



City of Kenora

Committee of the Whole Agenda

Tuesday, April 14, 2020

9:00 a.m.

Electronic Attendance / City Hall Council Chambers

Due to the COVID-19 Pandemic, Council will be meeting electronically as permitted by Bill 187, Municipal Emergency Act, 2020. Citizens and our Media Partners are encouraged to attend the virtual meeting via the Public Live Stream Event at:

<https://video.isilive.ca/kenora/>

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 21, 2020 meeting:-

- Adopt the 2020 Business Improvement Board
- Adopt a new Tariff of Fees and Charges By-Law to increase Ball Field Rates
- Amend the 2020 Capital and Operating Budget for the following:
 - \$23,000 for the installation of soundproofing materials to the Operations Center boardroom and two offices to be funded through the Operation Centre Building Reserve
 - \$21,000 for the repairs at the Kenora Recreation Centre Fire Suppression System funded through contingency reserves
 - \$33,383.65 for the completion of an accessible entrance upgrade project at the Kenora Public Library from Library reserves
 - \$35,000 from the Land Planning Reserve for the delivery of the Vacant Land Supply and Growth Analysis project
 - \$58,576.00 + HST for PVC Roof Repairs at Kenora Fire Station 1 to be withdrawn from the Kenora Fire Station Reserve
 - \$7,000 to supplement the funding required for the Urban Street and Highway Line Painting project from the Roads Reserve
- Direct administration to enter into negotiations with Forbes Bros Ltd, Agent on behalf of Tbaytel, for the installation of a 30m monopole, land equipment shelter and a 10' x 10' compound located on Municipal property at the corner of Miikana Way and 6th Avenue South, with access off 9th Street South for the expansion of Tbaytel's 4G HSPA & LTE wireless project and authorize the requirement for a public meeting under Policy #DS-1-1

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 March 10, 2020 be confirmed as written and filed.

D. Deputations/Presentations

- None

E. Reports:

1. Administration & Finance

Item Subject

- 1.1. BIZ 2020 Levy Request
- 1.2. February 2020 Financial Statements

2. Fire & Emergency Services

Item Subject

- 2.1 Budget Amendment – PVC Roof Repairs

3. Operations & Infrastructure

Item Subject

- 3.1 Budget Amendment – Line Painting Contract
- 3.2 Concrete Rehabilitation-Chlorine Contact Chamber at WWTP

4. Community Services

Item Subject

- 4.1 Lease Renewal – Environment and Climate Change Canada
- 4.2 Lease Renewal – Tbaytel Keewatin Ballfield
- 4.3 Lease Renewal – 89.5 Mix FM Acadia Broadcasting
- 4.4 Tariff of Fees & Charges Bylaw –Ball Field Rental Rates
- 4.5 Budget Amendment – Kenora Recreation Centre Fire Suppression System
- 4.6 Budget Amendment – Library Accessible Entrance
- 4.7 Budget Amendment – Operations Centre Soundproofing
- 4.8 Tenders During COVID-19

5. Development Services

Item Subject

5.1 Budget Amendment – Growth Management & Vacant Land Supply

5.2 Planning Advisory Committee Terms of Reference

5.3 Lease Agreement – Tbaytel – Municipal Lands-Miikana Way

Other:

Next Meeting

- Tuesday, May 12, 2020

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) Disposition of Municipal Property (3 matters-1125 Hwy 17 E, Town Island, Coney Island)

Adjournment.



March 27, 2020

City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Deputy Treasurer

Re: BIZ Levy – 2020 Request

Recommendation:

That Council hereby approves the Harbourtown Centre Business Improvement Board budget request in the amount of \$48,255.65 for 2020; and further

That Council gives three readings to a bylaw to adopt the estimates for funds to be raised for 2020 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 2020 Business Improvement Board Levy at its April 21st meeting.

Background:

In 2003, under By-Law #166-2003, the City of Kenora established an improvement area for the purposes of "the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area". In this same By-Law, the City established a Board of Management, known as the "Harbourtown Centre Business Improvement Board", in accordance with Section 204 of the Municipal Act, 2001. This Board and area are often known as the "Kenora BIZ".

In accordance with the By-Law, the Kenora BIZ must provide to the City their annual report, as audited by the City's auditors, as well as a request for the current year levy. The BIZ 2019 audited financial statements are not yet available but will be forwarded to Council once they are made available. The BIZ has also submitted their 2020 levy request for Council approval and to be included on the City's 2020 final tax bills.

Historically, the annual BIZ levy has been roughly \$50,000. In early 2017, the City received minutes of settlement for the years 2013 through 2016 on the mall property. This resulted in a significant impact on the BIZ levy for the 2017 year. In 2018 and 2019 the BIZ Executive decided they would not increase the BIZ rates. Again in 2020, the BIZ Executive determined that they would not increase their rates. For 2020, this represents a BIZ request of \$48,255.65. A copy of the BIZ 2020 Levy Request has also been attached for Council's review.

Budget / Financial Implications:

The BIZ levy is levied on the final tax bill directly from the applicable property owners within the BIZ area. This is done in accordance with the provisions from the enabling bylaw.

Communication Plan/Notice By-law Requirements:

Notice of the approval of the BIZ levy will be given in accordance with Notice By-law #144-2007. A bylaw approving the 2020 BIZ Levy and rate is required.

Strategic Plan or other Guiding Document:

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

ERM Assessment:

Minimal risk to the municipality. This is an annual levy as set by the BIZ in accordance with their enabling bylaw.



March 25th, 2020

Jonathon Ranger, Deputy Treasurer
City of Kenora

Dear Jonathon,

On behalf of the Harbourtown Biz I am writing you to request \$48,255 (inclusive of over levy of \$173.30) for our 2020 Levy.

EVENT CONTRIBUTIONS (Winter Carnival, Canada Day, etc.)	\$8,000
ADVERTISING & MARKETING	\$16,500
Advertising & Marketing	
Website Maintenance & Contribution to New Website	
New Website Development	\$3,000*
MAINTENANCE & BEAUTIFICATION	\$15,600
Banners/Signage Maintenance	
New Banners/Hooks	\$7,000*
Summer Flower Baskets	
Spring Clean Up	
Winter Baskets & Ice Rink	
Harbourtown Centre Urban Forest Contribution	\$2,000*
HARBOURTOWN BIZ EVENTS	\$5,600
Treelighting & Christmas Decorations	
Holiday Trail (advertising to pull from ad/marketing budget)	
AGM	
OTHER	\$4,133
OBIAA Membership	
Accounting	
Office Supplies/Misc.	
Total 2020 Levy	\$48,255

Previous Years' Revenue Funds

Holiday Trail Sponsorship - City of Kenora & Chamber of Commerce	\$ 1500
Shopping Bags - Revenue	\$ 78

**Items with a red budget have been costed and will be paid with additional unspent funds from past years' funds (as savings have been required to listed items).*

Total Proposed Budget for 2020	\$ 49,833
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If you have any questions or concerns please feel free to contact the undersigned.
Sincerely,

Natasha Stoyakovich
Harbourtown Biz - Treasurer



April 3, 2020

City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Deputy Treasurer

Re: February 2020 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at February 29, 2020.

Background:

Attached for your information, please find the February 2020 summary expense and user fee statements for the City of Kenora and the Council department. At the end of February, the year is 16.67% complete, and therefore should be 83.33% of the budget remaining.

Overall:

- Expenses at the end of February 2020 were slightly below budget with 86.93% remaining to be spent. Water & Sewer 90.08% and Solid Waste 89.30% left in the budget.
- User fee revenues to the end of February 2020 are very close to budget with 84.32% left to collect. Water & Sewer 84.95% and Solid Waste 89.16% is left to collect at the end February.

Expenditures:

- **General Government** - The General Government expenses to date are below budget with 86.25% of the expense budget unspent.
 - **Administrators Office** – Department currently under budget as no contracted services or legal expenses have been spent to date.
 - **Human Resources** – Department currently under budget as no training, travel, or computer maintenance budgets have been spent to date.
 - **Building and Grounds Maintenance** – Materials and supplies currently under budget.
- **Protection** – The Protection Segment expenses to date are right on budget with 83.82% remaining in the budget.
 - **Emergency Measures** – Very few expenses recorded to date.
 - **911 Emergency Access** – This department is typically one invoice per year which is the Central Emergency Reporting Bureau contracted services with OPP.

- **Transportation** – The Transportation Department expenses to date are under budget with 88.78% remaining in the budget.
 - **Paved/Surface Treated/Loosetop Roads** – Under budget at the end of February as expected, as work is typically completed on these departments during the summer months.
 - **Winter Control Maintenance** – Winter control maintenance is over budget at the end of February with 65.62% remaining. This is significantly better than last year at the same time there was only 42.98% remaining. The reason for some of this difference is that the winter sand/salt for January and February have not yet been recorded.
 - **Safety Devices** – A large expense in this department is the line painting contract. This department will be underspent until the line painting contract is completed and paid.
 - **Warehouse** – The recovery from Water & Sewer and Solid Waste is split up evenly over 12 months and because Utilities for January and February have not yet been recorded, this has caused the negative expenses in this account. This will be corrected for March's statement.
 - **Garage & Shop** – Usage of materials and supplies in January and February have caused this department to be below budget at this time. This will even out in upcoming months.

- **Environmental** – The Environmental Department expenditures is under budget with 89.76% remaining. 90.08% left in the budget in Water & Sewer and 89.30% remaining in Solid Waste.
 - **Storm Sewers** – Very little storm sewer work completed by at the end of February however some required in March.
 - **Recycling Facility** – Under budget, as most of the City's expenses related to recycling are from contracted services related to volume of recycled materials. This significantly increases in the summer months.

Water & Sewer

- **General Sewer Lift Stations** – Currently under budget, as much of the work performed on the lift stations is performed in the summer months. Some significant materials and supplies purchases took place at the end of March, related to the repair of a pump.
- **Sewage Treatment Plant** – Under budget as no chemicals or contracted services expenses have been spent in 2020 at the end of February.
- **Water Standpipe and Booster** – Under budget as no materials and supplies or contracted services have been purchased to date.

Solid Waste

- **Hazardous Waste Days** – No spending to date as Hazardous waste days have not yet started for the year.

- **Health Services** – Health Services are all close to budget at this time.
- **Social and Family Services** – Social and Family Services expenses are right on budget for the year, with the exception of Pinecrest as these payments are remitted 3 times per year with the first payment being April 1st.
- **Community Services** – Overall Community Services expenses are below budget with 87.92% remaining.

- **Parks departments** – These departments are all currently under budget as most of the expenses for these departments incur in the summer months.
 - **Harbourfront** – Nothing spent in this department to date as the majority of expenses relate to the flowers contract which does not begin until April.
 - **KRC External Facilities** – Under budget as much of this work is in the spring, summer and fall.
 - **Recreation programs** – These programs have not yet started for the year.
 - **Teams & Clubs** – The outdoor rink Community clubs submit their forms to receive the \$8,000 funding every year to the City, at the end of February we have not received forms from any of the clubs.
- **Planning & Development** – Planning & Development expenses are under budget with 91.39% left in the budget.
 - **Planning Operations** – Planning Operations is slightly under budget at this time as a City planner was budgeted for the full year however a Planner has not yet been hired for the City of Kenora.
 - **Development Services** – In 2020 you will see this new department related to work from our Development Services Manager and Research and Special Projects Officer.
 - **Starter Company** – Under budget at this time as much of this budget is related to grants that have not yet been given out.

User Fees:

- Overall, user fees are close to budget projections with 84.32% collected at the end of February.
- **General Government**
General Government is right on budget at the end of February.
- **Protection to Persons and Property**
Protection to Persons and Property is under budget at the end of February with 91.82% remaining to be collected.
 - **Provincial Offences** revenue is dependent on the fines assessed in this area. First quarter revenues will not be calculated and recorded until April.
- **Transportation Services**
Transportation user fees are under budget with 88.24% left to collect.
 - **Docks & Wharfs** – No user fees for docks and wharfs have been received to date. These typically all come in during the month of April.
 - **Metered parking** – Metered parking is also under budget however we typically see this department increase in the summer months.
- **Environmental Services**
Environmental services user fees are under budget with 97.58% remaining to be collected. 84.95% of Water & Sewer User fees are also still to be collected and Solid Waste still have 89.16% left to collect
 - **Blue box collection** – Under budget as these user fees are recorded on a quarterly basis.

Water & Sewer

- **Water and Sewer** user fees are close to budget with 85.11% and 84.79% not yet collected respectively. These revenues in the past have typically been a month behind budget however our new billing system records the bills on the billing read end date so these revenues should be closer to actual now on these financial statements.

Solid Waste

- **Transfer Facility** – Tipping fees are below budget at this time, however we are in line with what was received at this time last year.

- **Community Services**

Community Services are exceeding budget with 78.72% left to collect. This is typically expected in these departments as the arenas and pool are seasonal and bring in more during the winter months. Compared to last year we are in line with typical user fee amounts. Parks & ball field user fees typically won't see movement until May.

- **Planning and Development**

Planning and Development user fees are under budget with 94.57% remaining to be collected. User fees in planning and development vary from year to year and depend on activities and developments in the community.

- **Tourism Facilities** – This includes all of the rentals of the white cap pavilion, we typically won't see any revenue here until the warmer months. This budget was reduced from prior year as there were many events in 2018 that did not return in 2019, and we don't expect them again in 2020.

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.



April 6, 2020

City Council Committee Report

To: Mayor & Council

**Fr: Todd Skene, Fire and Emergency Services Manager
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Probationary Division Lead**

Re: Capital Budget Amendment – PVC Roof Repairs, Fire Station 1

Recommendation:

That Council hereby approves an additional allocation of \$58,576.00 + HST to be funded through the Kenora Fire Station Reserves for the repairs to the PVC Roof of Kenora Fire Station 1; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its April 21st, 2020 meeting for the PVC Roof Repairs project in the amount of \$58,576.00 HST to be withdrawn from the Kenora Fire Station Reserve; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

Background:

Council had approved a capital project for the PVC roof repairs to the Kenora Fire Station in the 2020 capital budget in the amount of \$95,000.00. When the budget was passed, it was anticipated that this project would be covered from an insurance claim that had been filed and the budget reflects the amount under recovery. Since the budget has passed, the insurer has denied the claim due to the timelines that we reported the claim. The damage started several years ago and was beyond our timeline for filing a claim which is two years from the day of loss to initiate the claim. Therefore, the project now needs to be funded 100% from the Kenora Fire Station Reserve.

Budget: The project was tendered and the following bids have been received:

Oakwood Roofing & Sheet Metal Co. Ltd	\$53,251.00 + HST
Flynn Canada Ltd.	\$91,873.00 + HST
Normandeau Roofing Ltd.	\$105,220.00 + HST

The roofing project was based on an amount of square footage of wet roofing to be replaced and that number may need to be adjusted once the work starts. It is recommended that a 10% contingency be included within the budget amendment in the event these calculations are not accurate to the scope of work.

Risk Analyses: As per the requirements in the City's ERM Policy, there is a minor financial risk as reserves will be reduced however there are moderate operational risk with the entire roof requiring replacement and moderate people risks with damages to the building and senior management have been informed.

Communication Plan/Notice By-law Requirements: Public notice of budget amendment and bylaw

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 a good state of repair to ensure certainty, security and long term stability of our systems.



April 07, 2020

City Council Committee Report

To: Mayor and Council

Fr: Marco Vogrig, Municipal Engineer

Re: Urban Street and Highway Line Painting 2020

Recommendation:

That the revised tender submitted by Northwest Lines in the amount of \$183,500.00 plus HST with an hourly rate of \$200.00 (plus HST) for extra work for the 2020 Urban Street and Highway Line Marking works be hereby accepted; and further

That Council hereby approves an increase in total cost for the line painting of \$7,000 to be funded through Roads Reserves; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Operating & Capital Budget at the regular meeting of Council on April 14, 2020 to supplement the funding required for the Urban Street and Highway Line Painting project by way of the Roads Reserve in the amount of \$7,000.00; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

Background:

The tender for the 2020 Urban Street and Highway Line Painting project closed on March 12, 2020. There was 1 bid received. Summary of the bids received is as follows (HST extra):

	<u>Line Marking</u>	<u>Hr Rate</u>	<u>Bike Symbols</u>
North-West Lines	\$ 200,500.00	\$200.00	\$ 150.00

The budget for this project in the 2020 Operating and Capital Budget was \$180,000. The staff recommendation is to accept the revised bid from Northwest Lines as line painting is a necessary tool to reduce/prevent vehicle/pedestrian accidents. To reduce the total project costs, City staff have inspected site locations listed under Section 2.2 and are recommending removing these locations from the contract along with the bicycle symbols.

Section 2.2 site locations are as follows:

- Bayview Parking Lot
- McLeod Park Parking Lot
- Harbourfront North & South Lots
- City Hall Parking Lot
- Keewatin Arena Parking Lot
- Kenora Recreation Centre Parking Lot
- Operation's Centre Parking Lot
- Operation's Centre Parking Garage
- Discovery Centre Parking Lot

From the review of the above locations it appears the existing paint at these locations are in good to fair condition and do not impose a high risk or safety precaution to the public.

Budget: Operating 2020

Risk Analysis: As per the requirements of the ERM policy, the City will mitigate and reduce the risk and liability to Corporation and those motorists utilizing the City's road system related to vehicle and or pedestrian accidents and conflicts, in which the line painting is intended to supplement other controlled forms of roadway regulation such as signs, medians and traffic signals.

Communication Plan/Notice By-law Requirements: Resolution required.
Distribution: J. Hawley, M. Vogrig, R. Wilcott

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.



April 6, 2020

City Council Committee Report

To: Mayor and Council

**Fr: Jeff Hawley, Operations and Infrastructure Manager
Biman Paudel, Water and Wastewater Division Lead**

**Re: Concrete Rehabilitation of the Chlorine Contact Chamber at the
Kenora Wastewater Treatment Plant (WWTP)**

Recommendation:

That Council hereby accepts the tender submitted by KEM Construction, Thunder Bay in the amount of \$489,000 (plus HST) for concrete rehabilitation of the chlorine contact chamber at the Kenora Wastewater Treatment Plant.

Background:

Sealed tenders were publicly invited for concrete rehabilitation of the Kenora WWTP chlorine contact chamber. The project consists of supply of the labour, materials and equipment to perform the required concrete rehabilitation works on both inside walls of the curved baffled channel of the chlorine contact chamber, and on the outer wall of the east secondary clarifier at the WWTP. The wastewater effluent travels through this channel before going to the final disinfection by UV treatment.

The Wastewater Treatment Plant, located on the bank of the Winnipeg River along Sewage Plant Road, is one of the most critical and important assets of the City's water and sewer infrastructure. All the municipal sewage collected through the City's wastewater collection system, including both the pipe networks and approximately five dozen sewage pumping stations, goes to the Wastewater Treatment Plant for the final treatment before being discharged to the Winnipeg River. Effluent from the plant that goes to the Winnipeg River must always be within MECP's Certificate of Approval's limits on various physical, chemical and biological parameters. To maintain quality standards for these parameters, every process unit at the plant must work and perform as designed and the integrity of any one unit cannot be compromised.

Prior to the addition of UV treatment, this chlorine contact chamber channel functioned as the means of disinfection, with the addition of chlorine to the final effluent, before release to the river. Due to constant exposure to wastewater (which normally contains corrosive liquid and gases) and the past exposure with chlorine (a highly oxidizing agent), both inside walls on the entire section of this channel, for approximately 202' in length, have concrete deterioration in varying magnitudes. The level of deterioration ranges from 1" to 2" in depth and 7.5' in width. Therefore, there is an urgent requirement to rehabilitate the channel walls prior to leaking, failure and/or an eventual full replacement option being required.

The tender period for the Concrete Rehabilitation of the Chlorine Contact Chamber closed on March 26th, 2020 at 11:00 a.m. Five (5) contractors submitted bids for this project, with the pricing summarized as below.

Summary of the pricing submitted by the contractors are as follows:

KEM Construction	\$469,000 + HST
Vector Construction, Thunder Bay	\$703,781 + HST
R.J Concrete and Construction Ltd.	\$942,200 + HST
Tri-Core Projects Ltd., Winnipeg	\$1,197,100 + HST
Travudd Construction Inc.	\$1,489,492 + HST

KGS Group, the City hired consulting engineering company for the design, contract administration and inspection of this project, has reviewed the bids received. Based on their review of bid pricing and an assessment of their understanding of the experience of the various contractors, this report recommends awarding the project to the lowest bidder KEM Construction with the price of \$469,000 + HST.

The total required budget for this project:

Contractor's bid amount	\$469,000 + HST
Fee for KGS Group	\$30,000 + HST
Contingency	\$70,350 + HST
Total:	\$569,350 + HST

Budget:

Under Capital Program

4138072– Chlorine Contact Chamber - \$900,000 which accommodates the \$569,350 + HST required for the work.

Risk Analysis:

Due to potential unforeseen circumstances, there is always a risk of sewage spill causing environmental hazards with this type of work and project. The Water and Wastewater Division will follow its normal sewage spill response protocol if a spill occurs. The contractor is responsible for spills that are related to the contractor's work including willful misconduct, carelessness or negligence. Also, the project will repair most of the damaged concrete structures resulting better and long term reliability of the treatment plant.

Communication Plan/Notice By-law Requirements:

Resolution required.

Distribution: J. Hawley, M. Vogrig, B. Paudel, 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.



March 16, 2020

City Council Committee Report

To: Mayor and Council

Fr: Shaun Clifford, Parks & Facilities Division Lead

Re: Lease Renewal – Environment and Climate Change Canada

Recommendation:

That Council of the City of Kenora hereby authorize the Mayor and Clerk to enter into a five (5) year lease renewal agreement with Her Majesty the Queen, in Right of Canada, represented by the Minister of the Environment for the use of property located at the southeast corner of Dick Banning location, Plan 23R-4158, Part 1 in the City of Kenora, Ontario; and further

That the said renewal will increase the lease by four (4%) percent annually (plus applicable taxes) for a period from June 1st, 2020 to May 31st, 2025 payable in yearly lump sums; and further

That the appropriate bylaw be passed for this purpose.

Background:

On March 13th, 2000, The Corporation of the City of Kenora entered into a lease agreement with Environment Canada for the use of Municipal Land at the Keewatin Public Works Yard to house a storage facility of approximately three-hundred and fifty (350 sq. ft.) square feet in size. The lease was further extended for three additional five (5) year terms from June 1st 2005 to May 31st, 2010, then June 1st 2010 to May 31st, 2015 and again from June 1st, 2015 to May 31st 2020.

Environment Canada has requested to exercise its right of renewal under section 2 for an additional five (5) year period in accordance with the terms and conditions incorporated into the Renewal Lease Agreement.

The lease agreement is attached as draft, any changes will be available prior to Committee of the Whole.

Budget: Annual lease payments:

Year One receivable - June 1st, 2020 - the sum of \$ 4,496.17 Plus HST
Year Two receivable - June 1st, 2021 - the sum of \$ 4,676.02 Plus HST
Year Three receivable - June 1st, 2022 - the sum of \$ 4,869.06 Plus HST
Year Four receivable - June 1st, 2023 - the sum of \$ 5,057.58 Plus HST
Year Five receivable - June 1st, 2024 - the sum of \$ 5,259.88 Plus HST

Risk Analysis: There is low operational and financial risk associated with the approval.

Communication Plan/Notice By-law Requirements:

Lease to be signed by Clerk and Mayor and circulated for signing by lessee, Finance, Community Services

Strategic Plan or other Guiding Document:

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

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.



March 24, 2020

City Council Committee Report

TO: Mayor and Council

**FR: Stace Gander, Manager Community Services
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Probationary Division Lead**

**RE: Extension of Lease Agreement with TBaytel at the
Keewatin Portage Bay Ball fields site**

Recommendation:

That Council hereby authorizes a five (5) year lease agreement with TBaytel For a new telecommunication site at the Keewatin Portage Bay ball fields for a five year term commencing April 1, 2020 and ending March 31, 2025; and further

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

Background:

Tbaytel are proposing to entered into a 5 year lease with the City of Kenora on April 1, 2020 for a telecommnication site legally described as PT TRACT OF LAND WITHIN TWP 9 RANGE 22 E OF THE PRINCIPAL MERIDIAN KEEWATIN PT 1 23R7501; S/T R16772; KENORA, with a possible 3 additional five (5) year extensions upon expiry on March 31st 2025.

The Lease fee during the agreement shall be as follows;

\$2,000.00 + HST annually, for the 5 year term.

Budget: This would be new income for the City budget as there is no existing lease.

Risk Analyses: As per the requirements in the City's ERM Policy, there is a low financial and Legal (Compliance) risk and senior management have been informed.

Communication Plan/Notice By-law Requirements: City Clerk, Accounts Receivables.

Strategic Plan or Other Guiding Document: N/A



March 24, 2020

City Council Committee Report

TO: Mayor and Council

**FR: Stace Gander, Manager Community Services
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Probationary Division Lead**

RE: Lease Renewal- Acadia Broadcasting Limited o/a CJRL 89.5

Recommendation:

That the Mayor and Clerk of the City of Kenora be authorized to enter into a renewal agreement with Acadia Broadcasting Limited o/a CJRL 89.5 for use of property described as LOC 16V PT DES 23R-5391 PART; 1, 2 & 3 PCL 33990 LESS PART; 2 23R-9498 1335A Valley Drive; and further

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

Background:

In May, 2010, The Corporation of the City of Kenora entered into a long term lease agreement with Acadia Broadcasting Limited (Previously operating as Northwoods Broadcasting Limited) for the install of a back-up generator to be located beside the buildings and equipment adjacent to the Valley Drive communication tower and standpipe.

As per Section 3- Option to Renew of said lease, upon notice, the Tenant shall have the term of the lease renewed for a further five (5) year term under the covenants and conditions set forth in the original agreement.

Budget:

Revenues of \$2,661.77 plus HST for the first year, the rent shall be increased by two (2%) percent annually thereafter.

Risk Analysis: There is low operational and financial risk associated with the approval

Communication Plan/Notice By-law Requirements:

Finance, Property and Planning, Filing

Strategic Plan or other Guiding Documents:

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

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.



April 14th, 2020

City Council Committee Report

To: Mayor and Council

**Fr: Stace Gander, Manager of Community Services
Josh Nelson, Tourism & Recreation Division Lead**

Re: Municipal Baseball Field Rates

Recommendation:

That Council gives three readings to a bylaw to authorize a new Tariff of Fees and Charges bylaw to adopt new Municipal Ball Field rates effective May 1st, 2020; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a new Tariff of Fees and Charges By-Law Number at its April 21st, 2020 meeting to give effect to these rates outlined in the revised Schedule "B"; and further

That By-law Number 009-2020 be hereby repealed.

Background:

In 2015 municipal ball field rates were examined and each hourly rate was increased by \$1. Since then the cost to maintain and enhance existing fields has continued to rise.

Recreation staff, after a local and regional review, is recommending the following rates for municipal ball fields for 2020 and 2021.

Municipal Ball Fields
(Season – April 30 to September 30 – 20 weeks)

Field	Current		2020		2021	
	Hourly Youth Fee	Hourly Adult Fee	Hourly Youth Fee	Hourly Adult Fee	Hourly Youth Fee	Hourly Adult Fee
JM Millennium Park (A&W) Central Portage Bay	\$4.00/hr	\$10.00/hr	\$5.00/hr	\$12.00/hr	\$5.00/hr	\$14.00/hr
Kenora Recreation Centre (lighting)	\$4.00/hr	\$11.00/hr	\$5.00/hr	\$13.00/hr	\$5.00/hr	\$15.00/hr
Tournament Rates	Youth	Adult	Youth	Adult	Youth	Adult
JM Millennium Park (A&W) Central Portage Bay	\$30.00 per field/day	\$110.00 per field/day	\$30.00 per field/day	\$110.00 per field/day	\$30.00 per field/day	\$110.00 per field/day
Kenora Recreation Centre (lighting)	\$40.00 per field/day	\$125.00 per field/day	\$40.00 per field/day	\$125.00 per field/day	\$40.00 per field/day	\$125.00 per field/day

Incremental revenue will be used to help offset operating costs and increase enhancements to existing ball fields.

The above rates will be shared with baseball users immediately to allow them to plan for the impact. The new rate will be effective May 1st, 2020.

Currently the Kenora Baseball League (minor group) is on the final year of a rate break for 2020 as a result of the deal to do enhancements to the JM fields.

Budget:

Proposed rate increase for the 2020 season was included in the 2020 operating budget.

Risk Analysis:

There is a moderate positive financial risk associated with this decision due to increased revenue if ball field remain consistent. Further, there is a potential moderate negative external impact among user groups due to the increased rental rates. This risk can be mitigated through communication with user groups immediately to allow them to prepare for the rate increase.

Communication Plan/Notice By-law Requirements:

Required under Schedule 'A' to Notice By-law 144-2007: before passing or amending a by-law pertaining to fees and charges imposed by the municipality, Council shall give public notice of its intention to pass a by-law by placing it on applicable agenda preceding meeting subsequently posted on Portal.

Strategic Plan or other Guiding Document:

1-10 - 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

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

April 14th, 2020



City Council Committee Report

To: Mayor & Council

**Fr: Stace Gander, Community Services Manager
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Division Lead**

Re: Budget Amendment – Fire Suppression System – Recreation Centre

Recommendation:

That Council hereby approves a budget amendment in the amount of \$21,000 to repair the Kenora Recreation Centre Fire Suppression System 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 2020 Capital Budget at its April 21st, 2020 meeting to withdraw funds from contingency reserves in the amount of \$21,000 for the repairs at the Kenora Recreation Centre Fire Suppression System; and further

That Council give three readings to a by-law to amend the 2020 capital budget for this purpose.

Background:

On January 29th, 2020 Staff at the Kenora Recreation Center discovered the dedicated water supply to the Fire Suppression system had frozen leaving the facility without fire protection. Working with City Sewer and Water department pipe thawing was attempted to resupply the system with water which was unsuccessful. City Staff also worked with Kenora Fire Department to enact a fire safety protocol for regular facility monitoring. Our local Fire and Safety supplier was brought in to design a tie in to the existing system using the alternate 4" supply line from the opposite end of the building.

The project will be completed in two phases. Phase one is the design and flow rate analysis which will provide stamped engineered drawings for construction. Phase two is the supply and installation of the piping, valving and back flow protectors to tie in the two systems. This will allow the facility to alternate between two water supplies in the future reducing risk of future freezing. There is potentially additional work to do on the existing supply line once the system and ground have thawed.

Budget: This project is to be funded through the contingency reserve fund in the amount of \$21,000.

Risk Analysis: As per the requirements of the ERM policy, there is a high risk of loss in the event of a fire without proper fire suppression equipment. This risk will be mitigated with adding a second source of water to the current system design.

Communication Plan/Notice By-law Requirements:

Notice required to be placed on Committee Agenda, Minutes and subsequent Council Agenda/Minutes.

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 a good state of repair to ensure certainty, security and long-term stability of our systems.

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 neighbors.



April 14, 2020

City Council Committee Report

To: Mayor & Council

**Fr: Stace Gander, Community Services Manager
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Division Lead**

Re: Budget Amendment–Kenora Library Accessible Entrance Upgrades

Recommendation:

That Council hereby approves an additional allocation of \$33,383.65 to be funded through Library reserves for an accessible entrance upgrade at the Kenora Public Library which was a project that was in progress at year-end; and further

That \$29,517.39 was an approved 2019 capital budget expenditure not completed in 2019 and therefore is carried over and \$3,866.26 is cost overrun for the project for a total project cost of \$33,383.65; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Operating & Capital Budget at its April 21, 2020 meeting to withdraw funds from the Library Reserve in the amount of \$33,383.65 to offset the completion of this accessible entrance upgrade project; and further

That Council give three readings to a By-law to amend the 2020 capital budget for this purpose.

Background:

Council approved an amount of \$233,030.00 for the 2019 Accessible Entrance Upgrade project in the 2019 Capital budget. The project expenditures by December 31st 2019 totaled \$ 203,556.61 for work completed in 2019. The in-flight balance of the project was \$29,473.39 and that amount was not built into the 2020 Capital budget.

The project is now complete. The total completed project price is \$236,896.26. This has led to a \$3,866.26 shortfall from budget.

Budget: Staff recommend that the \$3,866.26 shortfall be funded through the Kenora Public Library – Capital Fund.

Risk Analyses: As per the requirements in the City's ERM Policy, there is a minor financial risk as reserves will be reduced however there are moderate to major governance and legal risks if the City does not comply with current and future AODA requirements and senior management have been informed.

Communication Plan/Notice By-law Requirements: bylaw and public notice

Strategic Plan or Other Guiding Document:

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

1.10 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.

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.

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

2.10 The City will continue to explore opportunities to develop and improve our beaches, parks and trails.

April 14th, 2020



City Council Committee Report

To: Mayor & Council

**Fr: Stace Gander, Community Services Manager
James Tkachyk, Parks and Facilities Division Lead
Shaun Clifford, Parks and Facilities Division Lead**

Re: Budget Amendment – Soundproofing – Operations Centre

Recommendation:

That Council hereby approves a budget amendment in the amount of \$23,000 for the installation of soundproofing materials to the Operations Center boardroom and two offices to be funded through the Operation Centre Building Reserve; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its April 21st, 2020 meeting to withdraw funds from the Operations Centre Building Reserve in the amount of \$23,000 to perform the required work; and further

That Council give three readings to a By-law to amend the 2020 capital budget for this purpose.

Background:

The Operations Centre Boardroom and SLT member offices are commonly used for meetings of a confidential nature. The design and construction of the Operation Centre is such that noise travels through walls. The installation of sound dampening material in walls and ceiling will assist in keeping those important conversations confidential and private.

Budget:

This project is to be funded through the Operations Centre Building Reserve in the amount of \$23,000.

Risk Analysis:

As per the requirements of the ERM policy, there is a high risk of confidential and proprietary information being overheard during high level meetings. The sound abatement will mitigate that risk.

Communication Plan/Notice By-law Requirements:

Notice required to be placed on Committee Agenda, Minutes and subsequent Council Agenda/Minutes.

Strategic Plan or Other Guiding Document:

Control of confidential information is imperative



April 14, 2020

City Council Committee Report

To: Mayor & Council

Fr: Stace Gander, Community Services Manager

Re: Public Tenders During COVID Related Restrictions

Recommendation:

That Council hereby approve staff's recommendation to cease public tenders related to tenders associated with travel during travel restriction and self-isolation protocols due to the COVID-19 pandemic.

Background:

The City' Procurement and Tendering Process allows for site reviews prior to tender submissions. The current travel and self-isolation restrictions limit the ability from out of town contractors to effectively travel to Kenora and review projects in-person. This has the potential to reduce the number of tender or proposal submissions. As a result, the City may receive a lower number of qualified tenders which has the potential to increase project costs to the City. Therefore, City staff are recommending to cease all public tenders that have the potential to require travel to Kenora until travel and self-isolation restrictions have been lifted.

Budget: There is no budget impact with this recommendation.

Risk Analyses: As per the requirements in the City's ERM Policy, there is a minor risk related to delays in starting capital projects that have been planned for 2020. Any emergency project would proceed as allowed for under the City's Procurement Policy.

Communication Plan/Notice By-law Requirements:

Notice required to be placed on Committee Agenda, Minutes and subsequent Council Agenda/Minutes, and Finance Department.

Strategic Plan or Other Guiding Document:

The City of Kenora Mission – To deliver quality, cost-effective Municipal services.



March 23, 2020

City Council Committee Report

To: Mayor and Council

**Fr: Adam Smith, Manager of Development Services
Megan Dokuchie, Economic Development Officer**

**Re: Budget Amendment – Growth Management and Vacant Land
Supply Analysis**

Recommendation:

That Council hereby approves an allocation of \$35,000 to be funded through the Land Planning Reserve for the delivery of the Vacant Land Supply and Growth Analysis project; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Operating & Capital Budget at its April 21, 2020, meeting to withdraw funds from the Land Planning Reserve in the amount of \$35,000 to offset the cost of this project; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

Background:

The 2015 City of Kenora Strategic Plan prioritizes the documentation of existing City land, identification of new opportunities and outlining future growth areas. This was further emphasized through the work completed as part of the investment readiness assessment undertaken by the City in 2018. This exercise identified a number of potential opportunities to support investment readiness including the development of a land inventory that would classify available properties.

Upon further best practice research, staff recommended that the City of Kenora undertake a project to conduct a growth management and vacant land supply analysis which would result in the development of updated population and growth projections, a highest and best use analysis for vacant and municipally-owned lands, and the preparation of vacant property profiles to be used in marketing efforts.

Key activities include: developing population and employment projections following key background research and including low, medium and high growth scenarios; developing an inventory of all municipal lands as well as ten privately held/Crown lands; establishing existing uses, constraints and opportunities; engaging with City staff and key local employers; identifying priority sites to investigate further; determining optimal development for priority sites; creating profiles and action plans; delivering a final report.

Council approved an application to the Northern Ontario Heritage Fund Corporation at its May 6, 2019 meeting. The municipality was successful in receiving 75 percent support for the project.

Budget: Total project cost is \$53,800 plus HST. The City of Kenora received 75 percent funding from the Northern Ontario Heritage Fund Corporation to a maximum of \$45,000.

The total City of Kenora contribution is approximately \$13,700. Project costs incurred in 2019 were \$20,351.10. A budget amendment of approximately \$35,000 is required to carry the project over into 2020.

Risk Analysis: This recommendation carries a low financial risk that will be managed through routine procedures.

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

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;
- 1-2 The City will ensure Kenora is recognized as being “Open for Business” and facilitating development through streamlining application and approval processes, effectively eliminating any ‘red tape’;
- 1-5 The City will document existing City land, identify new opportunities and future growth areas, and consider putting the appropriate zoning in place for potential future development. This may include land assembly for the purposes of developing business parks intended to clear the way for industrial investment;
- 2-7 The City will encourage and support the development of vacant and transitional lands for uses that support our vision.



April 6, 2020

City Council Committee Report

To: Mayor and Council

Fr: Adam Smith, Manager of Development Services

Re: Amendments to Planning Advisory Committee Terms of Reference

Recommendation:

That Council gives three readings to a bylaw to authorize amendments to the Rules of Order and Procedure for the City of Kenora Planning Advisory Committee (PAC) to allow for electronic participation at meetings; and further

That by-law number 34-2014 be hereby repealed.

Background:

The amendments to the Planning Advisory Committee Terms of Reference allows for meetings of the committee to occur through electronic means. This includes allowing for limited participation via such means for regular meetings and dependant on the circumstance, special electronic meetings to be held.

These changes largely mirror Procedural By-law 043-2020 and are intended to allow for more flexibility in the development approval process. As a result of COVID-19, staff are having to adapt processes so as to ensure services that support community development can continue.

Relative to Procedural By-law 043-2020, the amendments to the PAC Terms of Reference allow for special electronic meetings to be discretionary and not contingent on an emergency being declared under the Emergency Management and Civil Protection Act. This is based on the reality that there may be circumstances beyond a formal emergency that warrants a meeting of the committee and aligns with the Department's focus on streamlining processes and procedures.

However, in-person meetings will continue to offer the most conducive format for transparency and discussion. Once normal operations can return, in-person meetings will return.

Budget: N/A

Risk Analysis:

High risk relating to service delivery however, this is deemed to be an opportunity to ensure development services continues normal operations during this state of emergency and allow for flexibility around future situations. The recommendation is that this risk be pursued.

Communication Plan/Notice By-law Requirements:

Notice By-law, Development Services, Planning Advisory Committee, Communications

Strategic Plan:

1-2 The City will ensure Kenora is recognized as being 'Open for Business' and facilitating development through streamlining application and approval processes, effectively eliminating any 'red tape'

3-4 The City will embrace the importance of empowering Staff to make decisions that consistently demonstrate our commitment to making prompt, efficient and courteous customer service to our residents

The Corporation of the City of Kenora

By-law Number ~~34~~ – 202014

A By-law to establish a Terms of Reference and Rules of Order and Procedure for the City of Kenora Planning Advisory Committee

Whereas Sections 44 and 45 (1), (2), and (3) of the *Planning Act, R.S.O. 1990, c.P.13, as amended*, (the Act) allows a council of a municipality that has passed a bylaw under Section 34 of the Act to constitute and appoint, by by-law, a Committee of adjustment for the municipality, and

Whereas the Council of The Corporation of the City of Kenora has passed a Zoning By-Law under Section 34 of the Act, and

Whereas Council deems it advisable to constitute and appoint a Committee of Adjustment, and

Whereas Section 5(1) of the Act provides that, where the Minister has delegated any authority to a council under Section 4 of the Act, such council may, in turn, by bylaw, and subject to such conditions as may have been imposed by the Minister, delegate any of such authority to a Committee of council, and

Whereas Council deems it advisable to delegate Consent Granting Authority to a Committee of Adjustment which Council has designated such responsibility to the Committee; and

Whereas Section 15.6(1) of the *Building Code Act*, requires that a Property Standards By-Law provides for the establishment of a Property Standards Committee as set out in the *Building Code Act*, and

Whereas Council has passed a Property Standards By-Law, and

Whereas Council deems it advisable and expedient to appoint the Committee of Adjustment as the Property Standards Committee which Council has designated such responsibility to the Committee; and

Whereas Section 238(2) of the Municipal Act 2001 SO 2001 c 25 as amended states that every municipality and local board shall pass a procedure by-law for governing the calling place and proceedings of meetings; and

Whereas pursuant to subsection 54(7) of the Planning Act R S O 1990 c P 13 as amended a delegation of authority made by the Council may be subject to such conditions as the Council by by-law provides; and

Whereas the Council of the Corporation of the City of Kenora deems it expedient to reflect the current practices procedures and statutory requirements of Council and Committees of Council;

Now Therefore the Council of the Corporation of the City of Kenora hereby **enacts as follows:**

1. That Council establishes a Planning Advisory Committee comprised of the duties and responsibilities of a Committee of Adjustment as per requirements set out in The Planning Act.
2. That Council delegates its consent granting authority to the Planning Advisory Committee for purposes of a Committee of Adjustment.
3. That the responsibilities, duties and procedures of the Committee shall be established in accordance with Schedule "A" attached hereto and forming part of this by-law.
4. That the responsibilities and duties of the Committee shall include those of a Property Standards Committee, as per the Building Code Act;
5. That this by-law shall come into force and take effect upon the date of its passing.
6. That By-law Number ~~034-209-2014~~ be and is hereby repealed.

By-law read a First and Second Time this ~~21st~~ day of ~~April~~ ~~March~~, 20~~14~~2014

By-law read a Third and Final Time this ~~21st~~ day of ~~April~~ ~~March~~, 20~~14~~2014

The Corporation of the City of Kenora:-

Mayor

~~David S. Canfield, Daniel Reynard~~

ClerkCity Clerk

Heather PihulakLajeunesse, Deputy

SCHEDULE "A"
To By-law Number 34 - 2014
City of Kenora Planning Advisory Committee

1.0 Establishment. Authority and Purpose

The Council of the Corporation of the City of Kenora establishes a Committee of Adjustment under the authority of Sections 44 and 45 (1), (2), and (3) of the Act, with delegated Consent Granting Authority under the authority of Section 5(1) of the Act, and such authority is executed by the Committee.

The Committee of Adjustment is appointed as the Property Standards Committee as per Section 15.6(1) of the Building Code Act, which forms part of the responsibilities of the Committee.

The purpose of the Kenora Planning Advisory Committee is to oversee the land use development of the City of Kenora, having regard to Provincial Policy, the City of Kenora Official Plan, and the City of Kenora Zoning By-law and to the principles of organized, reasonable development. The Committee is responsible for the duties and responsibilities of a Committee of Adjustment established under the authority of The Planning Act and its regulations, The Statutory Powers Procedure Act, The Municipal Conflict of Interest Act, Building Code Act and The Municipal Freedom of Information and Protection of Privacy Act and the common law concept of natural justice, and any other applicable municipal policies and by-laws.

Any responsibilities of the Members of the Kenora Planning Advisory Committee/Committee of Adjustment/Property Standards Committee (hereinafter referred to in this document as "the Committee") not clearly identified within the Terms of Reference shall be in accordance with legislation as outlined in the above paragraph.

2.0 Roles and Responsibilities

The Committee is quasi-judicial body and advisory Committee to Council on some issues and is a decision-making body on other issues.

2.1 The Committee considers:

1. To act as the Committee of Adjustment and receive, process and make decisions on application for variances from the provisions of the Zoning By-law, to permit extensions, enlargements or variations of existing legal non-conforming uses as per the Planning Act.
2. To act as the Land Division Committee and receive, process and make decisions on applications for consent, to an owner of land who wishes to sell, convey or transfer an interest "part" of their land (i.e. creation of a new lot, lot addition, easement), per the Planning Act.
3. To act as the Land Division Committee and receive, process and make decisions on applications for consent when the terms of an agreement, such as a lease, easement or mortgage commits the land to a use for a period in excess of 21 years.
4. Per Ontario Regulation 353/02, Schedule 3, to act as the Land Division Committee to receive, process and make decisions on Applications for Plans of Subdivision and Plans of Condominium per section 5(1) and section 51 of the Planning Act, in consideration of City Staff recommendations.
5. To issue a "Certificate of Validation";
6. To make recommendations to Council on applications to amend the Zoning By-law;
7. To recommendations to Council on Official Plan Amendments as per the Planning Act.
8. To act as the Property Standards Committee, per the requirements of the Ontario Building Code Act and hear appeals such as required pursuant to the City of Kenora Property Standards By-law.

9. To carry out site inspections of subject properties as required/appropriate.
10. To receive, process and make recommendations to Council on any land or land use –related requests received by the City over which Council has approval authority.
11. To recommend policies and procedures regarding land development and land use to Council for possible implementation.
12. To maintain close liaison with Council through the Property and Planning Development Services Department of the City of Kenora.

2.2 The Chair shall:

- Preside at all Committee hearings and meetings and exercises authority and performs duties as required
- Provide guidance and leadership to the Committee in the completion of its mandate
- Enforce on all occasions the conduct of the Members
- Expel any person for improper conduct
- Preserve order and decorum and decides questions of order, subject to an appeal to the Committee by a Member and in the absence of the Chairperson, the Vice Chair, or Presiding Officer, shall have the same authority as the Chairperson while presiding at the meeting

2.3 The Vice Chair shall:

- Act in the Chair's absence and assumes the roles and responsibilities of the Chair.

2.4 All Members shall:

- Review applications sent to them in advance of the meeting
- Visit the site of each application prior to the meeting
- Attend the Committee hearings, consider applicant comments and make decisions in public regarding applications
- Contribute time, knowledge, skill and expertise to the fulfillment of the Committee's mandate.
- Declare where a pecuniary interest or possible pecuniary interest exists

2.5 All Members of the public shall:

Respect the decorum of the Committee and shall refrain from public outbursts shouting or behaviour intended to disrupt the debate discussion and or general proceedings of the Committee The Chair may request that a member s of the public vacate the meeting room if their behaviour is deemed to be disruptive to the business at hand The Chair may unilaterally suspend the meeting until order is restored in the meeting room

3.0 Membership

3.1 The Committee shall be comprised of five (5) to seven (7) members appointed by resolution of the City of Kenora.

3.2 The members appointed to the Committee shall be members of the public and residents of the City of Kenora.

4.0 Term of Office

Members of the Committee shall hold office for the term of the council that appointed them.

Members of the Committee shall hold office until their successors are appointed, and are eligible for reappointment, and, where a member ceases to be a member before the expiration of his or her term, the council shall appoint another eligible person for the unexpired portion of the term.

Members of the Committee are eligible for reappointment, and where a member ceases to be a member before the expiration of their term, Council will appoint another eligible person for the unexpired portion of the term.

The advertising of vacancies and appointments to the Committee will be in accordance with the policies adopted by Council from time to time.

4.1 Recognition of Retiring Members

Retiring members will receive a letter of appreciation on behalf of the Mayor and Council at the end of their term if they are not reappointed, or if they voluntarily retire from their position on the Committee.

5.0 Quorum

Where a Committee is composed of three members, two members constitute a quorum, and where a Committee is composed of more than three members, three members constitute a quorum

5.1 Vacancy not to impair powers

A vacancy in the membership or the absence or inability of a member to act does not impair the powers of the Committee or of the remaining members.

6.0 Officers of the Committee

The Chairperson, Vice-Chair and other positions shall be elected annually from the membership of the Committee.

The Chairperson and Vice-Chair of the Committee shall also be the Chairperson and Vice-Chair of the Committee of Adjustment and Property Standards Committee.

The Secretary-Treasurer of the Committee shall be an employee of the City of Kenora. Appointment of the Secretary-Treasurer shall be made by By-law.

The Chairperson (or Vice-Chair in their absence) of the Committee shall act as liaison to Council through the [Property and Planning Development Services](#) Department.

A list of appointments of the Committee (Chairman, Vice-Chair applicable) shall be provided to City Council annually.

7.0 Meetings

The Committee shall meet monthly, on a day and time to be determined by the Committee, or more often at the call of the Chairperson. The schedule of the monthly meetings shall be established by the members at the first regular meeting of the Committee, annually.

- a) Special meetings may be called, if an Applicant has provided the appropriate fee, or as required in the cases of property standards appeals.
- b) All meetings shall be open to the public and no person shall be excluded except for improper conduct except as indicated in part c)
- c) All deliberations of the Committee shall be in open session and members of the public, including the applicant, authorized agent, applicant's representative and any respondents may be present during any such deliberations with the exception of those items which may be discussed in closed session in accordance with Section 239 of the Municipal Act 2001 R S O 2001 c 25 as amended

7.1 Absences

Members of the Committee, who are unable to attend the regular monthly meeting, are required to report their absences to the Secretary-Treasurer and Chair.

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8.0 Electronic Participation by Members

Participation in Committee meetings by electronic means is permitted under the following conditions:

- The Secretary-Treasurer has the sole discretion to determine the electronic means of participation of requesting members.
- All meeting facilities must enable the meeting participants and the public to hear and or watch and hear, each other.
- The Chair is required to be present in person. If the Chair is participating electronically an alternate Chair will be determined by those present.
- Members participating electronically do not count in establishing quorum.
- Members cannot participate electronically in any closed session
- No more than two (2) members can attend remotely at any given meeting in order to have the in-person quorum maintained. As the number of members who may attend electronically is limited, the privilege to attend electronically shall be based on order of request.
- Members wishing to attend a meeting electronically shall provide a written request to the Secretary-Treasurer one (1) week in advance of the scheduled meeting, or in the circumstance of a Special Meeting, when the Special Meeting Agenda is distributed.
- There is no limit on the number of meetings that members may attend remotely.
- Members attending electronically may not have full visual access to all portions of the meeting including presentations, deputations and materials presented in person at the meeting. The Secretary-Treasurer will circulate such documents following the meeting.
- Members must connect electronically to the meeting no later than 10 minutes prior to the commencement of the meeting to allow the Secretary-Treasurer ample time to ensure connectivity and advance preparation of the meeting.
- Members attending electronically must advise members of the Committee if they need to disconnect from the meeting for any reason at any time by indicating to the Chair of their departure. The Secretary-Treasurer shall record in the minutes the time the member left the meeting. In the event connection is lost during any meeting, the member shall attempt to reconnect to the meeting without disruption to the meeting. In the event a reconnection does not occur the member attending electronically shall be considered to have left the meeting at the point of disconnection.
- The member shall be allowed to vote, and their vote will be required to be verbally announced. The Chair shall recognize electronic participants by requesting a verbal 'aye or nay' vote in the event of voice attendance only, or a raised hand in the event of visual attendance. This shall be followed at the end of the vote of members in attendance. Electronic members need to ensure they address the Chair by vocalizing their request for discussion prior to the vote called.
- Members are responsible for ensuring there is no background noise at their location that would interfere with the meeting. Audio should be muted at all times except for when addressing meeting attendees.
- Members must adhere to the Code of Conduct in this bylaw when attending in an electronic format and all decorum and rules apply while attending remotely.

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9.0 Special Electronic Meetings

In certain circumstances, members may, where deemed necessary by the Secretary-Treasurer, meet in an electronic format for the purposes of conducting the business of the Committee.

Under this provision, members may participate in both open and closed sessions in the electronic format, and where possible, the Chair and Secretary-Treasurer be present in the meeting room identified, while all other members may attend remotely. It is permitted, when deemed necessary, for all members to participate remotely.

Members participating electronically count towards quorum and are permitted to vote.

Meetings held under this provision would still be required to follow existing meeting rules including providing of notice of meetings to the public, maintaining meeting minutes, and subject to certain exceptions, that meetings continue to be open to the public.

108.0 Code of Conduct (Municipal Act, Planning Act, Statutory Powers Procedure Act)

Committee decisions will be made at a public hearing. All information pertaining to an application will be presented at the hearing and all discussion on the specifics of an application will take place at the hearing.

Municipal Conflict of Interest Act

Committee Members may have pecuniary conflict of interest as they have decision-making ability. Members should be cognizant of any conflict of interest or perceived conflict in terms of issues which may serve to benefit them personally.

8.1 When present at meeting at which matter considered

Where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Committee hearing at which the matter is considered, the Member,

- Shall prior to any consideration of the matter at the hearing, disclose the interest and the general nature thereof
- Shall not take part in the discussion of, or vote on any question in respect of the matter
- Shall not take part in the discussion of, or vote on any question in respect of the matter
- Shall not attempt in any way whether before, during or after the hearing to influence the voting on any such question
- Shall leave the room and remain absent from it at all times during consideration of the matter.

108.2 When absent from meeting at which matter considered

Where the interest of a Member has not been disclosed by reason of the Member's absence from the hearing, the Member shall disclose the interest, and comply with the requirements listed above, at the first Committee hearing attended by the Member after the hearing at which the matter was considered.

108.3 Disclosure to be recorded in minutes

Every declaration of interest and the general nature thereof shall be recorded in the minutes of the meeting by the Secretary-Treasurer of the Committee.

Notwithstanding the above, the Municipal Conflict of Interest Act shall apply to all members of the Committee.

108.4 Municipal Freedom of Information and Protection of Privacy Act

Committee Members will act to protect the privacy of individuals with respect to personal information contained in application forms and information circulated to the Committee and to ensure that personal information is used solely for the processing of the application.

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119.0 Voting

119.1 No Vote by Ballot

No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

- (a) The manner of determining the decision of the Committee on a motion shall be at the discretion of the Chair Person and is done by way of a show of hands, standing or otherwise.

119.2 All Members present are required to vote when a question is put forth, unless:

- a) Such Member has made a Declaration of Interest under the Municipal Conflict of Interest Act, and therefore the Member shall "abstain" from voting; or
- b) In the interest of making an informed decision such Member was not in attendance at a previous meeting(s) at which the integral components of the subject application were discussed
- c) All voting shall be made by a show of hands. All members of the Committee are entitled to vote and each member shall have one vote
- d) A vote shall be taken at the direction of the Chair on each motion duly moved and seconded.
- e) The Chair shall announce at the meeting, the decision of the Committee
- f) Voting shall continue on each motion put forward by Committee members until a clear and deliberate decision is made by a majority vote on a motion.
- g) With respect to applications before the Committee, when a question is put and a member who is present and not otherwise prevented by Statute from voting does not vote, his vote shall be recorded in the negative.
- h) A decision shall not be made as a result of a tie vote. A new motion should then be presented until one is carried by a majority of the members.
- i) Committee members concurring with the decision of the Committee shall sign the decision at the Meeting.

120.0 Decision

No decision of the Committee on an application is valid unless it is concurred in by the majority of the members of the Committee that heard the application, and the decision of the Committee, whether granting or refusing an application, shall be in writing and shall set out the reasons for the decision, and shall be signed by the members who concur in the decision.

120.1 Minor Variances

The Zoning By-law regulates how land and buildings are used and where buildings and structures can be located. This by-law also specifies lot sizes and dimensions, parking requirements, building heights and other regulations necessary to ensure proper and orderly development. However, sometimes it is not possible or desirable to meet all of the requirements of the Zoning By-law. In that case, a property owner may apply for approval of a minor variance. A minor variance provides relief from a specific zoning by-law requirement, excusing a property owner from meeting the exact requirements of the bylaw.

For the Committee to approve this type of application, the Planning Act requires that Members must be satisfied that the application meets all of the following four tests:

- Is considered to be a minor change from the Zoning requirements (an evaluation of impact rather than a numerical value)
- Is desirable for the appropriate development or use of the land, building
- Maintains the general intent and purpose of the Official Plan and

- Maintains the general intent and purpose of the Zoning By-law.

120.2 Legal Non-Conforming Uses

Legal Non-Conforming Uses are uses of property that met all of the requirements of the Zoning By-law (and any other requirements) when they were established but no longer comply because the zoning requirements have changed. To ease the hardship this change could place on a property owner, the Committee can consider applications for extensions or enlargements of buildings or uses that no longer comply with the Zoning Bylaw as well as applications for a change from one legal non-conforming use to another use.

For the Committee to approve this type of application, the Planning Act requires that the Members must be satisfied that:

- The non-conforming use was officially permitted before the current Zoning By-law was approved
- The non-conforming use has continued, uninterrupted since that time
- The extended or enlarged building or use is located entirely within the original property limits
- In the case of a change in use, that the proposed use is similar to or more compatible to the new uses permitted by the Zoning By-law.

120.3 Land Division – Consent/Subdivision/Condominium Description

For the Committee to approve this type of application, the Planning Act requires that Members have regard to the following:

- Effect on health, safety, convenience, accessibility of persons with disabilities and welfare of present and future inhabitants of the municipality
- Effect on matters of Provincial interest, including:
 - Protection of ecological systems and agricultural resources
 - Conservation and management of natural resources and mineral resource base
 - Conservation of features of significant architectural, cultural, historical, archaeological or scientific interest
- Supply, efficient use and conservation of energy and water
- Adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems and minimization of waste
- Orderly development of safe and healthy communities
- Accessibility for persons with disabilities to all facilities, services and matters to which this Act applies
- Provision and distribution of educational, health, social, cultural and recreational facilities
- Provision of a full range of housing and employment opportunities
- Protection of financial and economic well-being of the Province and municipalities
- Co-ordination of planning activities of public bodies and resolution of planning
- conflicts involving public and private interests
- Protection of public health and safety and appropriate location of growth and development
- Protection of public health and safety and appropriate location of growth and development
- Promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians
- Whether the proposal is premature or in the public interest and whether it conforms to the City of Kenora Official Plan and adjacent plans of subdivision
- Suitability of the land for the purposes for which it is to be subdivided, number, width, location, grades, elevations and adequacy of proposed roads and roads linking proposed roads with the established road system

- Dimensions and shapes of the proposed lots, restrictions or proposed restrictions on the land to be subdivided or the buildings and structures to be erected and restrictions on adjoining land
- Conservation of natural resources and flood control, adequacy of utilities, municipal services and school sites, area of land to be dedicated for public purposes, extent to which the proposal optimizes available supply, means of supplying, efficient use and conservation of energy,
- Interrelationship between the proposal and site plan control matters relating to any development, if the land is located within a designated site plan control area.

Any application approval may be subject to such terms and conditions as the Committee considers reasonable and advisable.

134.0 Deputations

Any person desiring to present information or speak to the Committee at an Open Meeting shall have an opportunity to do so at the commencement of the meeting as provided under "Deputations" on the Agenda, and at the time announced by the Chair Person. Such persons shall have not more than five (5) minutes to address the Committee and no debate on any subject shall be engaged in by either the Committee or the person.

- a) Communications, including a petition, designed to be presented to the Committee and filed with the Secretary Treasurer shall be legibly written or printed, shall not contain any obscene or improper matter or language and shall be signed and dated by at least one person.

It shall include an address and telephone number where return correspondence or contact is to be directed and shall become part of the public record of the meeting at which it is received

- b) Petitions designed to be presented to the Committee and filed with the Secretary Treasurer shall contain original signatures and all information on the petition including names addresses and telephone numbers shall become part of the public record of the meeting at which it is received.
- c) Communications or petitions to be printed on an agenda shall be delivered to the Secretary Treasurer no later than 4:30 pm on the Wednesday of the week prior to meeting. If in the Secretary Treasurer's opinion the communication petition is of a time sensitive nature the Secretary Treasurer may bring forward such communication petition for the Committee's consideration after the aforementioned deadline.

142.0 Curfew

The Committee shall adjourn no later than the hour of ten (10) o'clock in the evening, unless otherwise ordered by a unanimous vote of members present.

153.0 Honorarium

An honorarium shall be established by Council. Payment shall be twice annually, after the June meeting and after the December meeting.

164.0 Agenda

The meeting agenda and supporting documents shall be circulated to the Committee members by electronic mail. If a Committee member requests, the meeting documents shall be caused to be delivered by regular mail for receipt in excess of 72 hours prior to the meeting.

The Committee shall deal with business matters in the following order:

- (i) Call meeting to order
- (ii) Declaration of Interest
- (iii) Adoption of minutes of previous meeting
- (iv) Correspondence relating to applications before the Committee

- (v) Other correspondence
- (vi) Considerations of Applications for Minor Variance
- (vii) Considerations of Applications for Land Division
- (viii) Old Business
- (ix) New Business
- (x) Adjournment

175.0 Accounting

The Committee budget forms part of the Property and Planning Departmental budget. All financial commitments of the Committee, including provision for Committee Members to attend training, workshops and conferences, are processed through the Property and Planning Department in keeping with City policies.

175.1 Request for refund of fees

Requests, made in writing by an Applicant/Agent from whom payment was originally received by the Planning Department, shall be eligible for a 10% refund within one year of the application date and after the preparation of the staff report but prior to consideration of the application by the Committee, and 80% of the amount if the notice of the application has not been given.

175.2 Request for deferral:

A request for deferral of a hearing date must be made before the Committee, during the time allotted for the public meeting to consider the application(s). If the request for deferral is made by the application, an extra fee shall be charged. The Committee shall generally permit a one year period for re-scheduling of a hearing date but may schedule a specific date if necessary.

186.0 Minutes

Minutes of the Committee shall be recorded by the Deputy Secretary Treasurer or Secretary Treasurer of the Committee and shall be prepared for distribution within five (5) days of the meeting date. Minutes shall be posted on the City's portal/webpage, after adoption, and circulated to the Clerk for Council's information, and filing.

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197.0 Staff Support

Requests for access to documentation, reports and support materials required by the Secretary-Treasurer shall be directed to the Secretary-Treasurer.

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The ~~Property and Planning~~Development Services Department, Operations and Infrastructure Department, and Emergency Services Department, including the Planning staff and Chief Building Official shall act as Resource Staff to the Committee, as required.

Administrative Support Staff

- Secretary-Treasurer (non-voting position)

Responsible for all Committee administrative duties.

- Minute-Taker (non-voting position)

Responsible for the recording of and distribution, to the Secretary-Treasurer, of minutes/records, notices etc.

- Departmental Representatives / Planners (non-voting position)

Act as subject matter experts and provide information to assist the Committee in reaching decisions.

18.0 Reporting Relationships

The Committee reports to Council through the Development Services Department. The liaison for resource staff to the Committee shall be the Secretary-Treasurer.

The Committee shall work closely with the resource staff but shall not have direct line authority over the staff. It is acknowledged, however, that there shall be occasions when the Chairperson of the Committee must direct the Secretary-Treasurer to carry out work.

19.0 Reporting to City Council

While the Committee is an autonomous body, any recommendations to Council shall be made by the Committee in standard agenda format, through the ~~Property and Planning~~ Development Services Department, for consideration and recommendation by the Committee of the Whole. Majority and minority opinions may be recorded for the advice and consideration of the Committee and Council.

Reports for consideration by Council and/or minutes of the Committee shall be submitted to the Secretary-Treasurer's office for processing and distribution to Council, or in accordance with the City's Procedural By-law. Reports submitted by the Committee for Council's consideration shall be processed through the ~~Property and Planning~~ Development Services Department and Committee of the Whole, or in accordance with the City's Procedural By-law and then placed on the agenda for Council, with recommendations from both the Committee and Committee of the Whole being forwarded to Council.

20.0 Confidentiality

The members of the Committee shall be bound by the Municipal Act as it relates to confidentiality, closed sessions and any other requirements under the Act which pertain to the conduct of officials. The members are bound by the Municipal Conflict of Interest Act as it relates to conflict of interest. The members are bound by the Planning Act as it relates to all matters relating to their delegated duties.

21.0 Regular Review of this Authority

This policy shall be reviewed during the term of each Council or more frequently, as required.

This review may be initiated by City Council, at its discretion, or by the Committee upon written request to City Council.

April 2, 2020



City Council Committee Report

TO: Mayor and Council

**FR: Adam Smith, Manager Development Services
Melissa Shaw, Planning Analyst
Shaun Clifford, Parks and Facilities Division Lead**

RE: Tbaytel Request for Lease of Municipal Land

Recommendation:

That Council hereby directs administration to enter into negotiations with Forbes Bros Ltd, Agent on behalf of Tbaytel, for the installation of a 30m monopole, land equipment shelter and a 10' x 10' compound located on Municipal property at the corner of Miikana Way and 6th Avenue South, with access off 9th Street South for the expansion of Tbaytel's 4G HSPA & LTE wireless project; and further

That, in accordance with City of Kenora approved *Installation of Communication Policy*, Policy No. DS-1-1, Council waive the requirement for a public meeting, during the declaration of a municipal emergency as part of the ongoing effort to stop COVID-19; and further

That the Applicant will continue with public consultation by advertising in the local newspaper, posting an informational sign on the proposed site and shall provide a notification package to land-use authorities, businesses, and property owners, located within a radius of three times the tower height (90 m Radius); and further

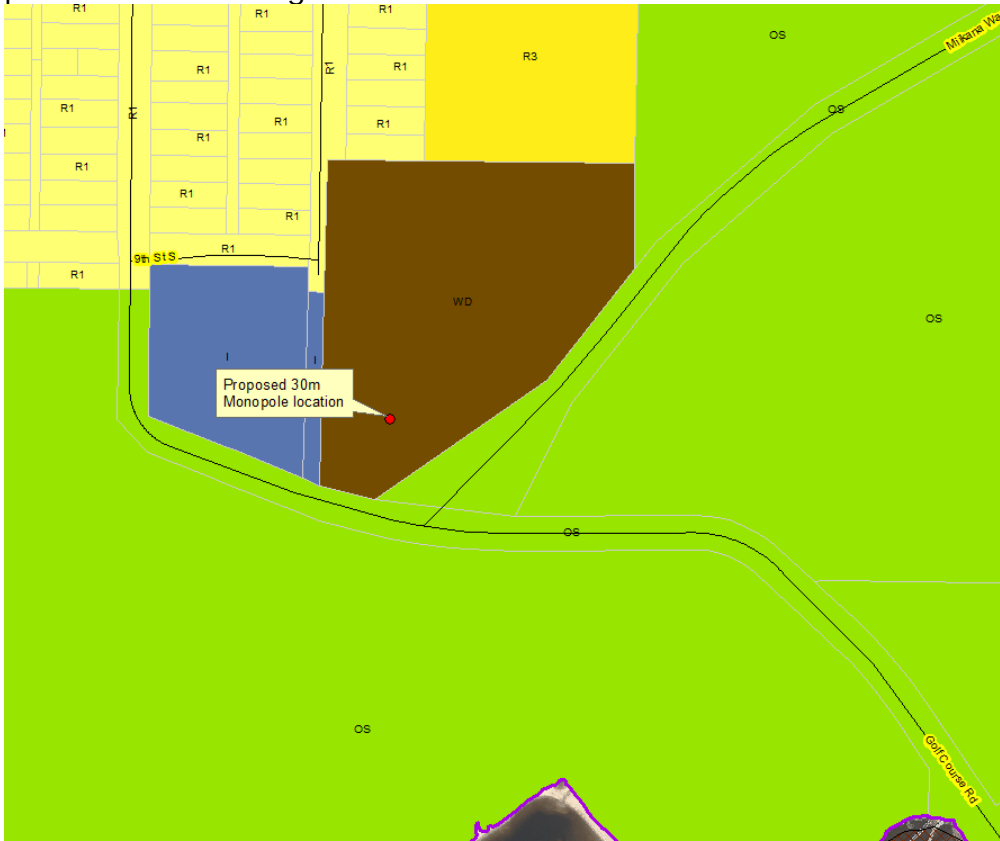
That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to provide public notice on their agenda in lieu of the requirement for a public meeting in accordance with Installation of Communication Policy DS-1-1 which is in addition to the public notification efforts of the Applicant on the file; and further

That a "Letter of Concurrence" shall be provided by the City of Kenora to Forbes Bros Ltd., Agent on behalf of Tbaytel, if the City is satisfied that the Applicant has acted reasonably in mitigating any concerns with the proposed tower in the absence of a public meeting as per the provisions of Public Consolation within Policy No. DS-1-1.

Background:

In an effort to improve and expand Tbaytel's 4G HSPA & LTE wireless service, TBaytel is looking to enter into a lease agreement with the City of Kenora for use of municipal property to the east of Confederation College, currently used by the Kenora Roads Department as a location for snow storage and previously used as a waste disposal site. The proposed location is on the corner of Miikana Way and 6th Avenue South, access is provided off 9th Street South. Please refer to the attachment of this report provided as supplementary information.

The subject property is zoned Waste Disposal (WD) as a former landfill site and while initially considered within the scope of the Vacant Land and Growth Analysis project, its investment potential is limited given the environmental conditions.



(Proposed tower location and zoning. Additional imagery found in attachment)

As per the City of Kenora approved *Installation of Communication Policy*, Policy No. DS-1-1, Forbes Bros Ltd, Agent for Tbaytel shall follow the guidelines of application requirements and public consultation process for establishing new telecommunication sites within the City. As the City of Kenora has taken the necessary and appropriate actions to respond to and address impact of COVID-19 pandemic, and with the safety of our residents as our priority, the applicant is requesting relief from the provision of a public meeting within the Public Consultation requirements of the Policy.

The Applicant will continue with public consultation by advertising in the local newspaper, posting an informational sign on the proposed site and shall provide a notification package to land-use authorities, businesses, and property owners, located within a radius of three times the tower height (90 m Radius).

As a result of internal circulation, the Parks and Facilities department noted concern for the location in close proximity to Anicinabe Park and the effect on the campground and recreational setting around Golf Course Bay. Location preference was suggested to the east off Golf Course Road. In a response to the recommended relocation, Tbaytel requests to proceed with the originally proposed location which has a greater elevation to provide greater coverage without requiring a taller tower. No other concerns were identified by internal departments.

Following the proposed public consultation, Forbes Bros Ltd shall provide a follow up letter to the City of Kenora to indicate their formal response to the concerns raised in public consultation.

Should any modifications of the proposed structure be agreed upon, further details such as revised plans or drawings will be provided to the City and shall be contingent upon a formal lease agreement being executed.

After the Applicant has satisfied the above requirements, Council shall issue a "Letter of Concurrence" which is a statement to Industry Canada as to whether, in the opinion of the City, the applicant has conducted a satisfactory consultation process, has acted reasonably in mitigating any concerns with the proposed tower and whether the City supports the proposal. City Staff shall request a letter of concurrence concurrently with the execution of a formal lease agreement.

Budget:

Submission of application for new telecommunication towers shall cover administrative and processing costs, as determined by staff's hourly rate. Future lease agreement will serve as a revenue source from a previously unutilized piece of land.

Risk Analysis: As per the requirements of the City's ERM policy, there would be a moderate governance risk to the recommendation. Despite the absence of a public meeting, the proponent shall mitigate the risk by adhering to the Public Consultation requirements of the *Installation of Communication Policy*, Policy No. DS-1-1 and the information to be included in the notification package will be in accordance with CPC-2-0-03 – Radio communications and Broadcasting Antenna Systems: Appendix 2 – Industry Canada's Default Public Consultation Process – Public Notification Package.

There is also a high financial risk that is deemed positive. A potential lease agreement will serve as a revenue source for the City. While the terms of such an agreement have not been formulated, this will make a previously unutilized piece of land profitable and should be pursued.

Communication Plan/Notice By-law Requirements:

By Minutes of Committee of the Whole and Agenda and Minutes of Council; Manager of Development Services, Planning Analyst, Parks and Facilities Division Lead, Manager of Community Services.

Strategic Plan or other Guiding Document:

- Provide clear and decisive leadership on all matters of economic growth
- 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 (2010) – 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.

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.