



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, January 28, 2020 – City Council Chambers
12:00 p.m.**

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**With** Mayor D. Reynard in the Chair, Councillor R. McMillan Councillor A. Poirier, Councillor K. Ralko, Councillor S. Smith, Councillor C. Van Walleghem

**Regrets:** Councillor M. Goss

**Staff:** Heather Pihulak, Manager of Administration/City Clerk (Acting CAO), Heather Lajeunesse, Enforcement Division Lead/Deputy Clerk, Stace Gander, Manager of Community Services, Jeff Hawley, Manager of Operations & Infrastructure, Hilary Smith, Human Resources Advisor, Adam Smith, Manager of Development Services (arrived at 12:09 p.m.)

## Call to Order

Mayor Reynard called the meeting to order and Councillor McMillan delivered a blessing.

## Public Information Notices as per By-law Number 144-2007

Mayor Reynard then read the following notices:-

As required under Notice By-law #144-2007, Council hereby advises the public of its intention to adopt the following at today’s meeting:-

- Council will adopt the 2020 Municipal Operating Budget
- Council will adopt the 2020 Water & Wastewater Budgets
  - Council will adopt the 2020 Solid Waste Budgets
- Council will purchase vacant lands locally known as 117 Main Street South
- Amend the 2020 Capital Budget to withdraw funds from the Recreation Centre Expansion reserves in the amount of \$60,000 for an expansion project of the fitness centre
  - Amend the Tariff of Fees & Charges bylaw, Schedule C, Fire Dept
- Amend the 2019 Operating & Capital Budget to withdraw funds from the Storm Sewer Reserve in the amount of \$153,000.00 to offset the cost of emergency storm sewer works for Preston Pond and 1353 Valley Drive
  - Declare Surplus Land, close a portion of “Old Government Road”

## Declaration of Pecuniary Interest & General Nature Thereof

Mayor Reynard then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Today’s Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

There were none declared.

## **Confirmation of Minutes**

### **1. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-

Regular Council – December 17, 2019

## **Deputations**

None

## **Additions to the Agenda**

None

## **November 2019 Financial Statements**

### **2. Moved by C. Van Walleghem, Seconded by K. Ralko & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at November 30, 2019.

## **2020 Operating Budget Approval**

### **3. Moved by A. Poirier, Seconded by K. Ralko & Carried:-**

That Council hereby approves the City of Kenora's 2020 Municipal Operating Budget, as reviewed and amended; and further

That Council give three readings to a By-law to approve the 2020 Municipal Operating Budget; and further

That Council authorize City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the amended budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2020 Municipal Operating Budget by-law at its January 28<sup>th</sup>, 2020 Council Meeting.

## **2020 Water & Wastewater Budget Approval**

### **4. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That Council hereby approves the 2020 Water and Sewer Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the Water & Sewer Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2020 Water and Sewer Utility Budget by-law at its January 28<sup>th</sup>, 2020 Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **2020 Solid Waste Budget Approval**

#### **5. Moved by R. McMillan, Seconded by C. Van Walleghem & Carried:-**

That Council hereby approves the 2020 Solid Waste Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the Solid Waste Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2020 Solid Waste Utility Budget by bylaw at its January 28<sup>th</sup>, 2020 Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **HR Policies Review**

#### **6. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That Council hereby approves a new #HR-2-08 Fit to Work Policy and new #HR-2-17 Health & Wellness Discount Policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

That Council hereby repeals Human Resources Policy #HR-2-08 Substance Abuse Policy, and further

That bylaw number 43-2014 be hereby repealed; and further

That three readings be given to two bylaws for this purpose.

### **Council Policy #CC-2-3 Parental & Maternity Leave**

#### **7. Moved by C. Van Walleghem, Seconded by R. McMillan & Carried:-**

That Council hereby approves an amendment to Policy #CC-2-3, Parental and Maternity Leave which forms part of the City of Kenora Comprehensive Policy Manual; and further

That bylaw number 162-2017 be hereby repealed; and further

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

### **Kenora Municipal Non Profit Housing Corporation Future Direction**

#### **8. Moved by A. Poirier, Seconded by S. Smith & Carried:-**

That the Kenora Municipal Non Profit Housing Corporation Board/Council hereby directs Administration of the City of Kenora to initiate steps required to proceed with the dissolution of the Kenora Municipal Non Profit Housing Corporation; and further

That the transfer of all assets and liabilities of the Kenora Municipal Non Profit Housing Corporation be transferred to the Kenora District Services Board as part of this process; and further

That all legal requirements required to proceed in accordance with this transfer be hereby authorized and delegated to the City Clerk; and further

That a full communication plan be developed by the Kenora District Services Board outlining the process, timelines and avenues for stakeholders to address concerns/questions.

**Councillor Poirier read a joint media release from the City of Kenora and the Kenora District Services Board related to the transfer.**

### **117 Main Street South Vacant Land Purchase**

**9. Moved by K. Ralko, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes the purchase of property legally described as PIN 421630076 Southerly Part of Lot 3 Block 2 Plan 3 Parcel 220, locally known as 117 Main Street South; and further

That it is deemed in the best interests of the Corporation of the City of Kenora to acquire such lands to continue the development and beautification of the downtown core; and further

That the Corporation of the City of Kenora shall enter into an Agreement of Purchase and Sale with Eikre Holdings Ltd. to purchase the lands described above in the amount of \$135,000; 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 in the amount of \$135,000 plus applicable legal costs for the purposes of purchasing vacant lands known as 117 Main Street South from its land reserves at its January 28, 2020 meeting for this purpose; and further

That the Mayor and Clerk be and are hereby authorized to execute the Agreement of Purchase and Sale and any and all documents required to complete this transaction; and further

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

### **Tariff of Fees & Charges Amendment – Schedule C – Fire Department**

**10. Moved by R. McMillan, Seconded by C. Van Walleghem & Carried:-**

That three readings be given to a bylaw to authorize an amendment to the Tariff of Fees and Charges bylaw, Schedule C, Emergency Services, to include an increase to site inspection for open air special burning permits; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law

Number at its January 28th, 2020 meeting to give effect to these rates outlined in the revised Schedule "C"; and further

That By-law Number 119-2019 be hereby repealed.

### **Fire Marque Inc. Cost Recovery Agreement**

#### **11. Moved by S. Smith, Seconded by A. Poirier & Carried:-**

That three readings be given to a bylaw to authorize a cost recovery bylaw for Fire Department expenses levied against properties with insured perils coverage under the property insurance for fire department fees and services; and further

That the cost recovery (fees) with respect to the Fire Department specific response are outlined within the bylaw; and further

That the Fire Chief be authorized to collect and provide such information as is required to facilitate claims undertaken by Fire Marque Inc. and assist with the collection of such recoverable expenses with respect to inured perils from any property owner by whatever means may be necessary; and further

That the revenue that is generated must be used in the areas of fire prevention, public education, training programs, firefighting and capital purchases for fire services.

### **Budget Amendment – 2019 Storm Sewer Reserves**

#### **12. Moved by C. Van Wallegem, Seconded by S. Smith & Carried:-**

That Council hereby approves an additional allocation of \$153,000.00 to be funded through the Storm Sewer Reserve for the emergency rehabilitation of storm systems at Preston Pond and 1353 Valley Drive; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Operating & Capital Budget at its January 28, 2020 meeting to withdraw funds from the Storm Sewer Reserve in the amount of \$153,000.00 to offset the cost of this work; and further

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

### **Traffic Amendment – Accessible Parking – 2<sup>nd</sup> St S & 5<sup>th</sup> Ave S**

#### **13. Moved by A. Poirier, Seconded by S. Smith & Carried:-**

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "C" – Limited/Restricted Parking for Second Street South as well as Fifth Avenue South, and changes to Schedule "K" – Accessible Parking Spaces on Municipal Streets to the same roads, to accommodate three (3) additional accessible parking spaces for the area; and further

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

## **Investing in Canada Infrastructure Program – Green Stream Submission**

### **14. Moved by K. Ralko, Seconded by C. Van Walleghem & Carried:-**

That the Investing in Canada Infrastructure Program—Green Stream, the City of Kenora may submit a project application and have 73.3 percent of costs covered related to a total project value of approximately \$2.5 million; and further

That Council directs administration to apply for funding under the Investing in Canada Infrastructure Program—Green Stream to proceed with the Second Avenue South Sewer, Water and Storm Replacement Project.

## **Budget Amendment – Fitness Centre Expansion - KRC**

### **15. Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

That Council hereby approves a capital budget amendment in the amount of \$60,000 to expand the footprint of the Fitness Centre at the Kenora Recreation Centre to be funded through the Recreation Centre Expansion reserve fund; 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 January 28<sup>th</sup>, 2020 meeting to withdraw funds from Recreation Centre Expansion reserves in the amount of \$60,000 for the project; and further

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

## **Hings Lease Renewal**

### **16. Moved by S. Smith, Seconded by A. Poirier & Carried:-**

That Council authorizes a one year lease extension to an existing lease agreement with 446562 Ontario Ltd. (Hing) for use of the Chipman Street parking lot adjacent to the Hings Restaurant at 101 Matheson Street South; and further

That said renewal will increase the annual rent by three (3%) percent (plus applicable taxes) for a period from 1 January, 2020 to 31 December 2020; and further

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

## **No Smoking City Facilities Bylaw Amendment**

### **17. Moved by C. Van Walleghem, Seconded by S. Smith & Carried:-**

That Council hereby approves an amendment to By-law Number 145-2007: A By-law to Regulate Smoking in or Near All Buildings Owned by the Corporation of the City of Kenora to include vaping; and further

That By-law Number 145-2007 be hereby repealed; and further

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

## **Ontario's Forest Sector Strategy Submission**

### **18. Moved by A. Poirier, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby approves a submission to the Government of Ontario's 'A Blueprint for Success: Ontario's Forestry Sector Strategy Draft'.

## **Lafreniere Site Plan Agreement**

### **19. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That the Mayor and Clerk of the City of Kenora be authorized to execute a site plan agreement between the City of Kenora and Doug Lafreniere Developments Ltd. , to allow for the development of a 30 unit apartment dwelling, all associated facilities; and further

That the appropriate bylaw be passed for this purpose.

## **Zoning Bylaw Amendment – D14-19-11 -874 & 876 River Dr**

### **20. Moved by R. McMillan, Seconded by C. Van Wallegghem & Carried:-**

That Application for Zoning By-law Amendment, File No. D14-19-11, 874 & 876 River Drive, to change the zoning of the subject property from R2- Residential Second Density, EP- Environmental Protection and HL- Hazard Land Zone, to TR- Tourist Recreational, EP- Environmental Protection and HL- Hazard Lands, Exception [48] for the lands identified in the application be hereby approved; and further

The effect of approval would bring existing legal non-conforming use as a marina into conformity with the Kenora Zoning By-law 101-2015, and would allow for the development of a 557 m<sup>2</sup> recreational vehicle showroom with a reduced rear yard setback of 3.43 m.; and further

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

## **Zoning Bylaw Amendment – D14-19-13 – 1103 4<sup>th</sup> St S**

### **21. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That application D14-19-13, 1103 4<sup>th</sup> Street South, to amend the Zoning By-law to change the regulated zoning of specifically indicated property in the application, from Residential – Second Density Zone ('R2') to Residential - Third Density Zone ('R3'), Exception [49], to allow for the development of a multiple attached dwelling containing four (4) units and to permit an existing accessory structure to be located closer to the street than the main building, be hereby approved; and further

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

## **Declare Lands Surplus & Sell Surplus Lands – Old Government Road**

### **22. Moved by C. Van Wallegghem, Seconded by R. McMillan & Carried:-**

That Council of the City of Kenora hereby directs staff to proceed with a Declaration of Surplus Land, close a portion of "Old Government Road" and enter into a draft agreement of purchase and sale with Lana Richards.

## **Deputy Division Registrar Appointment**

### **23. Moved by A. Poirier, Seconded by S. Smith & Carried:-**

That Council gives three readings to a bylaw to appoint Shalene Haney as a Deputy Division Registrar and Lottery Licensing Officer for the City of Kenora; and further

That Cathy Thomson be hereby repealed as Deputy Division Registrar for the City of Kenora.

## **Sedesky Road Service Connection Agreement**

### **24. Moved by K. Ralko, Seconded by C. Van Walleghem & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Rilee Chambers and Matt Granger; and further

That the Mayor & Clerk be authorized to execute this agreement.

**Discussion:** Jeff Hawley shared that there was a request of the City to extend services further down the street in the area, and that these residents undertook all costs. There is potential to connect up to two more homes and the residents have asked to be reimbursed some of the costs that they incurred if other homes connect in the future.

## **Various Committee Minutes**

### **25. Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

That Council hereby adopts the following Minutes from various City of Kenora Committees:

- November 15, 2019 – Lake of the Woods Development Commission
- November 19 & 26, 2019 and December 17, 2019 – Planning Advisory Committee
- January 22, 2020 - Kenora Public Library Board

That Council hereby receives the following Minutes from other various Committees:

- October 10, 2019, November 7, 2019 and December 12, 2019 – Kenora District Services Board
- January 8, 2020 – Handi Transit Board
- November 28, 2019 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

**Discussion:** Councillor Smith referenced the Lake of the Woods Development Commission meeting minutes and the high level of staff representation at these meetings. She suggested that this committee be reviewed, with an eye for bringing this work back to the City staff and within the City, as the LOWDC was formed over 16 years ago and there have been significant changes over the past few years. She asked for Council's support on the suggestion of a review.

It was mentioned that when Council was first elected there was some discussion during their orientation that the committees would potentially be reviewed in a year or two.



Heather Pihulak advised that there are some committees of which reviews are currently underway and that she would take the suggestion back to the Senior Leadership Team to discuss a review of all boards and committees.

### **Water & Wastewater Systems Monthly Summary – November 2019**

#### **26. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That Council of the City of Kenora hereby accepts the November 2019 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Amendment to Site Plan Agreement – Ayrie Developments Inc**

#### **27. Moved by C. Van Wallegghem, Seconded by K. Ralko & Carried:-**

That the Mayor and Clerk of the City of Kenora be authorized to execute an amendment to a site plan agreement between the City of Kenora and Ayrie Developments Inc., and;

That the appropriate bylaw be passed for this purpose.

**Discussion:** Heather Pihulak clarified that this is an amendment to the existing site plan agreement already on file.

### **2020 Hourly Equipment & Truck Rental**

#### **28. Moved by A. Poirier, Seconded by C. Van Wallegghem & Carried:-**

That the tenders for the Hourly Rental of Equipment and Trucks for 2020 be received and further;

That the attached Ranking Lists for Hourly Rental of Equipment and Trucks for 2020 be accepted and adopted for the purposes of hiring non-owned equipment and Trucks during the period of January 31 through to December 31, 2020.

### **Approval of By-laws**

#### **29. Moved by K. Ralko, Seconded by R. McMillan & Carried:-**

That the following By-laws be now read a First & Second Time, and approved in their present form and presented for Third & Final Reading:~

- #1-2020 - Confirmatory
- #2-2020 - 2020 Operating Budget Approval
- #3-2020 - 2020 Water & Wastewater Budget Approval
- #4-2020 - 2020 Solid Waste Budget Approval
- #5-2020 - HR Policies Review
- #6-2020 - Council Policy #CC-2-3 Review
- #7-2020 - 117 Main Street South Vacant Lands Property Purchase
- #8-2020 - Tariff of Fees & Charges Amendment – Schedule C – Fire Dept
- #9-2020 - Fire Marque Inc. Cost Recovery Agreement
- #10-2020 - Budget Amendment – 2019 Storm Sewer Reserves
- #11-2020 - Traffic Amendment – Accessible Parking – 2nd St S & 5th Ave S
- #12-2020 - Budget Amendment – Fitness Centre Expansion – KRC
- #13-2020 - Hings Lease Renewal

- #14-2020 - No Smoking City Facilities Bylaw Amendment
- #15-2020 - Lafreniere Site Plan Agreement
- #16-2020 - Zoning Bylaw Amendment-D14-19-11 (874 & 876 River Dr)
- #17-2020 - Zoning Bylaw Amendment-D14-19-13 (1103 Fourth St S)
- #18-2020 - Deputy Division Registrar Appointment
- #19-2020 - Sedesky Road Service Connection Agreement
- #20-2020 - Amendment to a Site Plan Agreement – Ayrie Developments Inc
- ~~#21-2020 – Keewatin Medical Centre Tax Exemption~~

### **Notices of Motion**

None

### **Proclamations**

None

### **Announcements**

#### **The following was highlighted by Council:**

1. Councillor McMillan shared that he had the opportunity to attend King George School this morning to read a story to some Grade 1 & 2 students for Family Literacy Day, which was enjoyable
2. Councillor Smith advised that they have elected Doug Lawrance as the new Chair for the Northwestern Health Unit Board of Health which she sits on, and she has now been elected as the new Vice Chair
3. Councillor Van Walleggem mentioned that he is looking forward to attending the upcoming Kenora District Municipal Association (KDMA) conference, and that the agenda looks positive
4. Mayor Reynard thanked the members of Council that attended the Rural Ontario Municipal Association (ROMA) conference earlier this month as well as the staff who assisted with preparation of the deputations to the Ministers, which went successfully

### **Adjourn to Closed Session**

#### **30. Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

That pursuant to Section 239 of the Municipal Act, as amended, authorization is hereby given for Council to move into a Closed Session at 12:43 p.m. to discuss items pertaining to the following:-:

- i) Education & Training Members of Council (3 matters, CAO, Mayor & Development Services updates)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 3:36 p.m. with no reports from its closed session.

### **Close of Meeting**

#### **31. Moved by S. Smith, Seconded by A. Poirier & Carried:-**

That this meeting be now declared closed at 3:36 p.m.

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

**Confirmed As Written This .....Day**

**Of.....2020**

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**Mayor**

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**City Clerk**