



City of Kenora
Committee of the Whole
Minutes
Tuesday, October 13, 2020
9:00 a.m.
Virtual Attendance

Council met electronically as permitted by the City of Kenora Procedural bylaw. Citizens and our Media Partners are encouraged to watch the virtual meeting via the Public Live Stream Event at:

<https://video.isilive.ca/kenora/2020-10-13.html>

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

Regrets: Councillor Andrew Poirier

Staff: Kyle Attanasio, CAO, Heather Pihulak, Manager of Administration/City Clerk, Charlotte Edie, Manager of Finance/Treasurer, Stace Gander, Manager of Community Services, Adam Smith, Manager of Development Services, Jeff Hawley, Manager of Operations, Megan Dokuchie, Economic Development Officer, Allyson Pele, Northwest Business Centre Manager, Kevan Sumner, City Planner

A. Public Information Notices

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its October 20, 2020 meeting:-

- Adopt the 2021 Meeting Calendar
- Amend the Tariff of Fees and Charges bylaw, 'Schedule D-Operations & Infrastructure', to increase water and sewer rates by 3.1% in 2021
- Authorize a budget amendment in the amount of \$3,800 to be funded through the Water and Waste Water Reserve for the purchase of 2020 Xcentric Ripper
- Amend 'Schedule D-Operations & Infrastructure' of the Tariff of Fees and Charges Bylaw to remove the fees for tires up to 16", tires 16.5" to 20" and tires over 20"
- Authorize a budget amendment in the amount of \$54,849 to be funded through contingency reserves to enable the Maintenance Manager Module (MMM) in the City Wide asset management program
- Declare City owned lands known as the 'Howard Property' as surplus to the requirements of the Municipality

- Declare municipal lands locally known as the “Howard Property” surplus to the needs of the municipality and sell such lands to the Kenora District Services Board for the development of Senior’s housing
- Council will dissolve the Lake of the Woods Development Commission

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.

There were none declared.

C. Confirmation of Previous Committee Minutes

Resolution #1

Moved by R. McMillan, Seconded by C. Van Walleggem & Carried:-

That the Minutes from the last regular Committee of the Whole Meeting held September 8, 2020 be confirmed as written and filed.

D. Deputations/Presentations

Marlene Elder, Kenora Moving Forward

Kenora Moving Forward is an informal coalition of groups and individuals who came together after the defeat of the loitering bylaw this past summer. They are asking Kenora City Council to take immediate action on the urgent need for emergency winter housing in our community.

At the City Council meeting on July 21, 2020, the majority of Council members voted against the loitering bylaw. During that meeting, members of this Council asked those who had spoken out against the bylaw to take an active role in finding solutions moving forward. People want to help and we are prepared to take action now. We just need a plan.

Mayor Reynard thanked Ms. Elder for her deputation and for the information. A copy of the deputation was left with the Clerk.

Official Plan/Zoning Bylaw Consultant Presentation – WSP

Adam Smith, Development Services Manager introduced Nadia De Santi from WSP who is leading the Official Plan/Zoning Bylaw project. Megan Boles is the Community Engagement Lead on the project.

Nadia presented the project logo which will be used throughout the entire project to enable the public to recognize the branding associated with this project.

There is a need for a comprehensive review of the Official Plan (OP) and the Zoning Bylaw (ZBL) which is required under the Planning Act in Ontario. One of the reasons is that May 1 of 2020 released a new Provincial Policy Statement which is the policy governing legislation all municipalities in Ontario. There has been other provincial legislation such as bill 73 and 139 that have various components that need to be updated in the City’s OP. The focus from the growth plan is the economic development perspective. The growth management plan and vacant land analysis will allow us to look at projections for the City and ensure that lands are zoned adequately to meet the forecasted needs. There are local needs as well and allows us to look at the community vision and there will be a robust community engagement piece to this process. This OP can be for a ten year horizon. The PPS has changed and municipalities can

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now plan up to 25 years and municipalities don't need to update their OP for up to 10 years. From the zoning perspective any changes through provincial changes and need to include and improve some interpretations within the document. We have developers that come from other provinces and the language could be improved to be better explained for all who wish to develop in the City.

There will be community engagement including indigenous consultations with the five First Nations surrounding communities. We will be using the City's website and social media platforms to get the message out to the community on the process and the importance of the process for the community.

Mayor Reynard thanked Nadia and Megan for their presentation and a copy was left with the Clerk.

Northwest Business Centre Programming, Allyson Pele, Manager

Allyson Pele, Manager of the Northwest Business Centre presented an update on the activities of the Centre. Allyson highlighted what the Small Business Centre Enterprise is and who they service. Allyson provided the 2020 highlights for the Centre including the Starter Company Plus program, Summer Company program and the various workshops that have been delivered.

Looking forward, Digital Service Squad consultants were hired and will begin working with small businesses this week. Small Business Strong is October 18-24. Etsy Essentials workshop will be delivered November 18 and Marketing re-defined workshop on November 19th. Starter Company Plus regional grant meeting on December 15th. Ontario's Small Business COVID-19 Recovery Network was announced by the Province last week and the Centre will be delivering the mandate of this new program once details are released.

Economic Recovery Efforts – Megan Dokuchie, Economic Development Officer

Allyson Pele and Megan Dokuchie presented Kenora's Economic Recovery Plan. In response to the crisis, we mobilized the Kenora Business Partners which composed of City of Kenora, Harbourtown BIZ, Kenora and District Chamber of Commerce, Lake of the Woods Business Incentive Corporation (CFDC), Northwest Business Centre and Northwestern Ontario Innovation Centre.

They held weekly meetings, invited reps from FedNor and MENDM to attend, weekly newsletters released for business owners, shared information, resources and program details. The key message was Kenora business support services are here to help.

The group updated the 'help for businesses' webpage. The Kenora Delivers Facebook page was launched which is a positive place to share what local businesses are doing. Shop local programming support, NWBC's business conversations and conducted three surveys in April, May and September. Clean it Right program-MTEC where businesses could register and take online training as part of the Manitoba-Tourism clean it right program.

Development Services looked at a recovery plan for Kenora's economic area. Four priorities included bringing tourists back to Kenora, restoration of downtown activity, grow resiliency of the business community and infrastructure that supports recovery.

The first priority area was launching an official reopening of Kenora event. The event focused on welcoming tourists and seasonal residents and encouraging everyone to shop local. We developed the 'welcome, glad you are here video'. It demonstrates the impact of tourism on

our community and the economic impacts of tourism. Restoration of downtown activity also offered free parking downtown for the month of July to support shopping local and shopping downtown.

The next piece was to grow the resiliency of the business community. The focus of these policy remnants was to support outdoor patios in the downtown areas. The timing of the policy was important as it aligned with some of the provincial guidelines and re-openings. You could have outdoor seating but not indoor seating. This new patio amendments allowed businesses to offer seating. They received five applications and the development of two patios on private property. They were able to apply this tool to the open air street market. The overall application of this policy was very successful over the summer months.

We promoted and celebrated the 'Big Spend' on July 25th. We did promote this campaign and encourage everyone to shop local during this campaign. Ensure that the five year economic development and tourism strategy is responsive to those sectors most significantly affected by COVID-19. The implementation of the vacant lands disposition strategy with a focus on facilitating projects that support the most vulnerable and drive economic recovery.

The fourth priority is related to infrastructure that supports recovery and develops an open streets program. We held an open air market on August 26th and August 29th. They were well attended and had over 40 businesses participating and very well attended events.

Moving ahead, we want to prioritize investment into Kenora's Harbourfront to stimulate the local economy and attract both residents and tourists. We have applied to three funding programs to support this program. We have been approved to move to the next stages in some of the funding applications and are looking forward to these possibilities.

Looking ahead to 2021, our position is very much that we are here to help and support businesses, and are encouraging feedback for events and activities for 2021.

E. Reports:

1. Administration & Finance

1.1 August 2020 Financial Statements

Recommendation:

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

Discussion: Charlotte Edie, Manager of Finance/Treasurer outlined the shortfalls in the budget on the revenue side. She will have further details on the various losses in the various areas as well as the impacts of COVID on the operating budget at a future meeting. COVID expenses are now over \$41,000 and tourism and event related activities are also a complete loss of revenue. We received \$911,000 for safe restart funding from the province. We are taking our hits from loss of revenue but have that funding to offset our losses. MMAH has asked us to provide a fairly detailed projection of the use of those funds. There is a Phase II and we have to request that additional funding by the end of October. Recreation is down \$330,000 in revenue as of end of August, net of savings.

1.2 2021 Water & Sewer Rate Increase

Recommendation:

That as recommended by BMA Management Consulting Inc. in the Water and Wastewater Long Range Financial Plan Forecast received by Council resolution on September 15, 2020, the 2021 water and sewer rates be increased by 3.1% over the 2020 rates; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend the Tariff of Fees and Charges bylaw to increase water and sewer rates by 3.1% in 2021; and further

That Council give three readings to a by-law for this purpose; and further

That these rates shall take effect and come into force on January 1, 2021; and further

That bylaw number 102-2020 be hereby repealed.

Discussion: Charlotte Edie, Manager of Administration/Treasurer noted the rate of inflation and often we reference using the CPI. Recently over the last year or two some municipal governments have come up with a municipal price index which reflects more of what a municipality spends on roads, bridges, employment. The CPI doesn't reflect as much of the municipal spending pattern as the municipal price index does. Some other municipalities have developed their own municipal price index and that often exceeds CPI by .7%. If we look realistically at what our municipal price index might look like, we would see us sit at approximately 2.7 to 2.9% for municipal inflation.

1.3 Backyard Chickens – Informational Report

Recommendation:

That Council provide staff direction to bring the matter of keeping backyard chickens forward as part of the Official Plan and Zoning Bylaw comprehensive review process; and further

That any changes to the Keeping of Animals bylaw be deferred until the Official Plan and Zoning Bylaw review process is complete.

1.4 Yard Maintenance Bylaw Exemption Request

Recommendation:

That Council hereby authorizes an exemption to Yard Maintenance Bylaw #49-2017 to allow grass and other plants to grow longer than 20cm for the months of May and June for citizens with designated bee signage to allow honeybees and pollinators to succeed; and further

That this exemption be conditional on the approval of a minor variance to the City's Zoning bylaw to permit beekeeping in an area zoned other than Rural (RU).

1.5 2021 Council Meeting Calendar

Recommendation:

That Council hereby accepts the 2021 Council meeting calendar as presented.

2. Fire & Emergency Services

No Reports.

3. Operations & Infrastructure

3.1 Budget Amendment – Xcentric Hydraulic Ripper Attachment

Recommendation:

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That Council hereby approves an additional allocation of \$3,800 to be funded through the Water and Waste Water Reserve for the purchase of 2020 Xcentric Ripper; 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 October 13, 2020 meeting to withdraw funds from the Water and Wastewater Reserve in the amount of \$3,800.00 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.

3.2 Tariff of Fees and Charges – Tipping Fee for Tires at Transfer Station Recommendation:

That Council hereby approves an amendment to Schedule "D" of the Tariff of Fees and Charges bylaw to remove the fees for tires up to 16", tires 16.5" to 20" and tires over 20"; and further

That in accordance with Notice By-law Number 9-2020, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law Number at its October 20, 2020 meeting to give effect to these rates outlined in the revised Schedule "D"; and further

That By-law Number 102-2020 be hereby repealed.

4. Community Services

4.1 Anicinabe Park – Old Chalet Lane Closure Recommendation:

That Council hereby authorizes staff to keep Old Chalet Lane closed at Anicinabe Park for the 2020/2021 winter season.

Discussion: This request would be evaluated and assessed after the 2020/2021 season and determine if this would continue. There has not been a matrix established to evaluate what success looks like, but this can be set up in advance so the expectations are clear on what success looks like. Sunset Trail Riders snowmobile trails was considered and in the event that we get reports of abuse pertaining to snowmobilers, we would look at it from an enforcement perspective and advise Sunset Country Trail Riders. Winter tourism is important to the City and it is anticipated that this change will improve winter tourism.

4.2 Application for New Horizons Seniors Program Funding Recommendation:

That Council of the City of Kenora approves an application to The Government of Canada's New Horizons for Seniors Program (NHSP) in the amount of \$25,000 to make improvements to the Portage Bay walking bridge; and further

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

Discussion: This is not included in the capital budget so if funding was not secured, we would need to include it in the capital budget for completion.

4.3 New Horizons Seniors Centre Lease Agreement Recommendation:

That the Mayor and Clerk be hereby authorized to enter into a lease renewal agreement with the Kenora District New Horizons Senior Centre for the use of commercial space located in the Kenora Recreation Centre located at 18 Mike Richards Way; and further

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

4.4 Ice Use Review

Stage Gander, Manager of Community Services presented Council with an informational report on the Keewatin Arena and forecasted ice usage. The most important note here is what it will do to the ice use. We were delayed in getting a lot of information and now we have firm registration numbers are recognizing that total number of registration is down 50% through Lake of the Woods Minor Hockey but their demand for ice has not changed. The biggest impact is in the high school programs is the youth academy that has been cancelled and both TA and BBSS have postponed their programs. Both LOWMH and LOWGH are on a week by week suspension of programs, however, both groups are starting this weekend. The compressor project is now complete. We have taken the building down to a temperature to possibly make ice. We will have ice November 1st and this will work well for the user groups.

Revenues will continue to drop but it is the right decision to move forward but we will not see the usage as we have in the past.

4.5 Kenora Rotary Club – Peace Park

Recommendation:

That Council hereby authorizes the use of Municipal lands locally known as the designated green space on First Avenue South between the former Blue Heron and former Laundromat to be designated as a "Peace Park" which will include a monument honouring Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons in partnership with the Kenora Rotary Club; and further

That Council directs staff to draft a Memorandum of Understanding (MOU) between The Corporation of the City of Kenora and the Kenora Rotary Club authorizing the conversion and maintenance of a Peace Park to be located on First Avenue South.

4.6 Budget Amendment – Maintenance Manager Module

Recommendation:

That Council hereby approves a budget amendment in the amount of \$54,849 to be funded through contingency reserves to enable the Maintenance Manager Module (MMM) in the City Wide asset management program; 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 October 20, 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.

4.7 Muse Policy Review

Recommendation:

That Council hereby authorizes the adoption of a Comprehensive Official Policy Manual for the various policies pertaining to the Muse recognizing that from time to time amendments will be required as policies are added, removed and amended; and further

That three readings be given to a bylaw to adopt the policies and terms of reference governing the operation of the Muse, Muse staff, subcommittees and the Muse Board.

5. Development Services

5.1 Declaration of Surplus and Sale of Land – KDSB Seniors Housing Project

Recommendation:

That Council hereby declares the property known as the 'Howard Property' as surplus to the needs of the municipality; and further

That Council authorizes the Mayor and Clerk to enter into a Purchase and Sale Agreement with the Kenora District Services Board for the property in the amount of \$304,000; and further

That public notice is hereby provided in accordance with our public notices bylaw 144-2007 that Council intends to declare the Howard Property lands surplus to the needs of the municipality and sell such lands at its October 20, 2020 meeting; and further

That Council hereby commits \$250,000 from the Land Development Reserves in 2021 to support the extension of servicing to the site in support of the development of senior's housing in Kenora; and further

That three readings be given to the respective by-laws for these purposes.

Discussion: This is a very good news story and a great project for Kenora and our seniors in the community. A press release will go out later today with the information for the public.

5.2 Bill 108 Implications for Planning

Discussion:

Kevan Sumner provided an overview of Bill 108 which amended a broad area of development. A Community Benefits Charge (CBC) By-law is authorized under the Planning Act and enables a council to impose charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies.

A Development Charges By-law may be passed by council under the authority of the Development Charges Act. Development charges may be charged against land to pay for increased capital costs required because of increased needs for services arising from development of the area. The charge must be related to at least one of a list of possible approvals under the Planning Act or the Condominium Act, and can only apply to a certain services as listed in the Development Charges Act.

A Parkland Dedication By-law sets out regulations for the conveyance of land for park or other public recreation purposes as a condition of development. On September 18, 2020, the Province proclaimed into force the remaining amendments of the More Homes, More Choices Act (Bill 108) and the COVID-19 Economic Recovery Act (Bill 197). The Province also made a new Regulation under the Planning Act, Ontario Regulation 509/20, setting out the prescribed information with respect to the new CBC authority and the amended parkland dedication provisions. Municipalities have until September 18, 2022 to implement the legislative and administrative changes necessary to transition to this new framework.

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The intent of the new legislation was to provide more certainty and predictability regarding the costs of development in communities that make use of CBCs, and to provide proponents with appeal rights to assist with engaging in and seeking to influence the development process.

The City of Kenora does not have a CBC, Development Charge, or Parkland Dedication bylaw. The Official Plan, adopted in 2015, sets out the following policies regarding parkland dedication, but the City has not passed a separate Parkland Dedication By-law to regulate such dedications. 4.6.3 Parkland Dedication a) As a condition of development or redevelopment, the City may require land to be dedicated for a park or other recreational purposes in accordance with the provisions in Section 42 of the Planning Act. The dedicated land should be used for active open space. If land is unsuitable for open space or recreational use due to topography, for example, the City may require payment-in-lieu of the parkland dedication. b) As a condition to the approval of a Plan of Subdivision or Plan of Condominium for residential development, 5% of the land shall be conveyed to the City.

In the case of commercial or industrial development, 2% of the land shall be conveyed to the City. The City may require payment-in-lieu of the parkland dedication. c) An alternative to requiring land conveyance for residential development, City may require that land be conveyed to the municipality for park or other recreational purposes at the rate of 1 hectare for every 300 dwelling units. d) All conveyed land as part of parkland dedication must be suitable for recreation purposes and acceptable to the City.

In the absence of a by-law, there are key implementation challenges including that of enforceability and administration.

The implementation of CBCs or Development Charges is something that Council may wish to consider as the City goes through the process of reviewing and updating the Official Plan over the next year. More immediately, Council may choose to authorize a Parkland Dedication By-law, to fully implement the vision set out for such dedications in the Official Plan.

5.3 Dissolution of the Lake of the Woods Development Commission

Recommendation:

That Council hereby directs administration to complete the required measures to achieve the dissolution of the Lake of the Woods Development Commission (LOWDC) and the termination of the Memorandum of Understanding between the City of Kenora and the LOWDC dated October 15, 2013; and further

That three readings be given to a bylaw to reflect the amendments to the City of Kenora's role in allocating the Municipal Accommodation Tax; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new By-law to amend the Municipal Accommodation Tax By-Law Number at its October 20, 2020 meeting to give effect to the new regulation; and further

That bylaw number 34-2018 be hereby repealed.

Discussion: Consider adding a regional partner, Sioux Narrows-Nestor Falls, to the list of members to the new committee. Adam will review and report back to Council on this regional consideration.

5.4 Economic Development and Tourism Advisory Committee

Recommendation:

That the Council of the City of Kenora hereby establishes a new Economic Development and Tourism Advisory Committee to make recommendations and offer input into economic development and tourism initiatives led by the municipality; and further

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

F. Proclamations

Mayor Reynard then read the following proclamations:

- Social Isolation Awareness Month

G. Other

- Councillor Van Wallegghem gave a shout out to the Keewatin Curling Club volunteers for all their efforts
- Councillor Smith referenced the celebration of the Water & Wastewater connection to WON First Nations. Sharon recognized Jeff Hawley for his efforts on the negotiations of this agreement. It is a historical and proud moment and staff need to be recognized for their efforts on making this project a reality.
- Councillor Goss echoed the WON agreement and considered it a reconciliation event. Councillor Goss publicly acknowledged the work of former MP Bob Nault on this project and thanks to him that there is both sewer and water to the community as a result of his involvement. Councillor Goss is also very pleased on the uptake on the mask policy and use.

H. Next Meeting

- Tuesday, November 10, 2020

I. Adjourn to Closed

Resolution #2

Moved by S. Smith, Seconded by R. McMillan & Carried:

That Council now adjourn to a closed session at 11:54 a.m.; and further

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

- i) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value (1 item-tax base)
- ii) Disposition of Land (1 item -Town Island sale)
- iii) Educating & Training Members of Council (3 items-All Nations Health Partners update, CAO update, Team Kenora update)

J. Reconvene to Open Meeting

Council reconvenes to open session at 2:42 p.m. with the following reports from its closed session:-

Sale of Town Island**Recommendation:**

That Council direct Development Services staff to negotiate a purchase and sale agreement with the Nature Conservancy of Canada for its acquisition of Town Island in the amount of \$2.25 million; and further

That negotiations include a proposed closing date of August 31, 2022, including a condition for a phased donation to the stewardship endowment fund of \$50,000 over 3 years by the City of Kenora.

K. Close Meeting

Meeting adjourned at 2:43 p.m.