



# City of Kenora

## Committee of the Whole Agenda

Tuesday, July 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 July 21, 2020 meeting:-

- Adopt a new Public Loitering By-law to prohibit the loitering of persons in public places
- Amend its 2020 Capital and Operating Budget in the amount of \$25,000 for the purchase of Fire Training Aids
- Amend its Capital Budget in the amount of \$7,000 (plus applicable taxes) for the repair of truss brackets on the Winter Sand Storage Building
- Amend its Capital and Operating Budget in the amount of \$200,000 for the emergency rehabilitation of 9<sup>th</sup> Street in Keewatin
- Amend its 2020 Capital Budget in the amount of \$5,157 for the Evergreen Community Club Rink Project
- Amend its Capital budget in the amount of \$50,000 for the construction of a Handi Transit Bus Garage
- Amend its Capital Budget in the amount of \$40,000 for enhancements to the downtown decorative structures

### 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 June 2, 2020 be confirmed as written and filed.

### D. Deputations/Presentations

None

## **E. Reports:**

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

#### **Item Subject**

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- 1.1. May 2020 Monthly Financial Statements
- 1.2. COVID-19 Updated Overview of Potential Financial Impacts
- 1.3. Canadian Medical Association Foundation COVID-19 Funding
- 1.4. CAO Recruitment Policy
- 1.5. Public Loitering By-law

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

#### **Item Subject**

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- 2.1 Budget Amendment – Live Fire and Fire Training Aids

### **3. Operations & Infrastructure**

#### **Item Subject**

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- 3.1 Electrical Upgrades on Blowers at the Wastewater Treatment Plant
- 3.2 Budget Amendment – Operations Facility Reserve for Sand Storage Repair
- 3.3 Budget Amendment – Emergency Rehabilitation of 9<sup>th</sup> Street in Keewatin

### **4. Community Services**

#### **Item Subject**

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- 4.1 Ontario Power Generation Inc. (OPG) Lease Renewal
- 4.2 Budget Amendment – Evergreen Community Club Rink Project
- 4.3 Budget Amendment – Handi Transit Bus Garage
- 4.4 Budget Amendment – Downtown Safety Enhancement

### **5. Development Services**

#### **Item Subject**

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- 5.1 Certificate of Release, Phase 1: Pine Portage Road
- 5.2 Tbaytel Communications Tower – Miikana Way and 7<sup>th</sup> Avenue South
- 5.3 Deeming By-Law – Lots 191 and 192 on Registered Plan of Subdivision M-1
- 5.4 Funding Application Approval -Harbourfront Business Development Plan

July 14, 2020

Committee of the Whole Meeting Agenda

- 5.5 2020 Vacant Lands and Growth Strategy
- 5.6 Kenora's Economic Recovery Plan
- 5.7 Amendment to Business Licensing By-law 80-2006

**Other:**

**Next Meeting**

- Tuesday, August 11, 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 Lands (3 matters – Municipal vacant lands, MNR Property Sale, KDSB development)

**Adjournment.**



July 4, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Jon Ranger, Deputy Treasurer**

**Re: May 2020 Financial Statements**

### **Recommendation:**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at May 31, 2020.

### **Background:**

Attached for your information, please find the May 2020 summary expense and user fee statements for the City of Kenora and the Council department. At the end of May, the year is 41.67% complete, and therefore, not including any seasonal differences, should be 58.33% of the budget remaining.

### **Overall:**

- Expenses at the end of May 2020 were slightly below budget with 66.06% remaining to be spent. Water & Sewer 65.27% and Solid Waste 70.29% left in the budget.
- User fee revenues to the end of May 2020 are behind the budget with 70.73% left to collect. Water & Sewer 67.11% and Solid Waste 65.32% is left to collect at the end of May.

### **Expenditures:**

- **General Government** - The General Government expenses to date are close to budget with 61.45% remaining in the budget.
  - **Mayor and Council** - Most of Council donations have been spent to date, also the new line item 1117450 related to various COVID related expenses has caused an increase in the actual spend to date.
  - **Administrators Office** - Very little legal expenses has been spent to date, leaving this department under budget. The vacant CAO position has also left this department under budget at this time.
  - **City Clerk** - Currently over budget at the end of May due to significant legal expenses so far this year.
  - **Human Resources** - Under budget as no training, or travel budgets have been spent to date. The vacant Human Resources Manager position has also left this department under budget. There are significant contracted service expenses so far this year that are offsetting some of the under budget expenses.
  - **Finance and Administration** - Very close to budget at the end of May, slightly over budget as half of the City's annual MPAC billings have been paid. Also the annual billings for our accounting software have been paid.

- **Rentals** – Slightly over budget as sale of Medical Centre has not yet been completed. Rental revenue for the Medical Centre is over budget to cover these expenses.
- **Protection** – The Protection Segment expenses to date are under budget with 70.35% remaining in the budget.
  - **Police Commission** – Expenses below budget as most travel was cancelled due to COVID.
  - **Police Building** – Over budget as expected, building expected to be disposed of during year therefore only a portion of the year was budgeted for.
  - **Ontario Provincial Police** – April and May's payment had not yet been paid at the end of May, putting this department below budget. OPP have had some disruptions in their billing process which caused a delay in invoicing. These invoices were caught up in June and all paid.
  - **Emergency Measures** – Very few expenses recorded to date. Mass notification annual renewal has not yet been paid. Also sandbags have not yet been purchased.
  - **Health and Safety Committee** – 7 different Health and safety training courses were budgeted for in 2020, only 1 has been completed by the end of May 2020.
- **Transportation** – The Transportation Department expenses to date are under budget with 67.79% remaining in the budget.
  - **Bridge Maintenance** – Minimal spend on bridge maintenance to date. \$25,000 in contracted services expected during the summer months.
  - **Paved/Surface Treated/Loosetop Roads** – Under budget at the end of May 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 May with 40.70% remaining. This is significantly better than last year at the same time there was only 13.16% remaining. The reason for some of this difference is that the winter sand/salt for March has 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. The line painting contract was paid in June.
  - **Parking Rentals** – The majority of this budget relates to the Payment in lieu of taxes for the parking lot on Bernier Dr and the Parkade. These payment in lieu expenses have not yet been recorded.
  - **Docks & Wharfs** – Very little expenses have been spent on docks maintenance at the end of May, we expect these expenses to increase moving into the summer months.
  - **PW Barsky Facility** – Barsky facility is currently over budget. Some wages from roads employees has been coded to this department for work at the building. Wage allocation needs to be made in 2021 to account for this work. Contracted services is currently over budget as there was work done for mechanical optimization. Funding for this work is expected to offset these costs.
  - **Garage and Shop** – The garage and shop has been charging out inventory & materials and supplies at a markup to other departments to better represent the costs associated with the work being completed. This has not been done in past years.

- **Environmental** – The Environmental Department expenditures is under budget with 62.61% remaining. 65.27% left in the budget in Water & Sewer and 70.29% remaining in Solid Waste.
  - **Storm Sewers** – As there was significant storm sewer work completed in 2019 more budget was allocated to storm sewers in 2020.
  
- Water & Sewer** – Overall Water & Sewer expenses are a little below last year’s spending at this time.
  - **Sanitary System** – Wages currently under budget as more time has been spent in waterworks than sanitary system, this should even out throughout the year.
  - **Water Standpipe and Booster** – Under budget as very little materials and supplies or contracted services have been purchased to date.
  - **Sewer & Water Treatment Plants** – Materials and supplies currently below budget, also these properties have significant taxes associated with it that typically don’t get recorded until after the final tax deadline.
  
- Solid Waste** - Departments are in line with prior year spending at the end of May.
  - **Hazardous Waste** – Hazardous Waste days have not yet started and therefore expenses are behind budget as the majority of these expenses are contracted services.
  
- **Health Services** – Health Services are close to budget at this time.
  - **Cemetery** – User fees are below budget at this time which has caused an increase in city funding required. More budget should be allocated to this department in the future.
  
- **Social and Family Services** – Social and Family Services expenses are close to budget for the year.
  
- **Community Services** – Overall Community Services expenses are below budget with 65.52% remaining.
  - **Anicinabe/Coney/Norman departments** – These departments are all currently under budget as most of the expenses for these departments incur in the summer months.
  - **Harbourfront** – Department in line with prior year spending, spending will catch up to budget over summer months with plant/flower maintenance contract.
  - **Ballfields** – Currently under budget as expenses typically pick up in the summer months for this department.
  - **KRC External Facilities** – Under budget as much of this work is in the spring, summer and fall.
  - **JM Arena** – Over budget at the end of May as all of the repairs and maintenance budget has been spent for the year.
  - **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 May all of the clubs have received their funding.
  - **Fitness Centre** – Expenses higher than prior year at the end of May. More of the maintenance workers time has been allocated to the fitness centre. In prior year, we had just started coding maintenance workers time to the fitness centre.

- **Planning & Development** – Planning & Development expenses are under budget with 71.89% left in the budget.
  - **Planning Operations** – Planning Operations is under budget at this time as a City planner was budgeted for the full year however the city’s new planner started in May.
  - **Planning Advisory Committee** – No expenses to date as expected. Much of this department budget relates to travel and training.
  - **Development Services** – In 2020 you will see this new department related to work from our Development Services Manager and Research and Special Projects Officer.
  - **Tourism/Tourism Facilities/Special Events** – We will see many of these expenses increase throughout the summer months although wages will likely be significantly lower in 2020 as no Tourism students were hired for this year due to COVID 19. Per our insurance premium breakdown, premiums for the Whitecap and Discovery Centre have gone down compared to prior year.

**User Fees:**

- Overall, user fees are below budget projections with 70.73% collected at the end of May.
- **General Government**  
General Government is close to budget at the end of May with 61.61% left to be collected.
  - **City Clerk** – Under budget at this time and less revenues than prior year as lottery license fees, business licenses and civil marriage revenues are down this year. This is expected at this time with COVID-19.
- **Protection to Persons and Property**  
Protection to Persons and Property is below budget at the end of May with 72.33% remaining to be collected.
  - **Building Inspection** – A large building permit transaction in April has put this department ahead of budget with only 44.70% of budget left to collect in 2020
  - **Provincial Offences** revenue is dependent on the fines assessed in this area. First quarter revenues have not yet been calculated and recorded.
- **Transportation Services**  
Transportation user fees are under budget with 64.72% left to collect.
  - **Docks & Wharfs** – Docks revenue has continued throughout May, however we do see less revenues than prior year which is likely due to COVID-19.
  - **Metered parking** – Metered parking is also under budget however we typically see this department increase in the summer months. We are still down significantly from prior year at this time which is likely due to COVID-19 causing a reduction in traffic and parking.
  - **PW Barsky Facility** – Actual revenues are currently down from prior year in this department as a new lease is being negotiated with our current tenants at this facility.

- **Environmental Services**

Environmental services user fees are under budget with 78.18% remaining to be collected. 67.11% of Water & Sewer User fees are also still to be collected and Solid Waste still have 65.32% left to collect

- **Blue box collection** – Under budget as these user fees are recorded on a quarterly basis, however we seem to be on track with our revenues from prior year.

**Water & Sewer**

- **Water and Sewer** at the end of May there are 4 months of Water & Sewer revenue recorded. This is behind last years actuals on the report, as last year at the end of May there was 4.5 months of Water & Sewer revenue recorded. User fees are one month behind budget with 68.21% and 65.99% not yet collected respectively. Sanitary system revenues are currently greater than Water system revenues due to a coding error where bleeder discounts and the multi residential adjustments were being coded against only water instead of water and sewer.

**Solid Waste**

- **Garbage Collection** – Bag tag sales are up compared to the same month last year. The transfer station has been encouraging the public to use curbside pickup as much as possible during the COVID-19 pandemic, and the City's Solid Waste supervisor believes this has caused an increase in bag tag sales.
- **Transfer Facility** – Tipping fees are below budget at this time, but very close to last year's actuals at this time.

- **Community Services**

Community Services are below budget with 74.96% left to collect. We have seen very little change in revenues in this functional area as expected from last month with the Recreation Centre being closed due to COVID-19.

- **Planning and Development**

Planning and Development user fees are under budget with 83.08% 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. We are expecting whitecap Pavilion rental fees to be even lower this year due to COVID-19.

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.





July 3, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Charlotte Edie, Manager of Finance/Treasurer**

**Re: COVID-19 Updated Overview of Potential Financial Impacts**

**Recommendation:**

Discussion only – no recommendation required.

**Background:**

The purpose of this report is to provide an update on the potential financial impacts of the COVID-19 outbreak on the City of Kenora. Although the magnitude of the impact is difficult to estimate, this report outlines areas where we will see financial repercussions.

City of Kenora Direct impacts to June 30, 2020 compared with the same period in 2019:

(\$290,000) - Recreation facilities: Loss of revenues from mid-March including summer ice rentals, ball field rentals and room rentals. The wage offset is discussed below.

(\$ 73,000) – Reduction in parking revenues to date, mostly from metered parking.

(\$ 16,000) – Reduction in transit revenue.

(\$134,000) – Reduction in transfer station revenue.

(\$170,000) – Interest & penalties on taxes waived.

(\$ 20,000) – Interest on utilities waived.

(\$ 30,000) – Tenant concessions.

(\$ 20,000) – Balance in account created for direct COVID related expenses.

\$148,000 - Estimated saving in wages due to volunteer layoffs to date.

\$223,000 - Decrease in wage expense. This can be attributed to a marked decrease in overtime and a reduction in summer students.

88,000 – Estimated savings in fuel costs.

61,000 – Estimated savings in travel, conference & training.

95,000 - Estimated reduction in materials & supplies and repairs & maintenance.

30,000 - Estimated savings in utilities at the Keewatin arena during the lease period.

60,000 - Estimated savings in utilities at the Kenora Recreation Centre.

(\$48,000)

While the impacts listed above are easily determined there are many more impacts that should be mentioned but are more difficult to quantify:

- Provincial offences: this revenue is dependent on the issuance of tickets by the OPP and MNR. With the closure of the courts, revenue recognition in this areas will be delayed.
- Interest rate reduction: interest income is expected to be lower in 2020 however, some investments were diversified with the expectation that returns would increase.

- Library: Just recently the library has resumed partial services with curbside pick up. We are working in conjunction with the library to determine the overall impact to the annual budget, especially revenues. To date wage savings are approximately \$25K.
- Museum: As with the Library, the Museum has recently reopened to the public. Program and admission revenue will be lost which will be offset by some expenditure savings. Wage savings to date are approximately \$36K. The Museum staff will have to determine the potential impact to operations based on anticipated levels of service. Since this is the first year of the Art Centre it is difficult to determine the financial impact.
- Economic Development: Reduced collection of Accommodation Tax revenue. As yet this impact is not known however this revenue is recorded in the LOWDC.

Other cost saving measures:

- Building permits: As of the end of June building permit revenue is over last year by \$5K.
- A by-law officer position will be vacant for a couple of months after the retirement of an employees and prior to the hire of a new employee.
- A number of employees layed off have yet to return to work therefore a portion of the wage savings will continue.
- Benefits are not included in the wage savings above. If benefits are estimated at 25% further savings could potentially exceed \$92K.

The list above is not exhaustive and differences may be the result of other impacts.

#### Government Assistance

To date the programs available to municipalities are few and their impacts are not significant. They relate to the delay of remittances without penalty (for WSIB, EHT and HST) and school board remittances. The benefit of these delays is reflected in the interest that can be earned by holding these payments and earning interest on them. Finance continues to monitor Federal and Provincial announcements. It is anticipated that there will be some form of assistance but the format and amounts are not known at this time.

**Budget:** N/A

**Risk Analysis:** Not identifiable at this time.

**Communication Plan/Notice By-law Requirements:** None.

**Strategic Plan or other Guiding Document:** Information only.



July 5, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Pihulak, Manager of Administration/City Clerk**

**Re: Canadian Medical Association Foundation COVID-19 Funding**

**Recommendation:**

That Council hereby accepts a COVID-19 Community Response Funding donation from the Canadian Medical Association Foundation to support vulnerable populations during this pandemic; and further

That Council hereby authorizes the donation to be transferred, on behalf of the City, to the Kenora District Services Board (KDSB) who is the service delivery agency for social programs including social housing, homelessness programs, and emergency medical services/land ambulance; and further

That all reporting requirements associated with the funding be completed by the KDSB; and further

That three readings be given to a bylaw to execute the agreement between the Corporation of the City of Kenora and the CMA Foundation.

**Background:**

The City received notice from the Canadian Medical Association Foundation (CMAF) that we had been selected to receive COVID-19 Community Response Funding for Vulnerable Populations.

The COVID-19 Community Response Fund for Vulnerable Populations is a collaboration between FCM and the Canadian Medical Association Foundation (CMAF). Made possible thanks to a \$10-million philanthropic donation from the CMAF, it will support 73 municipalities across the country as they address the urgent needs of vulnerable populations struggling with the impacts of the COVID-19 pandemic, particularly those experiencing or at risk of homelessness.

The recipient municipalities are based on those communities already identified as needing support to address homelessness through the existing federal Reaching Home program (Designated Communities and Indigenous Communities streams).

The donation is intended to address the unique needs of vulnerable people in our community in the context of COVID-19.

The COVID-19 Community Response Fund for Vulnerable Populations complements funding provided through existing federal homelessness programs. As such, allocations are directed to 73 communities with homeless populations according to needs, based on

the Designated Communities and Indigenous Homelessness streams of the federal Reaching Home program for homelessness interventions.

Examples of eligible projects include:

- > dedicated spaces to ensure physical distancing or isolation
- > medical and support services for people experiencing mental health challenges
- > resources for community food programs
- > personal protective equipment for community support workers
- > other measures to build community resiliency and support a sustainable recovery

**Budget:** There is no cost associated with this report. The funding will be received by the City and transferred to the Kenora District Services Board to use the funds to support the areas identified above.

**Risk Analysis:** There is a low risk associated with this report. The donation will be transferred to the agency that supports these areas where the funding is intended for.

**Communication Plan/Notice By-law Requirements:** Media Release acknowledging the donation and partnerships

**Strategic Plan or other Guiding Document:**

3-14 The City will forge stronger relations with neighbouring communities and area municipalities by City staff, particularly those that help ensure tight co-ordination of emergency response situations, disaster relief efforts and clear communication protocols between the City of Kenora, the Ontario Provincial Police, and the neighbouring communities



July 5, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Pihulak, Manager of Administration/City Clerk**

**Re: CAO Recruitment Policy #CC-1-5**

**Recommendation:**

That Council hereby approves a new #CC-1-5 CAO Recruitment Policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

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

**Background:**

Council has requested that a CAO Recruitment policy be in place for filling vacancies pertaining to the CAO.

**Budget:** N/A

**Risk Analysis:** There is very low risk associated with this report and is administrative in nature.

**Communication Plan/Notice By-law Requirements:** bylaw for policy adoption

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

## CAO Recruitment Policy



Section	Date	By-Law Number	Page	Of
Council	July 21, 2020	- 2020	1	4
Subsection	Repeals By-Law Number,		Policy Number	
CAO Recruitment	N/A		CC-1-5	

### Purpose

The purpose of this policy is to establish criteria for the recruitment, selection and employment of the Chief Administrative Officer (CAO) for the City.

### Procedure

#### Recruitment

At such time as the CAO position becomes vacant, the Mayor shall notify the Human Resources Manager to commence the recruitment process to fill the vacancy as per the Procedure for hiring a CAO.

#### Options:

1) Succession Management- Where the City of Kenora has demonstrated a 'robust' succession management program (i.e. where available 'high' potential candidates have been identified within the City, a well-established program exists where candidate skills/competencies are measured against those required for the CAO position, and where development plans are in place, regular reviews are conducted and assessments are made to determine a candidate's readiness for the CAO position), Council may opt to limit the CAO vacancy internally amongst only those identified 'high' potential candidates.

2) Executive Search Firm – Where Council has determined that there are no internal candidates through a succession management program that are deemed to be 'ready' to assume the CAO role OR at any time should Council wish to evaluate internal candidates to the external job market, they may decide that the position may be filled utilizing the services of an external executive search firm.

## CAO Recruitment Policy

Policy Number	Page	Of
CC-1-5	2	4

The firm would be selected by either using a firm that has been established as the firm the City uses for recruitment, or complete an RFP process for the selection of a suitable firm. The successful firm would be selected in accordance with the City's Procurement Policy. The position would be available to both internal and external candidates.

### Selection

As per the Procedure for Hiring the CAO, the Search Committee shall initially be comprised of three members of Council, one of which will be the Mayor of which will shortlist the candidates who will be interviewed.

Council as a whole will be part of the final panel of interviews for candidate selection.

Due to the importance of this position to the City of Kenora, consultation with the Senior Leadership Team, City staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process.

### Hiring/Offer of Employment

The following categories will be included in a CAO Employment Contract – Effective Date and Term of Agreement, Duties, City Policies (i.e. adherence to), Remuneration inclusive of salary, vehicle use, parking, applicable moving allowance, professional memberships, Confidentiality, Vacation/Overtime, Termination, Voluntary Resignation, Return of Property, Severability, Release and Acknowledgement, Assignment of Rights, Notices, Applicable Law, and Independent Legal Advice.

### Tenure of Employment

During the tenure of the CAO, the duties and responsibilities will be governed by the job description that has been approved by Council.

### Performance Development and Appraisal

On an annual basis, performance goals and objectives will be set for the CAO that are aligned to Council's Strategic Plan. The performance of CAO will be reviewed by Council as a whole at least once annually and will include a

## CAO Recruitment Policy

Policy Number	Page	Of
CC-1-5	3	4

development plan for the preceding year in a prescribed format approved by Council. In the first year of employment, Council shall meet with the new CAO in the third month, sixth month and again at the one year point.

Areas of evaluation will include, but are not limited to: leadership, management, communication, and technical functions. It is recommended that the performance review period commence in January of each year and end no later than March (i.e. a three month process).

The Performance Appraisal portion of the review shall be inclusive and evaluative of work results expected versus achieved as well as an evaluation of how the CAO has modelled and lived the Corporate Values (i.e. what and how work has been accomplished). The development plan referenced above should include areas for development, including but not limited to – strategic planning, relationship management, team leadership, and communication.

### Compensation

Compensation for the CAO is based on an annual review to ensure that the range remains competitive at the Council approved competitive position.

Movement within the established pay grid is subject to satisfactory performance, and will be in accordance with the current Human Resource policy for Non Union employees.

### Acting/Interim/Deputy CAO

The CAO may appoint a Deputy CAO in accordance with Council approval where temporary administrative responsibilities are given to a member of the Senior Leadership Team for a specified period of time to enable the CAO to engage in corporate business opportunities, represent the municipality on a specific committee or project and/or mentoring for members of the Senior Leadership Team, where otherwise the CAO would be represented.

The CAO may also appoint an Acting CAO in accordance with Council approval for a period of not less than one (1) month due to the absence of the CAO for the purposes of sabbaticals/leaves of absence/extended vacations.



## CAO Recruitment Policy

Policy Number	Page	Of
CC-1-5	4	4

Should a member of the Senior Leadership Team be appointed in an Acting capacity for longer than a period of one (1) month where the CAO is absent, the Acting member shall be compensated for their additional duties. Compensation shall be in accordance with the City of Kenora established pay grid, CAO, Band 1 for the identified period the member is acting.

When anticipated Acting CAO coverage is initially below 30 days, where compensation would not be awarded, but for unforeseen circumstances runs beyond the initial temporary period of the 30 days, remuneration would be retroactive to the initial appointed period for the duration of their Acting appointment.

Authority to appoint an Acting CAO for a specified period of time, due to a vacancy in the CAO position, rests with City Council. The CAO or Mayor shall contact Payroll to authorize this change in salary for the established time period.

### Termination of Employment

In the event the CAO resigns his/her position from the City, the CAO would be required to provide a minimum of eight weeks written notice. The City may waive or reduce this requirement, by Council resolution at any point within the eight weeks' notice period. The CAO would receive any unpaid salary and vacation accrual up to the date of resignation.

At the time of resignation, Council shall discuss the interim strategy for a CAO until the recruitment process is complete.



July 5, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Pihulak, Manager of Administration/City Clerk**

**Re: Public Loitering Bylaw**

**Recommendation:**

That Council gives three readings to a bylaw to prohibit the loitering of persons in public places.

**Background:**

The City is experiencing an increase in public loitering and aggressive behavior through persons that are loitering. Staff have witnessed and had challenges where persons are on City property that are not in the location for the intended use.

In order to assist officers with responding to these types of calls for service, there is a requirement for a bylaw to be in place that does not permit them to loiter and officers can request them to cease activity and move from the property. A draft bylaw is attached for review.

**Budget:** N/A

**Risk Analysis:** There is a low risk associated with this report. The new bylaw will enable the officers responding to calls for service to deal with any loitering issues we may have concerns with.

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

**Strategic Plan or other Guiding Document:**

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

# The Corporation of the City of Kenora

## By-law Number - 2020

### A By-law to Prohibit the Loitering of Persons in Public Places

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Whereas Section 9 of the Municipal Act, 2001, S. O. 2001, c.25, as amended, henceforth referred to as the Act, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under the Municipal Act, 2001; and

Whereas Sections 8 and 11 of the Act permit a municipality to pass by-laws necessary or desirable for municipal purposes and in particular paragraphs 5,6, and 8 of Subsection 11(2) authorize by-laws respecting the economic, social and environmental well-being of municipality, the health, safety and well-being of persons, and the protection of person and property; and

Whereas Section 128 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and

Whereas subsection 434.1 (1) of the Municipal Act, 2001 provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a bylaw of the municipality passed under this Act; and

Whereas Section 425 of the Act permits a municipality to pass bylaws providing that a person who contravenes a bylaw of the municipality passed under this Act is guilty of an offence; and

Whereas the City of Kenora deems it desirable to enact this bylaw pursuant to the above-referenced statutory provisions;

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

#### **1. Definitions**

“City” means the Corporation of the City of Kenora.

“Clerk” means the Clerk of the Corporation of the City of Kenora and includes his/her designate.

“Congregate” means to collect or gather into a crowd of persons.

“Council” means the Council of the Corporation of the City of Kenora.

“Fight” means any confrontation involving violent physical contact between two or more people.

“Highway” includes a common or public highway, street, road, bridge, viaduct or trestle, designed and intended for, or used by the general public for the passage of vehicles, and includes the surface, highway, median strip, shoulder, grassed area, boulevard, ditch, berm, gutter and any other portion of the road allowance owned by or under the jurisdiction of the municipality.

“Litter” includes cigarettes, paper, cardboard, bottles, glass, needles and needle supplies or other such material or garbage.

“Loitering” means to linger, hang out, travel idly, and includes to rest and to stand, sit or recline without a purpose relating to or any activity which is contrary to the property.

“Notice” as being by sign as defined in this bylaw or any other forms of communication or direction whether verbal or written given by an officer.

“Nuisance” shall include, but not be limited to, any public display, words, actions or activities that have the effect of displeasing or offending persons at the specific moment or in the viewing of property and the environment after the action has occurred, whether or not the action occurred on public property or from private property and includes:

- a) Loitering after having been ordered by an officer to move on;
- b) Fighting, screaming, spitting, yelling or using profane or abusive language or gestures;
- c) Remaining in or refusing to leave a public place after it is closed and/or when ordered to leave by an officer;
- d) Defacing, damaging or vandalizing public property;
- e) Obstructing an officer during his or her duties;
- f) Soliciting a person who is using, waiting to use, or departing from an automated teller machine;
- g) Soliciting a person who is in the process of getting in, out of, on or off a vehicle or who is in a parking lot;
- h) Remaining in or refusing to leave a public place after it's closed and/or when ordered to leave by an officer.
- i) Throwing, placing or depositing any litter (except if such litter is placed in garbage cans, or in the event of needles, in the safe disposal boxes)
- j) Outdoor public urination, defecation, spitting or vomiting;
- k) Entering or loitering in any washroom or change-room or behaving in such manner as to be objectionable to another person using, or in the vicinity of, said washroom or change-room;
- l) Any other activity or conduct that is disorderly or obnoxious.

“Obstruct” means to hinder or block, or attempting to hinder or block, and includes impeding the passage of persons.

“Officer” means a Police Officer or a Municipal Bylaw Enforcement Officer appointed and/or responsible for the enforcement of provisions of this bylaw and may include his or her designate.

“Order” means the verbal or written instruction to stop the contravening activity or to take such actions that will result in compliance with the bylaw.

“Parking Lot” means any public parking area that is owned or leased by the City.

“Pedestrian” means a person or any part of a highway who is on foot or a person in a wheelchair or using any similar, legally operated, ambulatory device.

“Permit” means authorization from the Corporation of the City of Kenora.

“Person” includes an individual, association, firm, partnership, corporation, organization, trustee, agent or legal representative of an individual.

“Post or Posted” refers to the erection or presence of prohibitive or regulatory, signs and “posted area” means an area where such signs are erected by the City or authorized agent.

“Property” means and includes a ‘lot’ or ‘property’ and includes a parcel or tract of land capable of being conveyed as a separate parcel pursuant to the provisions of the Planning Act, or is described in accordance with a registered Plan of Condominium.

“Public Place” means a place outdoors to which the public is ordinarily invited or permitted access and, for greater certainty, shall include Highways, sidewalks, streets, any portion of a road allowance, parking lots, beaches, splash pads, parks and playgrounds. Further includes land, premises, or buildings owned, managed or maintained by the Municipality.

“Sign” means a sign as described in Schedule “A” of this bylaw and posted under the authority of this bylaw.

“Solicit” means to request, in person, the immediate provision of money or another thing of value, regardless of whether consideration is offered or provided in return, using spoken, written or printed word; a gesture or other means.

## **2. Application of Bylaw**

(a) This bylaw applies to all lands within the boundaries of the City of Kenora

## **3. Short Title**

(a) This bylaw may be referred to as the Loitering bylaw

## **4. Scope of Bylaw**

(a) In the event of any conflict between the provisions of this bylaw and the provisions of any statute or other bylaw relating to loitering, then the provisions of those statutes, bylaws, plans and/or agreements with a higher standard shall prevail.

## **5. Loitering Prohibitions**

(a) No person shall loiter or otherwise engage in an activity on any highway, pedestrian walkway or in any public place when the activity is prohibited.

(b) Subsection (a) of this section does not apply to a person who is acting under a right or authority conferred by law or who has the express permission of the City, the proof of which rests on the person so acting.

(c) No persons shall congregate so as to obstruct the free passage of pedestrian or vehicular traffic on any highway, sidewalk or any other public place.

(d) Every person who congregates and obstructs the free passage of pedestrian or vehicular traffic under subsection (c) of this section shall, when directed to do so by an officer where the obstruction occurred, immediately stop the obstruction.

## **6. Causing a Nuisance**

- (a) No person shall cause or create a nuisance on any highway, pedestrian walkway or any other public place.

## **7. Notice**

- (a) Where the City intends to prohibit certain activities by giving notice of their lack of consent, notice shall be given
- i) In writing;
  - ii) In person, verbally, by an officer providing notice that the activity is prohibited;
  - iii) By means of a sign; or
  - iv) By any combination of this section
- (b) Where notice is given by means of a sign, the sign shall be clearly visible in daylight under normal weather conditions from the approach to each ordinary point of access to the property or premises to which it applies.
- (c) Substantial compliance with the posting provisions of subsection (b) of this section constitutes sufficient notice.

## **8. Sign**

- (a) Where a sign is posted under Section 7 of the bylaw to provide notice what an activity is prohibited, the sign shall be as described in Schedule "A" of this bylaw.

## **9. Enforcement**

- (a) An Officer may be responsible for the enforcement of this bylaw.

## **10. Offence**

- (a) Every person who contravenes any of the provisions of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided in the Provincial Offences Act, R.S.O. 1990, c.P. 33 as amended and as listed in Schedule "B" to this bylaw.

## **11. Severability**

- (a) If a court of competent jurisdiction declares any section or part of a section of this bylaw unlawful, the remainder of the bylaw shall continue in force unless the court makes an order to the contrary.

## **12. Schedules**

- (a) Schedules "A" and "B" attached hereto form a part of this bylaw.

## **13. Force and Effect**

- (a) This bylaw shall come into force and take effect on the date of its final passing.

**By-law read a First and Second Time this 21<sup>st</sup> day of July, 2020**

**By-law read a Third and Final Time this 21<sup>st</sup> day of July, 2020**

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

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**Daniel Reynard, Mayor**

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**Heather Pihulak, City Clerk**

**SIGNS**





**The Corporation of the City of Kenora  
Bylaw Number - 2020  
Schedule "B"**

<b>Item #</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision Creating or Defining Offence</b>	<b>Column 3 Set Fine</b>
1	Loiter on public property	Section 5 (a)	\$100.00
2	Congregate obstruct traffic	Section 5 (c)	\$100.00
3	Congregate obstruct pedestrian on public property	Section 5 (c)	\$100.00
4	Fail to obey officer	Section 5 (d)	\$100.00
5	Cause a nuisance	Section 6 (a)	\$100.00

**Note: the general penalty provision for the offences listed above is Section 10 of the bylaw, a certified copy of which has been filed.**



June 24, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Todd Skene, Fire Chief**

**Re: Budget Amendment – Fire Training Aids**

### **Recommendation:**

That Council hereby approves a budget amendment in the amount of \$25,000.00 to be funded through deferred revenue for the Live Fire Burn Cells and Fire Training Aids; 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 July 21, 2020 meeting to withdraw the funds from deferred revenue (donations) in the amount of \$25,000.00 for the purchase of Fire Training Aids to offset the cost of this purchase; and further

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

### **Background:**

The City of Kenora Fire and Emergency Services (CKFES) works closely with many local businesses and government agencies in the delivery of fire and emergency service training, and as a result has developed strong partnerships.

In 2019, Kenora Fire Chief worked closely with a local partner in the application for a donation towards the development of a fire training centre and construction of Live Fire Burn Cell constructed of shipping containers. As a result of a grant application Kenora Fire and Emergency Services received \$25,000.00 donation.

The purchase of this equipment and the ability to provide live fire training to our department and all area volunteer departments. This will greatly enhance our training programs, provide the needed local training to achieve the legislated NFPA Level 1 and 2 Certification for all area fire departments and teams. Most importantly, this facility will provide live fire experience to firefighters, build confidence in firefighting suppression and ventilation techniques, and provide the needed training to ensure firefighters are proficient in their abilities.

**Budget:** Current Capital Budget – Live Fire Burn Cells - \$13,000; Operational Budget – Training \$15,000

### **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:**  
**Developing our Economy**

1.2 Forge Strong dynamic working relationships with the business community. Providing fire prevention and safety training.

**Infrastructure** 2-4 Continuous improvement to the public realm. Provide Fire Prevention and Life Safety education to the public.

**Focus on Our People**

3-13 Continue to build and strengthen relationships with our First Nation partners. – Deliver fire training to local First Nations Fire Departments.



June 17, 2020

## City Council Committee Report

**To: Mayor and Council**

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

**Re: Electrical Upgrades on Blowers at the Wastewater Treatment Plant**

### **Recommendation:**

That Council hereby accepts the proposal submitted by AutomationNow, in the amount \$317,738 (plus HST) for the electrical upgrades on blowers at the Wastewater Treatment Plant.

### **Background:**

A request for proposal was sent to four (4) contracting companies for electrical upgrades on blowers at the City of Kenora Wastewater Treatment Plant. The project consists of supply of labour, materials and equipment to perform the required electrical and mechanical upgrades on the four blowers supplying air to the aeration tanks.

The Wastewater Treatment Plant, located on the bank of Winnipeg River along Sewage Plant Road, is one of the most critical and important assets in the City's water and sewer infrastructure. All municipal sewage goes to the Wastewater Treatment Plant for final treatment, before being discharged to the Winnipeg River. Effluent from the plant goes to the Winnipeg River and must always be within the Ministry of Environment, Conservation and Park's Certificate of Approval's limits on various physical, chemical and biological parameters. To achieve this, all operational units at the plant must work and perform as designed. The blowers are an integral part of this treatment process. It has been identified by LBE Group, an engineering firm hired for the preliminary study, with assistance from Save on Energy, that energy can be saved if the operation and speed of the blower is regulated based on demand, which the new blower system allows for. In addition, the current blower system, including motors and control panel, is nearing the end of its useful life requiring replacement sooner than later.

The consultants have also estimated that the electrical savings could reach \$48,000 per year, just by replacing the obsolete motors and installing four (4) variable frequency drives with accompanying instrumentation to run the blowers. Based on current hydro rates, the anticipated return on investment will be approximately 8 years. There is also an opportunity to receive a capital incentive from Save on Energy depending on the number of megawatt hours saved after these upgrades are completed.

Only three (3) out of the four (4) contractors contacted submitted a proposal. Based on evaluation of the bids received, the Water and Wastewater Division has determined AutomationNow's proposal, based on plan details and price, is the preferred bid. AutomationNow was the lowest bidder and is within the approved capital budget for 2020. Therefore, this report recommends AutomationNow's price and proposal for the work.

Summary of the pricing submitted by the invited three contractors for is as follows:

AutomationNow, Thunder Bay	\$317,738 + HST
Celco Automation, Winnipeg	\$335,407 + HST
Lake of the Woods Electric, Kenora	\$407,474 + HST
Moncrief Construction, Kenora	did not submit

**Budget:**

The replacement of these blowers was identified under the current 2020 capital program, with a budget of \$600,000. AutomationNow's bid of \$317,738 +HST plus a contingency of \$63,000, falls within the 2020 approved budget of \$600,000.

**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 Waste Water 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.



July 2, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Marco Vogrig, Municipal Engineer**

**Re: Budget Amendment-Operations Facility Reserve for Sand Storage Repair**

### **Recommendation:**

That Council hereby approves a budget amendment in the amount of \$7,000.00 from the Operations Facility Reserve for the repair of truss brackets on the Winter Sand Storage Building; 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 July 21, 2020 meeting to withdraw funds from the Operations Facility Reserve in the amount of \$7,000.00 (plus applicable taxes) for the repair of truss brackets on the Winter Sand Storage Building; and further

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

### **Background:**

The Winter Sand Storage Building holds a sand/salt mixture for road application during winter maintenance. Over time, the salt has begun to corrode the thirty-eight (38) truss brackets on the building and has now become a necessity to address as the corrosion has exponentially increased since last year. The repair to the truss brackets includes cleaning, scraping, and applying a rust preventative in order to extend the life of the brackets.

### **Budget:**

\$7,000.00 (plus applicable taxes) from the Operations Facility Reserves for the repair of the truss brackets on the Winter Sand Storage Building.

**Risk Analysis:** As per the requirements of the City's ERM Policy, there would be a moderate financial risk with not pursuing this recommendation.

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

Resolution required.

Distribution: J. Hawley, 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.



July 7, 2020

## City Council Committee Report

**To: Mayor & Council**

**Fr: Matt Good, Project Engineer**

**Re: Budget Amendment - 2020 Municipal Paving**

### **Recommendation:**

That Council hereby approves an additional allocation of \$200,000.00 for the 2020 Municipal Paving capital works program to be funded through the Roads Reserve for the emergency rehabilitation of 9<sup>th</sup> Street in Keewatin, located between Highway 17 West and Beach Road; 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 July 21, 2020 meeting to withdraw funds from the Roads Reserve in the amount of \$200,000.00 to offset the cost of this work; and further

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

### **Background:**

With the severe rainfall events that occurred the week of June 1, 2020, there was considerable damage and erosion to the road structure along 9<sup>th</sup> Street in Keewatin. The severity of the event has caused significant removal of substructure material creating voids under and along the pavement. The storm event has forced the City to close 9<sup>th</sup> Street to traffic as the erosion caused irreparable damages, removing entire slabs of pavement and undermining the pavement structure. 9<sup>th</sup> Street requires a full and complete rebuild between Highway 17W and Beach Road.

The Operations & Infrastructure Department could make adjustments to the 2020 Capital works program by removing one or more of the identified projects to reallocate the funding towards this emergency repair, however, it is preferred that additional reserve funds are allocated to cover these emergency works and the identified 2020 capital items remain scheduled.

### **Budget/Finance Implications:**

The entire \$200,000.00 requested will be allocated from the Roads Reserves.

**Risk Analysis:** As per the requirements in the City's ERM Policy, there is a moderate operational (infrastructure) risk in not completing these works. The risk will be mitigated by replacing the identified eroded and failing infrastructure.

With the closure of 9<sup>th</sup> Street, additional pressure is placed on emergency response crews with regards to gaining access to adjacent properties, as well as losing navigational routes when traversing to an emergency in Keewatin. Even with the road closed, there is cause for alarm to local residents who choose to access 9<sup>th</sup> Street in its current state. Given the current status of 9<sup>th</sup> Street it is unknown the extent of the damage that has occurred beneath the surface and the size or location of voids that have formed beneath the pavement that remain in place. There is a possibility for damage or injury to persons or property who choose to access 9<sup>th</sup> Street in its current condition.

The longer it takes to replace the infrastructure the more costly additional rain events impact the rehabilitation and on-going maintenance of 9<sup>th</sup> Street. Further rain events increase erosion and increase risk to local users.

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

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

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

**Strategic Plan or other Guiding Document:**

Goal #2 Strengthen Our Foundations

2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems.





July 14, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Stace Gander, Manager Community Services**

**RE: Lease Renewal – Ontario Power Generation Inc. (OPG)  
60 Fourteenth Street N.**

### **Recommendation:**

That the Mayor and Clerk of the City of Kenora be authorized to enter into a lease renewal agreement with OPG for the use of commercial space located at 60 Fourteenth Street N.; and further

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

### **Background:**

In January, 2010, The Corporation of the City of Kenora entered into a long-term lease agreement with OPG for commercial space located at 60 Fourteenth Street N. In addition, the lease includes 25 parking stalls.

As per Section 3 of the lease, the term of the Lease was for a period of ten (10) years with an expiry of January 14<sup>th</sup>, 2020.

As per Section 5 – OPG has the right to renew the lease for a further two (2) terms of five (5) years each. On October 2, 2019, City staff received notice from OPG of its intent to extend the lease for another five (5) year period.

Staff engaged two of the City's solicitors to evaluate the severability of the lease. Direction from both solicitors concluded that an early term could only be triggered by a request from the tenant to leave early. Therefore, OPG will continue to be a tenant until January 14<sup>th</sup>, 2030 unless OPG requests an earlier termination.

Staff entered an extensive due diligence process to ensure that OPG was paying fair market rate for the space. This included hiring a certified appraiser from Cushman & Wakefield / Stevenson to undertake a Market Analysis of the Kenora market.

The analysis established a base rate per foot in 2020 and recommended increases over the five (5) year term. New parking rates were also established. Operating costs and mechanisms for increasing operating costs over the term has very clearly defined language in the original lease that the City is bound by.

**Budget:**

Total revenues of \$72,200 will be collected in the first year for base rent and parking. Base rent will increase at a rate by two (2%) percent in 2021 and 2023 per the Market Assessment. Operating cost revenue for 2020 will be \$18,032 and will increase annually in-line with the Consumer Price index for Thunder Bay, Ontario as dictated by the lease. Parking revenue will remain fixed for the five (5) year term.

**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;



June 16, 2020

## City Council Committee Report

**To: Mayor & Council**

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

**Re: Budget Amendment – Evergreen Community Club Rink Project**

### **Recommendation:**

That Council hereby authorizes a budget amendment in the amount of \$5,157.00 to be funded through Community Club Reserves for the Evergreen Community Club Rink 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 Capital Budget at its July 21st, 2020 meeting for this purpose; and further

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

**Background:** Council approved \$100,000 capital funding for the relocation of the Evergreen Community Club outdoor rink in May 2019. An additional \$10,000 was requested by staff and approved by a Capital Budget Amendment after tenders closed and the project was awarded. Evergreen Community Club was also contributing \$12,000.00 to the project. Now that the project is completed there remains a shortfall of \$5,157.00

**Budget:** Impact will be to the Community Club Reserves however there is a surplus in that reserve.

**Risk Analyses:** As per the requirements in the City's ERM Policy, there is an insignificant financial risk and senior management have been informed. The risk will be mitigated by allocating additional funds to the project from the Community Club reserves to finance the project shortfall.

### **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:**

1.9 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.

2.1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.

2.2 The City will keep in the forefront that there is a significant infrastructure deficit, and current and future Councils will need to continue to work towards allocating sufficient resources to be able to adequately address this issue.

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

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

July 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 – Bus Garage – Handi Transit**

### **Recommendation:**

That Council hereby approves a budget amendment in the amount of \$50,000 towards the construction of a three stall bus garage at the Operations Center to be funded through the Dedicated Gas Tax; 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 July 21st, 2020 meeting to withdraw funds from Dedicated Gas Tax reserves in the amount of \$50,000 for the construction of the garage; and further

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

### **Background:**

The City of Kenora was successful in securing funding from Infrastructure Canada through the ICIP Transit Stream and Provincial Dedicated Gas Tax for a new Handi Transit Bus and three stall Garage to be erected at the Operations Center. Both items were over budget with a total shortfall of \$ 50,000.00 The Garage was over by \$ 40,350.70 and the bus by \$ 9,119.66. The Bus has been ordered and the tender recently closed for the Garage.

### **Budget:**

This project is to be funded through the Dedicate Gas Tax reserve fund in the amount of \$50,000.

### **Risk Analysis:**

As per the requirements of the ERM policy, the risk involved relates to the cancellation of the Bus Garage storage building.

### **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.

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

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

July 8, 2020



## City Council Committee Report

**To: Mayor & Council**

**Fr: Stace Gander, Community Services Manager**

**Re: Budget Amendment – Counter Loitering Measures**

### **Recommendation:**

That Council hereby approves a budget amendment in the amount of \$40,000 to be funded through contingency reserves for enhancements to the downtown decorative structures; 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 July 21st, 2020 meeting to withdraw funds from contingency reserves in the amount of \$40,000; and further

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

### **Background:**

The area in and around the Main Street Plaza, and the downtown area has experienced a dramatic increase in the volume of loitering. Structures intended to line flower beds or be decorative in nature have been transformed to frequent gathering spots.

The project will be to enhance existing structures to be returned to their intended decorative intent while maintaining the esthetics of the design in the plaza area and other key downtown areas.

**Budget:** This project is to be funded through the contingency reserve fund in the amount of \$40,000.

**Risk Analysis:** As per the requirements of the ERM policy, there is a low and insignificant risk associated with this project.

### **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.





June 23, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Kevan Sumner, City Planner**

**Re: Certificate of Release, Phase 1: Pine Portage Road**

### **Recommendation:**

That Council of the City of Kenora hereby declares that the owners of all affected properties of the Subdivision Agreement for Phase 1 – Pine Portage Road are not in default of any of the provisions of the agreement; and further

That a Certificate of Completion be provided to the owners of affected properties, in a form suitable for registration or deposit in the applicable Registry or Land Titles Office.

### **Background:**

On February 4, 1991, the Town of Kenora entered into a Subdivision Agreement with D. Lafreniere Development Ltd., for Phase 1 of the Pine Portage Road Development, which included a total of twelve lots on Woods Drive and on the west side of Pine Portage Road adjacent to Woods Drive. One of the provisions of that Agreement was that the Municipality agreed to provide the owner with an effective written release for the said lands. The Certificate was not to be issued until a specific set of conditions had been met. One of those conditions was that the Municipal Council has by resolution, declared that the owner is not in default of any of the provisions of the Agreement.

In May, 2020, the legal representatives for one of the current property owners requested a Certificate of Release. A review of the City's property records revealed that there is no record of Council passing the required resolution. Passing this resolution will enable Development Services to proceed with issuing the requested Certificate of Release, and to issue any other Certificates that are requested in the future.

The works required of the developer under Schedule "E" of the Subdivision Agreement were construction of roads to municipal standards, and construction and installation of fire hydrants, sewer, and water. All of the obligations of the D. Lafreniere Developments Ltd. were met many years ago, during the initial development of the properties in Phase 1 of the Pine Portage Road development.

**Budget:** There are no budget implications to this resolution.

### **Risk Analysis:**

There is no risk to acknowledging the works that were completed many years ago, which have been maintained by the City of Kenora for many years. If this resolution is not passed, there is a risk to the current owners of the affected properties, in that it appears that there are ongoing obligations to the City of Kenora that could affect real estate transactions or other legal processes.

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

Manager of Development Services, Manager of Operations and Infrastructure, Municipal Solicitor

**Strategic Plan or other Guiding Document:**

Administrative



July 7, 2020

## City Council Committee Report

**TO:** Mayor and Council

**FR:** Kevan Sumner, City Planner  
Adam Smith, Manager of Development Services

**RE:** Letter of Concurrence and Lease Agreement for Tbaytel  
Communications Tower – Miikana Way and 7<sup>th</sup> Avenue S

### **Recommendation:**

That in accordance with City of Kenora Tower Policy P-P 1-1 Jay Lewis, Forbes Bros. Ltd., Agent for Tbaytel, has applied to the City for a letter of concurrence and lease agreement, for the location of a new cellular tower; and further

That the Government of Canada, through Industry Canada, has exclusive jurisdiction for approval of such sites; and further

That having reviewed submissions received from the public during the statutory comment period, per the City of Kenora Tower Policy; and further

That the CAO be authorized to execute a letter of concurrence indicating that requirements of the City of Kenora Tower Policy have been met; and further

That Council hereby authorizes a five (5) year lease agreement with TBaytel For a new telecommunication site on the corner of Miikana Way and 6<sup>th</sup> Avenue South for a five year term commencing September 1, 2020 and ending August 31, 2025; and further

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

### **Background:**

The City of Kenora's Installation of Communication Towers Policy guides the process of public consultation regarding proposed new communication towers. Industry Canada is the approval authority for cellular tower location, however they require consultation with the municipality and the City has the opportunity to formally support or oppose a proposed tower.

Jay Lewis, Forbes Bros. Ltd., agent for Tbaytel, submitted an application for a 30m monopole tower. 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 7<sup>th</sup> Avenue South, access is provided off 9<sup>th</sup> 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.

The applicant has met the requirements of the City's policy with respect to public notification. Council waived the requirement for a public meeting during the declaration of a municipal emergency as part of the ongoing effort to stop COVID-19. The applicant was required to continue with public consultation by:

1. Advertising in the local newspaper on April 30, 2020,
2. Posting an informational sign on the proposed site on April 30, 2020,
3. Providing a notification package mailed on April 24, 2020 to land use authorities, businesses, and property owners located within a radius of three times the tower height (270m).

Council provided public notice on their meeting agenda in lieu of the requirement for a public meeting.

The documentation for the application is attached.

In response to the public notification, the City received a letter from two neighbourhood residents and an electronic petition to containing 267 signatures. 156 of the signatures were from individuals who identified their location as either Kenora or Keewatin. The letter and petition cite the following reasons for opposition:

1. Concerns regarding health impacts of microwave electromagnetic radiation (EMR) and radiofrequency radiation (RFR).
2. The World Health Organization has classified EMR as "possibly carcinogenic to humans".
3. Concerns that Health Canada guidelines for electromagnetic fields (EMF) are not as strict as in other countries.
4. Concerns that the proposed 4G tower will incorporate 5G technology in the future, which emits an "ultra-high" frequency.
5. The COVID-19 restrictions have made it impossible to organize a neighbourhood community meeting.

Tbaytel has responded directly to the organizers of the petition to provide relevant information from Health Canada and Innovation, Science and Economic Development Canada, in response to the concerns received

The complete notification package, advertising and responses are attached to this report, as required.

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.

**Budget:**

Future lease agreement will serve as a revenue source in the amount of \$6,000 from a previously unutilized piece of land.

**Risk Analysis:**

Per the requirements of the City's ERM policy, there is a moderate governance risk from proceeding without having held a public meeting. This risk was mitigated by expansion of the notification area to a radius that was three times what is normally required and adhering to all other requirements of the Installation of communication Policy, Policy No. DS-1-1.

A high financial risk is deemed positive. A potential lease agreement will serve as a revenue source for the City.

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

By-law required; circulation to Manager of Development Services, Administration and Finance.

**Strategic Plan or other Guiding Document:**

- Provide clear and decisive leader-ship 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.



June 9, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Kevan Sumner, City Planner**

**Re: Deeming By-law— Lots 191 and 192 on  
Registered Plan of Subdivision M-1**

### **Recommendation:**

Pursuant to the provisions of Section 50(4) of the Planning Act, RSO 1990, c. P.13, as amended, the Council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the said Act; and further

That Lots 191 and 192 on Registered Plan of Subdivision M-1, in the City of Kenora, are within a plan of subdivision registered for more than eight years; and further

That Council gives three readings to a bylaw to deemed the above mentioned lands not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

### **Background:**

The owner of these lots has requested that they be deemed to no longer be lots within a plan of subdivision, to enable the lots to merge on title which shall permit the construction of an accessory garage on the parcel adjacent to the owner's dwelling.

This deeming by-law will ensure that the lands cannot be separately conveyed without approval under Section 53 of the Planning Act.

### **Budget:**

The property owner shall be responsible for all costs associated with such registration.

### **Risk Analysis:**

Analysis of planning applications is accomplished in accordance with the legislation provided through the Planning Act. The recommendation reduces the risk of unorderly and unregulated development from occurring.

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

Manager of Development Services, Manager of Operations and Infrastructure, Municipal Solicitor, GIS Technician

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

Administrative

**The Corporation of the City of Kenora**

**By-Law Number \_\_\_\_\_ - 2020**

**Being A By-Law Deeming Certain Lands Not To Be Within A Registered Plan of Subdivision – Plan M-1**

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Whereas pursuant to the provisions of Section 50(4) of the Planning Act, RSO 1990, as amended, the Council of a local municipality may, by by-law, designate any plan of subdivision, or part thereof, not to be a registered plan of subdivision for the purposes of Section 50(3) of the said Act; and

Whereas Council of The Corporation of the City of Kenora deems it in the public interest to pass a by-law to designate certain lands not to be a registered plan of subdivision for the purposes of the Planning Act;

Now therefore, the Council of The Corporation of the City of Kenora enacts as follows:

1. All the lands contained within the boundaries of Lots 191 and 192, on Registered Plan of Subdivision M-1, in the City of Kenora, be deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(4) of the Planning Act, RSO 1990;
2. In accordance with the provisions of the Planning Act, this by-law shall come into force and take effect on the final passing thereof by the Council of The Corporation of the City of Kenora and upon registration of this by-law in the Land Titles Office for the District of Kenora.

**By-Law read a First and Second Time this \_\_\_\_ day of \_\_\_\_\_, 2020**

**By-Law read a Third and Final Time this \_\_\_\_ day of \_\_\_\_\_, 2020**

**The Corporation of the City of Kenora**

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**Daniel Reynard, Mayor**

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**Heather Pihulak, City Clerk**



June 23, 2020

## City Council Committee Report

**To: Mayor and Council**

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

**Re: Harbourfront Business Development Plan Implementation –  
Detailed Design and Tender Ready Drawings Funding Applications**

### **Recommendation:**

That Council accepted the Harbourfront Business Development Plan in December 2019; and further

That Council hereby approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$325,000 for the delivery of detailed design and tender ready drawings to implement the Harbourfront Business Development Plan; and further

That Council approves an application to the Federal Economic Development Initiative for Northern Ontario (FedNor) in the amount of \$325,000 for the delivery of detailed design and tender ready drawings to implement the Harbourfront Business Development Plan; and further

That Council confirms its financial commitment of up to \$275,000 for the project; and further

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

### **Background:**

The Harbourfront Business Development Plan was accepted by Council at its December 17, 2019 meeting. The plan identifies a balance of public amenity improvements and commercial development opportunities for the Harbourfront area defined as the south parking lot to Husky the Muskie.

Participants in the process identified nine goals that have provided a framework for the plan - four season destination development; connectivity; sustainability; embracing Anishinaabe and Metis culture; safety and security; opportunities for business; inclusivity; programming and a place for learning. In addition, a parking study for the Harbourn Centre and a market analysis were conducted as components of the overall project and the findings of this research are included in the final strategy.

Initial high level costs for implementation phases are estimated at \$25.2 million for all 13 zones with individual project elements identified separately. This total does not include capital work related to the intersection of Water Street, Bernier Drive and Second Street South, however, it is noted in the report. This is a revised amount from the plan submitted to Council in December and based upon further consultation regarding costs



tied to the facilities and pier as well as additional allowance for contingency. It also includes enhancements to the Whitecap Pavilion to rectify existing issues, further community engagement and road reconstruction along Lakeview Drive to align with project activities in that zone.

The next step for this project is to develop detailed design and tender ready drawings for the capital work. This next phase will include work for all project zones with the exception of the water pavilion, resto-bar and pool/sauna elements.

#### Implementation and Next Steps:

Council has identified the implementation of this plan in its 2021 and 2022 five year capital budget. The next step for this project is to submit funding applications to develop detailed design and tender ready drawings for the capital work to FedNor and NOHFC. This next design phase will include work for all project zones with the exception of the water pavilion, resto-bar and pool/sauna elements. These buildings are not being included at this time as it is anticipated that the capital work will be undertaken in phases over time and design specifications are continually changing. As a part of this next phase, there will also be activities related to further community engagement.

This is a similar implementation process that was delivered with the 2004 Downtown Revitalization Plan. Delivering the Downtown Revitalization Plan has resulted in a number of positive outcomes, including the creation of 513 jobs over Phases I-III. Initial estimates had projected 100 jobs to be created over 10 years.

#### Rationale:

Redevelopment of the Harbourfront has been a priority since 2016 when the City of Kenora initially proposed to undertake a capital project that would see the realignment of Second Street South, Water Street and Bernier Drive. With the planning work completed in 2019, detailed design and the development of tender ready drawings is the next step for implementation. Further, given the current COVID-19 global pandemic, it is anticipated that this phase of implementation will assist to position the City of Kenora for economic recovery. The Government of Canada is already signaling that there may be broad stimulus funding available post-COVID-19 for shovel ready projects, although it remains to be determined the terms and conditions of any new programs.

**Budget:** Total estimated project costs are \$975,000. This project was approved through the five year capital budget process. At its June 5, 2020 meeting, the Lake of the Woods Development Commission Board of Directors approved a \$50,000 partner contribution to this project to be funded through Municipal Accommodation Tax revenues. Project assistance through senior levels of government is estimated at 66.66 percent of total cost.

**Risk Analysis:** There is a critical financial risk given the magnitude of the project. Risk will be mitigated through funding applications to senior levels of government and local partnerships. Based on the Downtown Revitalization program, there is economic spin-off from this type of investment that includes potential growth in the assessment base.

There is also a positive governance risk that is deemed to be an opportunity to support local business development and draw tourists back into Kenora as COVID-19 recovery begins.

**Communication Plan/Notice By-law Requirements:** By-law required when funding agreement is received from NOHFC and FedNor.

**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;
- 2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems;
- 2-4 The City will act as the catalyst for continuous improvements to the public realm.



June 29, 2020

## City Council Committee Report

**To: Mayor and Council**

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

**Re: 2020 Vacant Lands and Growth Strategy Report**

### **Recommendation:**

That Council hereby accepts the 2020 Vacant Lands and Growth Strategy Report, as prepared by Urban Systems.

### **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 included: 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; 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.

The detailed land inventory identified 75 municipal sites of interest. These sites were refined through internal review and discussion of future municipal needs including transportation projects, cultural use, waterfront access, parkland dedications and other long term community needs. A final list of 47 sites has been developed through this project that are categorized into immediate, short term, medium term and long term disposition priorities. Each of the sites has an associated Vacant Land Profile that provides an overview of the property as well as information on planning and infrastructure. The individual profiles also include a Planning Review, Engineering and Servicing Review and Disposition Checklist. In addition, the project considers private,

Crown and provincial lands of strategic interest as well as population and employment projections for the City of Kenora.

Ultimately, the desired outcomes from this strategy are a combination of revenue generation and an enhanced ability to use municipal land holdings to achieve development priorities related to housing and economic growth. The report is also timely as staff are undertaking a Comprehensive Review of the Official Plan and Zoning By-law and there are a number of properties that will require land-use changes to improve their marketability and streamline disposition.

**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.

**Risk Analysis:** There is low risk to accepting the final report.

**Communication Plan/Notice By-law Requirements:** Vacant land profiles to be utilized in business development and investment attraction efforts.

**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.



July 3, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services**

**Re: Kenora's Economic Recovery Plan**

### **Recommendation:**

That Council hereby accepts Kenora's Economic Recovery Plan, as presented and prepared by Development Services.

### **Background:**

Based on last month's release of the City's Reopening Framework, Development Services in conjunction with staff from Administration and Community Services have formulated Kenora's Economic Recovery Plan. In doing so, the City will have a roadmap to support local businesses and members of the community as the economy reopens. Beyond illustrating measures planned as restrictions are slowly lifted and the risk of COVID-19 subsides, this Plan provides a summary of the measures staff have already implemented and continue to remain relevant.

In pursuing this Plan, Kenora will be joining a growing number of communities that are seeking to use innovative policy tools to adapt to the 'new reality'. Despite the majority of actions identified being specific to reopening as restrictions remain in place, staff recognize that the post-pandemic world may be very different. This is reflected in many Phase 3 items being focused around strategic projects that will need to be adapted for new considerations when it comes to the design of public spaces and shifting social practices.

Ultimately, the four priority areas and 20 actions identified will seek to support economic recovery in both the short and long-term. While the phases described are based on assumptions tied to the Reopening Ontario Plan, the timing of implementation can always change given how fluid the risk level is with COVID-19.

### **Budget:**

Budgetary impact is primarily tied to foregone revenue in relation to parking, application fees and amenity space. Some actions will need to be considered under the 2021 Capital and Unusual Spend Budget.

**Risk Analysis:** There is a high risk tied to partnerships in adopting the plan. However, this risk is deemed to be an opportunity to support local businesses given the current economic climate and restrictions still present.

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

Resolution required; communicate through City website and social media.

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

### Strategic Plan Guiding Principles:

- 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 forge strong, dynamic working relationships with the Kenora business community
- 1-3 The City will foster and support entrepreneurial business development for start-ups and young entrepreneurs

### Strategic Plan Corporate Actions

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

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# Kenora's Economic Recovery Plan



Prepared by:  
Development Services  
June 30, 2020

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# Executive Summary

The City of Kenora's Development Services Department in conjunction with staff from Community Services and Administration have prepared Kenora's Economic Recovery Plan which outlines activities the City can undertake to effectively respond to the devastating impact the COVID-19 pandemic has had on local businesses.

There are a total of twenty-two actions organized according to four different priority areas that form the objectives of the recovery effort. They are based on research conducted amongst other municipalities in the midst of reopening, input received from the community during the crisis and the measures put in place since the public emergency commenced. These objectives are as follows:

- Bring Tourists Back to Kenora
- Restoration of Downtown Activity
- Grow the Resiliency of the Business Community
- Infrastructure that Supports Recovery

The underlying action for each objective is further classified as being targeted for either Phase 2 or the Phase 3 of the recovery. In proceeding with a phased approach, Kenora's Economic Recovery Plan is aligned with the City's Reopening Framework. Actions taken as part of Phase 1 are also captured in the document, however, these are recognized as being on-going and focused around crisis response.

## **Phase 1:**

Limited number of businesses are permitted to be open. The City is engaging with local businesses as they face the impacts of government restrictions on public life.

## **Phase 2:**

Businesses are reopening, and life is returning to public space. The City is adapting to the new challenges and limitations with the risk of COVID-19 still present.

## **Phase 3:**

With a vaccine developed, or transmission risk low, a full return to post-COVID normality. Work continues on helping businesses rebound from the pandemic.



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# Phase 1: The City's Crisis Response

Kenora's Reopening Framework illustrates how the City has responded to the COVID-19 outbreak from the perspective of facility operation and core service delivery. Provided below is a summary of actions implemented on the basis of supporting local businesses and economic stabilization during the grip of the crisis.

## **Immediate municipal tax and payment relief for residents and businesses**

In March, City Council waived interest and penalties on property taxes 6 months until August 31, 2020. The tax due date which has historically been the third week in July has been extended to August 26, 2020. Further, interest on utilities (water and sewer services) has been waived for the 6 months ending August 31, 2020.

Additionally, in June, Council approved lease concessions for direct tenants of the City of Kenora that have experienced a material loss in revenue as a result of restrictions due to COVID-19.

## **Collaborating with partner agencies to be responsive to the needs of local business**

The Kenora Business Partners is a group of six organizations including the City of Kenora, Northwest Business Centre, Lake of the Woods Business Incentive Corporation, Harbourtown BIZ, Kenora and District Chamber of Commerce and the Northwestern Ontario Innovation Centre. Since March 24th, the group has been meeting weekly to discuss resources, information, program supports and other opportunities to support the local business community during COVID-19.

These meetings also included representation from senior levels of government including the Ministry of Energy, Northern Development and Mines as well as FedNor.

The work undertaken to date includes, but is not limited to:

- Creation of a "Help for Businesses" during COVID-19 webpage, hosted on the City of Kenora website;
- Development of the Kenora Delivers Facebook page – targeted to promote adapted service models with information provided by local business;
- Support for innovative Shop Local programs – including assistance to a local Union to offer broad based gift cards to its employees for any Kenora restaurant as well as a similar program with another local employer;
- Partnership with the Manitoba Tourism Education Council to deliver the Clean it Right program to City of Kenora and Kenora District businesses – an online training course developed to encourage consumer confidence during and post-COVID-19.

### **Gathering data for the creation of evidence-based solutions**

The Kenora Business Partners delivered two surveys to the local business community to gather information and data as well as attempt to gauge how to best position and communicate available supports. These surveys were developed as a response to a request for information from the federal and provincial governments.

Initial Business Impact Survey: 78 total responses;

- 47.77% indicated that they were open, open with reduced hours or open with modified function;
- 83.33% indicated that they were experiencing a drop in revenue or business;
- 32.05% responded that they had either asked or required employees to work from home;
- 50% of respondents indicated that they would find delayed municipal property taxes without penalty as a relief measure of benefit;
- 71.79% of respondents included access to zero percent interest loans as a relief measure of benefit.

Follow up Survey: 67 total responses;

- 58.2% indicated that they were open, open with reduced hours or open with modified function – the last survey had 47.44% as open, open with reduced hours or open with modified function
- 33.8% of respondents have experienced a decrease in revenue of less than \$20,000;
- 17.7% of respondents have experienced a decrease in revenue of \$100,000 or more;
- 43.28% of respondents indicated that they have accessed or are planning to access the Canada Emergency Response Benefit;
- 10.45% of respondents indicated that have accessed or are planning to access zero percent interest loans through LOWBIC

All of these results have been shared with the Northern Policy Institute and Northwest Training and Adjustment Board with the intent of informing federal and provincial policies addressing impacts to businesses.

### **Taking a regional approach to information-sharing**

The Regional Economic Development Group is chaired by two members of staff in the Development Services Department and is comprised of economic and business development professionals in the Kenora and Rainy River Districts. There have been bi-weekly meetings to share resources and best practices. The group has received sector presentations focused on ICT, housing and tourism amongst other topics with a focus on providing relief and support to business and industry during COVID-19.

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# Action Plan

**Priority Area:**

Bring Tourists Back to Kenora

**Reopening****Phase #**

**Action #1:** Create a video campaign to showcase the resiliency of local businesses

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**2**

**Rationale:** The intent behind this project will be to profile businesses and provide testimonials on how local businesses have adapted given COVID-19 impacts and the importance of consumer spending by both year-round and seasonal residents.

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**Action #2:** Collaborate with Travel Manitoba on an In-Province Marketing Campaign

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**2**

**Rationale:** Continue to focus on the Manitoba tourism market to drive the economic recovery.

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**Action #3:** Launch an Official Reopening of Kenora event

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**2**

**Rationale:** A formal re-opening event will be planned that celebrates the re-opening of the local economy and offers a welcoming message to seasonal residents.

**Action #4:** Allow the use of designated parking spaces for pick-up in the downtown to support shop local and accommodate easy pick-up **2**

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**Rationale:** Businesses will be allowed to place signage that identifies spaces as being reserved for pick-up to accommodate the new reality facing restaurants and retail.

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**Action #5:** Free parking downtown until the end of July to support resident and seasonal visitor traffic **2**

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**Rationale:** As businesses re-open, the City will seek to ensure that the cost of parking does not impede their recovery

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**Action #6:** Waive the fee for the Whitecap Pavilion for public events **3**

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**Rationale:** To revive public life in the downtown and along the Harbourfront, staff will exercise discretion in waiving fees for special events under the Whitecap Pavilion.

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**Action #7:** Develop, Support and Promote Outdoor Patio Space

**2**

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**Rationale:** Recommended revisions to the policy included the waiving of application fees, flexibility in required insurance provisions and ability to use or impact municipal parking spaces, at no charge, to a maximum of four spots. The amendments were approved at the June 16, 2020 Council meeting.

To further support the development of outdoor commercial patios on municipal property, the Lake of the Woods Development Commission approved the delivery of a grant program to provide financial assistance for business owners funded through the Municipal Accommodation Tax.

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**Action #8:** Partner with employment agencies to facilitate virtual job fairs/social spaces

**2**

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**Rationale:** Through the Kenora Business Partners and the Services Sector Working Group, staff will support innovative practices to facilitate economic recovery in a safe manner.

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**Action #9:** Implement an “Explore your own community” program **2**

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**Rationale:** There will be a number of different projects that highlight things to do and experience locally. This includes a Staycation contest and a community scavenger hunt/activity based photo contest. The Stuff Magazine will be revised with emphasis on local shopping. Lastly, the City will explore the feasibility of integrating the OnThisSpot app into the existing Kenora Tours and Trails App.

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**Action #10:** Discount to application fees for eligible projects until January 2021 **2**

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**Rationale:** For those sectors most significantly impacted by COVID-19, Development Services will offer discounted rates for both planning and building applications.

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**Action #11:** Work with Kenora Business Partners on the delivery of a Go Local Shopping Program **2**

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**Rationale:** This project could take the form of offering gift cards that can be utilized at any local business and provide rewards/incentives based on spending.

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**Action #12:** Promote and celebrate ‘The Big Spend’ on July 25th **2**

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**Rationale:** As part of this national initiative to revive local businesses, the City will seek to mobilize the community to spend at local shops by promoting through communications.

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**Action #13:** Expand and incentivize uptake in the Matiowski Farmers Market

2

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**Rationale:** The market area could stretch across the south parking lot to allow for more vendors and pedestrian traffic. There may also be an opportunity to utilize the upstairs of the Thistle Pavilion as an amenity space.

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**Action #14:** Review regulations in Zoning By-law and Official Plan to encourage safe development

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**Rationale:** Through the Comprehensive Review of the City's Official Plan and Zoning By-law, the impacts of COVID-19 will be considered which could include modifying the regulation on the sale of merchandise for home industries and expanding the zones for which they are permitted.

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**Action #15:** Ensure that 5-year Economic Development and Tourism Strategy is responsive those sectors most significantly affected by COVID-19

3

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**Rationale:** The Lake of the Woods Development Commission initiated the process to undertake a five year economic development and tourism strategy early in 2020. The project was positioned to determine key economic development and tourism projects that can be delivered using Municipal Accommodation Tax revenues over a five year period in alignment with City of Kenora corporate objectives, amongst other deliverables. Given the COVID-19 crisis, community engagement activities will be undertaken in light of the current global pandemic and the final plan will be developed through a recovery lens.

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**Action #16:** Amendments to CIPs to expand areas or incentives

**3**

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**Rationale:** New grant programs will be developed as part of a CIP Review and will be reflective of new economic realities facing businesses in the aftermath of COVID-19.

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**Action #17:** Implement the Vacant Lands Disposition Strategy with a focus on facilitating projects that support the most vulnerable and drive the economic recovery

**3**

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**Rationale:** Recognizing that municipal land holdings are a tool to support economic development, those properties identified in the Vacant Lands Disposition Strategy will be marketed heavily to leverage investment into Kenora.



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<b>Priority Area:</b> Infrastructure that Supports Recovery	<b>Reopening Phase #</b>
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<b>Action #18:</b> Develop an Open Streets Program	<b>2</b>
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**Rationale:** Assess opportunities to expand public spaces for pedestrians and businesses including street closures and lane reductions, where possible, as a practical tool for public health risk reduction.

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<b>Action #19:</b> Advocate for changes to federal and provincial policies that create challenges for economic and social recovery	<b>2</b>
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**Rationale:** Recognizing the limited fiscal capacity of municipal governments, the City will advocate for funding that helps the City deliver services vital to the recovery effort.

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<b>Action #20:</b> Prioritize investment into Kenora’s Harbourfront to stimulate the local economy and attract both local residents and tourists	<b>3</b>
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**Rationale:** Implementation of the Harbourfront Business Development Plan will assist to position the City of Kenora for economic recovery. Moving the project to a ‘shovel-ready’ state will allow the City to capitalize on broad stimulus funding that may be available post-COVID-19.

# Conclusion

In recognition of the evolving nature of the COVID-19 pandemic, Kenora's Economic Recovery Plan is not intended to have a definitive end-date. It will be continually subject to review and tracking to ensure it remains relevant and that actions proceed in a timely manner to mitigate the economic impacts faced by local businesses and by extension the community. Despite this commitment, there is no doubt that COVID-19 has created a 'new reality' for Kenora with there being changes to public life that may be permanent. Many of the actions identified in this Plan are intended to be strategic and help the municipality adapt to both the present and the future.

This document will be used to inform other planning processes supporting economic development and tourism in order to ensure that that new programs and policies are continually reflective of impacts from the COVID-19 pandemic. There are numerous challenges that has arisen from this crisis, but there also opportunities to be innovative with policy to create a safer and more prosperous Kenora.



**Kenora  
Delivers**

Keep it in Kenora



July 6, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services**

**Re: Amendment to Business Licencing By-law 80-2006**

**Recommendation:**

That Business Licencing By-law #80-2006 be hereby amended to reflect the temporary use of vending on municipal property for businesses that have been approved under a Licence of Occupation for 2020.

**Background:**

Last month, Council approved amendments to the Outdoor Commercial Patio Policy (2012) recognizing that as Ontario gradually reopens the economy, there will need to be supportive policy in place for businesses that will seek to operate with restrictions in place. Since that time, there has been considerable interest in pursuing patio development while using adjacent municipal property to maximize occupancy. In evaluating these applications, there has also been interest expressed with regards to having vending stations for food production and/or sales.

Under the Business Licencing By-law such uses are currently prohibited unless for the purpose of a special event. The proposed amendment will allow for this to be permitted through a Licence of Occupation in 2020. The change will broaden the scope of patio expansion with the intent of helping restaurants rebound from COVID-19. Until a more fulsome review of the subject by-law can be completed, the amendment will be temporary in nature and only apply to this year.

Staff will still retain discretion in approval of these facilities based on the circulation process undertaken through a License of Occupation application.

**Budget:**

N/A

**Risk Analysis:** There is moderate governance risk, however it is deemed to be a positive one that is adaptive to the changing needs of local businesses as COVID-19 remains a threa.

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

**Strategic Plan or other Guiding Document:**

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

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

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