on closing; and further

That three readings be given to a bylaw execute an agreement between the Corporation of the City of Kenora and the Kenora District Services Board for the sale of land.

Discussion: Council would like to encourage the Kenora District Services Board to meet with the concerned citizens. Fear of the unknown fuels mistrust. The City Planner provided verification that City policy was followed. Land sales are at the discretion of the Municipality. The importance of communication was discussed as well as the accuracy of the information being provided.

5.5 Application to NOHFC Growth Management and Vacant Land Supply Analysis

Recommendation:

That Council of the City of Kenora approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) Northern Community Capacity Building Program for the delivery of a Growth Management and Vacant Land Supply Analysis; and further

That the City of Kenora confirms its financial commitment of up to \$15,000 for the project; and further

That Council hereby approves any cost overruns associated with the project.

5.6 NWBC Internship Position

Recommendation:

That the Council of the City of Kenora approve an application to the Northern Ontario Heritage Fund Corporation (NOHFC) Internship Program for the purpose of hiring an intern for a two year period.

F. Proclamations

Mayor Reynard then read the following proclamations:

- Lyme Disease Awareness Month – May 2019
- National Public Works Week – May 19-25, 2019

G. Other

At 11:45 a.m., the Regular Committee of the Whole meeting was recessed to hold the scheduled public zoning and official plan amendment meeting at 12:00 noon.

Regular Committee of the Whole resumed at 1:00 p.m. with the following recommendation from the Public Zoning and Official Plan Amendment meeting:

D09-19-01 and D14-19-04

Recommendation:

As professional planners retained by the City of Kenora to assist with these applications, it is our professional planning opinion that the following amendments as proposed for the Application for Official Plan Amendment, File No. D09-19-01, and the Application for Zoning By-law Amendment, File No. D14-19-04, be approved, in lieu of public comments that may yet be received;

Proposed Official Plan Amendment:

• Section 3.20 Public Uses of the Official Plan would be amended to permit a public use, including but not limited to an institutional use, housing, and supportive housing, but excluding a correctional facility, in the following land use designations, without the need for an Official Plan Amendment, and with consideration for the policies in the Land Use Compatibility Section of the Official Plan:

- o Established Area;
- o Residential Development Area;
- o Harbourtown Centre; and
- o Commercial Development Area.

Proposed Zoning

Proposed Zoning By-law Amendments:

- Amend Section 2 Definitions to add a new definition for "Public Use";
- Amend Section 2 Definitions by replacing "Public Authority" with "Public Agency", and by amending the definition;
- Amend the definitions of "Conservation" and "Sewage Facility" in Section 2 Definitions to replace references to "public authority" with "public agency"; and
- Amend Section 3.34.5 Public Uses to add a new provision to allow a public use, including but not limited to an institutional use, housing, and supportive housing, but excluding a correctional facility, in the following zones:
 - o Residential – First Density Zone (R1);
 - o Residential – Second Density Zone (R2);
 - o Residential – Third Density Zone (R3);
 - o Local Commercial Zone (LC);
 - o General Commercial Zone (GC);
 - o Highway Commercial Zone (HC); and
 - o Institutional Zone (I).

H. Next Meeting

- Tuesday, June 4, 2019

I. Adjourn to Closed

Resolution #2 - Moved by Councillor McMillan, Seconded by Councillor Goss & Carried:

That Council now adjourn to a closed session at 1:05 p.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:-

May 14, 2019

Committee of the Whole Meeting Minutes

- i) Education and Training Members of Council** (1 matter – ANHP update)
- ii) Personal Matter about an Identifiable Individual** (1 matter-LOWDC Appointment)

J. Reconvene to Open Meeting

Council reconvenes to open session at 2:10 p.m. with the following reports from its closed session:-

Appointment to the Lake of the Woods Development Commission

Recommendation:

That Council hereby appoints Sarah Minor to the Lake of the Woods Development Commission for a term at the pleasure of Council no later than November 14, 2022.

K. Close Meeting

Meeting adjourned at 2:12 p.m.