



City of Kenora
Committee of the Whole
Minutes

Wednesday, April 12, 2023

9:00 a.m.

City Hall Council Chambers

Live Stream Link: <https://kenora.civicweb.net/Portal/>

Present:

Mayor Andrew Poirier
Councillor Robert Bernie
Councillor Graham Chaze
Councillor Lindsay Koch
Councillor Barbara Manson
Councillor Lisa Moncrief
Councillor Kelsie Van Belleghem

Staff: Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Stace Gander, Director of Economic Growth and Recovery, David Pratt, Director of Fire & Emergency Services, Greg Breen, Director of Engineering & Infrastructure, Ryan Marsh, Director of Finance, Roberta Marsh, Director of Human Resources, Risk & Insurance, Marco Vogrig, Municipal Engineer

Blessing & Land Acknowledgment – Councillor Manson

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with Indigenous people.

We give thanks for the many blessings we enjoy in the City of Kenora. We seek wisdom in our minds, clearness in our thinking, truth in our speaking and always love in our hearts, so that we may try always to unite the Citizens of Kenora. Let these principles guide us in our decision making.

A. Public Information Notices

As required under Notice By-law #160-2022 the public is advised of Council's intention to adopt the following at its April 19, 2023 meeting:-

- Authorize the 2023 Council Remuneration

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 Councillor R. Bernie, Seconded by B. Manson & Carried:
That the Minutes from the last regular Committee of the Whole Meeting held March 8, 2023 be confirmed as written and filed.

D. Deputations/Presentations

Nicole Goodman, Brock University – 2022 Election Survey Results

The City of Kenora participated in an election survey with voters during the 2022 election. Under the leadership of Dr. Nicole Goodman of Brock University, the process and methodology were approved by Brock University's Research Ethics Board. Dr. Goodman provided Council an overview of the survey results captured during that survey period. The City saw an increase in voter turnout in the 2022 election and which was a rare occurrence in 2022 as many cities observed across the province observed a decline. The City's response rate to the survey was 14.62% which resulted in 822 surveys being completed out of 5,624 online voters. Online voting continues to encourage voting among some electors. Overall, results show that the City of Kenora made improvements to the 2022 online voting experience despite already having strong ratings.

E. Reports:

1. Corporate Services / Finance / Human Resources

1.1 Council Committee Work Update

Members of Council provided an update on the various committees they work with:

Councillor Manson – Library Committee is exploring different options to make the Library safer for everyone. Councillor Manson has not yet attended any Handi Transit meetings.

Councillor Koch – The Muse Board is in the recruitment process for the Director of the Muse and receive third party updates from the recruiter. This year is the 150th Anniversary of Treaty 3 and there is lots of work underway for that display and is very exciting to celebrate. The Kenora Health Care Committee is sorting out the building leases. The Accessibility Advisory Committee will now be added as Councillor Koch's alternate member.

Councillor Bernie – Crime Prevention and Community Safety Advisory Committee has not started yet as they are still in the progress of hiring a Coordinator. The Kenora BIZ AGM was held in December but has not met since. They have discussed a downtown Hennepin Lane beautification project and there was interest on the BIZ for that. The Northwestern Health Unit Board is a learning curve and he feels we are very well represented in Kenora. The supervised consumption services feasibility study, we will hear the results of that study today and there has been conversation about the report at the NWHU Board level. There has been several presentations at the board meetings. The NWHU Board has passed a resolution about the importance of labelling alcohol products and risks associated with alcohol and to date, two other health units have passed similar resolutions.

Councillor Moncrief is part of several committees but nothing that can be shared at open Council today. She shared some community activities in lieu of committee work update. The Kenora Festival of the Arts event is the month of April and the flag raising ceremony is tomorrow. Congratulations was extended to Jeff Gustafson on his win of the Bass Masters classic. Recognition was extended to Special Olympics in our community and volunteer coaches. They have reflected great athletes in competitive bowling and swimming. and a huge shoutout to the

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coaches. Congratulations to team Szajewski who won the Northern Ontario Senior Women's Curling championship and they will now represent Northern Ontario at the National Seniors championships this December. Councillor Moncrief congratulated 901 Westside for 10 years of business and Nancy's on the Lake for her many years in business. She noted the dismantle of Kenora Forest Products as this is the end of an era in forest products in our area but welcomes the new prospects for this beautiful piece of property. Councillor Moncrief encouraged everyone to go out in the community and see everything our beautiful community has to offer with numerous events and the great businesses we have.

Councillor Van Belleghem – is part of the Kenora Police Services Board. She is also part of the Accessibility Advisory Committee and they have reviewed the multi-year accessibility plan which is part of the meeting today. May 29-June 4 is National Accessibility Week and the advisory committee is meeting to discuss ideas for that week. The Chair for the AAC is Chad English and he thoughtfully wrote a land acknowledgment that was shared. The Accessibility Terms of Reference will be updated at this meeting and will include the word inclusion. The Police Services Board are preparing to attend the OAPSB conference at the end of May where four members will be attending. As part of the new Board legislation is will be coming from the Province is working with partners in our community. There are many strong relationships already built in and the last meeting featured Kenora Association of Community Living (KACL) and it was very helpful to understand the program and services being provided in our community.

Councillor Chaze – The All Nations Health Partners have had several meetings and has been a learning curve but there is a great deal of collaboration. The Kenora Airport Authority has not had any meetings as well as the Paterson Medical Clinic Board. Councillor Chaze enjoys the committee work and the collaboration that takes place in our community.

Mayor Poirier – The Kenora Police Services Board is one of the Mayor's committees that he maintains a full position. He is often asked for data on foot patrols. In reviewing the data, November 2022=178.25; Dec 2022=195.00; Jan 2023=203.75; Feb 2023=179.50; March 2023=229.25. It has continued to increase. We will be having a public meeting on June 22nd at 6:30 p.m. and will be having two public meetings per year. The purpose of that meeting will be to present our 2022-2023 strategic plan and will present the document and data to back up what is happening. This meeting will demonstrate the agencies that are connected and demonstrate the things that are happening.

1.2 2023-2026 Multi-Year Accessibility Plan

Recommendation:

That Council hereby accepts the 2023–2026 Multi-Year Accessibility Plan in accordance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

Discussion: The Accessibility for Ontarians with Disabilities Act (AODA) was enacted in 2005. Since 2010, the City has successfully complied with all required milestones under this regulation. With the expiry of the previous Multi-Year Accessibility Plan, the City is required to institute another plan for the next four (4) years. This plan outlines the City of Kenora's strategy to identify, prevent and remove accessibility barriers, and meet its requirements under the IASR. Staff have consulted with the Accessibility Advisory Committee (AAC) to help inform the priorities identified.

Staff were recognized for the priority that staff take in making accessibility a priority and it is something that is top of mind for project work.

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1.3 Accessibility Advisory Committee Terms of Reference

Recommendation:

That Council hereby amends the Terms of Reference for the Accessibility Advisory Committee; and further

That bylaw number 60-2014 be hereby repealed; and further

That three readings be given to a bylaw to adopt a new Terms of Reference.

Discussion: Terms of reference for various committees come forward at the start of every term for Boards and Committees. Many areas within the Terms of Reference are dictated by the AODA and therefore cannot be edited or revised; the edits brought forward today are pertaining to inclusive language and practices that work best for the City of Kenora.

1.4 Sustainability Advisory Committee Terms of Reference

Recommendation:

That Council hereby amends the Terms of Reference for the Sustainability Advisory Committee; and further

That bylaw number 171-2020 be hereby repealed; and further

That three readings be given to a bylaw to adopt a new Terms of Reference.

Discussion: Similar to the Accessibility Advisory Committee, they have reviewed their terms of reference and recommendations for changes. There is a committee resignation and that member will be missed at the table. With the completion of the Sustainability Action Plan, some of the language within the current Terms of Reference needs to be amended to reflect that the SAP is complete and priorities are moving forward.

1.5 Council 2023 Remuneration

Recommendation:

That in accordance with Council's Annual Remuneration Policy #CC-15-1, Council hereby establishes Council's 2023 Remuneration to be set at Mayor \$41,263.61 and Council \$20,706.50 effective January 1, 2023; and further

That in accordance with Notice By-law #160-2022, notice is hereby given that Council intends to adopt a by-law establishing Council remuneration rates for 2023 at its April 19, 2023 meeting; and further

That bylaw number 53-2022 be hereby repealed; and further

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

Discussion: In accordance with Council's Annual Remuneration Policy #CC-15-1 the following rates are established to the following:

2023	Annual Remuneration	Per Diems
Mayor	\$41,263.61	\$199.86
Council	\$20,706.50	\$199.86

Administration is conducting a review of all travel and conference policies as well as Council remuneration in partnership with other municipalities which will come forward at a later date.

The total increase is approximately \$2,600 split between the seven members of Council. This is the best way to continue with a small increase on a regular basis. What will happen is it will cost a lot of money in the long run if you don't keep up with the current rate. It follows process, policy and tradition.

2. Fire & Emergency Services

No Reports

3. Engineering & Infrastructure

No Reports

4. Community Services

No Reports

5. Development Services

5.1 Building Officials Appointment

Recommendation:

That pursuant to Sections 3(2) of the Building Code Act, S,O 1992 c23, as amended, Council shall appoint a Chief Building Official and as many inspectors as are necessary for the enforcement of this Act; and further

That Council hereby appoints Barbara Mocny, and Grant Schwartzentruber as Building Official(s) under the Building Code Act for the Corporation of the City of Kenora for the purpose of carrying out or enforcing regulations in accordance with the Building Code Act; and further

That three readings be given to by-laws to that effect.

Discussion: Currently, the City of Kenora has a Deputy Chief Building Official that carries out these duties under the BCA. In addition, the City of Kenora previously appointed two Deputy Chief Building Officials through to allow the City to engage the services of RSM Building Consultants to support the Building Division in the event there are unforeseen absences and/or situations in which a complex project may warrant third-party review. Due to a recent retirement of the Chief Building Official, additional capacity is being added to support the Building Department through the recruitment process. Based out of Kitchener, Ontario, RSM Building Consultants are able to complete all assigned duties virtually.

5.2 Short Term Accommodation Options

Recommendation:

That Council hereby accepts the Short Term Rental Accommodations Regulatory Options Report; and further

That the Planning Department be directed to proceed with public engagement, to obtain input from stakeholders regarding options for regulating short term rentals; and further

That the Planning Department report back to Council regarding the results of the public

engagement and next recommended steps with the regulatory options.

Discussion: Kevan Sumnar and Alberic Marginet from the Planning department presented detailed information on considerations for short term rental accommodations (STRAs). The City Planning department has seen an increasingly popular and controversial land-use throughout Ontario municipalities over the past decade. This is a relatively new use of land and there is no definite way to manage it. In Kenora, there are at least 84 active STRAs in 2022. Most offered the rental of an entire home. We do receive common calls regarding them and they are currently not permitted. We would take a multi-faceted approach in addressing the rentals and working towards a solution. This approach would start with public consultation and data collection, leading eventually to the development of by-laws, zoning, and/or licensing regulations. If implemented as recommended, the Planning Department would undertake the public consultation and report back to Council prior to proceeding with further steps.

Black Sturgeon property owners have reached out to a member of Council and it was suggested that a consultation could be part of their AGM. We could also consider 'home exchange' which is not a category included for consideration. There is no money exchanged with this type of arrangement, but could be considered.

If we are going to move forward we need to be committed to enforcement and need to have a message that we are controlling the development of our community. There may be enforcement concerns moving forward, but strong public consultation will help in the process.

F. Proclamations

None

G. Other (Public Planning Meeting 12:00 p.m.)

D09-23-01 - Official Plan Amendment – City Wide-Bill 23 impacts

Recommendation:

That Council hereby approves the Application for Official Plan Amendment, File No. D09-23-01, to bring the Official Plan policies into compliance with *Bill 23: More Homes More Choices Act*; and further

That Council gives three readings to a by-law to that effect.

D14-23-02 – Zoning Bylaw Amendment – Policy implementation of OPA

Recommendation:

That Council hereby approves the Application for Zoning By-law Amendment, File No. D14-23-02, to replace existing definition and regulations for Secondary Dwellings with a definition and regulations for Additional Residential Units; and further

That Council gives three readings to a by-law to that effect.

D14-23-03 – Zoning Bylaw Amendment – 1439 Railway Street

Recommendation:

That the Application for Zoning By-law Amendment, File No. D14-23-03, to remove the "HL" Hazard Land Zone from the subject property should be approved in part, for removal of the HL zone from the portion of the property illustrated in Figure 7 of the Planning Report, and further

That the remaining "HL" Hazard Land Zone should be amended to "HL[56]" Hazard Land, Exception Zone with permitted site-specific use of non-habitable accessory storage buildings, in which no chemical storage is to be permitted, and further

That Council gives three readings to a by-law to that effect.

H. Next Meeting

- Wednesday, May 10, 2023

I. Adjourn to Closed

Resolution #2-Moved by Councillor Chaze, Seconded by K. Van Belleghem & Carried:

That Council now adjourn to a closed session at 10:43 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) Educating & Training Members of Council (3 items—draft Fire master plan presentation, CAO & Mayor updates)
- ii) Receiving Advice Subject to Solicitor-Client Privilege (1 item—property matter)
 - iii) Disposition of Land (1 matter-downtown property)

J. Reconvene to Open Meeting

Council reconvenes to open session at 7:00 p.m. with no reports from its closed session.

K. Close Meeting

Meeting adjourned at 7:00 p.m.