



## City of Kenora

# Committee of the Whole Agenda

Wednesday, September 13, 2023

9:00 a.m.

City Hall Council Chambers

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

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### 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 September 20, 2023 meeting:-

- Stop up, permanently close, declare surplus and authorize sale of Shoreline Road Allowance, Part 1 23R 14935
- Financial contribution in the amount of \$39,220 to Kenora HK Properties Ltd. enabled by the City's Municipal Capital Facilities By-law for Municipal Housing Project Facilities to be funded through the Future Land Development Reserve

### Land Acknowledgement

Councillor Bernie

### 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 July 12, 2023 and the Special Committee of the Whole meeting held September 5, 2023 be confirmed as written and filed.

### D. Deputations/Presentations

- Stefan Robinson, Kenora Hospitality Alliance – MAT Funding
- Wes Manulak, Kenora Soccer Association – Complex taxes

### E. Reports:

## 1. Corporate Services / Finance / Human Resources

Item Subject

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1.1. Council Committee Work Updates

1.2. Financial Status and Forecast Report at June 30, 2023

- 1.3. National Truth & Reconciliation Day – September 30
- 1.4. Human Resources Policy #HR-2-11 and #HR-3-2 Amendments
- 1.5. Human Resources Q2 Report
- 1.6. Sustainability Advisory Committee Terms of Reference
- 1.7. Corporate Services Q2 Report
- 1.8. Closed Meeting Protocol Policy #CC-2-3

## 2. Fire & Emergency Services

Item Subject

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- 2.1 Emergency Services Q2 Report
- 2.2 Station 2 - McKenzie Clearwater Lease Agreement
- 2.3 Station 2 - St Johns Council for Ontario Lease Agreement

## 3. Engineering & Infrastructure

Item Subject

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- 3.1 Engineering & Infrastructure Q2 Report
- 3.2 Crossing Guard Contract
- 3.3 Amendment to Water & Wastewater Bylaw-Leak Responsibility
- 3.4 Rural Roads Study

## 4. Recreation & Culture

Item Subject

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- 4.1 Recreation & Culture Q2 Report
- 4.2 The Muse Bylaw Amendment

## 5. Planning & Building Services

Item Subject

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- 5.1 Planning & Building Services Q2 Report
- 5.2 Declare Surplus and Authorize the Sale of Shoreline Road Allowance
- 5.3 D14-19-09 Mill Site–Removal of Holding Provision from Part of Lot 5

## 6. Economic Development & Tourism

### Item Subject

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6.1 Economic Development & Tourism Q2 Report

6.2 Capital Facilities Contribution–HK Properties 117 Main St S

6.3 Application to Housing Accelerator Fund

### Other:

#### Proclamation:

- Arthritis Awareness Month – September 2023

#### Next Meeting

- Wednesday, October 11, 2023

#### Motion - Adjourn to Closed Meeting:

Pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization will be provided for Committee to move into a Closed Session to discuss items pertaining to the following: -

- i) Educating & Training Members of Council (2 matters-Development & Mayor updates)

#### Adjournment.



September 5, 2023

## City Council Committee Report

**To:** Kyle Attanasio, CAO

**Fr:** Ryan Marsh, Director of Finance

**Subject:** Financial Status and Forecast Report as of June 30, 2023

### **Recommendation:**

That Council hereby accepts the Financial Status and Forecast Report as of June 30, 2023, as information.

### **Background:**

The Operating report presents actual as of June 30, 2023 with year-end forecasts against the adopted budget. Capital report provides a listing of the capital projects, adopted budgets, and the actual expenditures incurred to date August 31, 2023.

Departments have allocated revenues and expenses on a monthly basis established by current in year knowledge coupled with historical spending patterns. Programs such as winter control have a seasonal pattern, others may be cyclical or occur evenly throughout the year. The forecast is an estimate at a point in time and relies on current assumptions, as actual experience is accumulated an improved financial position can be established.

The process of quarterly reporting provides visibility to areas of financial concern or pressures and allows Administration to mitigate and find appropriate solutions. This reporting framework supports managers in viewing their current financials with the ability to track and forecast to the end of the year. The two-way flow of information will assist in analysis and decision making.

### **Highlights:**

As of June 30, 2023, it is anticipated that the forecast surplus is \$874,288 for the Net Tax Levy supported budget. The self-supported Utilities, Water & Wastewater and Solid Waste, forecasted surplus/(deficit) is (\$226,202) and \$431,959 respectively, see Appendix 1.

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

Charting Our Course 2027 – Strategic Plan  
Corporate Values

**Risk Analysis:** There is a low risk associated with this report. Periodic monitoring and forecasting mitigate uncertainty and promotes efficient use of resources.

**Appendix 1** – Operating Financial Status and Forecast with Variance Explanation

**Appendix 2** – Capital Work In-Progress



September 7, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Roberta Marsh, Director of Human Resources, Risk & Insurance**

**Re: September 30<sup>th</sup> National Day for Truth and Reconciliation**

### **Recommendation:**

That Council declare September 30<sup>th</sup> – National Day for Truth and Reconciliation as a civic holiday; and further

That Council encourages all municipal employees and the community to observe the occasion as intended.

### **Background:**

Bill C5, An Act to Amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation), S.C. 2021, c. 11 received Royal Assent on June 3, 2021. By that legislation, the Government of Canada amended the named statutes to add a new holiday called National Day for Truth and Reconciliation. This holiday is observed on September 30 of each year.

The Province of Ontario did not recognize the National Day for Truth and Reconciliation as a public holiday under the Employment Standards Act, 2000.

The City of Kenora is not an employer subject to the *Canada Labour Code* or the federal *Interpretation Act*. The City's operations are provincially regulated and therefore subject to the Employment Standards Act, 2000 and any collectively bargained agreements with its unions and associations.

Therefore, the City did not recognize National Day for Truth and reconciliation as a civic holiday in 2021 or 2022. On each occurrence, the City has conducted education events for City staff.

While a civic holiday was not declared, the collective agreement between the City of Kenora Public Library Board and CUPE, Local 191 recognizes days proclaimed as a holiday by the Federal, Provincial or Municipal Government. The City of Kenora Public Library Board did provide the National Day for Truth and Reconciliation as a paid holiday, Library facilities and services closed.

In response, CUPE Local 191 and Kenora Professional Fire Fighters Association (KPFPA) filed grievances. On October 7, 2021 the parties agreed to seek legal interpretation, the matter was referred to arbitration.

On December 12, 2021, KPFPA withdrew their grievance.

In his ruling of January 20<sup>th</sup>, 2023, upon reviewing the collective agreement, the submissions of the parties, and the cited authorities, the arbitrator ruled in favour of the Union's interpretation of the language. As a result, members of the CUPE Local 191 Agreement will receive September 30<sup>th</sup> as a paid holiday subject to the entitlements under Article 11.

If approved by Council, the holiday would fall on Monday, October 2<sup>nd</sup>, 2023 as September 30<sup>th</sup> falls on a Saturday this year.

**Discussion:**

CUPE accounts for over 60% of the City's workforce. CUPE members provide frontline service to all areas except for the Water Treatment Plant and Professional and Managerial functions. As a result, Administration will not be able to deliver full services on September 30<sup>th</sup>.

**Budget / Financial Implications:**

The financial impacts such as overtime, lost revenue, etc. are to be incorporated into annual operating budgets.

**Risk Analysis:**

- Critical operational to the City's ability to provide the full range of city services
- High risk to morale within the other bargaining units is likely to prompt grievance and compensation.
- Moderate reputational risk as citizens will not be able to access city services.

Impact x Likelihood = Risk Level

Likelihood	Impact				
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
Almost Certain (5)	M	H	H	C	C
Likely (4)	L	M	H	C	C
Possible (3)	L	M	M	H	H
Unlikely (2)	L	L	M	M	H

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

Public communication plan required to provide notification regarding city facility closures and service level impacts.



September 6, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Roberta Marsh, Director of Human Resources, Risk & Insurance**

**Re: HR Policy #HR-2-11 and #HR-3-2 Amendments**

### **Recommendation:**

That Council hereby adopts amended Human Resources Policy #HR-3-2 Vacation Policy and Human Resources Policy #HR-2-11 Minimum Standards Policy; and further

That these policies form part of the City's Comprehensive Policy Manual; and further

That bylaw numbers 153-2019 and former HR-2-11 policy be hereby repealed; and further

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

### **Background:**

The City of Kenora has established by-laws, policies, procedures, and practices that govern internal accountability and ethical standards for City staff. Human resource policies help employees understand the expectation for standards of behaviour and performance, guiding decision-making to maintain stability and alignment to the City's Strategic Plan. These policies are reviewed on a regular schedule and are updated to reflect current organization direction and changes to government legislation.

The Human resource policies contained in this report have been reviewed and advanced by senior administration for Council adoption.

Once adopted these policies will be incorporated into the City Policy Manual. All employees will receive notification of new and/or updated policies, followed by informational sessions supported by City leadership.

**Budget:** N/A

**Risk Analysis:** Policy documents reduce organizational risk by establishing and communicating expectations for standards of behaviour and performance, guiding decision-making to maintain stability and alignment to the City's Strategic Plan.

**Communication Plan/Notice By-law Requirements:** bylaws and internal communication

**Strategic Plan or other Guiding Document:**

## Vacation Policy



<b>Section</b> Human Resources	<b>Date</b> September 20, 2023	<b>By-Law Number</b>	<b>Page</b> 1	<b>Of</b> 3
<b>Subsection</b> Non Union Professional and Managerial Employee Group	<b>Repeals By-Law Number</b> 153-2019		<b>Policy Number</b> HR-3-2	

### **Policy Statement**

The City of Kenora encourages and supports employees to rest, play, and take time away from work, and encourages them to take their annual vacation entitlement in the year that it is received.

Vacation entitlements, given to employees covered by this Policy, exceed the requirements of the Employment Standards Act, 2000. This Policy will be reviewed on a regular basis to ensure continued compliance with the Act.

### **Scope**

This policy applies to all staff employed in non-union, and Professional and Managerial employee groups, subject to individual employment agreements.

### **Definitions**

**Regular Employee** - Full-time or Part-time employees holding a position that is budgeted as part of the staff complement on an indefinite basis.

**Temporary Employee** - Full-time or Part-time employees hired on a fixed-term basis.

**Service** – The total calendar years worked with the City of Kenora based standard annual hours of 2080, includes those performing full-time, part-time, and seasonal work, commencing on the employee's most recent date of hire.

**Entitlement** – the annual vacation entitlement granted to an employee based on the employee's years of service.



## Vacation Policy

Policy Number	Page	Of
HR-3-02	2	3

### **Entitlements**

Entitlement for new hires will begin at three (3) weeks of paid vacation, adjusted for those working less than the standard annual hours of 2080, subject to the discretion of the Chief Administrative Officer

Vacation entitlements will be pro-rated in the Employee's first and last year of employment, based on their date of hire and/or departure from the service.

Employees will receive an additional week of paid vacation entitlement, up to a maximum of seven (7) weeks of vacation, in the employee's:

- Third (3<sup>rd</sup>) year of service.
- Fifth (5<sup>th</sup>) year of service.
- Tenth 10<sup>th</sup> year of service.
- 15<sup>th</sup> year of service.

### **Carry Over**

Employees are approved to carry over five (5) days of vacation time to the next calendar year.

At the written request of the head of the Department, an Employee who has not been approved to take their vacation due to special or emergency circumstances will be able to carry over more than five (5) days of vacation.

### **Illness/Injury on Vacation**

Employee's will have their vacation entitlements returned to them if they experience accident, injury, or severe illness while on vacation that required the employee to be hospitalized and/or medically restricted from normal activities.

An Employee will be required to provide medical documentation to support the return of the vacation entitlement.



## City Of Kenora Minimum Standards



Section	Date	Resolution Number	Page	Of
Human Resources	<del>April 26, 2004</del> July, 2023	7	1	1
Subsection	Repeals By-Law Number	Policy Number		
General		HR-2-11		

### Purpose

To establish minimum education requirements for all City positions.

### Policy Statement

The City of Kenora strives to remove barriers to accessing employment, by ensuring that the minimum standards established for each position are reviewed and updated to reflect the knowledge, skills and abilities are appropriate, required, and necessary for the safe, efficient, and reliable operation of the business. Minimum standards are reviewed to ensure they:

- Respect human rights and upholds the principles of diversity, equity, and justice.
- Increase the success rate of designated groups in appointments, promotions, and retention.
- Support a healthy working environment that values and respects diversity.
- Meet the legal or legislative requirements as defined by the governing legislation, regulation, and/or professional standards.

The City of Kenora recognizes that employment barriers constitute systemic discrimination when they result in disadvantaging an individual or group with characteristics protected by The Ontario Human Rights Code.

Removing employment barriers improves the City of Kenora's ability to provide services to citizens by ensuring the workplace has the necessary qualifications and experience, required to perform the work, and to further build a workplace that is reflective of the citizens we serve.

All City positions require, as a minimum, a completed high school education (Grade 12). Additional qualifications for individual positions are detailed on individual postings.

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**Note:** This policy does not apply to staff hired prior to January 1, 1996



September 5 , 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Roberta Marsh, Director Human Resources, Risk and Insurance**

**Re: Human Resources, Risk and Insurance – Q2 Report**

### **Recommendation:**

That Council hereby receives the 2023 Second Quarterly Report for the Human Resources, Risk and Insurance Department.

### **Background:**

To reinforce the interrelatedness with Charting Our Course 2027, quarterly reports provide an opportunity for the department to report to Council to demonstrate alignment with the goals and vision of the Strategic plan.

*To be an accountable, collaborative, and informed team that takes pride in delivering value-added municipal services.*

*Charting our Course 2027 – City of Kenora 2022-2027 Strategic Plan*

The City of Kenora strives to provide our residents, businesses, and broader community with exceptional service that maximizes the resources provided to us by our ratepayers. The Human Resources, Risk and Insurance Department strives to continuously improve the capability and capacity of our administration to deliver efficient and effective services by investing in our staff.

The Human Resources division develops, implements and maintains programs, policies and services in the areas of recruitment, job evaluation and pay equity; management of human resources data and systems; organizational development, learning, and leadership development; and maintaining harmonious and collaborative employee and labour relations.

The Pay & Benefits Division is committed to providing accurate, efficient and timely payroll and benefit information to current and former City employees. The division's primary function is to negotiate and secure cost effective employee benefit plans; administer pension and benefit enrollment; execute employee career events; and process payroll for employees of the City of Kenora, Council and Council Committees, including other corporate entities such as Transit.

The Safety & Workplace Wellness division develops, implements and monitors corporate policies, occupational health and safety, including workplace wellness, employee assistance, and return-to-work programs. Our Team provides leadership and advice in support of injury and illness prevention, promotes effective disability management and

return to work programs partnering with City departments to achieve legislative compliance.

The Risk and Insurance Division core accountability is to negotiate and secure comprehensive insurance and to work with a Managing General Agent to maintain the City's insurance portfolio and claims management process for all City Departments and entities.

The Department works together with partners to ensure that City services, programs and policies are responsive to the needs of Kenora's diverse communities and provides advice and services to promote respect for human rights across the organization. The Division develops, leads and implements key corporate initiatives to foster equity, diversity and inclusion in the public service.

## **FOCUS AREA 4: SERVICE DELIVERY AND ORGANIZATIONAL CAPACITY**

### **GOAL 4.2 Maximize human capacity and capability.**

#### **4.1.4 Evaluate existing City workforce data to support work planning for City departments.**

##### **Workforce Planning**

Partnering with operational leadership, human resources facilitated the recruitment and selection of summer students and interns. Continued to support analysis, forecasting, and planning workforce supply and demand, assessing gaps, and determining target recruitment and staff management interventions to ensure the divisions had the right people - with the right skills in the right places at the right time - to fulfill its mandate.

Activities in the second quarter resulted in:

- The City of Kenora contributed to the population growth for our community, five (5) regular employees and their families, bringing home one (1) former residents to reunite with their family and friends.
- Conducted virtual and interactive job fairs and recruitment opportunities at local high schools, targeted at summer students.
- Conducted 33 recruitments resulting in 57 unique opportunities, primarily summer student and paid per call fire fighters' roles.



- The City's turnover rate is currently trending at a rate of 8%, primarily due to voluntary reasons.

## Incident and Injury Management – StaySafe@Work Program

Ensuring that every worker goes home to their family and friends is our core priority. Our workplace safety management program consists of training and education, workplace inspection, hazard identification, assessment, and control, and the reporting and investigating incidents.

The following activities were undertaken this quarter:

- Joint Health and Safety Committees conducted 21 workplace inspections across the organization to identify and rectify workplace hazards.
- Three (3) general safety orientations were delivered
- Occupational Safety and Health Training
  - The Dealing with Difficult People
  - De-escalating Potentially Violent Situations
  - First Aid/CPR and AED
- 15 workplace injuries were reported and investigated

Month	Department	Division	Mechanism of Injury	Lost Time	Medical Assistance	Reported Only
Jan	Emergency Services	Fire	Slip/Trip/Fall	1		
	Engineering & Infrastructure	Water and Wastewater	Awkward posture/Over exposure	2		
Jan Total				3		
Feb	Engineering & Infrastructure	Environmental Services	Awkward posture/Over exposure	1		1
		Roads	Struck/Struck by			1
		Water and Wastewater	Awkward posture/Over exposure			2
			Foreign particle in eye	1		
Feb Total				2		4
Mar	Community Services	Recreation	Struck/Struck by			1
		Tourism	Struck/Struck by		1	
	Engineering & Infrastructure	Environmental Services	Slip/Trip/Fall			1
			Struck/Struck by			1
		Roads	Slip/Trip/Fall			1
	Water and Wastewater	Foreign particle in eye			1	
Mar Total					1	5
Grand Total				5	1	9

- 9 Incidents involving motor vehicles were reported and investigated.

Months	Department	Division	Type	Count
Jan	Engineering and Infrastructure	Roads	Backing	1
			Contact with object	2
		Water and Wastewater	Contact with object	1
Jan Total				4
Feb	Engineering and Infrastructure	Environmental Service	Backing	1
		Roads	Contact with object	2
Feb Total				3
Mar	Engineering and Infrastructure	Environmental Service	MVA	1
		Roads	Contact with object	1
Mar Total				2
Grand Total				9

### **4.2.3 Enhance Employee learning and development by incorporating online and blended learning platforms.**

#### **New Employee Orientation**

Three sessions of New Employee Orientation were delivered, special emphasis was focused on welcoming our young workers to the City's summer student program. A hands on rodeo experience was delivered with the support of operational staff to provide real experience operating standard equipment used in our parks and roads maintenance environment.

### **4.2.4 Grow and enhance collaborative relationships with community leaders, union and association partners.**

#### **Work Integrated Initiatives**

The City recognizes the barriers of discrimination and disadvantage faced by human rights protected groups. To achieve access and equality of outcomes for those seeking employment with the City, administration has addressed specific requirements and qualifications that would not pass the test for bona fide requirement as defined by the Ontario Human Rights Commission.

The City has provided six work integrated placements, connecting those who experience barriers to employment with meaningful work. Together the City of Kenora and its community partners are striving to bring equality of outcomes for all applicants and to create a workplace environment that is welcome and inviting for all.

#### **City/CUPE Joint Job Evaluation**

The City/CUPE Joint Job Evaluation committee consists of three (3) representatives from the employer and CUPE. The Mandate of the (J.J.E.C.) is to maintain the CUPE Gender-Neutral Job Evaluation Program by:

- a) Evaluate all the jobs using the job evaluation plan;
- b) Maintain the integrity of the program;
- c) Recommend to the parties changes to the job evaluation plan, its procedures or methods, as may be deemed necessary from time to time.
- d) Record the results and rationale on the ratings.

Together the parties built an online job questionnaire to survey CUPE staff. Thanks to the effort and support of our CUPE Representatives 42 surveys were complete providing feedback on 80% of the classifications.

The Joint Job Evaluation Committee (J.J.E.C.) held four (4) job evaluation sessions. Together the parties have developed a shared understanding of the work performed by CUPE staff and have successfully reached consensus on ratings.

Over the next couple of months, the JJEC will continue to meet and will complete its valuation process.

## Labour Relations

Communication and early problem resolution is critical to successful Labour Management Relations.

Bargaining Unit	Labour Management Meetings	Step 2	Step 3
CUPE	0 – Due to JJEC	0	0
KPFFA	1	2	3
IBEW	0	0	0
CUPE Library	0	0	0

## Strategic Plan or another Guiding Document:

City of Kenora's Charting Our Course 2027 – 2022-2027 Strategic Plan





September 5, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Danica Farion, Executive Assistant  
Heather Pihulak, Director of Corporate Services/City Clerk**

**Re: Amend Terms of Reference – Sustainability Advisory Committee**

**Recommendation:**

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

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

**Background:**

The City of Kenora's Sustainability Advisory Committee (SAC) evolved in 2020 wherein this committee was previously known as the Environmental Advisory Committee (EAC), with a focus on advising the City of Kenora on sustainable initiatives and practices. The Committee worked diligently on creating the City's first Sustainability Action Plan (SAP) in conjunction with consultants and other community partners.

The current Terms of Reference for this Committee were revised in April of 2023 to reflect the evolution from EAC to SAC. Now that the Committee has been granted a budget which Administration feels is now imperative to add parameters regarding the financial expectations and responsibilities to the Terms of Reference. Along with these additions, language has been added to the Terms of Reference to provide clarity on how the Committee will communicate with Council and reporting structures have been defined. This will include establishing priorities annually which will assist in developing the needs for budget demands on the City to achieve the priorities of the Committee.

**Budget:** N/A

**Risk Analysis:** There is a low risk of amending and updating the Committee's Terms of Reference; however, without doing so, Committee action will be limited to outdated mandates and limited guidance on accessing the budget associated with the committee.

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

**Strategic Plan or Other Guiding Document:**

Goal 1.3 – Seek sustainable solutions to reduce environmental impacts of City Operations.

# The Corporation of the City of Kenora

## By-law Number 34 – 2023

### A By-law to Establish a Terms of Reference for the City of Kenora Sustainability Advisory Committee

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Whereas Section 7(2) of the Municipal Act, 2001, as amended authorizes a municipality to enact by-laws respecting matters within the spheres of jurisdiction; and

Whereas the Council of the City of Kenora deems it necessary and expedient to establish a Terms of Reference for the Sustainability Advisory Committee.

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

#### 1. Purpose

- 1.1 The City of Kenora Sustainability Advisory Committee will support the development and implementation (including monitoring / tracking) of the Sustainability Action Plan in accordance with the actions and responsibilities identified in the Plan. This Plan is to be:
- a. community led and municipally supported;
  - b. include best practices, strategies and actions that will guide the City and its partners in the right direction as it advances a multi-sector approach to long-term sustainability; and
  - c. implemented collaboratively, in a step-wise process.

#### 2. Mandate

- 2.1 The mandate of the City of Kenora Sustainability Advisory Committee is to:
- a. Monitor and support the implementation of Kenora's Sustainability Action Plan in accordance with the final approved Plan;
  - b. Provide local perspectives on matters related to the Plan implementation while giving due consideration to identifying and supporting actions that strive to achieve social, environmental, and economic benefits in an integrated way;
  - c. Assist in developing annual work plans to advance actions of the City's Sustainability Action Plan;
  - ~~e.d.~~ Develop an annual budget request for Council consideration that identifies the priorities of the Action Plan and necessary budget requirements to align with priorities for the committee and implementation of identified priorities of the Plan
  - ~~d.e.~~ Raise community awareness and support education related to Kenora's Sustainability Action Plan;
  - ~~e.f.~~ Have particular regard and commitment to the long-term economic, social and environmental well-being of the community and its partners;
  - ~~f.g.~~ Provide a forum for the exchange of ideas on programs and initiatives of other Council committees and entities relating to community-based sustainability actions; and

h. Other related sustainability-related matters as referred to the Committee by Council.

g.i. Present bi-annually to Council the priorities of the committee, work that has proceeded and bring forward any motions of the committee for Council consideration.

### 3. Membership and Voting

3.1 At the discretion of Council, the Committee can be comprised of up to fourteen (14) members representing various sectors. This membership may include:

#### Voting Members:

- One (1) member representing the Lake of the Woods District Stewardship Owners Association
- Two (2) members representing the health-care sector
- Two (2) members representing educational institutions
- Two (2) members representing local Indigenous communities
- Two (2) members representing the community at large
- Two (2) representatives from the local business community (that are not members of City Council);
- One (1) members representing youth;
- One (1) member representing utilities services and providers;
- One (1) Council representative to be selected by Council;

3.2 Members are selected by resolution of Council. The term of the Committee is at the pleasure of Council, up to four years, and is concurrent with the term of Council. The Committee shall, from amongst its members, choose a Chair and a Vice Chair annually by either consensus of the committee, or a formal vote.

3.3 Unless Council provides otherwise, the Committee appointments and re-appointments shall be in accordance with the City's Boards & Committees Policy, subject to any modification, to the extent necessary, required in order to comply with the appointment restrictions established in section 196 of the Municipal Act, 2001 and this By-law.

~~3.4~~ Any member of the Committee may terminate their term on the Sustainability Advisory Committee by submitting their resignation in writing to the City Clerk, and providing a copy to the Chair and the Vice-Chair of the Board Committee. Within seven (7) days of receipt of such resignation, shall be forwarded to the City Clerk.

3.4

3.5 Unless Council provides otherwise, meeting attendance requirements for the Committee Members and consequences for absences from such meetings shall be in accordance with the City's Boards & Committees Policy.

3.6 Vacancies on the Committee shall be filled in accordance with the City of Kenora's Boards and Committees Policy and this By-law. For greater certainty, decisions respecting the filling of vacancies rest solely with Council.

3.7 The Committee shall not meet without at least one non-voting City Staff resource member in attendance.

#### Non-Voting Members:

- i. City Staff Resource

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Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left +  
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- ii. Other external organizations and/or regional partners, as required.

**Members will:**

- i. Have demonstrated expertise in their affiliation(s);
- ii. Be able to allocate sufficient time during the day for participation in regularly scheduled meetings;
- iii. Be able to allocate sufficient time to review the agenda, minutes and any applicable documentation in advance of each regularly scheduled meeting;
- iv. Participate as a team member, capable of a community ambassador role;
- v. Be committed to advance sustainability in Kenora.

3.10 Additional Committee Members may be appointed by Council pending the growth of activities undertaken.

#### **4. Remuneration**

4.1 All Committee Members shall act in all of their capacities with the Committee without remuneration.

4.2 Committee Members may be reimbursed for reasonable expenses incurred by them on behalf of the Committee, provided that such expenses were incurred in good faith for the purposes of the Committee and such expenses are authorized in the budget of the Committee.

#### **5. Chair**

5.1 The Committee shall elect a chairperson from its members at the first meeting of each year and hold the office for one year. In the case of absence of the chairperson, the Committee shall appoint a chairperson from among its members for that meeting.

#### **6. Meetings and Administration**

6.1 Regular meeting dates are to be established by the Committee at the first meeting of the calendar year. The location and frequency of meetings will be at the discretion of the Committee, however, not less than five (5) meetings shall be held in one (1) calendar year.

6.2 Special or emergency Committee meetings may be called by the Chair, on their own initiative, at the request of any Committee member, or at the request of the non-voting members and notice of the meeting shall be telephoned or electronically sent to each Committee Member, including non-voting, not less than three (3) days before the requested meeting.

6.3 A Committee meeting must be called if a requisition is signed by at least three (3) members of the Committee.

6.4 Reasons for the calling of the special or emergency meeting, including why it is being called on short notice, if applicable, shall be provided by the Chair with the notice of the calling of the meeting.

6.5 Members of the Committee should strive to attend committee meetings in order to provide for effective participation. The failure of any committee member to attend three (3) consecutive meetings without giving written notice to the chairperson will result in the termination of membership from the committee, in accordance with the City's Board and Committee's policy.

6.6 The City of Kenora will provide sufficient resources and staff for conducting the business of the Committee. This will include, but not be limited to; taking meeting minutes, assisting the chairperson in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings.

6.7 The City of Kenora will also provide administrative support in any media releases, reports and recommendations developed by the committee.

6.8 Unless otherwise provided in this By-law, meetings shall be conducted according to the most recent edition of Robert's Rules of Order Newly Revised.

## 7. Quorum

7.1 At any meeting of this Committee, the presence of a majority of the membership is necessary for a quorum and for the transaction of business.

7.2 Subject to section 7 of the Municipal Conflict of Interest Act, a majority of the members shall constitute a quorum.

7.3 Meetings may be held, and motions may be voted upon in person or by electronic means. With respect to an electronic vote, such a vote must be approved by the Committee in advance of the vote.

## 8. Board Member Conduct

8.1 Members of the Committee shall carry out their duties in good faith and with the best interests of The Committee in mind.

8.2 With regards to their conduct, Committee Members are governed by all applicable laws and policies, including but not limited to the *Municipal Conflict of Interest Act*, Part V.1 of the *Municipal Act, 2001* and the Code of Conduct of the City for members of council and local boards.

## 9. Limits on Authority

9.1 Notwithstanding any other provision in this By-law, the Committee is not authorized to do any of the following, all such authority remains solely with Council:

- a) incur any debts, liabilities or obligations that have not been approved by Council through its budget process;
- b) acquire any real property or sell or otherwise transfer or dispose of any real property; or
- c) subject to the limits established by Council from time to time, sell or otherwise dispose of any personal property that is acquired through Committee recommendations.

9.2 The Committee acts as a whole, and no member of the Committee has authority to incur, and shall not purport to incur, any debt, liability or obligation on behalf of the Committee or the City.

## 10.0 Accountability and Reporting

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The Committee shall prepare and submit annual **Priority Planning** to Council which aligns with City corporate budget requests. It will contain details of the work and initiatives contemplated by the Committee.

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The Committee will be responsible and accountable to the CAO of the City of Kenora in the delivery of Action Plan deliverables and the planning of such. The CAO's Executive Assistant shall provide regular updates to the CAO on related activities and progress, as well as on an "as required" basis and as requested by the CAO.

Annual approved budgets allocated to the Committee will be based on the submitted annual **priority planning**. Once this budget is approved, the committee will proceed with the action plan priorities identified in the plan submitted to Council. The Committee does not have authority to advance budget dollars outside of that plan and requires a resolution of Council to adjust that plan.

Budgetary spending for the approved plan will require the signature of the CAO for approval through City finance. Should priorities of the Committee change after the annual plan is approved by Council, will require a Council resolution for change to the plan over a threshold of five thousand dollars (\$5,000.00).

### **10.1 Fiscal Year and Financial Support**

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The Committee shall have a fiscal year ending December 31<sup>st</sup>. The City agrees to provide funding support to the Committee provided the annual request includes priorities identified within the Action Plan and priorities of Council related to sustainability. Annual requests are at the full discretion of Council.

In addition to the funding provided by the City, the Committee will pursue various funding opportunities that may arise including strategic partnerships for the purposes of leveraging additional dollars to advance the priorities of the plan.

### **10.2 Reporting and Communication Protocol:**

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a) The Chair of the Committee, or designate, shall be responsible for providing regular Action Plan deliverables including budget status information to City Council on a **bi-annual** basis, or as deemed appropriate by the CAO.

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b) The Chair of the Committee, or designate, shall be responsible for presenting an annual action plan and budget to City Council. The presentation will highlight the progress of the Committee in fulfilling the goals and objectives established in its annual plan along with the goals for the following year, attaching any necessary budget support for those goals.

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c) ~~The 10.2~~—The Committee shall present additional reports and information it deems appropriate to inform Council and the community at large of the actions, activities, and programs of the Committee.

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d) The Committee will strive to educate the public and media about what the Committee is, what it does, and how it relates to the City's operations. This education is provided through recommendations from the Committee, to the City's Communication Department for delivery.

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~~e) Should the Committee wish to provide any other updates to Council it shall be through presentation of the Sustainability Action Plan with subsequent updates and recommendations for carrying out the Plan.~~

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## ~~10. Reporting to Council~~

~~10.1 The Committee shall present an annual highlight report to Council. The presentation will highlight the focus of the Committee and accomplishments for that year along with the goals for the following year.~~

~~10.2 The Committee shall present additional reports and information it deems appropriate to inform Council and the community at large of the actions, activities, and programs of the Committee.~~

~~10.3 The Committee shall report to Council through presentation of the Sustainability Action Plan with subsequent updates and recommendations for carrying out the Plan.~~

## 11. Committee Minutes

11.1 The City shall designate a person to be responsible for the recording of the Committee minutes.

~~11 A City staff resource must be in attendance at all meetings to ensure minutes are kept of all meetings and procedural protocols are followed for meetings that are Committees of Council.~~

~~11.1~~

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~~11.2~~ 11.1.1 The official copy of the minutes shall be forwarded to the City Clerk for safekeeping and shall be stored at City Hall, 1 Main Street South, Kenora, ON, or at such other location as Council may require.

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## 12. Effective Date

This By-law shall come into force and take effect on the final passing hereof.

**By-law read a First & Second Time this 19<sup>th</sup> day of April, 2023**

**By-law read a Third & Final Time this 19<sup>h</sup> day of April, 2023**

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

\_\_\_\_\_  
**Andrew Poirier, Mayor**

\_\_\_\_\_  
**Heather L. Pihulak, City Clerk**



August 30, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Heather Pihulak, Director of Corporate Services**

**Re: Corporate Services – Q2 Report**

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for the Corporate Services Department.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. In an effort to provide Council with an update on progress towards achieving these goals, the following report has been created.

The Corporate Services Department is comprised of the following Divisions: Bylaw Enforcement, Provincial Offences, Communications, Customer Services, and IT services.

The Corporate Services Department provides our residents, businesses, and broader community with exceptional service that maximizes the resources provided to us by our ratepayers. We are a full service delivery department and provide customer service support to all divisions within the organization. Our service delivery is the first point of contact connecting customers to other key divisions such as roads, water and wastewater, parks and trails, planning and building. The Corporate Services team takes great pride in the services they deliver and continual improvement to modernization and streamlined service delivery is a priority.

### **Focus Area – 4 Service Delivery and Organizational Capacity:**

#### **Goal 4.1 – Modernize City service provision to improve “customer” experiences**

**Online Marriage License Pilot Program** - The City of Kenora was selected as one of six municipalities in the province to participate in an online marriage license pilot project starting March, 2023. Marriage Licence Modernization (MLM) is an overarching initiative which aims to streamline and transform both the paper-based marriage licence application process for applicants and the issuance process for municipalities in Ontario by moving towards a digital delivery model that minimizes physical touchpoints in a phased implementation approach. The Marriage Licence Modernization pilot project has streamlined the processing time for both the issuer and customer. Since the introduction of this pilot project, our team has issued 103 online licenses and participated in 3 briefing sessions on the success of the project to date, with minimal problems that couldn't be quickly addressed.

**CityWide Service Requests** – In the second quarter of 2023 there were 957 Service Requests logged in the CityWide platform. The Customer Service Team logged 646 Service Requests. Service requests are customer driven through contacting the City of



Kenora via phone, email or walk-in. 115 Service Requests were self-reported by customers through the Citizen Request Portal on [www.kenora.ca](http://www.kenora.ca) and an additional 196 Service Requests were logged internally by other departments.

April 1, 2023 – June 30, 2023 – Service Requests by Department.

Department	Service Requests Count
311 - Roads Maintenance	409
711 - Parks	33
241 - By-Law	178
431 - Waterworks	322
448 - Transfer Facility	5
253 - Facilities	10
<b>Cumulative Total</b>	<b>957</b>

April 1, 2023 – June 30, 2023 – Service Requests by Type

Name	Service Requests Count
Animal Control	44
By- Law Complaint	24
Water Quality Complaint	8
Water Meter Repairs/Replacements	5
Water On/Off	12
Flooding	4
Grass Cutting	7
Sewer Backup	11
Vandalism/Graffiti	4
Parks Inquiry	7
Building Maintenance	2
Road Maintenance Issues	48
Sidewalks	4
Signs	4
Street Lights	4
Street Sweeping	23
Dust Control	13
Downtown Cleanup	11
Cemetery Grounds Maintenance	1
Dock System	1
ESA Electrical Deficiency	3
Site Lines / Tree Removal	1
Debris / Garage	12
Line Painting - Paved Roads	2
Pot Hole - Paved Road	74
Signage Repair - Paved Road	3
Signage Replacement - Paved Road	3

Sewer Steaming	3
Steaming	14
Culverts	15
Ditch Maintenance	17
Chipper Request	3
Grader Request	19
Tree Inquiry	17
Sink Hole Inquiry	15
Sewer Rodding	5
Water Break	11
Grinder Pump Issue	5
Customer Inquiry	49
Pump Station	2
Crosswalks	2
Storm Drains	12
New Signage Request	2
Manhole	5
Road Water Concerns	2
Snow Removal	3
Fallen Tree	9
Snow Plow Damage	11
Snow Plowing Request	11
Sanding/ Salting Request	5
Sidewalk Snow Plowing	2
Culvert Steaming	1
Bylaw Inquiry	14
Parking	23
Property Standards/ Tidy Yard	29
Feeding Wildlife	1
Noise	8
Illegal Dumping	4
Zoning	2
Snow & Ice	2
Fence	5
Signs	4
Burning/OWBs	2
Site Clean Up-garbage/ needles	16
Electrician Request	3
Water Station	3
Water Delivery	245
Maintenance Request	2
Misc. Request	3
Repair	2
Dock System Repair	3
Missed Garbage/Recycling Pickup	5

Water Filling Station	6
<b>Cumulative Total</b>	<b>957</b>

**Citizen Request Portal** - The Citizen Request Portal allows residents and visitors to log their own request for service through the City's website (<https://www.kenora.ca/en/living-here/request-for-service.aspx>).

There are 27 available options for users to choose from. When a request for service is made, the manager or supervisor of the department receives a notification. Work is scheduled and assigned in priority sequence.

Citizen Request Portal – Requests:

<b>Name</b>	<b>Service Requests Count</b>
Animal Control	4
By- Law Complaint	17
Water On/Off	2
Grass Cutting	2
Sewer Backup	2
Vandalism/Graffiti	1
Street Sweeping	5
Dust Control	3
Downtown Cleanup	1
Cemetery Grounds Maintenance	1
Pot Hole - Paved Road	23
Steaming	3
Culverts	7
Ditch Maintenance	10
Grader Request	3
Water Break	2
Grinder Pump Issue	1
Storm Drains	5
New Signage Request	1
Snow Removal	3
Snow Plow Damage	7
Snow Plowing Request	3
Sanding/ Salting Request	1
Bylaw Inquiry	4
Noise	1
Missed Garbage/Recycling Pickup	2
Water Filling Station	1
<b>Cumulative Total</b>	<b>115</b>

In early May the Customer Service Team had the addition of our summer student. She is a returning student at City Hall who assists with cashier duties, answering customer inquiries, filing, etc. The summer student position also allows the Customer Service Team to operate with a full staff compliment during peak vacation time.

**Focus Area – 4 Service Delivery and Organizational Capacity:**

**Goal 4.1 – Modernize City service provision to improve “customer” experiences**

**Modernization of Calls for Service in Bylaw Enforcement** - Bylaw enforcement is now fully utilizing the Citywide reporting tool for logging bylaw matters and is also available as an online reporting tool of which our customers can use to directly log issues online with bylaw enforcement.

Call volumes began to increase in April as anticipated and by the end of June the department was well into its busiest time of year with many of the calls being specific to yard maintenance and property standards. Bylaw is called on more often during the summer season to assist with planning/zoning inspections and enforcement as well.

From April to June there were 178 new logged calls for service:

Type of Call	Service Request Count
Animal Control	44
By- Law Complaint	24
Bylaw Inquiry	14
Parking	23
Property Standards/ Tidy Yard	29
Feeding Wildlife	1
Noise	8
Illegal Dumping	4
Zoning	2
Snow & Ice	2
Fence	5
Signs	4
Burning/OWBs	2
Site Clean Up-garbage/needles	16
Cumulative Total	178

These new logged calls for service are in addition to regular daily telephone inquiries that are “first call resolution” matters (inquiries, requests for information, etc.), ongoing work and follow up on previously logged matters, and ongoing general bylaw enforcement. There has been an increase in customers using the Citywide online reporting to directly log issues online with bylaw enforcement.

This quarter we have worked on ensuring that calls for pick-up of at-large or in custody animals are being logged in the Citywide system as well. Officers were called to pick up and impound 20 animals during the second quarter of 2023. There were 9 dogs (7 claimed, 2 surrendered to It’s a Dog’s Life) and 11 cats (2 claimed, 9 surrendered to the Kenora Cat Shelter).

In addition to specifically responding to inquiries and calls for service there was ongoing general enforcement of common bylaws, including parking, animal control, yard

maintenance, property standards, feeding of wildlife, illegal dumping, fences, noise, zoning etc. Officer duties also include daily animal care and cleaning of the pound, parking meter equipment maintenance as needed and parking meter coin collection.

There were 684 parking infractions issued by our officers during the second quarter of 2023. During June all 27 metered parking kiosks were upgraded to accept contactless payment as well as debit, in addition to the previously accepted credit cards. The upgrades took most of the month as for each unit the new equipment hardware had to be installed at the same time as coordinating the background software and testing with the meter equipment provider in Nova Scotia.

There were 3 Provincial Offence Notice fines issued from April to June, all were for Animal Control bylaw violations.

One of our full-time bylaw officers resigned in June and June 30<sup>th</sup> was his last day of work. Our summer student bylaw officer also began his summer term with us on June 30<sup>th</sup>, so our team has worked short staffed for a large portion of the summer.

## **Communications**

### **3.2 (B) Enhance Emergency management, protective services and social services provided by City partners**

Communications worked with Fire and Emergency Services to issue a City-wide Fire Ban on June 3 in conjunction with the Province and lifted the fire ban on July 11. This included regular reminders about the burn ban, fire permit suspension, and fire safety.

Emergency Preparedness Week was May 7 to 13 this year. Communications rolled out a social media campaign, media release, and radio interview with the Fire Chief.

Regular information about fire safety and prevention tips were shared on socials, focusing on testing smoke and CO alarms, preparing for emergencies, fireworks safety, fire permits, and fire-related death stats.

<https://www.facebook.com/Kenorafire>

### **4.1 Modern City service provision to improve “customer” experience.**

#### **Customer Reporting Tool**

Working alongside the Customer Service Division Lead, we officially launched the customer service self-reporting tool. We plan to regularly promote this self-service tool as it will become one of the most vital ways for customers to reach us for service needs and help us build trusted relationships with them.

<https://www.kenora.ca/en/news/city-invests-in-online-service-request-tool.aspx>

#### **Website Search**

Communications has been continuously improving the search results for Kenora.ca by conducting regular maintenance. We analyze daily reports of ineffective search topics and implement tools to assist with future searches. Our goal is to direct specific words to the correct pages or add synonym combinations to the word list, which leads to faster and more accurate search results. Additionally, we consider popular search topics for social media posts that help answer common questions, such as how to find weekend events or the swimming lesson schedule. With our continuous effort to refine the search tool by watching trends, the user can easily find the correct information.

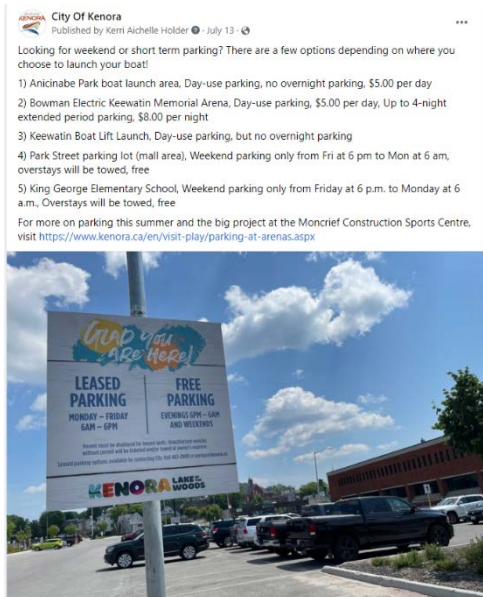
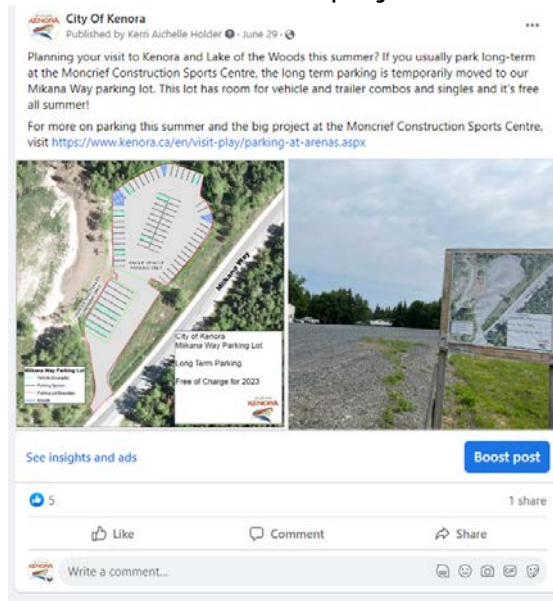
#### 4.4 Enhance City communications to the community on municipal services, developments and affairs.



#### Moncrief Construction Sports Centre Project

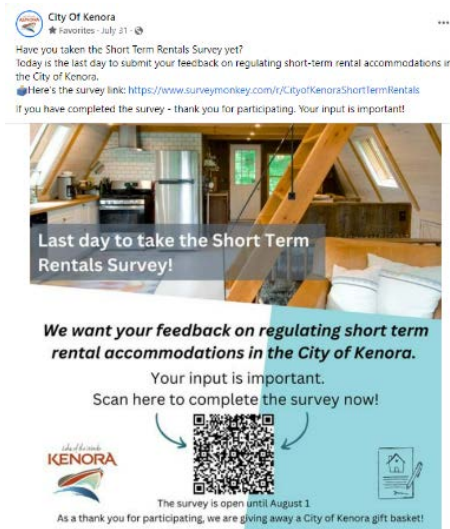
The Moncrief Construction Sports Centre Project was a major focus for Communications, with an extensive communication plan rolled out at the beginning of June in coordination with Engineering, By-law, Customer Service, and Recreation Department. The plan involved daily or weekly social media posts about the closures, site use, docking and parking alternatives, newspaper notices, radio spots, digital TV, Blitz bathroom ad, Kenora Online banner, e-newsletter updates, and a handout. The communications department utilized every channel available to maximize the reach and ensure that the public was informed of the changes and

closure. This campaign is set to continue into the fall as the project is scheduled to wrap up mid-September.



## Short Term Rentals Project

Communications worked with the Associate Planner on a Short Term Rentals initiative where we developed a survey and campaign. The campaign included regular social media promotion about the survey and coordination with open houses or other public engagement opportunities. The campaign was active from the beginning of June until the end of July, and we received a total of 605 responses to the survey.



## Budget Survey Project

Working with the Treasurer, a survey was developed and promoted from May until August to engage the public in the municipal budget process. The Rethinking Budgeting survey was included in the tax bills to reach taxpayers first and then rolled out to the general public for their input over the next few months through social media, e-newsletter, newspaper ad, Blitz bathroom ad, and digital TV. It received 464 responses.



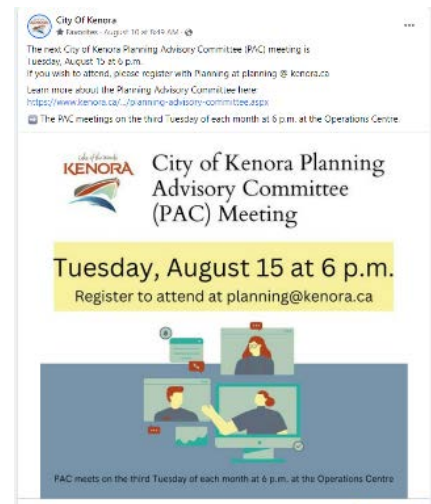
### Take the Rethinking Budgeting Survey!

This is your opportunity to get involved in the municipal budget process.  
Your input is important!



## Planning Advisory Committee Meetings

To ensure that the public is well-informed about planning matters, the Communications team initiated regular advertising of the meeting schedule for the Planning Advisory Committee. This involved publicizing the monthly meeting dates, as well as contact information for the planning department, across various communication channels such as social media, email newsletters, and digital TV.



## City Hall School Tour

We had special visitors from Grade 1/2 Class at Evergreen School in June. The students prepared with questions for Mayor Poirier about local government and what it's like to be the Mayor. The students had a City Hall tour, saw inside the Mayor's Office and the clock tower.



## Home and Leisure Show

The City hosted a booth at the Home and Leisure show for the Council to connect and interact with the public. The booth was also an excellent opportunity to highlight how and where to access information from the City. A "Connect with Us" take-away card was available for the public to find information about the City's communications channels and contact details.





## Other Public Notices, Media Releases, and announcements published on website and socials (if applicable):

- City Compass newsletter –June 28, 2023 Summer edition
- Council Summary for April, May, June
- Council meeting schedule reminders
- Kenora Police Services Board Strategic Plan Release – promo and live event
- Jeff Gustafson Presentation
- Fireworks Cancellation
- Earth Day and Adopt a Block
- Glad You are Here – welcome
- Household hazardous waste depot opens
- Unidirectional Flushing Program – schedule and FAQs
- Recreational Programming – recreation month event, poll closure, swim lessons, etc.
- Fitness Centre Temporary Closure
- Road closures – Main Street Rideout, Mellick Avenue, Gould Road, Fifth Street South, Eighth Avenue North, Ninth Street Railway Crossing, Ottawa Street, Gunne Crescent
- Blasting at Brinkman Road
- Street and Bridge washing
- Crack Sealing
- Job postings – numerous
- Transit cancellations – includes text notifications - May 3, 25, 30, June 2, 9, 12, 14
- Recycling Tips and Recycle Coach App
- Load restriction lifted
- Notice of Applications and Public Meetings- various
- Position Statements – Peterson Road
- Coker Road updates
- Holiday hours for City buildings and facilities – Victoria Day, Canada Day
- Tenders – CCTV cleaning service, MCSC project, 117 Main St S, surface treatment, Call for Photography
- McLoed Park ribbon cutting
- Keewatin Beach upgrades
- Splash Park opens
- Synergy North October Power Outage
- Bluebox Transition
- Tax Ratios and Rates
- Planning and Building Services New Director
- The Muse New Director
- Ice Time User Survey
- Safe Boating
- Parking Pay By Plate Kiosks reminder
- Pop Up Patio Program

## 5.2 Foster meaningful and beneficial relationships with Treaty Partners

Sponsorship and support for June 21 National Indigenous Peoples Day celebration at KCA's Youth and Family Wellness Camp





September 4, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Heather Pihulak, Director of Corporate Services/City Clerk**

**Re: Closed Meeting Protocol Policy #CC-2-5**

### **Recommendation:**

That Council hereby adopts Council Policy #CC-2-5 a Closed Meeting Protocol Policy to be included and form part of the Comprehensive City Policy Manual; and further

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

### **Background:**

The open meeting requirements set out in section 239 of the Municipal Act, 2001 permit the public to observe municipal government in progress. The Supreme Court of Canada answered this question in its decision in the 2007 case, *London (City) v. RSJ Holdings Inc.* The judges noted "the public's demand for more accountable municipal government" and stated that open meetings are essential to "robust democratic legitimacy" of local administrations. They also observed that s. 239 of the Municipal Act, 2001 "was intended to increase public confidence in the integrity of local government by ensuring the open and transparent exercise of municipal power."

All municipal meetings must be open to the public with some limited exceptions. The Act recognizes that there may be situations in which the privacy of an individual should be respected, or where open meetings would not serve the public interest or the interests of the municipality. If a subject fits within one of the exceptions, it can be discussed in a closed meeting, provided that the municipality follows all the procedural rules, including giving notice of the meeting, passing a resolution in public to close the meeting, and keeping minutes of the closed meeting. During the closed meeting, the discussion should stay on topic and be limited to the subject area stated in the resolution.

A municipal or local board meeting, or part of a meeting, may be closed to the public if the subject of the meeting falls within one of the 14 exceptions set out in s. 239 of the Act. These include matters that relate to:

- The security of the property of the municipality
- Personal matters about an identifiable individual
- Acquisition or disposition of land
- Labour relations
- Litigation
- Advice subject to solicitor-client privilege
- Information supplied in confidence to the municipality by another level of government
- A trade secret or certain specific information supplied in confidence to the municipality, or that belongs to the municipality and has monetary value

- A plan or instruction to be applied to negotiations
- Education or training

The municipality, local board, or committee must state by resolution in open session that a closed meeting will be held and state the general nature of each matter to be considered at the closed meeting. The resolution authorizing a closed meeting must be made in advance and the public must be able to observe its passage in real time (even if the meeting is being held electronically).

The resolution to go into a closed meeting should provide a general description of the issue to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public.

The Closed Meeting Protocol Policy is a guiding policy for Administration and Council on how matters for the Closed Meetings will be handled. It provides considerations for administering confidential items and challenges both Administration and Council on maintaining the integrity of transparency and access to Council discussions and decisions. The Policy aligns and works with the Procedural Bylaw but is more specific language dealing with Closed meeting procedures and protocols.

**Budget:** N/A

**Risk Analysis:** There is a low risk associated with this report and is written as an additional supporting policy to align with the City's Procedural bylaw.

**Communication Plan/Notice By-law Requirements:** Bylaw required for policy adoption.

**Strategic Plan or other Guiding Document:** Procedural Bylaw

## Closed Meeting Protocol



<b>Section</b>	<b>Date</b>	<b>By-Law Number</b>	<b>Page</b>	<b>Of</b>
Council	September 20, 2023	- 2023	1	14
<b>Subsection</b>	<b>Repeals By-Law Number</b> N/A		<b>Policy Number</b> CC-2-5	

### **Purpose**

To provide information regarding the statutory requirements and City procedures with respect to Council and Committee meetings that are closed to the public.

### **Definitions**

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

“Closed Meeting” – means a meeting, or part of a meeting, which is closed to the public as permitted by the Municipal Act, 2001, also referred to as an “in-camera meeting”.

“Open Meeting” – means a meeting of Council/Committee that is open to the public.

### **Should the Meeting be Closed?**

In the interests of accountability and transparency, and when possible, City Council endeavours to conduct its decision-making in public. Staff are requested to consider the following questions when determining whether a matter should be considered in a Closed Meeting:

Question #1	Does the matter meet the criteria in the Municipal Act, 2001 (and outlined in the Procedural bylaw, and closed meeting report template) for the meeting to be closed?
Question #2	If so, just because the meeting can be closed, does that mean it should be closed? Is there a compelling reason that it should be?

The determination regarding whether a matter should be dealt with in a Closed Meeting is the responsibility of the Clerk in consultation with the Chief Administrative Officer and or the Mayor.

## Closed Meeting Protocol

<b>Policy Number</b>	<b>Page</b>	<b>Of</b>
CC-2-5	2	14

### Municipal Act Rules for Closed Meetings:

Section 239 Exception	Discussion May Include:	Voting Permissions:
(2)(a) The security of the property of the Corporation	<ul style="list-style-type: none"> <li>- City property</li> <li>- City facilities</li> <li>- City assets</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(b) Personal matters about an identifiable individual	<ul style="list-style-type: none"> <li>- Candidates for a job or committee which may contain education &amp; employment history</li> <li>- Scrutiny of an individual's performance or conduct</li> <li>- Investigation of an individual's possible violation of law</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(c) A proposed or pending "acquisition" of land	<ul style="list-style-type: none"> <li>- Buying or selling municipal land, when the bargaining position of the municipality could be impacted by public discussion of the matter</li> <li>- Leased property, easements, or subdivision agreements relating to the municipality's property interests</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(d) Labour Relations or Employee Negotiations	<ul style="list-style-type: none"> <li>- Unionized &amp; non-unionized employee compensation, benefits or labour related matters outside of policy authorities</li> <li>- Staff performance, conduct, discipline, hiring and firing that is required to be brought to Council's attention under policy</li> <li>- CAO performance feedback</li> <li>- Union negotiation mandates or updates</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(e) Litigation or potential litigation, including matters before administrative tribunals	<ul style="list-style-type: none"> <li>- Ongoing litigation involving the municipality, including proceedings before administrative tribunals</li> <li>- Litigation that is a real prospect, against or by the municipality</li> <li>- Deciding whether or not to litigate in a specific case</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>

## Closed Meeting Protocol

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(2)(f) Advice that is subject to solicitor-client privilege	<ul style="list-style-type: none"> <li>- Legal opinions or advice intended to be confidential</li> <li>- Solicitor must be present in-person or virtual OR if not present, advice must be provided in written format from the Solicitor</li> <li>- Status reports/briefings</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(g) Matters that can be discussed in camera under authority of another Act	<ul style="list-style-type: none"> <li>- Information explicitly permitted to be discussed in a closed meeting by an Act other than the Municipal Act (ie: MFIPPA, Emergency Mgmt, Civil Protection Act, etc)</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(h) Information supplied in confidence by another level of government	<ul style="list-style-type: none"> <li>- Provided to the municipality by another level of government (Canada, a province, or territory, or a crown agency) AND</li> <li>- Explicitly supplied to the municipality or local board in confidence (ie: marked confidential by the other level of government)</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(i) Information supplied in confidence by a third party	<ul style="list-style-type: none"> <li>- Falls into one of the listed types: trade secret or scientific, technical, commercial, financial or labour relations information,</li> <li>- Was supplied in confidence to the municipality or local board, explicitly or implicitly to the municipality by a third party; AND</li> <li>- If disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(2)(j) Information belonging to the municipality	<ul style="list-style-type: none"> <li>- Falls into one of the listed types: 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;</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>

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(2)(k) A position, plan, procedure, criteria or instruction to be applied to any negotiations	<ul style="list-style-type: none"> <li>- Information about a position, plan procedure, criteria or instruction</li> <li>- Where the information is intended to be applied to negotiations carried on by the municipality or local board</li> <li>- The negotiations are ongoing or will be carried out in the future</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(3)(a) Request under the Municipal Freedom of Information and Protection of Privacy Act	<ul style="list-style-type: none"> <li>- FOI requests</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(3)(a) An ongoing investigation respecting the City by an Ombudsman	<ul style="list-style-type: none"> <li>- Ongoing investigation by Ombudsman appointed under the Ombudsman Act or Integrity Commissioner appointed by the City</li> </ul>	<ul style="list-style-type: none"> <li>✓ Procedural matters</li> <li>✓ Giving direction or instructions to staff</li> </ul>
(3.1) Education or Training	<ul style="list-style-type: none"> <li>- Council orientation</li> <li>- Professional development</li> <li>- Educating and making members of Council aware on matters of the municipality where no direction or decision is required</li> </ul>	<ul style="list-style-type: none"> <li>✓ No discussion or decisions that materially advance the business or decision-making of Council/Committee</li> </ul>

### Statutory Requirements for Closed Meetings

Pursuant to Sections 238 and 239 of the Municipal Act, 2001:

- Public notice of a closed meeting must be provided
- Before holding a meeting or part of a meeting that is to be closed to the public, Council must state by resolution, the fact of the holding of the Closed Meeting and the general nature of the matter to be considered at the Closed Meeting.
- All resolutions, decisions and other proceedings at Closed Meetings are to be recorded without note or comment by the Clerk, or designee.
- Closed Meeting proceedings shall be recorded by the City Clerk and/or their designee. No closed session proceedings shall take place without the Clerk or appointed designee.

## Closed Meeting Protocol

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- Any person may request an investigation into whether the City has complied with Section 239 of the Municipal Act, 2001 or the Procedural Bylaw in respect of a meeting or part of a meeting that was closed to the public.

### **Discussion and Voting in Closed Session**

In accordance with our Procedural Bylaw, the Deputy Mayor (Chair) or Mayor shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the Closed Meeting. It is the responsibility of each member of Council to limit discussion to only those matters contained in the resolution to move into Closed Meeting.

### **Access Requests for Closed Meeting Reports and Materials**

Reports and materials prepared for consideration at Closed Meetings are records that may be subject to Freedom of Information (FOI) access requests under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). While it would be desirable to protect the confidentiality of records that are considered at Closed Meetings, in the event of an appeal, the City could be ordered to release such records.

The Municipality cannot refuse to disclose information provided in a Closed Meeting report simply on the basis that it was considered at a Closed Meeting. Content included in reports that would not reveal the substance of the deliberation could possibly be subject to disclosure.

### **Closed Meeting Reports and Recommendations**

#### **Reports**

Whenever possible, written Closed Meeting reports are preferred over verbal reports as written reports provide for a more detailed account of the confidential record. Written reports also ensure that Council/Committee is prepared for any decisions they may need to consider in relation to a Closed Meeting discussion. It is also important to ensure that information that can be made available to the public is disclosed appropriately. Aside from a singular report appearing on a Closed Meeting agenda, consideration shall also be given to the following:



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<b>Option A</b>	A report to appear on the Open Meeting agenda which provides as much general context in relation to the Closed Meeting matter as possible without disclosing confidential details and a confidential attachment to provide the accompanying confidential details; or
<b>Option B</b>	A companion report to appear on the Open Meeting agenda which provides for as much general context in relation to the Closed Meeting matter as possible without disclosing confidential details; or
<b>Option C</b>	A recommendation for Council/Committee to direct staff to prepare a related information report to be included as part of a subsequent Open Meeting agenda.

### **Report Titles**

The following standard format is to be used for Closed Meeting report titles and included on Open Meeting agendas for notice purposes (internal template provided):

- Closed Confidential Council Report (with colour identifying closed item)
- Department and Appropriate Director
- Subject Matter
- Municipal Act reference which permits the matter to be in Closed

### **Recommendations**

Under the *Municipal Act, 2001*, Council or Committee in a Closed Meeting is permitted to vote on procedural motions or to direct or instruct City officers, agents or employees. Under City policy and protocols, instruction from Council is through the Chief Administrative Officer to the appropriate staff.

Some actions which conform to this requirement are inherently confidential and should not be considered publicly. Other actions, however, can and should be voted on in an Open Meeting. The following are best practices with respect to the consideration of an Open Meeting motion related to a matter discussed by Council or Committee in a Closed Meeting:

**Closed Meeting Protocol**

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<b>Option</b>	<b>Result</b>	<b>Motion</b>
Option A	<p>If it is recommended that a report be received for information, this recommendation must be introduced in the Open Meeting.</p> <p>Once Council/Committee has returned from the Closed Meeting, the recommendation to receive the report for information may be introduced, using the following motion</p>	<p>That Confidential Report #___ be hereby received for information by Council.</p>
Option B	<p>If the report includes recommendations for approval by Council/Committee, the recommendations must be introduced in the Open Meeting. In this case the following procedural notation should be used in the Closed Meeting:</p> <p>Once Council/Committee has returned from the Closed Meeting, the recommendations may be introduced by Council/Committee, using the following motion:</p> <p>In order to ensure that there is appropriate context for the introduction of the motion, the Chair, or designee, shall consider presenting appropriate background information prior to Council's consideration of the motion.</p>	<p>Closed: Recommendation to Open Council (and include the recommendation to be considered in open session)</p> <p>That the recommendations contained in Confidential Report #___ be adopted as follows:</p>

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Option C	<p>If it is recommended that direction be given to staff to report back at a subsequent meeting, this direction can appear as part of a recommendation within the staff report and be passed in a Closed Meeting:</p> <p>Once Council/Committee has returned from the Closed Meeting, the Clerk can note in the open minutes that "Direction was provided to staff in closed session" or Council may pass a motion to authorize that direction subject to the information presented in Closed session.</p>	<p>That staff be directed to report back at a subsequent meeting of Council/Committee in relation to {subject matter}</p>
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### Public Disclosure

#### Disclosing Closed Meeting Information

Members of Council and City Administration shall not disclose or release information considered in a Closed Meeting. This is a standard practice established to protect the interests of both Council and the City as well as any third party implications that may be subject to confidentiality. However, if Council deems it desirable and appropriate to release the final recommendations, the following clause may be included as part of the motion to adopt the recommendations in the confidential report, to authorize staff to release/publish the recommendations adopted by Council:

That staff be directed to release the recommendations adopted by Council as it pertains to Confidential Report {Report # XXXX-XX};

Should Council wish to release information provided within a Closed Meeting Report, Council shall direct staff to prepare an Information Memo containing a summary of the content of the report that can be provided in open session without contravening any mandatory closed exemption outlined in the

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Municipal Act, 2001, the Municipal Freedom of Information and Protection of Privacy Act, or any other pertinent legislation related to confidential information or legal implications; such Report or Memo shall be presented to Council at a future meeting for consideration of release of said information.

### **Disclosing Closed Meeting Agenda Items**

Although information contained in Closed Meeting reports shall not be disclosed, the Municipal Act, 2001 requires that public notice of meetings be provided in a Procedural By-law. The City's Procedural By-law requires that there be public notice of meetings and that the agenda, including a list of items to be considered at each meeting, to be posted on the website and made available prior to the meeting.

In order to be accountable and transparent and inform all present in public of matters dealt with in closed session, Council and its committees shall open all meetings in open session and pass a motion to move into closed session. Once matters in the Closed Meeting have been dealt with, Council/Committee shall reconvene in open session to disclose, in a general manner, how the agenda items were dealt with in the Closed Meeting. A sample Chair's script is attached as "Appendix A" to the Closed Meeting Protocol.

### **Addition of a Closed Meeting Item Not on the Agenda**

In the event an item not appearing on an agenda must be considered at the meeting due to exceptional circumstances involving urgent or time sensitive issues, which require a Council resolution prior to the next regularly scheduled meeting or in advance of the time required to convene a special meeting, the item may be added to the open Council meeting agenda by way of a new item pursuant to the Procedural By-law.

In order for a 'time sensitive' matter to be added to an addendum, as soon as practical the CAO shall advise the City Clerk of the matter and provide an explanation as to its urgency.

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In the event an item does not appear on an agenda or addendum must be added to the agenda, the Chief Administrative Officer shall advise Council and provide an explanation as to its urgency. Pursuant to the Procedural By-law, the item can be introduced by as an urgent new item for the Closed Meeting with members present voting on the addition in accordance with the Procedural Bylaw.

### **Discussion related to Personal Matters About Identifiable Individuals, Labour Relations or Employee Negotiations**

In the event a matter being discussed on the agenda requires discussion related to personal matters about identifiable individuals, labour relation or employee negotiations, in consultation with the Clerk, Council may be requested to enter Closed Session to proceed with the required discussions.

### **Attendance at a Closed Meeting**

Unless otherwise directed by Council/Committee, attendance at Closed Meetings is limited to the City Clerk, Chief Administrative Officer, Directors, and/or his or her designee, and other City Staff as deemed necessary, at the discretion of the CAO.

City Staff are to remain outside the Closed Meeting room/session until called to speak to their specific matter or be present for discussion of a particular matter. City Staff should vacate the meeting once their matter has been dealt with by Council/Committee.

Members and staff attending a closed session meeting through virtual attendance are required to:

- Be attending through a private location whereby no other individual has access to or can hear or view the closed meeting proceedings;
- Wear headphones to ensure privacy of the meeting discussions, if possible

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### **Closed Meeting Prelude**

In order to remind the Members of Council/Committee of their obligations in closed session, the Chair shall read a script at the beginning of the closed session detailing the Closed Meeting rules of the City (Appendix B Sample Script).

- In writing this document, staff reviewed various documents from other municipalities and included various best practices from those policies.

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### Appendix "A"

#### Sample Script when returning from the Closed Meeting

Council/Committee met in Closed Session to consider matters it is permitted to do so under the Municipal Act, 2001, and as listed on today's Council/Committee agenda. The following items were considered during the Closed Session:

##### List of Items Considered in Closed Session

In the continuing interest of transparency and open government, I am reporting in public session any outcomes from today's closed session meeting.

As a result of our closed session today, I wish to report the following:  
Examples:

- Minutes from Previous Closed Session – Council adopted the minutes as presented
- OMB Appeal Update – Council received information regarding OMB Litigation related to <number or file number>
- Labour Relations/Employee Negotiations – Direction was given to staff respecting negotiations with Local XXXX.
- Litigation Matter – Direction was given to staff with respect to litigation related to <subject matter>
- Solicitor-Client Privilege – Council/Committee received legal advice related to <subject matter>

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### Appendix "B"

#### Sample Script at the Beginning of a Closed Meeting

Please be advised that Council/Committee will now meet in Closed Session in accordance with subsection 239(2) of the Municipal Act to consider:

- (a) the security of property of the Corporation
- (b) personal matters about an identifiable individual
- (c) a proposed or pending acquisition or disposition of land
- (d) labour relations or employee negotiations
- (e) litigation or potential litigation
- (f) advice that is subject to solicitor-client privilege
- (g) a matter in respect of which Council may hold a closed meeting under another Act

I will be verbally reporting out in a general sense on all items considered in the closed session once we return from the closed session and move back to open session.

**Note:** Only reference the section of the Municipal Act that pertains to the matters to be considered in Closed Session. Any other matters not mentioned in the motion to move into closed session cannot be discussed.



## Closed Meeting Protocol

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### **MFIPPA Requests or Ombudsman Investigation:**

Please be advised that Council/Committee will now meet in Closed Session in accordance with subsection 239(3.1) of the Municipal Act to consider:

- (a) a request under the Municipal Freedom of Information and Protection of Privacy Act
- (b) an ongoing investigation respecting the municipality by the Ombudsman

I will be verbally reporting out in a general sense on all items considered in the closed session once we return from the closed session and move back to open session.

**Note:** Only reference the section of the Municipal Act that pertains to the matters to be considered in Closed Session. Any other matters not mentioned in the motion to move into closed session cannot be discussed.

### **Educational or Training Sessions**

Please be advised that Council/Committee will now meet in Closed Session in accordance with subsection 239(3) of the Municipal Act for the purpose of <subject>.

Examples: Council Orientation; Professional Development

I will be verbally reporting out in a general sense on all items considered in the closed session once we move from the closed session and back into the open session.

September 12, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Dave Pratt, Director of Fire & Emergency Services / Fire Chief**

**Re: Kenora Fire & Emergency Services – Q2 Report**

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for Fire & Emergency Services.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. To provide Council with an update on progress towards achieving these goals, the following report has been created.

The City of Kenora Fire and Emergency Services (CKFES) produces quarterly updates for Council that provide information and statistics on staffing levels, call volumes, response times, significant incidents, fire prevention and training initiatives.

### **Focus Area 3 – Community Recreation, Well-Being, and Safety**

#### **Goal 3.2A – Address Community Safety Challenges and Improve Perceptions of Safety in Kenora:**



CKFES's Captain Terry McLeod organized joint training with Longbow Lake, McKenzie Clearwater, and Pellatt Fire Departments. Staff worked together using multiple portable water ponds and water tanker shuttles to simulate providing water by way of tanker trucks to fight a fire in an area without municipal hydrants.

Fire apparatus from Kenora, Longbow Lake, McKenzie Clearwater, and Pellatt

#### **Goal 3.2B – Enhance Emergency Management, Protective Services and Social Services provided by City Partners**

CKFES staff trained with Ministry of Natural Resources and Forestry (MNRF) staff on three separate occasions during Q2. The first two sessions involved the Forest Industry Wildland Firefighting (SP 103) course as part of the Municipal Forest Fire Management Agreement with the MNRF. The third session involved training with Values Protection and Sprinkler Training for Fire Departments. The goal of the training was for everyone to gain familiarity with the concepts and equipment used by the MNRF.



CKFES and MNRF staff training with portable pumps.

### Goal 3.2B - 3.2.4. Develop a “Fire Department Master Plan”

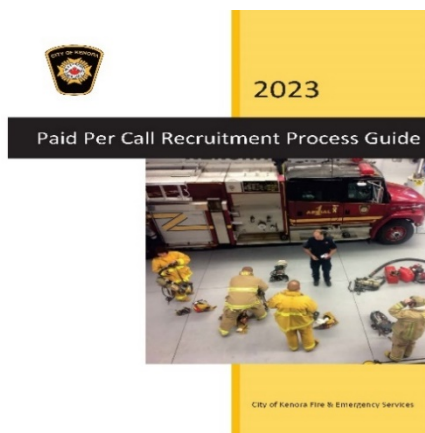


Fire Services Master Plan

The Fire Services Master Plan was presented at City Council and to CKFES staff in May by BEHR Consulting. The document is a strategic plan highlighting 41 recommendations for the municipality to move the fire department forward over the next 5 to 10 years. Ultimately, outcomes of this plan have determined options towards an optimum service delivery model(s) and serve as a 'blueprint' for the city to be more effective and efficient in the delivery of emergency services through current and future challenges.

### Focus Area 4 – Service Delivery and Organizational Capacity

#### Goal 4.4 – Enhance City communications to the community on municipal services, developments, and affairs



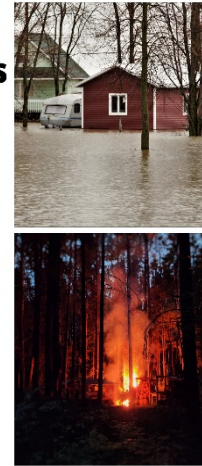
Paid per Call Firefighter Recruitment Guide

In April CKFES began a recruitment for Paid per Call Firefighters. After their application was received candidates had to write an aptitude test, occupational physical assessment and acrophobia test, and interview. Successful candidates were given job offers pending completion of Criminal Records Check, Driver's Abstract and Medical. Fifteen Recruit Firefighters will begin their training in July with the goal to be certified as NFPA 1001 firefighters.

Emergency Preparedness Week (EP Week) is a national event supported by Public Safety Canada, working closely with municipalities who support activities at the local level. EP Week is an opportunity for residents to take action to ensure they are prepared to protect themselves, their family, and our community during an emergency. This year, the theme was *Be Prepared. Know Your Risks*. The intent of the theme is to encourage Canadians to understand the risks in their area and learn what actions they can take to protect themselves and their families.

## Emergency Preparedness Week

**Be Safe,  
Practiced,  
and Prepared**



Emergency Preparedness Advertisement

## City-Wide Fire ban in effect now

No outside burning until further notice



City Wide Burning Ban in effect

With the dry conditions in northwestern Ontario, the Ministry of Natural Resources and Forestry (MNRF) announced a Restricted Fire Zone was in effect as of June 1<sup>st</sup>, for the Northwest region, including Zone 6 (Kenora). In collaboration with this announcement, City of Kenora Fire and Emergency Services issued a complete fire ban for the City. Unfortunately, this included cancellation of the Canada Day fireworks display. The ban was lifted July 11<sup>th</sup>, however the Controlled Burning Season continues in effect until November 1<sup>st</sup>.

### Staffing Levels

The current CKFES staffing levels are outlined in the below table:

	2023 (1 <sup>st</sup> Quarter)	2023 (2 <sup>nd</sup> Quarter)	Target
Full Time Staff	13	13	14
Live-in Paid-On-Call Firefighters	1	1	4
Paid-per-Call Firefighters	10	9	55
Recruit Paid-per-Call Firefighters	11	13	-
Total Paid-per-Call Firefighters	22	23	-
<b>Total Personnel (Full Time &amp; Paid-per-Call)</b>	<b>35</b>	<b>36</b>	<b>69</b>

### Career Staffing (Q2 – 2023 - 182 Shifts)

- Total Shifts with 3 staff on duty: 61 or 34%
- Total Shifts with 2 staff on duty: 121 or 66%
- Total Shifts requiring overtime to maintain minimum staffing of 2 staff on duty: 26 or 14%

### Call Volume (Second Quarter 2023)

In the second quarter of 2023, Kenora Fire and Emergency Services responded to a total of 147 calls (141 in Kenora and 6 outside the municipal boundary), broken down as follows:

Call Type	Sum of Call #'s	% of Call #'s
Fire Alarm Activations	38	26%
No Loss Outdoor Fires	20	14%
Open Air Burning Complaints	15	10%
Public Hazard – Leaks, Power Wires	13	9%
Medical First Response	12	8%
False Fire Calls	10	7%
Structure Fires	9	6%
Motor Vehicle Collisions	9	6%
Other / Cancelled on Route	7	5%
Human Perceived Emergencies	7	5%
Carbon Monoxide False Alarms	4	3%
Rescues – Elevator / Water	3	2%
<b>Grand Total</b>	<b>147</b>	<b>100%</b>

### Firefighter Turnout & Response Times

The below table outlines information related to firefighter turnout and response times for the 147 calls that occurred in the 2<sup>nd</sup> quarter of 2023.

	2023 (1 <sup>st</sup> Quarter)	2023 (2 <sup>nd</sup> Quarter)	Target
Total Calls for Service	87	147	N/A
Average number of firefighters per call	3	3	4
Average Turnout time of first apparatus to all calls	2:10	2:53	1:20 (NFPA 1710)
Average travel time of first apparatus to all calls	6:35	6:34	4:00 (NFPA 1710)
Average total response time of first apparatus to all calls	9:25	7:14	5:20 (NFPA 1710)
Time of first defibrillator to patient (medical calls)	6:02	4:47	4:00 (NFPA 1710)

### Emergency Response (Q2 - 2023)

Emergency Response Summary - Total incidents – 147

- Total Incidents mitigated by 3 On Duty Career Staff – 45
- Total Incident mitigated by 2 On Duty Career Staff – 100
- Total Incidents mitigated by On Duty Career & Paid per Call Staff – 20
- Total Incidents mitigated by All Staff (Career, PPC & Career Call Back) – 11
- Total Incidents Career Staff called back to 'cover the hall' – 8

Paid per Call Response Summary

- Q2 Incidents – 20                      Average # of responders – 5
- Q2 Training Sessions - 13              Average # of attendees - 9

## Significant Incidents

- On April 5<sup>th</sup> CKFES responded to Highway 17A for a motor vehicle collision involving 6 transport trucks and 2 vehicles during a winter storm. There were several minor injuries, and the highway closed for several hours to clear the vehicles and clean-up the heavy snowfall.
- On April 26<sup>th</sup> CKFES responded to the report of a structure fire on Hidden Trail. On arrival crews found the two-story residential structure fully engulfed in flames. Mutual Aid was requested to establish water tanker shuttles from nearby Black Sturgeon Lake. The residence was a total loss.
- On May 1<sup>st</sup> CKFES were alerted to smoke and flames coming from a River Drive residence by O.P.P. Crews were unable to enter the structure safely and set up a master water stream from the Aerial device to extinguish the fire.
- May 16<sup>th</sup> was a difficult day for CKFES staff. They responded to a structure fire in an Eighteenth Ave. N. residence, where it was discovered that two residences had lost their life. The Office of the Ontario Fire Marshal was contacted and completed an origin and cause investigation into the circumstances around the incident. The residence was a total loss.
- On May 24<sup>th</sup> CKFES Paid per Call staff were requested through Mutual Aid to a Highway 17 East residence in Longbow Lake. Staff provided water tanker shuttle and assisted Longbow crews to extinguish the fire.
- On May 27<sup>th</sup> CKFES were called to Rabbit Lake Trailer Park for the report of a trailer fire. Although the fire was quickly extinguished, O.P.P. were investigating the circumstances around the incident, which was suspected to have been deliberately set.
- On May 28<sup>th</sup> CKFES were called to a Agur Street residence where a basement fire was discovered after the homeowner was alerted to the situation by working smoke alarms. Everyone was able to escape the home safely, but the home was heavily damaged.

## Training Initiatives

The second quarter of 2023 saw CKFES complete a variety of training. Firefighters completed approximately 384 hours towards training covering the following content:

- Firefighter Safety
- Personal Protective Equipment donning, doffing and inspections
- Rapid Intervention Techniques
- Fire Hydrant Operations
- Tanker Operations
- Pumper Operations
- MNRF Training
- Rural Water Supply (Mutual Aid)
- Driver Training
- Truck Inspections
- Assistant to the OFM Training
- H2O Power generating station tours



CKFES Staff training behind Kewatin Arena

### Fire Prevention Activities

During the 2<sup>nd</sup> quarter of 2023, CKFES completed 12 Occupancy Inspections including 1 Vulnerable Occupancy Fire Drill.

CKFES also completed Public and Life Safety Education events including:

- Ignite Your Future – Beaver Brae Secondary School
- Literacy Reading Week - various schools
- Fire Safety School Visit Ecole Ste-Marguerite Bourgeoys
- Fire Safety School Visit Evergreen Public School
- Fire Safety School Visit Valley View Public School
- Fire Extinguisher Training – Synergy North
- City Summer Student Orientation
- Fire Safety School Visit King George Public School
- St. Thomas High Aquinas School Fun Fair
- Fire Safety School Visit St. John Paul II School
- Party in the Park
- Student Learning Workshops St. Louis Living Art School

### Other Activities

- Staff attended the Northwest Response Forum April 4 – 6 participating in discussion focusing on lessons learned, new initiatives, best practices and on current topics related to emergency preparedness.
- Staff attended the Kenora District Mutual Fire Aid Association meeting on April 15<sup>th</sup>. Discussions focused on fire protection services efficiency, effectiveness and safety improving public safety for everyone in the northwest through the Mutual Aid Plan.
- BEHR Consulting presented the Fire Services Master Plan to fire department staff.
- Staff attended the Ontario Association of Fire Chiefs Conference and Trade Show May 1 to 4. The annual conference provides educational programs that are geared to everyone working in fire and emergency services, or a related sector.

- CKFES promoted three Paid per Call Firefighters to the Lieutenant position. Congratulations to Lieutenant Andrew Rogozinski, Jared Snyder and Sean Wiersema who started their new positions June 1<sup>st</sup>.
- In Q2 Council approved the replacement of the department's SCBA (Fall 2023) and replacement of Pumper 8 with a new Tanker Truck (Q1 2025).
- CKFES Social Committee hosted the 38<sup>th</sup> Annual Northern Ontario Firefighters Golf Tournament June 17<sup>th</sup> at the Kenora Gold & Country Club. Over 70 participants in the event.
- Lake of the Woods Amateur Radio Society, whose equipment is maintained at Fire Station #1, participated in an amateur radio emergency services exercise with their other partners locally in Sioux Narrows/Nestor Falls, Fort Frances, Dryden, Atikokan, and Thunder Bay.

## Focus Area 5 – Relations with Treaty 3 Partners

### Goal 5.2 Foster Meaningful and Beneficial Relationships with Treaty Partners:

CKFES attended the Seven Generations Educational Institute's Annual Education Fair with other emergency service partners so participants could learn about local career and academic programming options, and network with local businesses.



Seven Generations Educational Institute's Annual Education Fair

### Strategic Plan or other Guiding Document:

Strategic Plan

Goal 3.2(b) Enhance emergency management, protective services, and social services provided by City partners.

Goal 4.4 Enhance City communications to the community on municipal services, developments, and affairs

Fire Protection and Prevention Act, 1997



Fire chief, municipalities

6 (1) If a fire department is established .... the council of the municipality ... shall appoint a fire chief for the fire department.

Responsibility to council

6 (3) A fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services.



3M Scott Air-Pak X3 Pro SCBA



Freightliner Crusader Tanker Truck



September 13, 2023

## City Council Committee Report

**TO: Kyle Attanasio, CAO**

**FR: Dave Pratt, Director of Fire & Emergency Services / Fire Chief**

**RE: McKenzie Clearwater Fire Protection Corporation Lease Agreement**

### **Recommendation:**

That Council hereby authorizes the Mayor and Clerk to enter into a five (5) year lease agreement between the Corporation of the City of Kenora and McKenzie Clearwater Fire Protection Corporation, effective September 1, 2023, for five (5) years; and further

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

### **Background:**

The Corporation of the City of Kenora and The McKenzie Clearwater Fire Protection Corporation have had a longstanding agreement to provide radio circuits, radio licenses, and maintenance of the Kenora and area fire communications system and operating costs of Station 2. Recently, McKenzie Clearwater requested use of an additional apparatus bay to house a second piece of equipment, which is reflected in the costing model, and further that the agreement will be reviewed in five years to stay updated.

**Budget:** Increase the payment of 33 1/3% to 40% of the annual operating and maintenance costs of the City of Kenora Fire and Emergency Services Station 2.

**Risk Analysis:** There are no risks associated with this Lease Agreement.

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

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

Goal 3.2(b) Enhance emergency management, protective services and social services provided by City partners.

Goal 4.4 Enhance City communications to the community on municipal services, developments, and affairs.



September 13, 2023

## City Council Committee Report

**TO: Kyle Attanasio, CAO**

**FR: Dave Pratt, Director of Fire & Emergency Services / Fire Chief**

**RE: St. John Ambulance Lease Agreement**

### **Recommendation:**

That Council hereby authorizes the Mayor and Clerk to enter into a one (1) year lease agreement, with the option of four (4) one-year extensions, between the Corporation of the City of Kenora and St. John's Council for Ontario, effective September 1, 2023 to December 31, 2024; and further

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

### **Background:**

St. John Ambulance is an established volunteer agency that provides both first aid and educational training to the community. With the recent sale of the Kenora Legion, St. John Council for Ontario, Kenora Branch, required space to provide services to its clients. Realizing the synergies between St. John Ambulance and the Kenora Fire & Emergency Services (CKFES), Kenora Branch Director Dave Fraser approached the Fire Chief about utilizing the training room at Station #2 in Keewatin. This space is currently underutilized and meets the needs of St. John Ambulance. Further, this relationship will assist with providing training opportunities for the community and CKFES staff.

### **Budget:**

St. John Ambulance lease agreement is for \$1,000 per month for a term of one (1) year, with the option of four (4) one-year extensions.

### **Risk Analysis:**

There are no risks associated with this Lease Agreement.

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

Bylaw & Resolution required.

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

Strategic Plan

Goal 3.2(b) Enhance emergency management, protective services and social services provided by City partners.

Goal 4.4 Enhance City communications to the community on municipal services, developments, and affairs.



September 13, 2023

## City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Greg Breen, Director of Engineering & Infrastructure

Re: Engineering & Infrastructure – 2023 Q2 Report

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for the Engineering and Infrastructure Department.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. In an effort to provide Council with an update on progress towards achieving these goals, the following report has been created.

Engineering and Infrastructure is comprised of the following Departments: Engineering (Engineering, Fleet, Facilities and GIS), Public Works (Roads, Water Distribution and Wastewater Collection, Parks and Cemetery), and Utilities (Solid Waste, Water and Wastewater Treatment Plants),

### **Strategic Plan Focus Area 1 – Infrastructure and Environment**

#### **Goal 1.2 Ensure Well Maintained and Sustainably Financed City Infrastructure**

Engineering / Capital and Operating Projects Update:

#### **Sewer and Water Rehabilitation:**

The Sewer and Water rehabilitation project is the reconstruction of sanitary, water and surface features and includes three locations:

- 5<sup>th</sup> Street South from 6<sup>th</sup> Ave S to the A & W Ball Fields
- A major storm crossing along Gould
- A portion of a marine sanitary force main running from the Hospital to Downtown through safety bay.

The project has been awarded to Moncrief Construction Ltd. and is currently on budget. The schedule of the 5<sup>th</sup> Street S Project has the underground works complete in Q3 and when it will undergo testing and disinfection prior to final connection.



**Municipal Paving Program:**

The Municipal Paving Program is the reconstruction and rehabilitation of paved roads and associated surface and storm collection features as required. The 2023 program includes five locations:

- Railway Street from the Gould Road Intersection to beyond the 16<sup>th</sup> Ave N Railway Crossing
- Ninth Street North from Houghton Road to Scramble Ave
- Mellick Ave from 10<sup>th</sup> Street N to 14<sup>th</sup> Street N
- 6<sup>th</sup> Ave S from 8<sup>th</sup> Street S to Golf Course Road
- Laneway East of 8<sup>th</sup> Ave N between 3<sup>rd</sup> Street N and 4<sup>th</sup> Street N

The project has been awarded to Titan Contractors and is currently on budget. The Railway Street project, water and sewer infrastructure not originally planned for replacement was added to the scope extending the Railway Street timeline by several weeks. The Railway Street project and the entirety of the Municipal Paving Program is on schedule to be completed prior to cold fall temperatures.



### **Storm Sewer Program:**

The Storm Sewer program is the reconstruction and rehabilitation of storm water collection assets within the City. The 2023 program includes two locations:

- Houghton Road Storm Crossing
- Trenchless relining of stormwater assets in the 6<sup>th</sup> Street N area.

The Houghton Road Storm crossing is included in Titan Contractors scope of work under the 2023 Municipal Paving Program Contract and will be completed throughout the month of August.

### **Keewatin Channel Bridge – Design Services:**

The request for proposals closed in May of 2023. Kickoff meetings are scheduled for July of 2023 with anticipated completed design and tender package in later December- early January of 2024.

### **Kenora Area Landfill Peripheral Road Construction – Phase 2:**

The Kenora Area Landfill Peripheral Road construction is currently in the design stage with anticipated completion by the end of August 2023 and award in September 2023.

The project includes ditch line improvements and a settling basin required as part of the development plan issued by the provincial government.

### **Operations Centre 2<sup>nd</sup> Floor Renovation:**

The request for proposal closed in April and the tendered scope resulted in significant budget shortfalls. The scope of the project has been reduced through multiple value engineering sessions and a revised drawing package set it expected in late August.

The City will be reissuing the work through an invitation to tender procurement process once value engineering exercises have completed.

### **CCTV Cleaning and Inspection Services:**

The closed circuit TV cleaning and inspection services contract is an annual contract to clean and assess the storm water and sanitary sewer collection mains throughout the City. The work was awarded to Cambrian Vacuum Corporation who is scheduled to complete the work in August of 2023.

### **Municipal Line Painting and Marking:**

The Line Painting Tender Closed and was awarded to Northwest Lines. Following several discussions around scheduling, work is expected to begin in early July.

### **Moncrief Construction Sports Centre Parking Lot and Boat Launch Improvements:**

The Moncrief Construction Sports Centre parking lot and boat launch improvements includes significant hard and granular surface upgrades, stormwater drainage improvements, lighting upgrades, the addition of one boat launch, replacement of a water main and repair of a failed retaining wall.

The work was awarded to Titan Contractors and is expected to start immediately following Canada Day long weekend with no schedule or budgetary concerns. The anticipated completion date is September 30<sup>th</sup>. The schedule includes accommodating timelines for Long weekends, and Fishing Tournaments.

### **Moncrief Construction Sports Centre – Interior Projects:**

The Moncrief Construction Sports Centre has significant interior upgrades planned including the relocation of the reception area and west dressing room upgrades which are currently in the planning and design stage. Construction may commence in 2023

pending completion of that stage. Currently design work is underway for the rink slab and board replacement. Construction of this project will not commence until 2024.

### **Baseball Field Upgrades:**

Multiple baseball fields will undergo a variety of different upgrades including the addition of infield mix, lighting upgrades where required and replacement and/or improvement of fencing. The majority of the project has been tendered and is scheduled to be completed this summer.

### **Bowman Electric Keewatin Memorial Area – Various Projects:**

The project is currently in the design stage and the scope of work includes the replacement of flooring in the lobby and second floor viewing area, replacement and upgrade of the accessible lift and potential upgrade of the 2<sup>nd</sup> floor viewing area to allow for accessible viewing.

### **McLeod Park Phase 1:**

Phase 1 of the McLeod Park project is now complete with minor deficiencies outstanding to be completed during 2023.

Phase 2 of the project is currently on hold as applications for funding are being reviewed by external funding agencies.

### Water and Wastewater Distribution and Collection:

Underground Services completed the following repairs and maintenance on the water distribution system:

- Dug and repaired five (5) water main breaks
- Dug and repaired one (1) main Break on summer service line in Keewatin
- Dug and repaired three (3) water main valves
- Repaired one (1) copper service
- Dug and replaced one (1) fire hydrant
- Dug and removed one (1) fire hydrant because of relocating it
- Relocated a section of water main on Coney Island
- Repaired various leaks on summer service lines
- Repaired fire hydrant in Norman
- Completed monthly water readings and meter repairs as required
- Valve exercising (turning) and cleaning in Norman, Keewatin, Lakeside
- Turned on summer services (Coney, Ball fields, Soccer field, Beaches, splash park, Keewatin, Mikado Ave)
- Completed unidirectional water main flushing in Norman and Keewatin
- Completed Hydrant flow testing in Norman and Keewatin
- Lowered various curb stops in driveways
- Supported Contractors with Capital Projects
- Thirty-two (32) water turn on/off for season
- Twelve (12) water turn on/off for repairs
- Two hundred and forty-seven (247) water deliveries
- One hundred and eighty-four (184) locates for Ontario One Call

Underground Services completed the following repairs and maintenance on the wastewater collection system:

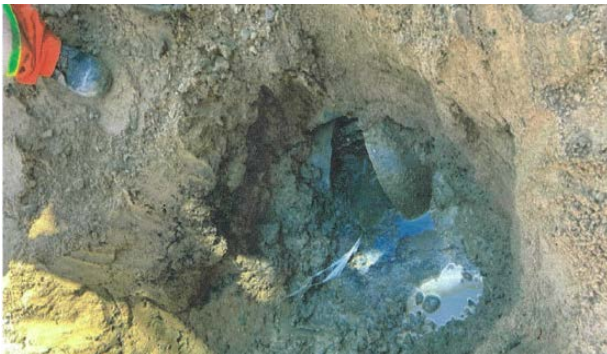
- Dug and repaired one (1) sewer main
- Dug and repaired three (3) sewer services

- Installed new sewer line with heat trace between 4<sup>th</sup> street North and 5<sup>th</sup> street North
- Nineteen (19) calls for sewer rodding
- Three (3) grinder pump replacements
- Eight (8) service calls for grinder pumps
- One (1) service call for sewer steaming
- One hundred and eighty-four (184) Ontario One Locates
- One (1) private locate
- Three (3) camera inspections
- Lift station checks and responded to various station alarms
- Lift station cleaning (we have 67)
- Flushing and cleaning of sewer mains
- Precautionary boil water Advisories
  - Six (6) precautionary boil water notices.

Heenan Place Repair



Main St Rideout





Gunne Crescent Repair



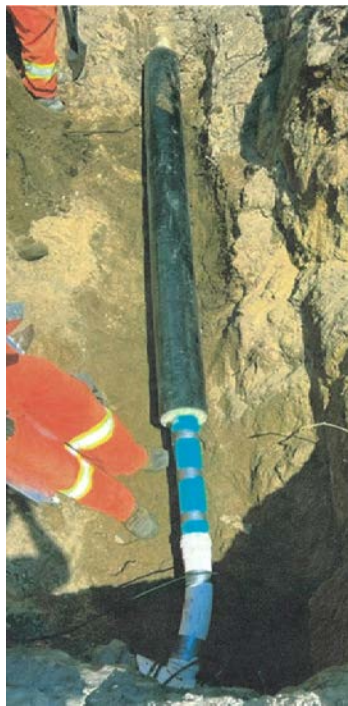
Unidirectional Water Main Flushing



Wastewater Pump Removal



4th St North Repair



Roads:

The Roads Department continued winter maintenance following the Minimum Maintenance Standards O/Reg 239/02. On April 5, full crew deployment supported the snow clearing and removal of a major storm with 25cm of snowfall.

Sprint Maintenance got started with Storm and Culvert Steaming, Street Sweeping, Roadside Mowing and Brush Clearing to re-establish sightlines. The Downtown Streets Washing program was kicked off along side joint-cleanout on the City's 18 bridges.



Frozen Culvert Barsky Crescent



Steamed Culvert Barsky Crescent

With the delivery of the Asphalt Recycler and Hot Box, the City crews were able to make tremendous improvements to repair methods. Potholes, sunken section of roadway are sawcut out so that the base layer can be repaired, prior to laying new hot asphalt.





City and Contracted crews also got a handle on clearing beaver dam blockages near bridges and within culverts.



The Roads Department also started looking at alternative styles of catch basin lids in locations where grit, leaves and branches are routinely plugging drains and causing minor flooding nuisance.

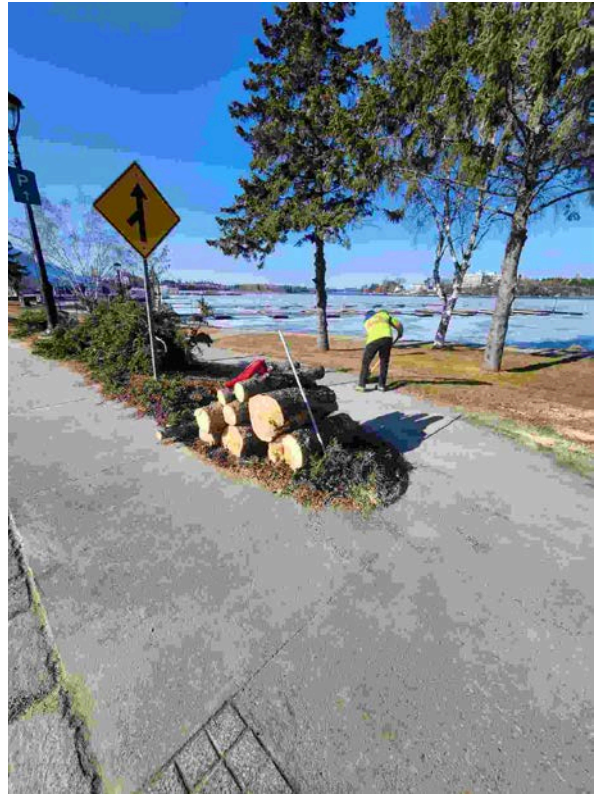


### Parks and Cemetery:

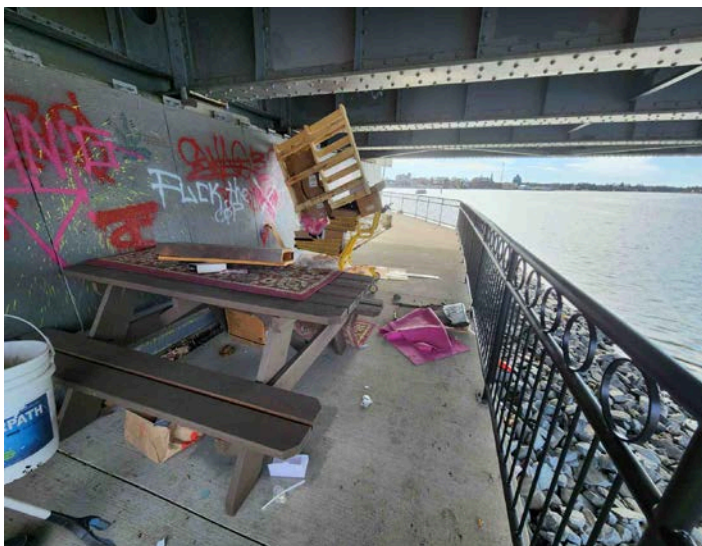
The Parks team began readying the City's greenspaces and Parks by installing picnic tables, garbage receptacles, mobi-mats, swim ropes, tennis nets and wind screens. Beaches were opened and the Splash Park was energized.

Teams got started on beautification, performing bed maintenance at Portage Bay, City Hall and completing rubber mulching in tree wells around the Jarnel Contracting Pavilion. The turf maintenance schedule began in May with the addition of 8 summer students, including daily ball diamond surface maintenance.





City cleanup is also a high priority for the Parks team. Multiple clean ups in various locations such as Garrow Beach, the Downtown Parkade, and the Thistle Pavilion washrooms. Clean up and repairs of asset damage and vandalism is an ongoing effort.



At the Cemetery, 40 interments were performed alongside 36 interment right sales and transfers. Staff worked through over 50 works orders covering foundations, stone realignments and landscaping.

Fleet:

The asphalt recycler and hot box were delivered at the beginning of May; the roads department immediately put these units to use. This purchase has been a tremendous improvement to the level of service the potholing team can provide with improvements to both summer and winter repair methods.



Asphalt recycler 1<sup>ST</sup> bucket of old asphalt



1<sup>st</sup> bucket of hot recycled asphalt into the hot box



1<sup>st</sup> patch of asphalt the roads crew laid.

The tack tank was serviced and put back into operation, it had been sitting unused for some time. This unit is paired with the use of the hotbox and asphalt recycler for paving. Before the asphalt is laid the crew sprays a coating of hot tack in the area that is prepped to pave, this helps the recycled asphalt bond better to the existing asphalt and the "A" gravel material. This tack tank replaces the use of spray tack from aerosol cans, which is more cost-effective and environmentally friendly.



Tack Tank Unit

Fleet provided the Roads Department with the new 2023 Honda CR-V sport 4WD SUV. This SUV will be used for daily route patrols across the City of Kenora



Fleet provided the Roads and the Solid Waste Departments with front end loaders that were ordered back in August,2022. The Loaders were delivered in June and were immediately put into service.



Roads Loader



Solid Waste Loader

Fleet provided the Recreation Services Department with the new utility terrain vehicle (UTV) that was ordered back in June, 2021. The unit was delivered and put into service in late April.





#### Procurements:

Fleet has tendered and awarded the new Landfill Front End Loader as part of the 2023 Capital Program. This loader has a delivery date of September 2023.

Fleet purchased three ½ ton pick-up trucks, with expected delivery in November 2023. The delivery of the high roof Service Van for the Underground Services Department, which will allow the meter technician to complete meter repairs in the field has an expected delivery date of December, 2023.

The delivery of Underground Services' ¾-ton Crew Cab Truck has an expect delivery date of September 2023. This unit will be outfitted with a crane for lifting items such as grinder pumps and lift station pumps. The hoist itself is on backorder with expected delivery in December 2023 or early in 2024.

#### Operations:

Fleet complete the annual inspection of the overhead cranes with support from Kone Cranes.

Fleet began the procurement of a major software upgrade to the fuel station and has awarded the upgrade to J.A Robinson Pump Service. The current fuel station software will not be supported for maintenance or upgrade and will be replaced by Gasboy. This software will allow fleet to manage fuel deliveries, consumptions and reconcile payments and fuel usage more effectively through wireless data sharing. Vehicle information can now be shared with the software.

The fleet division worked a total of 2,546.75 hours on 104 vehicles and pieces of equipment for almost every division. 20% of that time was spent on preventative maintenance, reducing unexpected down-time. Hydraulic system repairs and summer changeover tasks (i.e., removing plows) were the runners up for time allocation. During this period, the team also completed 22 annual safety inspections, worked on generators and pumps and completed 85 hours of welding work for Underground Services and Facilities. The coming summer created the need for an increase to small equipment repairs and maintenance with the mechanics completing over 100 hours of of work on that equipment.

#### Facilities:

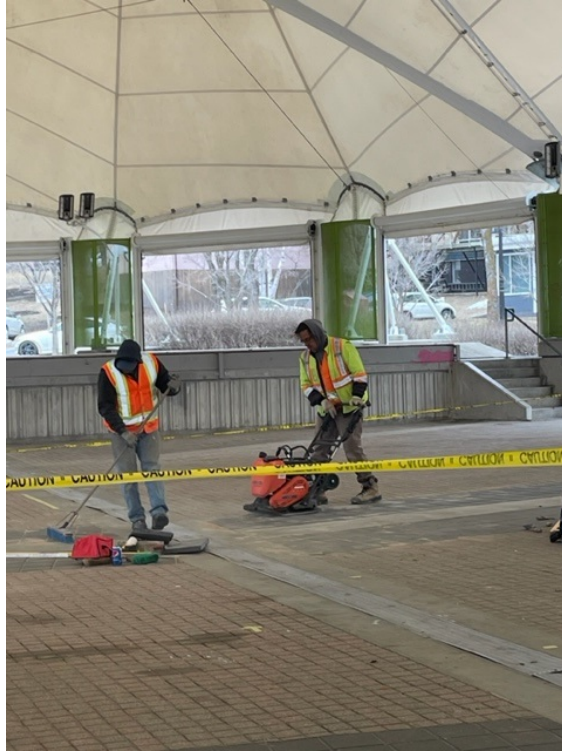
The Facilities Department also turned the attention to preparation for the coming Summer season:

- Floor Leveling/new paver installation at the Jarnel Contracting Pavilion
- Stain Tread Replacement and Water Station at the Thistle Pavilion
- Dockand Wharf Repair at the City's Beaches and Harbourfront
- Roofing and Flashing Repairs at the Wastewater Treatment Plant
- Coney Island Walkway removal and storage.
- Artifact Storage for the Muse

#### **Central Community Club**

Construction continued at the Central community club with finishing touches and deficiencies being completed. The Club is currently in the process of closing their permit and obtaining occupancy.

Jarnel Contracting Pavilion



Thistle Pavilion Stair Tread Replacement and Water Station



Dock Repair





Roof and Flashing Repairs at the Wastewater Treatment Plant



## MUSE Artifact Storage



Coney Island Footbridge Removal



**Budget:** There is no expected budget impact as a result of this report.

**Risk Analysis:** There is no expected risk as a result of this report.

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



Sept 13, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Greg Breen, Director of Engineering and Infrastructure**

**Re: Crossing Guard Contract 2023-2024-2025**

### **Recommendation:**

That Council hereby approves a contract with Alpine Janitorial (Kenora) Inc. for the purposes of crossing guard services for the 2023-2024 and 2024-2025 school years; and further

That in accordance with Section 15.1 (c) (ii) of Procurement Policy AF-1-1 this contract was sole-source-procured to Alpine Janitorial (Kenora) Inc. in the amount of \$145,803.10; and further

That three readings be given to a bylaw authorizing a contract with Alpine Janitorial (Kenora) Inc. for this purpose.

### **Background:**

The City's historical records show that the City has been providing the services of crossing guards since at least 2003. For the 2003-2004 to the 2022-2023 school years, the contractor who has provided that service has been Alpine Janitorial (Kenora) Inc, with the only exception being the contract for the 2017-2018 and 2018-2019 school years, when the successful tender was submitted by an additional company. Subsequently, that company was unable to provide the service, and the contract was awarded to the only other submission, Alpine Janitorial (Kenora) Inc.

For 20 years, Alpine Janitorial (Kenora) Inc. has been successfully providing these services and has proven their ability to retain and deploy crossing guards dependably at the required locations.

The City has received a quotation from Alpine Janitorial (Kenora) Inc. for the 2023-2024 and 2024-2025 school years and has awarded the contract for the following amounts:

2023-2024 School Year	\$72,901.55
2024-2025 School Year	\$72,901.55

**Budget:** The total amount of the contract for the two school years of service is \$145,803.10. This amount represents an increase to the projected 2024 and 2025 budget amounts shown in the 2023 adopted budget. The 2024 draft budget required an increase of \$11,571 and the 2025 projected budget required an increase of \$8,280.

**Risk Analysis:** There is a medium to high risk associated with this report, as approval is important to maintain the services the municipality is required to maintain and deliver in accordance with the Highway Traffic Act.

**Communication Plan/Notice By-law Requirements:** bylaw required for the agreement

**Strategic Plan or other Guiding Document:** Highway Traffic Act, R.S.O 1990.





September 13, 2023

## City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Greg Breen, Director of Engineering and Infrastructure

Re: Water and Sewer Bylaw Amendment – Leak Responsibility

### **Recommendation:**

That Council hereby approves an amendment to the Water and Sewer By-law Number 70-2018, Section 29 (1) to correct and clarify the determination of City and Property Owner responsibility for Leaks in the Water Distribution System; and further

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

### **Background:**

Leaks in the water distribution system require prompt attention and repair when they occur. The responsibility for the repair is typically divided between the property owner and the City at the curb stop valve.

Leaks that occur as a result of a failure of the City's piping (upstream of the curb stop valve), a failure or crack in the curb stop valve body, at the curb stop valve operator stem connection, or at the connection of the City's piping to the curb stop valve are the responsibility of the City to repair.

Leaks that occur as a result of a failure of the property owner's piping (downstream of the curb stop valve) or at the connection of the property owner's piping to the curb stop valve, are the responsibility of the property owner to repair.

### **Section 29. Leaks in the System**

#### **Remove:**

(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak stops, the leak shall be determined to be on the City side. If the leak persists, the leak shall be determined to be on the Private Property side and the responsibility of the Property Owner.

#### **Add:**

(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak continues when the valve is closed, the leak shall be determined to be on the City's side and the responsibility of the City. If the leak stops when the valve is closed, the leak shall be determined to be on the Property Owner's side and the responsibility of the Property Owner. For clarity, leaks at the connection between the valve and the downstream (Property Owner's) piping shall be the Property Owner's responsibility. Leaks originating from the valve body itself (i.e. cracks, pinholes, leaking operator stem, etc) and the upstream piping connection shall be the City's responsibility.

**Budget:** N/A

**Risk Analysis:** There is a low risk associated with this report. The report corrects and clarifies the responsibility to correct repairs to the Water Distribution System.

**Communication Plan/Notice By-law Requirements:** Resolution and By-law required. G. Breen, M. Derouard.

**Strategic Plan or Other Guiding Document:**

Goal 1.2 – Ensure well maintained and financed City Infrastructure.

# The Corporation of the City of Kenora

## By-Law Number 70 - 2018

### A By-law to regulate the Municipal Water Supply and the Provision of Sanitary Sewage Services in the City of Kenora

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**Whereas**, pursuant to the provisions of sections 8, 9, and 10 of the *Municipal Act, 2001*, the Municipal Council may pass By-laws to establish and operate water and sewage works; and

**Whereas** the aforementioned Sections and Section 23.1 of the said Act authorize a municipality to delegate its powers and duties under the said Act subject to the restrictions set out in Part II of the said Act; and

**Whereas** Sections 78 to 87 and 435 to 439 of the *Municipal Act* authorize, among other things, the entry on property supplied by water and sewage services , the shut-off of the supply, inspections, the interruption of the supply and matters related to the operation and maintenance of the system; and

**Whereas**, pursuant to Part II of the *Municipal Act*, the Municipal Council may pass by-laws to impose fees or charges for services or activities;

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

#### PART I – DEFINITIONS, INTERPRETATION AND APPLICATION

##### 1. Definitions

In this By-Law:

“**Agent**” means a person other than an employee of the City who is duly authorized to carry out a function hereunder and includes an independent contractor;

“**Air Gap**” means the unobstructed vertical distance through air between the lowest point of a water supply outlet and the flood level rim of the fixture or device into which the outlet discharges;

“**Approved Contractor**” means a contractor approved by the City for the installation of water and/or sanitary piping from the main or lateral to a Premises;

“**AWWA**” means the American Water Works Association;

“**Backflow**” means the flow of water, whether or not mixed with another substance, away from a point of use back into the City’s waterworks through a Water Service Pipe;

**“Backflow Preventer”** means a device or assembly for a Water Service Pipe which prevents backflow into the City’s water works and includes a Premises Isolation Device;

**“Backwater Valve”** means a valve designed to prevent reversal of flow in a gravity drainage system;

**“Bleeder”** means a piece of piping or other device attached to a Water Distribution System and allowed to run continuously during cold weather to prevent freezing of the water in the system;

**“C.B.O.”** means the Chief Building Official of the City as appointed by Council, or his or her delegate;

**“City”** means The Corporation of the City of Kenora;

**“Commercial User”** means any consumer other than a Domestic User and “Commercial Property” has a corresponding meaning;

**“Council”** means the Municipal Council of the City;

**“Cross Connection”** means any water connection that by the nature of its configuration or the absence of an air gap, could allow the backflow of contaminated water, pollutants or substances into the water system, resulting in the potential for deleterious effects to the water in the water system and/or to human health. See Appendix A: A-6.

**“Curb Stop Valve”** means the connection at the street line, or easement line, which connects the Lateral and the Water Service Pipe to the Premises. This separates the City’s water main from the service line;

**“Customer”** means the person responsible for the payment of fees and charges hereunder;

**“Designated Employee”** means an employee designated and authorized for a certain purpose by the Operations & Infrastructure Manager;

**“Division Lead”** means the Water & Wastewater Division Lead of the City;

**“Domestic User”** means the consumer in respect of a detached or semi-detached dwelling, row house, town house, church or municipal facility, and “Domestic Property” shall have a corresponding meaning;

**“Effluent Pump”** means a pump installed and used at a residential premises in accordance with the applicable requirements in effect at the time of installation, and designed to force effluent from a building’s sanitary sewage system, where such system is located below a level where gravity drainage can be attained to the City’s gravity sanitary system;

**“Fees & Charges By-Law”** means the City’s General Tariff of Fees & Charges By-Law or any other City By-law imposing Fees and Charges;

**“Fire Chief”** means the Manager of Fire & Emergency Services of the City;

**“Grinder Pump”** means a pump, canister (basin) and alarm system designed to force effluent from a building’s sanitary sewage system where such system is located in such a manner that it does not allow for gravity drainage to the City’s low pressure main and must be pumped;

**“Heat Tracing”** means a system of electrical heating cables attached to or placed adjacent to pipes to provide supplementary heat to prevent the liquid in the pipes from freezing;

**“Lateral”** means the piping from a building to the Sanitary Sewer Main;

**“Low Pressure Wastewater System”** means a sanitary sewage conveyance pipe or system that operates under low pressure between a Grinder Pump and the Lateral;

**“Manager”** means the Manager of the Operations & Infrastructure Department of the City;

**“Meter”** means a device for measuring the quantity of water supplied to a Consumer;

**“MOECC”** means the Ontario Ministry of the Environment and Climate Change;

**“O.B.C.”** means the Ontario Building Code;

**“Premises”** means the whole of a property including all buildings and structures thereon that is registered in the Land Titles Office as a separate parcel or that is assessed as a separate parcel; and for this purpose each “multiple dwelling unit apartment building” as defined in the applicable Zoning By-law or “condominium building” is deemed to be a single premises;

**“Premises Isolation”** means the isolation of the water located within a building or structure from the waterworks system;

**“Premises Isolation Device”** means a device or assembly approved by the Canadian Standards Association for the Premises Isolation of a building or structure;

**“Pressure Reducing Valve”** means a device installed between the Meter and the Water Distribution System to restrict the water pressure to within the high pressure limit specified in Sub-Section 7.6.3. of the *Ontario Building Code (OBC)*;

**“Private Property”** means property that is not a street;

**“Property”** means real property identified on a street address;

**“Property Line”** means the boundary between a street and a property;

**“Property Owner”** means the person(s) identified as such on the assessment roll for the Property in question and in the case of a Condominium building, unless the context requires otherwise, the Property Owner means the Condominium Corporation as agent for the owners of the units;

**“Sanitary Sewer Main”** means the piping and appurtenances of a sanitary sewer or combined sanitary and storm sewer installed or owned by the City, which provides service to the lateral and which is situated within a highway or other right of way or allowance, or an easement or which, in the absence of an easement, is protected by Subsection 91(4) of the Municipal Act.;

**“Seasonal Water Service Pipe”** means a permanent Water Service Pipe that supplies water for temporary or seasonal purposes;

**“Wastewater”** includes sanitary sewage and may also be referred to in this By-law as sewage;

**“Water Main”** means the piping and appurtenances of a sanitary sewer or combined sanitary and storm sewer installed or owned by the City, which provides service to the lateral and which is situated within a highway or other right of way or allowance, or an easement or which, in the absence of an easement, is protected by Subsection 91(4) of the Municipal Act;

**“Water Service Dispensing Outlet”** means a public water dispensing outlet where mobile water tanks and other containers are filled on payment of applicable charges;

**“Water Service Pipe”** means any pipe, or system of pipes, and related components which carry water underground from a water main to a point of use on Private Property or to a fire hydrant and includes the following: a) a domestic Water Service Pipe, (see Schedule A-2); and b) a Seasonal Water Service Pipe;

**“Water & Wastewater Division”** or **“Division”** means the City Division that is responsible for the installation, operation and maintenance of water and sewer lines, mains, appurtenances and the related treatment facilities;

**“Water & Wastewater System”** means any portion of the piping or infrastructure related to the collection of sanitary waste water;

## 2. Interpretation

- (1) Unless expressly stated otherwise, the cost and expense of the installation and operation of any device, facility or other thing required or permitted hereunder shall be borne by the Property Owner and not by the City.

- (2) The Appendix or Appendices hereto form part of this By-law and are for illustration purposes of matters required hereunder. In the event of any conflict between an Appendix and the text of the By-law, the text shall govern.
- (3) In the event of a conflict between any provision hereof and the Ontario Building Code or any other applicable Act, Regulation or By-law, the stricter requirement shall apply.

### 3. **Application**

This By-law applies to, governs and regulates the water and sanitary sewage systems owned or operated by the City.

### 4. **Time**

Subject to the requirements of the Municipal Act with respect to the provision of reasonable notice, any period of time as prescribed in this By-law may be abridged or extended in the discretion of the Division as deemed appropriate in the prevailing circumstances.

## **PART II – ADMINISTRATION**

### 5. **Manager of Operations & Infrastructure Division**

- (1) Subject to this By-law and to the direction of Council from time to time, the Manager is authorized to administer this By-law, the waterworks system, the supply of water to and within the municipality, and the City's sewage system.
- (2) Without restricting the general description of the powers given to the Manager in subsection 5(1), they include the authority to:
  - a) appoint City employees as Designated Employees under this By-law;
  - b) shut off the water supply to Properties;
  - c) determine when inspections of work governed by this By-law are required; and
  - d) establish public water service outlets and establish rules that are not contrary to this By-law for their use.

### 6. **CAO**

Subject to this By-law and to the direction of Council from time to time, the CAO or his or her delegate is authorized to:

- a) Prescribe from time to time such forms as he or she deems advisable for the administration and operation of this By-law, including without limitation, Applications and Permits;
- b) determine which forms of payment will be accepted for a price, rate, fee, penalty, deposit or other charge related to the supply of water or sewage service;
- c) determine when water charges are due and payable;
  - i) collect a price, rate, fee, penalty, deposit or other charge related to the supply of water or for sewage services by any legal means, including by adding the amount of the fees, rates or charges to tax roll of the property to which the water or sewage service was supplied.

**7. Designated Employees**

Subject to the requirements and directions of the Operations & Infrastructure Manager, Designated Employees, are authorized to conduct inspections, administer and enforce this By-law, and remedy violations of this By-law.

**8. References to Water and Wastewater Division/Designated Employees**

- (1) Where this By-law authorizes or requires that anything be done by the Division, such may be done by Manager, the Division Lead or the delegate of either of them or by any Designated Employee or by any Agent duly appointed for such purpose.
- (2) Where this By-law authorizes or requires that anything be done by a Designated Employee, it may be done by the Manager, the Division Lead or the delegate of either of them or by any Agent duly authorized for that purpose.

**PART III – ENTRY ON PROPERTY, SHUT-OFF OF SUPPLY AND INSPECTIONS**

**9. Entry on Property**

- (1) A Designated Employee may, at reasonable times and subject to the provisions hereof and of the *Municipal Act* respecting entry into a dwelling, enter on the land where a water main or sanitary sewage main exists or where service is provided for the following purposes:
  - a) to inspect, repair, alter or disconnect the service pipe, equipment and other works used to supply the water or sewage service;



- b) to inspect, install, repair, replace or alter a meter;
  - c) to determine if this by-law is being complied with.
- (2) The entry by any person on property pursuant to the provisions of this By-law shall comply with the requirements of this By-law and of the *Municipal Act* as amended and revised, including, without restricting the generality of the foregoing the provisions of the *Municipal Act* respecting entry into a dwelling.
- (3) If a customer discontinues the use of the water or sewage service or if the City lawfully decides to cease supplying the water or sewage service to the property, a Designated Employee, may, subject to the requirement for notice as described in Subsection 9(1) hereof and further subject to the provisions hereof relating to entry into a dwelling, enter on the property:
- a) to shut off the supply of the water service;
  - b) to remove any property of the City; or
  - c) to determine whether the water or sewage service has been or is being unlawfully used.

10. **Shutting off Supply**

(1) **Overdue Accounts**

Where:

- (i) the fees and charges payable by the owners or occupants of the land for or in respect of the supply of water; or
- (ii) the fees and charges payable by the owner or occupants of the land, for or in respect of the City's sewage system, where such fees and charges are based on the fees payable for the supply of water to the land;

are overdue for more than 30 days or for such lesser period as the Manager may deem appropriate, then after giving reasonable notice of a proposed shut-off to the owners and occupants of the property by personal service or prepaid mail or by posting the notice on the property in a conspicuous place a Designated Employee may shut off the supply of water to the property, subject to the provisions of this By-law and the *Municipal Act* as to entry in a dwelling, where applicable.

- (2) Whenever the supply of water has been shut off for non-payment of the fees and charges the Customer shall be responsible for any damages arising from such shut off including, but not limited to, frozen or burst pipes and/or damages to the

curb stop, and the Customer shall indemnify and save harmless the City from all costs, damages and losses arising from such shut off.

(3) **Other Reasons for Shut-off**

Services may also be shut off at reasonable times in the following circumstances:

- a) if the owner or occupant has, for 30 days or such lesser period as the Manager may deem appropriate, refused to allow or has interfered with entry to the property by a Designated Employee as authorized under this By-law;
- b) there are reasonable grounds to believe that a Water Service Pipe supplying water to the property or the water so supplied is jeopardizing the City's infrastructure or other property of the City or any other person;
- c) the person has notified the Division that the person is no longer the Property Owner or Customer and no other person has been identified as such;
- d) there exist emergencies or extraordinary circumstances, including, without limitation, the following:
  - (i) a backflow preventer has not been installed when or as required, or is not in an operating condition;
  - (ii) water supplied to a property is being used without its flow being metered in accordance with this by-law; or
  - (iii) water supplied to a property is leaking to the point where it is
    - (a) causing damage to the City's infrastructure or to other properties of the City or another person; or
    - (b) interfering with or posing a risk to public safety or to vehicular or pedestrian traffic on a street

- (4) Where there are reasonable grounds to believe that any of the aforementioned circumstances exist, a Designated Employee, upon giving such notice as is reasonable in the circumstances, is authorized to take any actions that are necessary to meet the emergency and to eliminate or reduce its effects.

- (5) Any consumer wishing to discontinue the use of water supplied from the City's water works shall give notice thereof to the Customer Services Office at City Hall, or the water rates or charges shall be continued until such notice is given and until the water is turned off.
- (6) No person shall turn off or turn on a water service except a Designated Employee of the City. If the City is requested to turn off or turn on a water service, a service charge, as provided in the Fees & Charges By-Law, shall be paid. No water service will be turned off or turned on unless the consumer or another person authorized in writing to act on behalf thereof, is present on the premises.

#### 11. **Inspection Powers**

For the purposes of an inspection hereunder, a Designated Employee may, subject to the requirements of Section 436 of the *Municipal Act*:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information from any person concerning a matter related to the inspection; and
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

### **PART IV – GENERAL REGULATIONS**

- 12. The supply of water or sewage service by the City is not to be construed in any way as an obligation to supply a sufficient quantity or quality of water to meet a Property Owner's or Customer's requirements, and failure to supply water of such quantity and quality shall not give rise to any liability on the part of the City.
- 13. It is the Property Owner's responsibility to keep the plumbing at a premises in good working order.
- 14. All connections to the City water or sanitary sewage system shall comply with this Bylaw and the Ontario Building Code, and AWWA specified materials shall be used for all installations.

15. The Manager may, from time to time, establish standards pertaining to connections and installation procedures where not otherwise provided herein or in the Building Code.

16. Where City water or sewage mains cross a property and no easement exists, the City shall be indemnified and saved blameless in the event of a water or sewer main break or damage incurred during a repair.

17. **Health Hazards**

(1) No person shall cause or permit any foreign substance, including, without limiting the generality of the foregoing, hazardous liquids or chemicals of any kind, to enter or have contact with the water in the municipal water system.

(2) Where a person has caused or permitted a foreign substance to enter, or have contact with, the water in the municipal water system, the person, or the Property Owner or occupant of the premises shall forthwith advise the Water & Wastewater Division.

18. **Permits**

19. **Application for a Water Supply Permit:**

a) No person shall make any connection into the City's water or sanitary sewage system without first having obtained a Private Service Connection Permit from the Water & Wastewater Division.

b) An application for a Private Service Connection shall be made in writing to the Water & Wastewater Division.

c) Upon receipt of a properly completed application from the Property Owner, or the Owner's authorized representative and of any applicable fee payable to the City at Customer Services at City Hall, the Water & Wastewater Division may issue a permit for the connection if it complies with all lawful requirements.

20. **Application for a Meter Permit:**

Upon receipt of a permit for a water connection the Property Owner shall apply for a "Water Meter Permit" from the Water & Wastewater Division by submitting the applicable Application form showing the purpose for which water is required. Such Application shall be signed by the Property Owner of the building to be supplied with water, or by such Property Owner's agent duly authorized in writing.

21. **Permit Fees**

The Application for a Private Service Connection Permit shall be accompanied by a payment, in accordance with the Fees & Charges By-Law, for the inspection of the newly installed service(s) connection to the water and/or sanitary sewage

Lateral. Where the water and sanitary sewage service connections are installed simultaneously, only one permit fee shall be charged.

22. Depending on the location, there may be additional frontage costs payable in connection with the Application as determined by the City in accordance with the Fees & Charges By-law.

23. **All Connections – Water & Sewage**

- (1) Private Service Connections installed to a premises shall at all times be maintained in good repair and, without limiting the generality of the foregoing, be fully protected from frost and other damage by the elements, such maintenance and protection to be carried out by and at the expense of the Property Owner.
- (2) Any repair or maintenance to a Private Service Connection requiring excavation shall not be backfilled until such repair or maintenance is inspected and approved by the Water & Wastewater Division. In case any private connection is backfilled without an inspection and approval by the City, the City may require that the connection be uncovered for inspection and may refuse to supply water until an inspection is carried out and the connection approved. The Property Owner is solely responsible for any issues that arise from backfilling without inspection and approval.
- (3) No service pipe installed from the main to the premises shall be used for any purpose other than to supply the premises.
- (4) The cost of the repair of all landscaping on the Property Owner's side will be the responsibility of the Property Owner. This will include, but not be limited to, the replacement of all grass, shrubs and trees, driveways, sidewalk, retaining walls and any other disturbed or impacted landscape features.

24. **Water Connections**

- (1) Installation of water service connections shall conform in all respects to the Standard Connection Details for this purpose (see Schedule A, Diagram A-1 and A-2) provided that the Manager may authorize such variations therefrom as he or she deems appropriate in individual circumstances.
- (2) Only one service connection may be allowed for each main building, provided that:
  - a) where a building occupies substantially all of the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be supplied from one water service provided that all such buildings belong to one

Property Owner and such Property Owner pays all the water rates and sewage rates respecting to such buildings; and

- b) where more than one service connection was installed on or before the date of passage of this By-law, such connections may continue until such time as the premises on which they are located are substantially or completely reconstructed.
- (3) Where a property is the subject of an application by a Property Owner under the Planning Act for the purpose of subdividing land or creating new lots in any other way, and the land has municipal water service available, such Property Owner is required to service each lot individually unless such requirement is waived by the Manager or by the authority having jurisdiction under the said Act.
- (4) No person shall remove water supplied to a Property Owner or Customer from the City water system from the premises to which it was supplied for purposes of sale, unless authorized in writing by the City.
- (5) The sizing of private water service connections shall be no less than 18 mm in diameter.
- (6) The municipal water system shall not be connected to any water system that is also supplied from a well or any other source of water.
- (7) The municipal water system shall not be connected to a water distribution system in such a manner that foreign materials or non-potable water may enter the municipal system. Where water service connections are installed in the same trench as a sewage service connection, the Water Service Pipe shall be located in accordance with the O.B.C.

**25. Cross Connections (see Appendix A: A-6)**

- (1) If a person has reason to believe that there is a Cross Connection on property owned or occupied by such person, that person shall report it to the Water & Wastewater Division and such person shall be responsible for all costs, damages or other consequences arising from a failure to so report.
- (2) If the Division becomes aware of a Cross Connection, the City shall have the right to disconnect the service until the Cross Connection is corrected or eliminated.

**26. Backflow Preventers**

- (1) Backflow Preventers are required in all commercial locations, as identified by the Water & Wastewater Division including, without limitation, all photo labs, funeral homes, car washes and industrial plants.

- (2) Backflow Preventers shall be cleaned, maintained and tested not less than once annually and the test results shall be provided in writing to the Water and Wastewater Division. The cost of testing and maintenance of Backflow Preventers shall be the responsibility of the Property Owner. Such cleaning, maintenance and testing shall be carried out by an adequately trained plumber or a registered apprentice working under the direction of such plumber as required under the *Ontario Trades Qualification Act*.
- (3) In instances where equipment is found not to be operating correctly, the Property Owner shall notify the Water & Wastewater Division immediately whereupon water service to the property may be discontinued until such time as the issue is resolved to the satisfaction of the Water & Wastewater Division.

## 27. **Hydrants and Valves**

- (1) Except employees of the Water & Wastewater Division or others acting under their authority, no person shall open or close any hydrants or valves associated with City mains, or interfere with the same in any manner.
- (2) All Water Service Pipes shall be equipped with a Curb Stop Valve and curb box on the premises, at a readily accessible location and immediately adjacent to the Property Line. The installation shall be at the expense of the Property Owner and comply with City standards and specifications.
- (3) With the exception of municipal fire fighters or Water & Wastewater Division employees, no person shall remove water from any fire hydrant, without approval in writing from the City.
- (4) Each hydrant on a private fire protection service shall be separately valved and all such hydrants shall be in accordance with specifications approved in writing by the City. Maintenance, including winterizing of private hydrants shall be the responsibility of the Property Owner.
- (5) A pressure reducing valve shall be installed, at the expense of the Property Owner immediately after the meter, in all premises that are determined by the Water & Wastewater Division to have the water service supplied at a pressure exceeding 550 KPa, (80 PSI).

## 28. **Water Booster Pumps**

Property Owners experiencing low pressure, or insufficient pressure, may require a water booster Pump, to be installed at the expense of the Property Owner.

29. **Leaks in the System**

~~(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak stops, the leak shall be determined to be on the City side. If the leak persists, the leak shall be determined to be on the Private Property side and the responsibility of the Property Owner.~~

(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak continues when the valve is closed, the leak shall be determined to be on the City's side and the responsibility of the City. If the leak stops when the valve is closed, the leak shall be determined to be on the Property Owner's side and the responsibility of the Property Owner. For clarity, leaks at the connection between the valve and the downstream (Property Owner's) piping shall be the Property Owner's responsibility. Leaks originating from the valve body itself (i.e. cracks, pinholes, leaking operator stem, etc) and the upstream piping connection shall be the City's responsibility.

(2)(1) If, in the opinion of the Water & Wastewater Division, the Curb Stop Valve is not located at or near the Property Line the curb stop will be moved to as near as practicable to the Property Line at the expense of the Property Owner and the location of the leak and responsibility for repairs shall be as determined by the Water & Wastewater Division, whose decision shall be final.

(3)(2) If the City investigation confirms that a leak in a service line is on the Property Owner's side, which may or may not be causing any disturbance to the adjacent property or neighbours, the Property Owner will be verbally notified immediately of the leak by the Water & Wastewater Division. If no action is taken to repair the leak within three (3) days, written notification will follow the verbal notification and such notice shall warn the Property Owner of the potential shut-off of the water supply. The written warning will allow an additional five (5) business days for the Property Owner to have the repairs completed. Failure to complete the repairs by the fifth day may result in the Water & Wastewater Division shutting off the supply of water to the property. Any damages resulting from the water shut off shall be the responsibility of the Property Owner.

(4)(3) Any circumstances relating to leaks not provided for this Section shall be dealt with on a case by case basis, and at the discretion of the Manager.

30. **Bleeders**

(1) A Property Owner may apply for a permit when reasonably necessary to prevent the freezing of water in the system. A discount rate for water line bleeding shall not be permitted except by written authority by way of a permit issued by the Water & Wastewater Division to the Property Owner. Should a properly installed Lateral freeze, the Lateral will be thawed, if practicable, at the expense of the City and thereafter the type or method for controlled bleeding of the line, shall be as directed by the Water & Wastewater Division in accordance with a permit which may be issued for such purpose.



- (2) Should a Private Service Connection freeze, the Property Owner shall be responsible for the cost of thawing the line. The Water & Wastewater Division may in its discretion authorize a method of controlled bleeding if it deems such to be necessary and advisable.
- (3) Where a permit to bleed has been issued under this section, the water rate shall be the prescribed amount set out in the Fees & Charges By-Law, for a period as approved by the Water & Wastewater Division, commencing as early as November 1 of any year and ending as late as April 30 of the next year following.
- (4) In extreme circumstances, the Manager has the discretion to authorize a special rate for approved Bleeder customers, where such rate is set out in the Fees & Charges By-Law.

### 31. **Use of Water Service Dispensing Outlets**

A person who obtains water from a Water Service Dispensing Outlet shall:

- a) ensure that Backflow is prevented by an air gap that exists at all times or by a Backflow Preventer authorized by a Designated Employee; and
- b) comply with additional rules and requirements governing for the supply and use of water from a Water Service Dispensing Outlet established by the Manager.

### 32. **Sanitary Sewage Connections**

#### Number of Connections

One service connection at the Property Line may be permitted for each premises. Connecting or “Y ing” of services and / or multiple services on Private Property are prohibited, provided that:

- a) where a building occupies substantially the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be serviced from the same sewage connection provided that all of the buildings belong to one Property Owner and such Property Owner pays the sewage rates for all of the sewage services; and
- b) Where more than one service connection was installed on or before the date of passage of this By-law such connections may continue until such time as the premises on which they are located are substantially or completely reconstructed.

### 33. **Lot Creation**

Where a property is the subject of an application by a Property Owner under the *Planning Act*, for the purpose of subdividing or creating lots in any other way, and

the land has municipal sewage service available, such Property Owner is required to service each lot individually unless such requirement is waived by the Manager or by the authority having jurisdiction under the said Act.

34. **New Homes**

New homes shall, in accordance with the O.B.C., have a sump pit, sump pump and Backwater Valve installed. These devices shall be maintained at all times in good working order by and at the expense of the Property Owner.

35. **Demolished Buildings**

Where existing buildings have been demolished and the Property Owner proposes to utilize the existing sewage service to service a new building, the approval of the C.B.O. and Water & Wastewater Division shall be required. The approval of the continued use of the existing service will be subject to inspection by the Water & Wastewater Division to determine that it is in satisfactory condition and will properly serve the new building.

36. **Discharge Regulations**

Subject to Section 37, Domestic Users may discharge into the sewage system from the following:

- a) bathroom fixtures,
- b) kitchen sinks,
- c) laundry and washing machine wastes,
- d) floor drains,
- e) garage floor drainage (not including detached garages or carports),
- f) swimming pool water discharge (above ground or in ground).

37. **Restrictions on Discharge**

- (1) No person shall allow discharge from a swimming pool into a land drainage system, or as may come into contact with the ground, onto neighbouring property, into a waterway or onto the banks of a waterway. Swimming pool water discharge shall only be allowed where it is directly conveyed by means of a hose or other apparatus to discharge directly into a sanitary sewer.
- (2) All discharge into the sewage system of wastes by a Commercial User shall first be approved by the City.
- (3) The discharge of rainwater leaders, foundation weeping tile, sump Pumps, or other surface or underground water collection systems to the sewage system of the City is prohibited.

- (4) The Property Owner shall, within 10 days of a sewage service connection being made to the premises, disconnect any septic tank, cesspool or similar private wastewater disposal facilities, and where the private wastewater disposal facilities no longer service any other premises, the same shall be cleaned, filled with clean and inert sand, soil or other suitable material, or removed.
- (5) Every building drain branch serving fixtures below street level that may be subject to back flow and which was constructed after the date of passage of this By-law shall have installed a Backwater Valve or other approved device to prevent the flow of effluent from the City wastewater system into the premises in accordance with OBC and such valve shall be maintained in good working order by and at the expense of the Property Owner.

**38. Laterals**

- (1) The sewage service Lateral from a building to the City's sewage main shall be connected to the building at an elevation below the foundation footings where existing grade will permit. No building sewage service shall be laid parallel to and within one (1) meter of any bearing wall. The piping shall be laid at sufficient depth to afford protection from frost, at uniform grade and in a straight alignment, wherever possible. Where an elbow is required, only 45 degree or 22½ degree long sweep or "street" bends or elbows shall be used.
  - (2) The details of the installation of the sewage service shall conform to the Standard Connection Details for this purpose (see Appendix A: A-1, A-3 or A-4) and to any additional or alternative requirements of the Water & Wastewater Division.
  - (3) For gravity sewage service, a clean-out shall be installed by the Property Owner in accordance with the O.B.C.
  - (4) A main building inspection clean-out shall be located just inside the foundation wall, and as approved by the Water & Wastewater Division. The main building inspection clean-out shall be fitted with a riser pipe of the same diameter and material as the sewage service pipe and shall rise to the top of the basement floor, such that the cap is flush with the floor, yet accessible for removal.
39. The size of the wastewater service Lateral shall be in accordance with the requirements of the O.B.C., MOECC and good engineering practice. The minimum diameter for the sanitary connection piping shall be 100 mm.
40. Where the sewage main and the sewage service Lateral thereto are not deep enough to permit a gravity connection at the depth or proposed depth of the basement construction, or the property is required to be serviced by a sewage pumping system, then the Property Owner shall install an Effluent Pump at the Property Owner's own cost.

41. **Non-Municipal Sewage**  
The Sewage Treatment Plant is designed to accept only municipal sewage. The plant does not allow any discharge of sewage other than that from the City's Sewage Collection System. Notwithstanding the foregoing, the Manager, upon receipt of such tests and information as he or she may require, may permit the discharge of other sewage into the System, in which case a fee shall be payable by the Applicant at the rate of \$10.00 per 1000 litres of discharge or at such higher rate as may be set in the Fees & Charges By-Law from time to time
42. **Grinder Pumps**
- (1) **Grinder Pump Ownership**  
All Grinder Pumps on private property, whether Commercial or Domestic, are the property of the Property Owner, and except as herein specifically provided, the Property Owner is responsible for the cost of installation.
- (2) **Commercial Properties**  
Except as provided in Subsection (7) of this Section, low pressure Grinder Pumps servicing Commercial Properties are not maintained by the City. All costs associated with low pressure sewage systems servicing Commercial Properties shall be borne by the Property Owner.
- (3) **Domestic Properties**  
Only external Grinder Pumps associated with residential low pressure systems are permitted. The normal maintenance costs of such systems shall be borne by the City which shall not include maintenance required due to misuse. Pumps, whether Grinder or Effluent, connected to a gravity collection system are not maintained by the City and all costs associated with such systems shall be borne by the Property Owner.
- (4) **Warning Systems**  
Property owners shall ensure that each Grinder Pump is equipped with a warning light or audible alarm, or both, to warn of any failure in the Pump or its control systems.
- (5) **Pump Failure**  
Every Property Owner, immediately upon becoming aware of a Grinder Pump failure or loss of electrical power, shut off all sources of water which drain into the Grinder Pump, and ensure that no further discharge is made into the sewage system until the Pump has been repaired or electricity has been restored.
- (6) The Property Owner of premises on which a Grinder Pump is located shall notify the Water & Wastewater Department immediately upon becoming aware of a Grinder Pump failure.
- (7) **City Maintenance**

Notwithstanding, Subsection (2) of this Section, the City may in its discretion provide maintenance, including replacement Grinder Pumps, to City approved low pressure systems within the municipal limits of the City, provided that:

- i) the Property Owner of the premises has advised the City of a Grinder Pump failure; has requested the City to repair same, and has signed an authorization and indemnity form to be approved by the Water & Wastewater Division, substantially in the form of Schedule C hereto; and
  - ii) the Property Owner shall reimburse the City for repairs necessary to complete any work which may be ancillary to the Grinder Pump repairs and therefore not the responsibility of the City; and the Property Owner shall to reimburse the City for any repairs from negligent use or misuse of the Grinder Pump, including the discharge of any improper material into the sewage system; and
  - iii) the Property Owner arranges to have a person present at the premises to permit the City access to the premises as may be required to effect the repair.
- (8) If a Grinder Pump maintenance issue is reported after normal hours, Division staff may, but are not obligated to, respond to the service call to evaluate the problem, but unless otherwise directed by the Manager, all maintenance work will be done after 8:00 a.m. the next normal business day. In such situations the users may be advised to monitor the problem and use less water to the extent necessary to prevent any overflow or spill.
- (9) Notwithstanding any other provision of this By-law, the City shall not be responsible for:
- i) electrical charges for the operation of any Grinder Pump or any heating systems related thereto;
  - ii) The operation, cleaning, maintenance, repair or replacement of the electrical system, including all electrical works from the Property Owner's house to the Grinder Pump canister (basin) except for the electrical control panel supplied with the Grinder Pump, any alarm systems associated with the Grinder Pump and the wiring system inside the canister;
  - iii) the operation, cleaning, maintenance, repair and replacement of piping and plumbing from property owner's house to the Grinder Pump canister and the service line from the canister to the sewage system;
  - iv) any maintenance issue inside the Grinder Pump canister due to disposal of deleterious materials such as, but not limited to, grease, abrasive materials or sand.

(10) **Additional Owner Responsibility**

The Property Owner of a premises on which a Grinder Pump is located shall be responsible in the event of a discharge of wastewater into the environment, for any cleanup costs, and any necessary notification to the Ministry of the Environment & Climate Change's Spills Action Centre, and for compliance with any Ministry requirements.

- (11) The Property Owner of a premises on which a Grinder Pump is located shall be responsible for the costs of any restoration of landscaping, shrubs, trees, grass and other improvements to property which may be damaged by the City or its Agent or employees in the course of Grinder pump maintenance, repairs, or replacements.

43. **Food Related Oil and Grease Interceptors**

- (1) Every Property Owner or operator of a restaurant or other Commercial User or institutional premises where food is cooked, processed or prepared and connected directly or indirectly to the City sewage system, shall take all necessary measures to ensure that oil and grease are prevented from entering the sewage system.

- (2) The Property Owner or operator of premises described as set in Subsection (1) of this Subsection shall install, operate and properly maintain an oil and grease interceptor in any piping system at the premises that connects directly or indirectly to the sewage system.

- (3) The Water & Wastewater Division may enter and inspect any premises containing oil and grease interceptors at reasonable times.

44. **Lateral Maintenance and Repair**

- (1) The Property Owner is responsible for maintenance of the Lateral from building to the City Sanitary Sewer Main, as shown in Appendix A: A-3. This includes both the portion on Private Property and the Non-Private Property portion up to the main.

- (2) Whenever failure or blockage of any sanitary line occurs, the City crews may respond only to check the City's sanitary main to determine if it is clear and flowing. If the sanitary main is found to be clear, it is the responsibility of the Property Owner to make an arrangement for cleaning and maintenance of the sanitary service.

- (3) Subject to payment of applicable service charges, in accordance the Fees & Charges By-Law, the City may provide available services such as inspection,

sanitary rodding, sanitary steaming and camera work for the sanitary service connected to the sanitary main.

45. **Exceptions**

Notwithstanding that the Property Owner is responsible for maintaining and repairing the sanitary service from the building to the sanitary main:

i) **Technical Problems:**

The City may, if approved by the Manager, take responsibility for repairs to any sanitary sewage service for the section from the approximate Property Line to the sanitary sewage main that requires excavation due to shifting, formation of a sag, broken pipes, cracks, or collapse in the sanitary sewage line; and

ii) **Sidewalks or paved roadways:**

If a Lateral repair is required under a public sidewalk or under a paved public roadway (lane or street) the City may, if approved by the Manager, undertake the repair of that portion of the Lateral, at its cost;

provided that where such repairs are necessitated by the unauthorized act or negligence of any person, the costs of the repairs are payable by such person to the City.

**PART V – SEASONAL WATER AND SEWAGE SYSTEMS**

46. Except as otherwise provided in this Part, the construction, use, operation, and maintenance for seasonal water and sewage systems shall be in accordance with the general provisions of this By-Law.

47. For conditions where the general provisions of this By-law are deemed by the Water & Wastewater Division not to be possible or practical, the City may deviate from such general provisions to the extent determined by the Water & Wastewater Division.

48. **Annual Activation of Seasonal Water & Sewage Service**

The objective, subject to manpower availability, weather conditions and other prevailing circumstances, is that the seasonal water and sewage systems are to be made fully operational annually. The exact date the systems become operational will vary from year to year, but the general objective is that this will be on or before the May long weekend.

49. All summer service users, including, without limitation, Coney Island residents, shall pay the applicable service charge for each water turn on and water turn off and related services.

50. **Annual Termination of Seasonal Water & Sewage Service**

The date for termination of seasonal water and wastewater service shall, normally be October 1<sup>st</sup>. This date may be extended on a “day to day” basis and the decision shall be dictated by manpower availability, weather conditions and other prevailing circumstances provided that, regardless of warm weather conditions, the operation of all seasonal systems shall be terminated no later than the first Tuesday following Thanksgiving Day.

51. **City of Kenora Services**

The City services under this Part include only the following:

- a) charge and flush main lines during activation in spring;
- b) shut off and drain main lines in the fall;
- c) shut down lift stations and blow out the sanitary main;
- d) repair leaks on main lines, maintain water meters and fire hydrants;
- e) removal and draining of water meters when terminating service in the fall;
- f) reconnect and reseal meter prior to activation in the spring; and
- g) monthly meter readings in summer months and determining if the water meter is in working order.

52. **Seasonal Service Customer Responsibilities**

The Property Owner responsibilities under this Part include, without limitation, the following:

- a) maintenance and repairs on Laterals from main to residence;
- b) ensuring no branch lines originate before water meter;
- c) reporting water leaks, tampering with water meters or hydrants;
- d) winterizing sanitary service lines (if applicable);
- e) contacting City Hall Customer Service Department for activation and termination dates;
- f) draining of Lateral line from main to residence;
- g) payment of charges for the monthly metered water consumption and applicable sewer and water service fees (based on a 5/8” meter) as per the General Tariff of Fees and Charges, from the day the seasonal service is activated by the City until the service is terminated by the City;



- h) If a consumer requests that the service be terminated prior to the scheduled seasonal termination date, a turn off service charge is applicable in accordance with the Fees & Charges By-Law. This service termination shall be performed only by City staff and the Consumer shall contact the City to request such termination. Any self-discontinuation of services will not be eligible for billing termination.
53. No person shall, without authority from the City and compliance with this By-law connect to the City water system, or sewage system.
54. No person shall by-pass a water meter.
55. **Coney Island – Low Pressure Wastewater System (Grinder Pump)**
- (1) The Coney Island Property Owner shall pay a one-time connection fee per service to the City in accordance with the Fees & Charges By-Law.
  - (2) Prior to connection the Property Owner shall have obtained a Private Service Connection Permit from the Water & Wastewater Division.
  - (3) The Property Owner assumes all responsibility for the connection and installation for the Low Pressure Sewage Lateral Service and all associated costs.
  - (4) Customer materials and procedures shall be in accordance with Appendix A: A-5, and as follows:
    - a) Cut off end cap and use compression male adaptor with stainless steel insert inside polyethylene (PE) pipe.
    - b) Install a 38 mm good quality threaded ball valve, 38 mm close nipple, a good quality brass check valve (threaded) and a compression male adaptor that comes with a stainless steel insert.
    - c) All piping to be used to connect to the low pressure Grinder Pump tank shall be PE Series 100.
    - d) The low pressure Grinder Pump tank may be constructed from concrete, polyethylene or fiberglass, with a minimum size of 750 mm by 1.5 m in height and with a lockable cover.
    - e) The Grinder Pump shall be capable of 30 m head.
    - f) An alarm system is required for the Grinder Pump, either audible or visual (flashing light), which shall be installed in a clearly visible area.
    - g) Existing septic or holding tanks shall not be used as a pumping chamber.

56. **Winterizing**

Prior to the system being shut-down and de-activated, the Property Owner shall pump out the Grinder Pump station and add an adequate quantity of RV antifreeze to the Grinder Pump station and sanitary line, approximately 35 litres per 30 metres. The Grinder Pump shall then be started in order to pump the antifreeze into the sanitary line so that the antifreeze is protecting the check valve area as well as within the Grinder Pump station.

**PART VI – WATER METERS**

57.

- (1) All water supplied by the City to any other person through the City municipal water system shall be metered.
- (2) In every building comprised of or containing one or more dwelling units an individual meter shall be installed for every dwelling unit except for an apartment building having less than four (4) apartment dwelling units, in which case the building may be serviced by a single meter.
- (3) In the case of condominium buildings and apartment buildings, an additional meter may be installed solely for servicing areas and facilities external to the dwelling units referred to in Subsection (1) of this section.
- (4) Subsection (1) of this Section does not apply to require meters for individual dwelling units in condominium buildings and apartment buildings which are serviced by a single meter as at the date of passage of this By-law.
- (5) (a) In respect of every dwelling unit, whether individually metered or situate in a building lawfully serviced by a single meter as provided herein, in addition to the metered rate of water, the Customer shall pay the fixed water service rate and the fixed sewer service rate as described in the General Tariff of Fees and Charges By-law.  
  
(b) Clause (a) shall not apply to an apartment building having less than four (4) apartment dwelling units, in which case a single fixed water service charge and a single fixed sewer charge for the entire building shall be paid.
- (6) Notwithstanding Subsection (5) of this Section, in the case of an apartment building having four (4) or more dwelling units and serviced by a single meter as at the date of passage of this By-law, the fixed water service rate and the fixed sewer service rate payable by the Property Owner in respect of the dwelling units shall be phased in by annual increases over five (5) years, so that 20% of the rate paid in the one year period from the date of passage hereof, 40% in the second year, 60% in the third year, 80% the fourth year and 100% in the fifth year and thereafter.

- (7) Nothing in this Subsection prevents the Property Owner in respect of a condominium building or an apartment building which is exempt from the requirement for separate meters for individual dwelling units, from voluntarily applying for and installing such separate meters in accordance with all applicable provisions hereof.
58. No person shall tamper with or alter a Meter.
59. All Meters, 50 mm and under, shall be supplied by the City on payment of any applicable fee as provided in the Fees & charges By-law and installed by the Property Owner in accordance with the directions of the Water & Wastewater Division and the provisions hereof.
60. If a Meter fails to register, the Property Owner shall be charged for the average consumption for the pertinent period as determined by the Water and Wastewater Division.
61. All water passing through a Meter shall be charged for, whether used or wasted.
62. A Meter may be removed and tested by the City upon the written request of the Property Owner. If it is found to register correctly or not in excess of five per cent in favour of the City, the expense of removing and testing of the Meter shall be paid by the Property Owner.
63. If a Meter, when tested, is found to register in excess of five per cent in favour of the City, a refund will be made to the Property Owner of an amount equal to such excess percentage of the water rates paid for the three months prior to the testing of the Meter, provided, however, that no reduction shall be made which will reduce the water rates for the such period below the applicable minimum water rates.
64. In dealing with Meter issues, the City will first determine if the water Meter was properly read. If the investigation of the Meter and Meter records establishes that the Meter was misread or that there was a failure of the equipment, a new bill will be issued using the previous year's consumption for that location for the period in question. There will be no penalty assessed in the event the adjustment procedure delays payment past the penalty date.
65. If an investigation of the Meter and the Meter record establishes the Meter was properly read and that there was no failure of the equipment, the bill will remain valid and payable.
66. Property Owners questioning the accuracy of the Meter shall pay the account in question and request that the Meter be tested.

67. If an adjustment to the Property Owner's bill is warranted, the amount of the bill will be determined using the previous year's consumption for that period unless the Manager determines that the amount should be determined in an alternate way.
68. All Meters in excess of 50 mm shall be supplied and installed by the Property Owner. The meter shall meet or exceed City standards and specifications. Upon installation of such Meter, ownership of the Meter shall be deemed to have been transferred to the City and shall be maintained by the City thereafter.
69. Where the Division determines that a Meter is to be replaced, such shall be done at the City's expense unless the City determines that damage to the Meter was caused by the willful act or negligence of the Property Owner or occupants of the premises, in which case, the cost of the new Meter and of the installation shall be a charge to the Property Owner.
70. Meters shall be installed in an easily accessible location, having adequate head room, and located immediately adjacent to the point at which the service pipe enters the premises (see Appendix A: A-7).
71. On reasonable notice of its intention to do so, the City may shut off or restrict the supply of water to a property if the City requires access to the property to replace, repair or inspect a Meter.
72. Rental units in a premises may have separate registered Meters for each such unit, provided such installations are made above ground and each Meter is plumbed so that the supply of water to that Meter may be shut off without negatively impacting the supply of water to the other Meters. All costs associated with such multiple meter installations shall be borne by the Property Owner.

#### **PART VI – WATER RESTRICTIONS**

73. The City may, upon reasonable notice personally delivered or sent by ordinary mail to the Property Owners affected, or by notice published in a newspaper having circulation in the City, restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary and the City is not liable for any loss or damages caused by such reduction.
74. No person shall use water supplied by the City water system except in accordance with any such restrictions.
75. Any person who fails to comply with water restrictions, shall, where reasonable notice has been given as required by the *Municipal Act*, be subject to having such person's water supply shut off, and such supply shall not be turned on until arrangements satisfactory to the City have been made to ensure that the restrictions are complied with.

## PART VII – RATES AND BILLING ADJUSTMENTS

### 76. **Rates**

- (1) Every Property Owner and Customer shall pay the rates, fees and charges as set out in Fees & Charges By-Law for applications, permits, consumption of water, and water and wastewater service calls, and such other services, matters and things as may be provided for herein. Where adequate water and sewage service currently exists, but no connection to the water and sewer has occurred, Property Owners wishing to connect to these services shall pay a frontage fee, the frontage fee shall be determined by the Manager, based on relevant costs to the City.
- (2) Every Customer shall pay to the City, on or before the due date shown on the City's account, the full amount of the rates and charges shown thereon. If the full amount is not paid on the due date, interest will be payable in accordance with the City's Fees & Charges By-law.

### 77. **Billing Adjustment Process**

- (1) The need to adjust a water and wastewater account may arise through facility malfunction or evidence that the charges are in error.
- (2) To apply for an adjustment relating to suspected leak, the leak must not be readily evident (such as leaks that are under concrete, within walls, or under floors) or the leak must occur while occupants are away from the premises. This may be determined from hydro records or such other evidence as the Water & Wastewater Division deems appropriate.
- (3) Adjustments on water and sewage bills will not be made in the following circumstances:
  - a) premises left abandoned, or maintained without reasonable care of the plumbing system, including winterization or where steps are not taken to prevent leaks or the waste of water in any other manner including, without limitation the running of water from or in unattended fixtures;
  - b) More than one occurrence per calendar year;
  - c) Filling of swimming pools, hot tubs, cisterns, storage tanks;
  - d) Leak not repaired within 10 calendar days after notification by the City of a possible leak;
  - e) Request for adjustment was made more than (90) days from the billing date.
- (4) The City shall be under no obligation to extend the discount or due date or the time for paying any bills because the Customer disputes the amount of the bill.

- (5) All requests for billing adjustments must be received in writing at the Customer Service office at City Hall during regular business hours.
- (6) The Manager, or his or her delegate, shall file a written report of the Property Owner's request for an adjustment and the action of the staff regarding the matter.
- (7) All records of billing adjustments shall be kept as required by the City's document retention policies.
- (8) In the absence of specific rules or policies, the disposition of billing adjustments shall be made by the Manager, or his or her delegate.
- (9) Billing adjustments as provided in Subsections (1) to (8) of this Section are applicable to Domestic Users only.
- (10) Adjustments may be made to Commercial Users' bills but shall be at the sole discretion of the Manager if deemed justified in the individual circumstances.
- (11) Adjustments shall be made by using the previous year's consumption for the timeframe in question unless the Manager determines otherwise.
- (12) Any interest accruing on the Customer's account during the period while the adjustment process is proceeding, is the sole responsibility of the Customer and shall be paid in accordance with City policies.
- (13) All water and sewage adjustment requests shall be in writing using the "Water / Wastewater Adjustment Request Form"

## **PART VIII – OFFENCES AND PENALTIES**

### **78. Offences**

Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction, is liable to a fine or other penalty as provided for in the *Provincial Offences Act*.

## **PART IX – REPEAL AND EFFECTIVE DATE**

### **79. Repeal**

By-law 78-2017 and all amendments thereto and consolidations thereof are repealed.

- 80. All permits issued pursuant to said By-law 78-2017, shall be deemed to be issued under this by-law for and during the period for which they were issued.
- 81. The repeal of By-law 78-2017, shall not affect the collection of any amount accrued thereunder or any prosecution for an offence committed against the provisions thereof or the imposition of any penalty in respect of offences thereunder.
- 82. **Effective Date**  
This by-law shall take effect and come into force on the final passage hereof.

**By-law read a First and Second Time this 22<sup>nd</sup> day of May, 2018**

**By-law read a Third and Final Time this 22<sup>nd</sup> day of May, 2018**

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

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**David S. Canfield, Mayor**

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**Heather Kasprick, City Clerk**

# The Corporation of the City of Kenora

## By-Law Number 70 - 2018

### A By-law to regulate the Municipal Water Supply and the Provision of Sanitary Sewage Services in the City of Kenora

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September 7, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Greg Breen, Director of Engineering and Infrastructure  
Dave Mellor, General Manager of Engineering**

**Re: Rural Roads Assessment Report**

### **Recommendation:**

That Council hereby receives the rural roads study and recommendation report provided by Stantec Consulting Ltd; and further

That staff are directed to provide Council with a request for budget decision report in the 2024 draft capital and/or operating budget review meetings with options to maintain or increase the service levels for the roads north of the bypass.

### **Background Information:**

In 2022, Administration received direction to assess and develop a capital spending program to improve the City's rural roads. Stantec Consulting Ltd. was retained and they developed a road condition assessment criteria following the University of Wisconsin-Madison's Rural Road PASER evaluation criteria.

Stantec completed the condition evaluation of 117 km of both gravel and low-class bituminous (surface treated) roads including the assessments of road crown, drainage, gravel layer, surface conditions and general observations. All roads exceeding 1km in length and were divided into multiple segments to provide a comprehensive data set that would not allow generalizing the condition of an entire road based on a smaller segment's condition.

In total 163 unique segment assessments were completed, with each segment being assigned an overall condition rating from 1 to 5.

- A condition rating of 1 indicates the road condition is very poor;
- A condition rating of 5 indicates the road condition is similar to what would be expected from new construction;
- A condition rating of 3 is considered an average or serviceable road.

Roads receiving a condition rating of 3-5 would generally not to be considered for new capital investment. Conversely, roads receiving condition ratings of 1-2 are roads where travel is difficult and significant improvement may be required to bring the road to either average or new condition.

Figure 1 summarizes the proportion of rural roads at each condition rating assigned through the study.

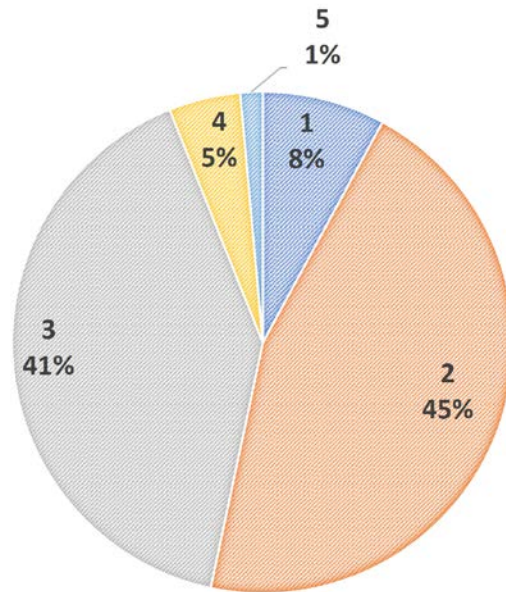


Figure 1: Condition Ratings of Rural Roads

The rural roads within the study area fall into categories of Road Class under the Ministry of Transportation (MTO), being Class 5 and Class 6. Class 5 roads serve higher traffic volumes or populations and/or have higher speed limits than Class 6 roads.

In the City of Kenora, Class 5 roads within the study area include Anderson Branch Road, Carlton Branch Road, East Melick Road, Essex Road, James Road, Peterson Road and School Road. All other roads within the study area are Class 6.

Three options are available to the City when contemplating capital and operating expenditures:

1. Full Upgrade – significant construction work improving every aspect of a road to as-new condition. Also addresses any issues impacting long term performance of the road.
2. Rehabilitation – enhanced maintenance of a road, including the addition of gravel or replacement of hard surface treatment, re-shaping and clearing of ditches, replacing damaged stormwater infrastructure, re-establishing the shoulders and crown.
3. Maintenance – routine maintenance, includes grading, dust suppression and potholing.

For each of the 163 segments of road assessed, Stantec provided cost estimates for each of the upgrade, rehab and maintenance options. The study also provides tables indicating what types of ongoing maintenance are required for each level of road condition, whether graveled or surface treated. These tables establish the relationship between the ongoing cost of maintenance with a given road condition. The maintenance costs for a road with a condition rating of 1 is nearly four times the cost to maintain a road with a condition rating of 5.

The Study consolidates the results of into five options as follows:

Option 1 – complete upgrades on all the roads studied to a Level 5 condition. The construction-only cost of this option is estimated at \$25.34M and requires annual ongoing maintenance costs estimated at \$588,208.

Option 2 – complete routine maintenance only, of all roads studied. This option would add no additional capital investment, providing for routine maintenance only. The cost of this ongoing annual maintenance is estimated at \$1,154,046.

Option 3 – complete rehabilitation works to all roads with an existing condition level of 1 or 2 while continuing routine maintenance on all roads with a condition level of 3 to 5. This option would improve approximately 62 of 117km of roadway within the study. The construction-only cost of this option is estimated at \$4.9M and requires annual ongoing maintenance costs estimated at \$753,875.

Option 4 – complete rehabilitation works only to Class 5 roads with an existing condition level of less than 3. The total length of Class 5 roads is 40.45 of 117km. The construction-only cost of this option is estimated at \$3.03M and requires annual ongoing maintenance costs estimated at \$893,278.

Option 5 - Upgrade all Class 5 roads with an existing condition level of 1 and complete rehabilitation works to all other roads with an existing condition rating of 1 or 2, to a condition rating of 3. The construction-only cost of this option is estimated at \$5.91M and requires annual ongoing maintenance costs estimated at \$740,695.

The five options above all consider additional expenditure above and beyond the City's current expenditure for the maintenance and upgrade to the roads within the study area. No allowances have been made for these current efforts in the report. For some aspects of the work, the current maintenance provided by the City exceeds the recommendations noted in the study.

It is Council's discretion as to which option they wish to proceed with. Administration's recommendation would be to pursue Option 5. In this option, all the rural roads are attended to, with additional attention to the Class 5 roads which serve a larger traffic volume.

**Budget:** In the Request for Budget Decision Report, staff will provide a decision point for Council that includes consideration of current services provided by the City, contrasted with the required expenditure to pursue Option 5. The budget impact of this decision will be included in the report.

Council may also direct administration of pursue another of the presented options, or to provide direction to pursue another option outside of those presented.

**Risk Analysis:** There is a low risk associated with this report. Most sections (81 of 163) have been assigned a level 1 or level 2 condition rating. The roads can be traveled but are in need of some maintenance to be brought to average condition. Currently the City is grading the rural roads at a cycle rate of 1-2 weeks based on the availability of 1 or 2 graders and operators. This level of maintenance exceeds the recommended maintenance intervals in the study, maintaining drivability.

**Strategic Plan or other Guiding Document:**

Goal 1.1– Position Kenora for growth through proactive infrastructure planning.

Goal 1.2 – Ensure well maintained and sustainably finances City Infrastructure.



## **Kenora Rural Roads Assessment**

Northern Roads Study

Prepared for:

City of Kenora  
60 Fourteenth Street North, 2nd Floor,  
Kenora, ON P9N 4M9

Prepared by:

Stantec Consulting Ltd.  
1263 Innovation Drive  
Thunder Bay, ON P7B 0A2

Project Number: 113708609



# KENORA RURAL ROADS ASSESSMENT

July 24, 2023

This document entitled Kenora Rural Roads Assessment was prepared by Stantec Consulting Ltd. (“Stantec”) for the account of City of Kenora (the “Client”). Any reliance on this document by any third party is strictly prohibited. The material in it reflects Stantec’s professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others. Any use which a third party makes of this document is the responsibility of such third party. Such third party agrees that Stantec shall not be responsible for costs or damages of any kind, if any, suffered by it or any other third party as a result of decisions made or actions taken based on this document.



Prepared by \_\_\_\_\_  
(signature)

**Nick Vaillant, P. Eng**



Reviewed by \_\_\_\_\_  
(signature)

**Dylan Mouran**



Approved by \_\_\_\_\_  
(signature)

**Mark Edgar, P. Eng**





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# KENORA RURAL ROADS ASSESSMENT

July 24, 2023

## 1.0 INTRODUCTION

Stantec Consulting Ltd. (Stantec) has been retained by the City of Kenora to provide Professional Engineering Services to assess the current condition of 117km of their Rural Road Infrastructure. This letter summarizes Stantec's on-site assessment completed in September 2022 and provides costing estimates as well as recommendations and requirements for maintenance and prioritization for capital upgrades. Stantec's overall assessment is based on the data provided by the City of Kenora and field data recorded by Stantec personnel.

## 2.0 BACKGROUND INFORMATION

The existing roads range in widths, type and usages. Stantec assessed approximately 30 km of low-class bituminous surface treated roads and 87 km of gravel aggregate surface roads, which can be visualized in **Appendix A**. The City of Kenora has identified the road network components that are of high priority (main roads) as they provide access and redundancy to residents to ensure access is maintained. This assessment will aim to prioritize capital upgrades and identify maintenance requirements in order to restore, rehabilitate, or upgrade the roadways at the discretion of the Client.

Information supplied by the City of Kenora and utilized by Stantec for the purpose of this roadway assessment include:

- Contour data for the entire study area with 0.5m contour intervals;
- Shapefiles for use in Stantec's ArcGIS database, including:
  - Right-of-way or property limits;
  - Roads database; and
  - Storm infrastructure database;



## 3.0 METHODOLOGY

Stantec completed a “windshield survey” of all roads in the project limits, with roadway assessors relying on the University of Wisconsin-Madison Transportation Information Centers Pavement Surface Evaluation and Rating (PASER) Manual for Gravel Roads. A condition Rating for each segment was applied. The PASER manual is an easy-to-follow guide that breaks a gravel surface road down into five key road conditions for a 1 to 5 rating of the crown, drainage, gravel layer, surface deformation and surface defects. These ratings are considered along with the Data provided by the City of Kenora such as Traffic Count and MTO Class, in order to provide cost analysis and capital project estimation and prioritization. For the roadway assessment, the road segments were assessed from intersection to intersection, maximizing sections at approximately 1 km in length. A GIS map of Stantec’s assigned condition rating can be seen in **Appendix A**.

Key features such as bedrock and organics presence and surface and shoulder widths were measured at select locations to provide a more accurate estimation of cost analysis. The results of the visual on-site analysis also allowed Stantec to understand the current effects of the ongoing maintenance efforts.

Data was collected in the field using ArcGIS Field Maps software and uploaded live to the GIS database, updating the roads database supplied by the City of Kenora in real time.

Methodology towards Stantec’s assessment and repair recommendations have been made with the considerations of the Ministry of Transportation of Ontario’s (MTO) Ontario Provincial Standard Drawings (OPSD). It is recommended to follow the Ontario Provincial Standard Specifications (OPSS) when performing any road construction operations, as this is the widely accepted standard for roads in Ontario

## 4.0 ASSESSMENT CRITERIA

As mentioned above, the PASER Manual is the main document being utilized to assess and recommend capital project estimation and prioritization. It should be understood that the ratings provided by Stantec can be viewed as subjective and can be viewed as an average rating throughout the subject section. For instance, if 75% of the segment in question is viewed as a 5/5 with regards to drainage, but there are sections covering approximately 25% in which the drainage path is obstructed and there are windrows or plugged ditches, the segment may be given a rating of 3 or 4 for the drainage criteria. In General, a rating of 3 classifies a particular roadway criterion as fair to average and in an acceptable operating condition. This classification generally means that there is no immediate action necessary, and the particular feature is generally performing as intended. Unless otherwise mentioned, comments made are regarding the gravel surface roads in the network.

The PASER Manual outlines the rating system from 1-5 for each criteria examined. It should also be noted that roads or segments classified as a 5 still need to be routinely maintained in order to extend the service life of the particular segment and maintaining the current LOS.



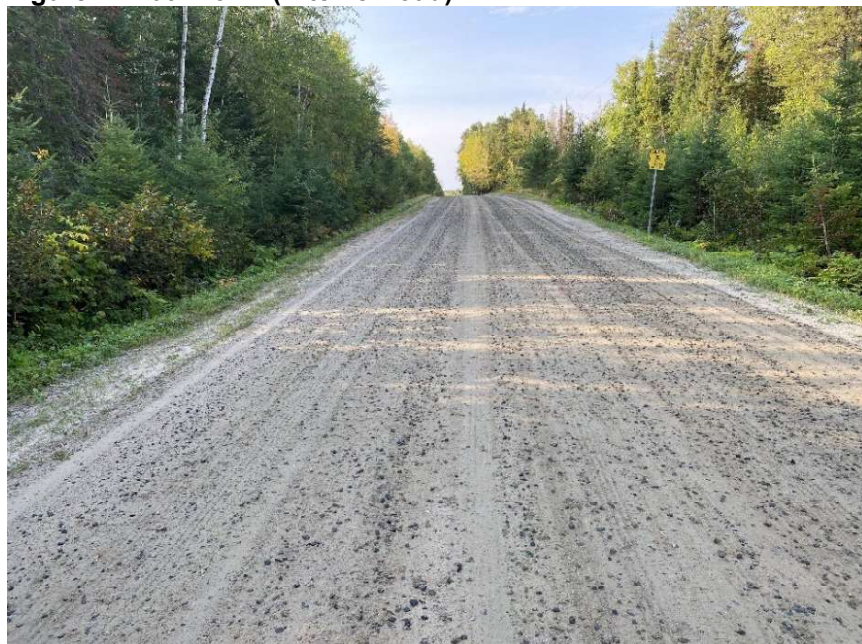
## 5.0 ASSESSMENT RESULTS

In general, the condition of Kenora’s rural roadways is of good quality. After observing the existing conditions of the rural road infrastructure, it is evident that road surface maintenance has been thorough and regular. A visual inspection of the road and drainage features outlined the concerns with the existing infrastructure. Most roads are in good conditions with respect to serviceability but could use some minor drainage improvements to extend the life of the road. The following are examples of assessed road features based on Stantec’s visual assessment according to the PASER Manual.

### 5.1 CROWN

Whether a roadway is surface treated or not, a properly constructed road will allow the water to drain quickly off the roadway. The crown is typically constructed at a recommended 3% minimum from the centerline to the road edge. Anything higher than 4%, with the exception of superelevated areas, may become a safety concern to road users. It was noticed that a majority of Kenora’s rural roads are currently operating with a parabolic (rounded) or little to no existing crown (see **Figure 1**). For the purpose of this evaluation, and according to the PASER Manual, that would classify as a crown rating of a Level 3 in most areas. A poor crown will hinder drainage across the section, surface water will more easily find its way into the aggregate base layers and eventually into the subgrade, leading to early deterioration of the road. The flat and rounded crown noted throughout the study area are likely a combination of the following factors: improper maintenance techniques, excessive overly worn or parabolic grader blade, or insufficient Granular Material available for maintenance grading. The crown is a major contributor to the overall drainage of the road but is rated separately.

**Figure 1: Flat Crown (Ritchie Road)**



## **5.2 DRAINAGE**

There are many features to examine when considering drainage of a roadway. In the previous section, we discussed the critical nature of the roadway crown and the impact it has on the overall drainage of a gravel surface roadway. A properly graded and maintained roadway has a direct path from the crown of the road into the drainage path of the ditch, without being redirected or obstructed. It needs a clean direct drainage path in the ditches, including intake and offtake ditches, without pooling water, and it needs to have sufficient culverts in order to prevent erosion and provide a direct drainage path. Good drainage will keep the subgrade dry throughout the year and ensure the long-term serviceability of the asset. Any impediments to surface drainage will lead to infiltration of water into the subgrade softening the road base, and leading to rutting, potholes and punchouts. Poor drainage of a roadway network can lead to significant damages to the network and adjacent properties. Most of the roads assessed, had average drainage quality but could be improved to extend the life and service of the asset.

Flow from the road surface should be directed immediately towards the edge of the roadway, without any ponding or parallel flow. The easiest way to promote this is to eliminate windrows or any other obstructions between the crown and the ditch. Many windrows were observed throughout the course of the gravel road network (see **Figure 2**), which can simply be improved with modified grader operations and/or additional gravel to increase the road elevation.

**Figure 2: Windrows (Anderson Road)**



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Whether it is through regular maintenance grading that windrow gravels over the shoulder, vehicle traffic that can dislodge aggregate out of the surface, or storm events that lead to surface erosion, the nature of a gravel surface road tends itself towards the migration of surface gravels from the roadway towards the roadside ditches. Winter snow maintenance such as sanding on asphalt or surface treated roads will also contributed to a build-up of sediment and materials in roadside ditches that can impede surface water flows.

**Figure 2: Organic Obstructed Ditch (Carlton Road)**



During the field reviews, it appeared that roadside ditches may have undergone a long period since their last regular cleaning. Significant vegetation was noted as growing in the ditches (see **Figure 3**) with brush and at times vegetative growth overtaking much of the roadside ditches' drainage capacity. Ditches operate at optimum condition when there is no trees, organics, or other debris causing obstruction and restricting the flow to the eventual outlet. Locations without any roadside ditches are prone to washouts or other erosion problems which may require some untimely repairs following major storm events.

## 5.3 GRAVEL LAYER

Assessing the gravel layer of the roadways is an evaluation based on depth, type, and performance of the surfacing materials in a particular area. At times it can be difficult to gather an exact professional judgement on the gravel layer if the roads were recently graded, which appeared to be the case for some of Stantec's assessment. In general, the gravel layer within the rural road assessment area appeared to be adequate to carry the traffic loads it was intended for.



Figure 3: Culvert Damage due to Insufficient Cover (McDonald Rd.)



Locations have been identified to have an insufficient gravel layer over the existing culverts (**Figure 4**). It is generally recommended to have a minimum of 300mm culvert cover, according to OPSD 805.010, which in some instances has not been achieved. A good gravel layer proves beneficial to the long-term life of a roadway, whether it is the gravel driving surface on a gravel road, or the underlying gravel beneath the surface treatment. Most roads have the visual appearance of a good gravel layer, with the exception of a few locations in which the layer was too thin and was contaminated by the underlying native soil. There were also a few locations in which the gravel layer appeared to be much finer (sandier) than desired, which can be a softer more erodible material. The gravel layer is often a major contributor to the overall surface condition.

## 5.4 SURFACE CONDITION

A Surface Condition assessment rating was a combination of the surface deformations and surface defects conditions. The on-site rating was assessed as an overall condition with specific comments reflecting the individual criteria. Acknowledgement to existing surface treatments was identified and noted at the time of the assessment



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## 5.4.1 Surface Deformations

Surface deformations including washboarding (corrugation), potholes, and rutting, have all been identified at locations within the Kenora rural road system. As mentioned previously, it is evident that routine maintenance has been thorough, although there are still some improvements to be made.

**Figure 4: Rutting in Surface Treatment (James Rd.)**



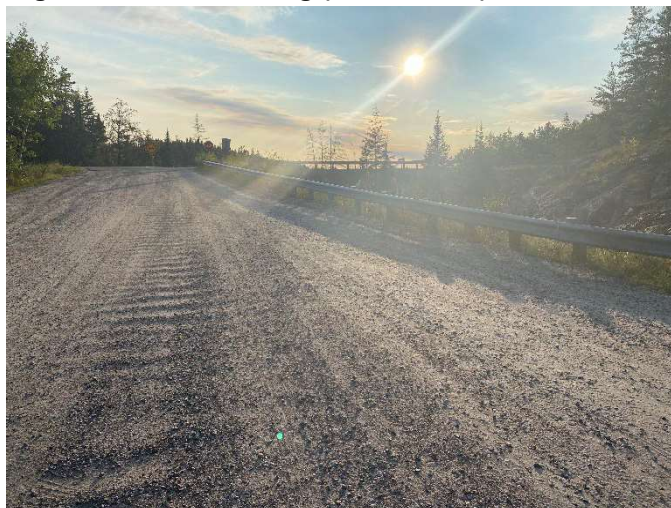
All Surface treated roads have locations that are in need of some repairs. Surface damage, even on surface treated roads is often a cause of failing base or subbase layers. Locations where rutting is significant such as on James Road (**Figure 5**) where a recommended repair plan would be to excavate the base/subbase to at least 300mm depth, depending on the subbase material properties. Potholes in the surface treatment can often be due to the same cause, or simply due to the surface treatment material or construction method. The surface conditions surrounding the potholes' locations can be a good identifier to the cause of the punchouts, as they can be initiated from the surface or the underlying gravel material. Some locations are in obvious need of repair due to rutting and potholes, and have evidence of existing repairs, in some cases, now negatively impacting the overall performance. A cost analysis is provided in the Analysis Spreadsheet to determine whether a full replacement of the roadway or specific location repair is recommended.





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**Figure 5: Washboarding (Worona Rd.)**



Gravel roads throughout the Kenora Rural Road network are generally in good condition but similarly to the surface treated roads, there are some locations in obvious need of repairs such as Worona Rd, shown in **Figure 6**. The most frequent surface deformations identified within the network was washboarding and potholes. Washboarding develops across the road, perpendicular to the direction of traffic, often under heavy traffic or loose aggregate conditions. On hills or curves or near intersections where traffic is accelerating or decelerating also tend to develop washboarding. This is the suspected cause in most cases of the subject roads. The best way to minimize or eliminate this is to have an adequate road base with a sufficient crown for drainage. Major improvements such as geometric changes in the roadways horizontal or vertical alignments could also mitigate future washboarding though major improvements such as these are not considered as part of this assignment. Routine maintenance as shown in **Table 5** is recommended to prevent washboard and minimize damage to the road surface. If washboarding is ignored, it will continue to develop into further damage and potholes, providing poor serviceability and potentially causing vehicle damage.

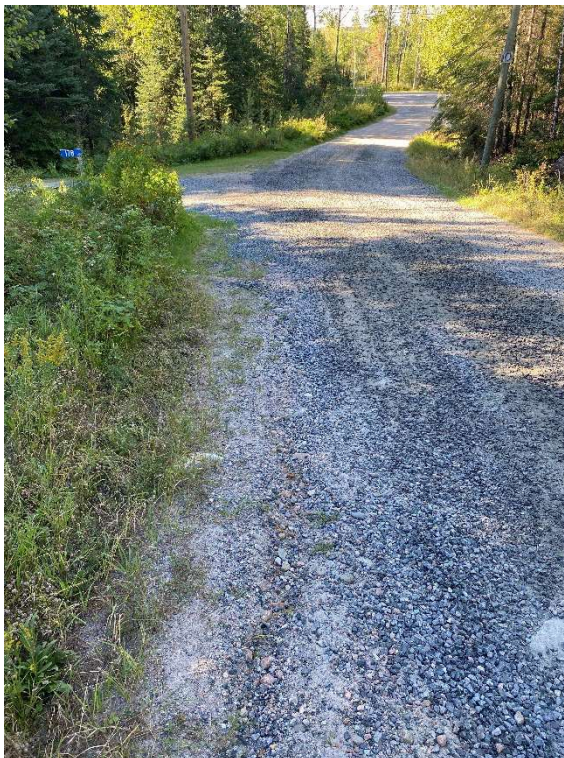
## 5.4.2 Surface Defects

Surface defects can also be subjective but is a critical conditioning point due to its correlation to the other factors included in this assessment. The 2 main features identified in the surface defects assessment rating is for loose aggregates, and dust.



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**Figure 6: Loose Gravel (Kerr Dr.)**



For the most part, loose gravel was not identified as an issue in the road network. The surface material appeared to be well graded with fine and coarse aggregates. There were a few minor locations in which some coarse aggregates were more visible at the surface such as localized locations on Kerr Dr shown in **Figure 7**, but this was likely caused by poor drainage. It will be noticed that these areas can be repaired with improved drainage and ditching.

Dust control was also generally well kept. At the time of Stantec's assessment, the roads were dry and there were no significant rain events in the immediate past. It was noticed that the only real concerns throughout the network is at the locations of newly constructed or newly repaired/maintained roadways that have a fresh gravel driving surface. Additionally, some minor roads appear to not receive any regular dust suppression. Regular maintenance grading and the application of liquid calcium chloride or other surface treatment agents at these locations will prove beneficial to the road itself, as well as road users and nearby property owners.

## 5.5 GENERAL OBSERVATIONS

In addition to the previously mentioned assessment results, some common deficiencies were noticed throughout Kenora's rural road network. Firstly, the typical roadway cross-section does not have an optimal crown to promote drainage into the adjacent ditches. Due to the conditions and elevation of the existing roadways, a grade raise will likely be required in order to provide a proper crown.



**Figure 7: Required Clearing and Grubbing (Essex Rd.)**



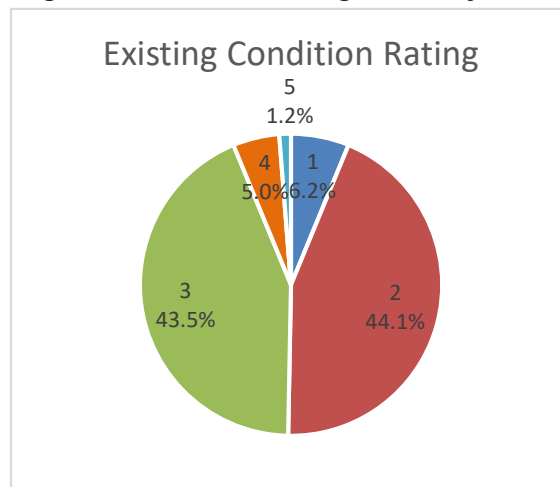
In general, it appears as though the typical roadway drainage is achieving the basic needs of the network but can be greatly improved. As mentioned in Section 5.2 above, almost all ditches are being impeded by organics, brush, or sediment. In order to optimize the drainage feature, all ditches and culverts should be unobstructed to the drainage outlet. This would include building new ditches, or reestablishing and cleaning out existing ditches. Brushing and clearing of natural vegetation (see **Figure 8**) would provide a number of benefits, including limiting drainage obstruction and increasing site lines for road users. This strategy should be completed throughout the road network. **Table 1** breaks down the final tally of road condition ratings based on Stantec’s assessment and is visualized in **Figure 9**. Due to the imperfections of the ditching and crown construction, most roadways (87.5%) were classified under a level 2 or 3 rating, and only 10 segments resulting in a level 4 or better.

**Table 1: Condition Rating Summary**

Stantec’s Condition Rating	Number of Segments
5	2
4	8
3	70
2	71
1	10



**Figure 9: Condition Rating Summary**



Due to the existing geology and location of the community, it is expected that there is a large quantity of rock in the existing road base and/or roadside furniture. It is understood that there can be significant cost involved with rock moving, but it can be of great benefit, helping to increase the serviceability of the road structure as well as the efficiency of its drainage features.

Surface treated roads are mostly operating a high level of serviceability, with the exception of some locations requiring full replacement due to surface deformations. It was also noticed that the maintenance on the surface treated roads, specifically at the shoulders, is in need of improvement. There are several locations in which the gravel shoulder is significantly lower in elevation in comparison to the road surface, resulting in longitudinal shoulder erosion (**Figure 10**). This could also be caused by leaving a windrow of gravel or winter sand, impeding the drainage path to the ditch. This can also be considered a safety issue if vehicles approach this “dip” on the edge of the road surface.

**Figure 10: Low Shoulder (Anderson Rd.)**



## 6.0 SAFETY OBSERVATIONS

In general, the roads in Kenora's rural road network are very low speed (<60km/hr), and few safety concerns were noted. There are, however, some potential opportunities to improve road safety within the network. There are two main elements that have been noticed during the assessment as it pertains to safety. The clearing and grubbing as mentioned previously, to increase site distances due to the high frequency of horizontal and vertical curves throughout the network would be beneficial. The second point is the addition or maintenance of the existing 3 Cable Guide Rail (3CGR). It was noticed that the guiderail is fairly new, but the cables were suspended and need new clips to refasten the cables to the posts (**Figure 11**). 3CGR should also have reflectors according to OPSD 913.135.

**Figure 11: Loose 3CGR Cables (North Marston Dr.)**



As an additional safety measure, at the discretion and opinion of the client, it may also be good practice to apply yellow centreline pavement markings to all existing surface treated roads. Analysis on this idea has not been materialized as part of this assessment, but would include a double application initially, followed by an annual maintenance coat. Cost assessment may be completed at a later date prior to final deliverables at the client's request.

Although safety was not a direct task as a part of this project, it is always considered. Many of the road upgrade recommendations are not only for the serviceability of the road, but also to encourage safety of the road and its users. Without accident records and/or police reports, no statistically problematic areas were identified at the time of the study to be thoroughly evaluated.



## 7.0 UPGRADE OPTIONS

Part of Stantec’s assessment concentrated on the existing conditions of the road with respect to how current maintenance strategies are affecting the road network. Considering Kenora’s large Rural Road Network, maintenance strategies appear to have been effective, but by following a baseline schedule and cost forecasting, it is believed that maintenance impacts can be enhanced.

### 7.1 OPERATIONS AND MAINTENANCE

#### 7.1.1 Recommended Schedule

Based on Stantec’s assessment and the information provided by the City of Kenora with respect to existing Traffic Counts, MTO Class, and Design Speed, Stantec is able to provide baseline maintenance recommendations in order to provide extended life and Level of Service to Kenora’s Rural Infrastructure.

Any successful maintenance program is preceded by a continuous asset evaluation. Gravel rural roads with lower traffic volumes can tend to be overlooked in comparison to the higher volume, higher class roadways. A simple visual inspection at a minimum of once per month, shown in **Table 2** can prove to be greatly beneficial both economically and to the daily road users. Common disregarded features such as washboarding, foreslope erosion, and drainage obstructions are prevalent issues that are present throughout the community and can be easily repaired at a fraction of the cost of full replacement, if maintenance were to continue to be deferred. Maintenance items that have been noticed for requirement within this network are shown in **Table 2**.

**Table 2: Inspection and Maintenance Frequencies**

Task	Monthly	Every Spring	Every Fall	**After a Significant Storm	Additional Frequencies and Notes	Estimated Annual Cost/km
<b>Roadways and Shoulders</b>						
Deformation Grading		X	X		At least 2 additional times in the summer months as required	\$4,160.00
Drainage Grading		X	X			\$2,080.00
Winter sand Removal		X	X			\$3,120.00
Dust Suppression					Twice per year during the summer months	\$3,500.00
<b>Culverts and Ditches</b>						
Culvert End Cleanouts		X	X	X		\$3,500.00
Culvert End Erosion Repair	X	X	X	X		\$4,500.00
Inspect ditches, swales and drainage features		X	X	X		\$25.00



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Task	Monthly	Every Spring	Every Fall	**After a Significant Storm	Additional Frequencies and Notes	Estimated Annual Cost/km
Mow grass ditches and foreslopes/shoulders			X		At least 1 time during summer months	\$150.00
Repair slumping side slopes	X	X	X	X		\$3,500.00
Intake/Offtake Ditching		X	X	X		\$600.00
<b>Miscellaneous</b>						
Inspect Guide Rail Features		X	X			\$50.00
Clearing and Grubbing					Review Annually	Varies

It should be noted that these are only baseline recommendations, and frequencies can be adjusted as required, based on individual road needs. This schedule also states twice per year application for dust suppression, but has been acknowledged in the cost assessment portion, that Kenora’s current preferred strategy is a single application annually. Seasonal items such as snow removal and winter sand application are not included in this schedule but must be considered by the client.

## 7.1.2 Maintenance Estimates

Costs and frequency differentiate based on existing conditions of the road, as well as whether the road is surface treated or not. This can be broken down in the Operations and Maintenance (O&M) section of the Condition Analysis Spreadsheet, attached as a component of this submission. For costing purposes, many of the tasks listed in **Table 2** is grouped together as a single maintenance item. For example, most of the items listed in the *Culverts and Ditches* section are simply categorized as “Ditching”.

**Table 3** reflects the components and values used to compute the maintenance cost estimate appropriate for Kenora’s Gravel Road network. These are the general items that are used to determine the annual costs of each road segment based on the current existing condition of the road. Maintenance items may vary from individual road segments, but these values can, in general, be an accurate depiction of necessary costs.

**Table 3: Gravel Roads Maintenance Costs**

Work Items	Frequency (per year)	Grader (per Km)	Unit	Unit Price
<b>Level 5</b>				
Regular Grading Maintenance (twice per year)	2	\$1,040.00	km	\$2,080.00
Dust Control	1	\$1,750.00	km	\$1,750.00
25mm Granular Distribution (Every 5 years)			km	\$2,400.00
<b>Yearly O&amp;M</b>				<b>\$6,230.00</b>
<b>Level 4</b>				
Regular Grading Maintenance	2	\$1,040.00	km	\$2,080.00



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Work Items	Frequency (per year)	Grader (per Km)	Unit	Unit Price
Dust Control	1	\$1,750.00	km	\$1,750.00
25mm Granular Distribution (Every 5 years)			km	\$2,400.00
<b>Yearly O&amp;M</b>				<b>\$5,030.00</b>
<b>Level 3</b>				
Regular Grading Maintenance	2	\$1,040.00	km	\$2,080.00
Dust Control	1	\$ 1,750.00	km	\$1,750.00
25mm Granular Distribution (Every 2 years)	1			\$2,480.00
Ditching (5%) per Year	0.05			\$700.00
<b>Yearly O&amp;M</b>				<b>\$7,010.00</b>
<b>Level 2</b>				
Regular Grading Maintenance	2	\$1,040.00	km	\$2,080.00
Dust Control	1	\$1,750.00	km	\$1,750.00
25mm Granular Distribution (Every 2 years)	1			\$2,480.00
Ditching (10%) per Year	0.05			\$700.00
Shoulder Grading (15%)	0.15			\$117.00
Centerline/Entrance Culverts (2/km every 5 yrs)				\$3,600.00
<b>Yearly O&amp;M</b>				<b>\$10,727.00</b>
<b>Level 1</b>				
Regular Grading Maintenance	2	\$ 1,040.00	km	\$2,080.00
Dust Control	1	\$ 1,750.00	km	\$1,750.00
25mm Granular Distribution (Every 2 years)	1			\$12,400.00
Ditching (20%) per Year	0.2			\$1,400.00
Shoulder Grading (10%)	0.25			\$195.00
Centerline/Entrance Culverts (2/km every 5 yrs)				\$3,600.00
<b>Yearly O&amp;M</b>				<b>\$21,425.00</b>

Similar to the gravel road maintenance costs identified in **Table 3**, **Table 4** identifies the items required for maintenance for paved road segments. This identifies obvious items such as *Bituminous Patching* and *Shoulder Grading*, which wouldn't be included in a gravel road segment.

**Table 4: Paved Roads Maintenance Costs**

Work Items	Frequency (per year)	Grader (per Km)	Unit	Unit Price
<b>Level 5</b>				
Regular Shoulder Grading Maintenance (twice per year)	2	\$780.00	km	\$1,560.00
25mm Granular Distribution - Shoulders (Every 5 years)			km	\$400.00
<b>Yearly O&amp;M</b>				<b>\$1,960.00</b>
<b>Level 4</b>				





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Work Items	Frequency (per year)	Grader (per Km)	Unit	Unit Price
Regular Shoulder Grading Maintenance	3	\$780.00	km	\$2,340.00
25mm Granular Distribution - Shoulders (Every 5 years)			km	\$400.00
Bituminous Patching (0.5% per year)	0.005			\$506.25
<b>Yearly O&amp;M</b>				<b>\$3,246.25</b>
<b>Level 3</b>				
Regular Shoulder Grading Maintenance	4	\$780.00	km	\$3,120.00
25mm Granular Distribution - Shoulders (Every 2 years)	1			\$900.00
Ditching (5%) per Year	0.05			\$700.00
Bituminous Patching (1% per year)	0.01			\$1,012.50
<b>Yearly O&amp;M</b>				<b>\$5,732.50</b>
<b>Level 2</b>				
Regular Shoulder Grading Maintenance	5	\$780.00	km	\$3,900.00
Ditching (10%) per Year	0.1			\$1,400.00
Bituminous Patching (2.5% per year)	0.025			\$2,531.25
<b>Yearly O&amp;M</b>				<b>\$7,831.25</b>
<b>Level 1</b>				
Regular Shoulder Grading Maintenance	6	\$780.00	km	\$4,680.00
Ditching (20%) per Year	0.2			\$2,800.00
Centerline/Entrance Culverts (2/km every 5 yrs)	0.04			\$3,600.00
Bituminous Patching (5+% per year)	0.05			\$5,062.50
<b>Yearly O&amp;M</b>				<b>\$16,142.50</b>

Different tasks are identified with paved or gravel roads due to the variation in maintenance items included. Costs reflected in these tables illustrate the importance of maintaining a roadway to a LOS as high as possible in order to keep maintenance costs down. **Table 55** summarizes the estimated annual maintenance costs based on a per year, per km estimate.

**Table 5: Maintenance Costs Summary**

Annual per km Maintenance Costs Summary		
Level	O&M Gravel	O&M Paved
5	\$5,030.00	\$1,960.00
4	\$5,030.00	\$3,246.25
3	\$7,010.00	\$5,732.50
2	\$10,727.00	\$7,831.25
1	\$21,425.00	\$16,142.50

Costs involved in a paved road segment can be much higher to construct and/or repair, but if kept to a higher LOS, the maintenance costs are significantly lower than a typical gravel road.



## 7.2 DISCUSSION ON REHABILITATION

Rehabilitation of the existing roads would involve improving roads to ‘fair’ condition or a Condition Level Rating of 3. Therefore, only those roads with a level of service less than 3 would be eligible for a rehabilitation. The work involved with a rehabilitation would generally include scarifying of the existing road surface, ditching/culverts on an as-required basis (not the entire roadway length), a granular grade raise of approximately 100 mm height, excavation and repair of select soft spots, and dust control application. For asphalt/sealed roads, an additional rehabilitation component would be included, adding asphalt patching (pothole repairs) based on the condition level of the road.

## 7.3 DISCUSSION ON NEW CONSTRUCTION

A third option would be to fully reconstruct roadways to a Condition Level 5 or “Excellent” condition. This option would be most costly and would have significant cost implications to the City of Kenora. The work involved with this option include full roadway ditching, culvert replacement, excavation of poor subbase materials, and application of up to 150 mm of Granular A base course. Additional work such as rock excavation and vertical curvature corrections may also be included in this strategy.

## 8.0 ANALYSIS AND RECOMMENDATIONS

There are a number of ways in which the City of Kenora may elect to use their capital and maintenance funds for the northern roads. This section of the report seeks to explore a number of options for improvements to help inform the City of Kenora in the decision-making as it relates to funding capital improvements and ongoing maintenance of the northern roads.

In order to establish the best use of Kenora’s funds going forward, the following options are presented for consideration.

### 8.1 SCENARIO 1

In the most extreme case, Kenora may elect to upgrade all roads within the study limits to a level 5 or excellent condition road. This would theoretically lower all future maintenance costs, however the initial capital cost to undertake the work would not likely be viable. This isn’t necessarily considered a realistic option that the Town may employ but is being discussed to illustrate the most extreme of cases.

The initial capital cost for the improvements options is estimated in the realm of **\$25.35M** in 2023 dollars. Ongoing maintenance following these improvements would be approximately **\$588,208.20**.

### 8.2 SCENARIO 2

At the other end of the spectrum, would be the decision by Kenora to not upgrade any of the northern roads and instead opt to maintain all roads at their current condition. In their current configuration, the estimated annual Operating & Maintenance budget to maintain the existing condition of the roads is approximately **\$1,154,047.69**.



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## 8.3 SCENARIO 3

A third scenario for consideration would be to improve all roads to a level 3 condition by completing a rehabilitation. This would involve upgrading only roads with an existing condition rating of 1 or 2, while all other roads would undergo routine maintenance. In this scenario, approximately 62 km of the road segments (53%) would undergo a rehabilitation to improve their condition rating to a level 3, at an initial capital cost of **\$4.90M**. Ongoing maintenance following the rehabilitation improvements would decrease to an estimated annual cost of **\$753,875.94**, which includes the 62km of rehabilitated roads.

## 8.4 SCENARIO 4

Further refinement for consideration would be to improve only those roads considered level 5 under the MTO roadway classification system that have been identified as being less than a level 3. This includes roads such as Anderson Road, Coker Road, East Mellick Road and Essex Road, for a total length of 40.45 km of rehabilitation and improvements. Initial costs for these improvements are estimated to be **\$3.03M**. Ongoing maintenance following the rehabilitation improvements would decrease to an estimated annual cost of **\$893,278.19**, from the maintenance costs outlined in Scenario 2.

## 8.5 SCENARIO 5

A further refined option would introduce reconstruction of Major Roads that are a level 1 to new condition. All other roads in the study area that are a level 1 or 2 would be rehabilitated to a level 3. Capital construction costs for the upgrades and rehabilitation are estimated to be **\$5.91M** while ongoing maintenance following the improvements are estimated to be **\$740,695.14**.

## 9.0 CONCLUDING STATEMENT

The road conditions assessed as part of this study are based on visual observations completed by Stantec in September 2022. Maintenance, rehabilitation, and upgrade costs were developed in concurrence with City of Kenora Operations group. Scenarios developed in Section 8 are to inform the City of Kenora of sensitivities associated with the correlation of capital spending and future maintenance needs. The opinion of probable costs associated with all works in this report are based on high-level estimates and should be revisited, refined, and confirmed for each road section prior to construction.



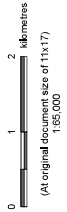
# **APPENDIX A**

## **GIS Mapping Figures**



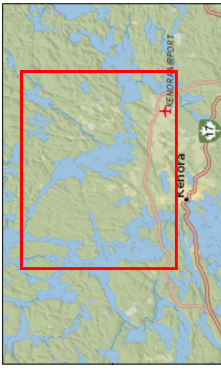


- Legend**
- Major Road
  - Minor Road
  - Local Road
- Overall Road Condition Rating**
- 1 (Red)
  - 2 (Orange)
  - 3 (Yellow)
  - 4 (Green)
  - 5 (Light Green)



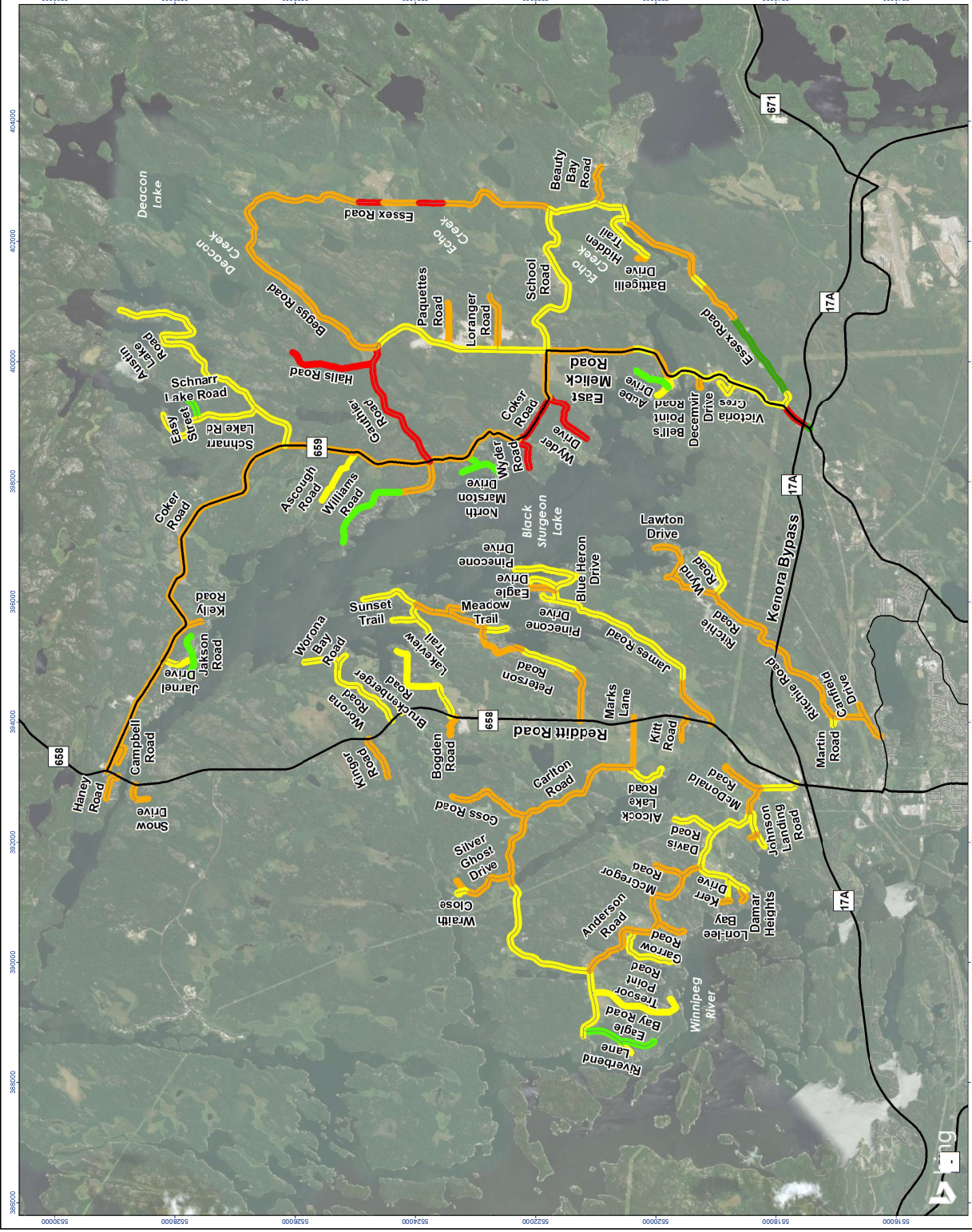
**Notes**

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Source: Esri, DeLorme, Garmin, Bing, Microsoft
3. Aerial Imagery Source: Microsoft product screenshots reproduced with permission from Microsoft Corporation.



**Project Location:** Prepared by Acumpro on 2022-12-16  
Technical Review by Vladimir V. Vukobratovic  
Client/Project: City of Kenora  
Rural Roads Assessment  
Figure No. 1  
Title: Overall Condition Rating

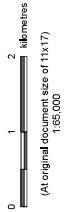
**DRAFT**



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

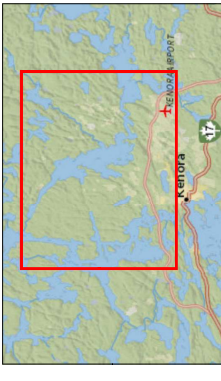


- Legend**
- Major Road
  - Minor Road
  - Local Road
  - Scenario 3
  - MAINTAIN
  - REHAB

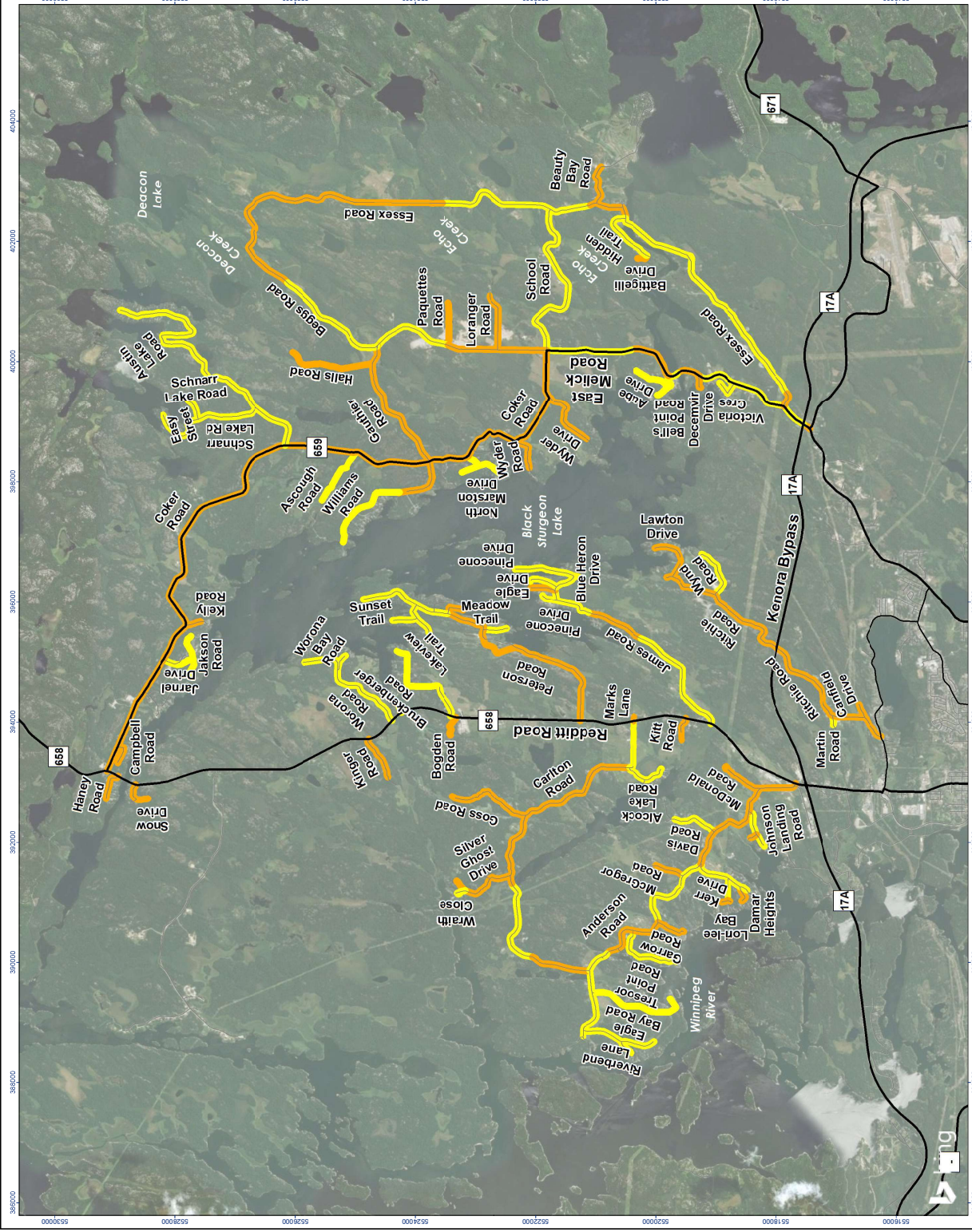


**Notes**

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Data Source: Esri/Aerial Imagery Source. Microsoft product screenshots reproduced with permission from Microsoft Corporation.



Project Location: Prepared by Acampagna on 2023-07-24  
 Client/Project: Technical Review by Wiegman, 113706459  
 City of Kenora  
 Rural Roads Assessment  
 Figure No. 2  
 Title: Scenario 3



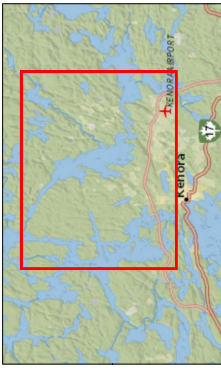


- Legend**
- Major Road
  - Minor Road
  - Local Road
- Scenario 4**
- MAINTAIN
  - REHAB

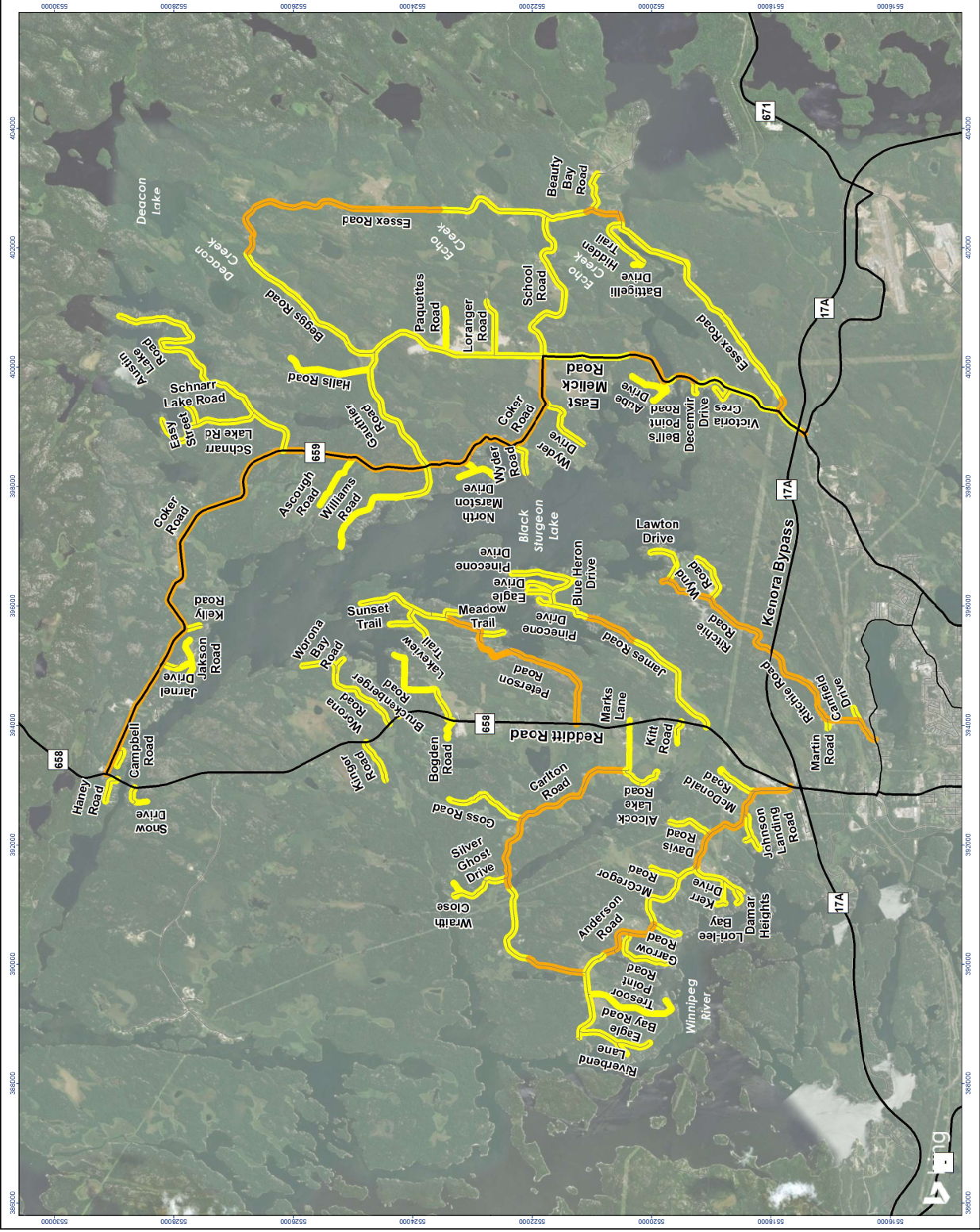


**Notes**

- 1. Coordinate System: NAD 1983 UTM Zone 15N
- 2. Data Source: Esri/Aerial Imagery Source
- 3. Microsoft product screenshots reproduced with permission from Microsoft Corporation.

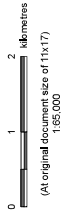


Project Location: Prepared by Acampagna on 2023-07-24  
Client/Project: Technical Review by Wiegman 113706459  
City of Kenora  
Rural Roads Assessment  
Figure No. 3  
Title: **Scenario 4**



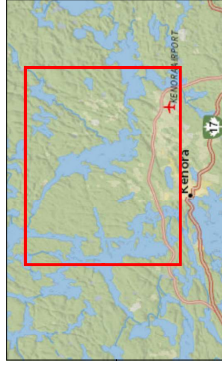


- Legend**
- Major Road
  - Minor Road
  - Local Road
- Scenario 5**
- MAINTAIN
  - REHAB
  - UPGRADE

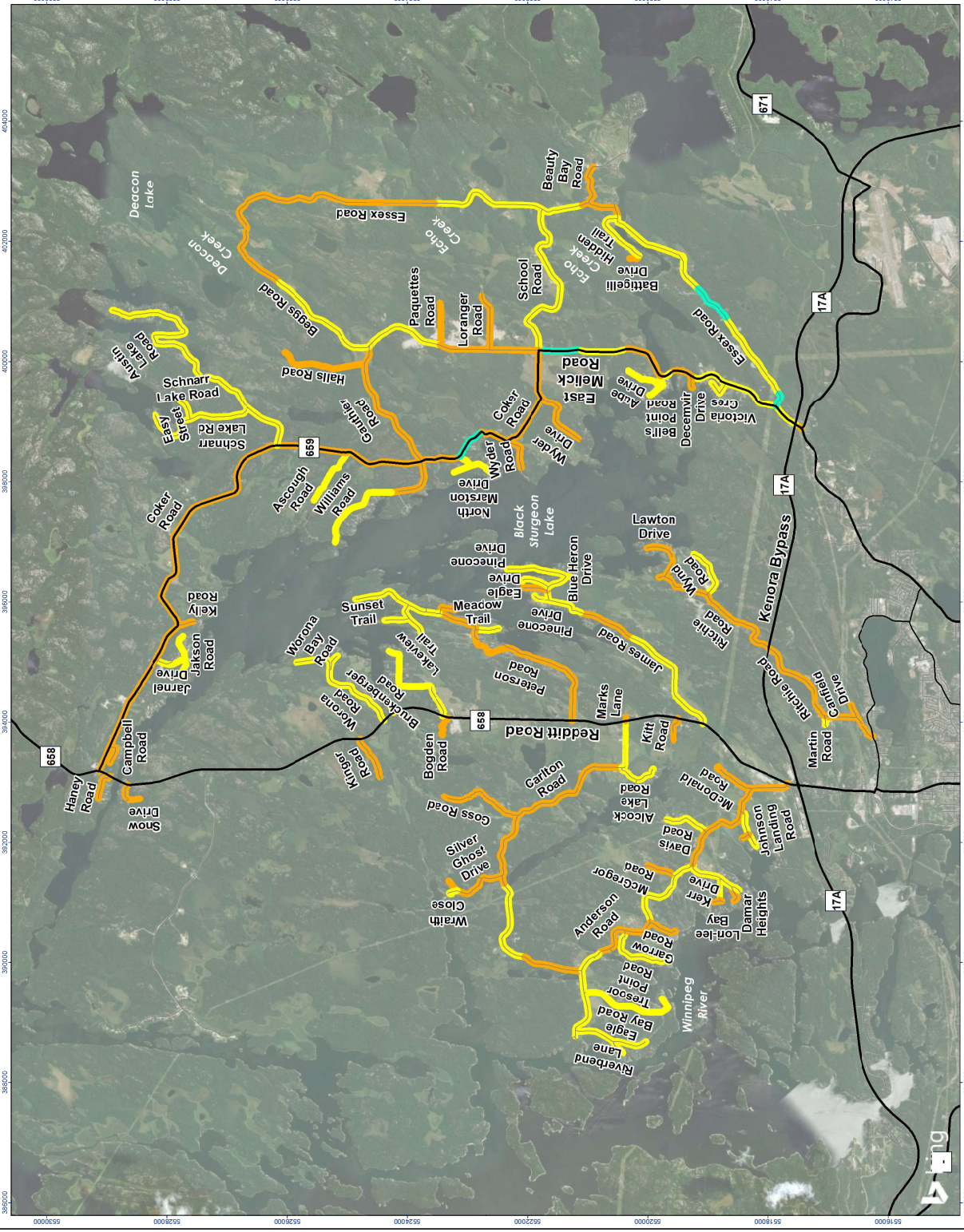


**Notes**

1. Coordinate System: NAD 1983 UTM Zone 15N
2. Aerial Imagery Source: Microsoft product screenshots reproduced with permission from Microsoft Corporation.



Project Location: Prepared by Acampagna on 2023-07-24  
 Client/Project: Technical Review by Wiegman, 11/3/2024  
 City of Kenora: Rural Roads Assessment  
 Figure No. 4  
 Title: Scenario 5



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September 13, 2023

## City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Andrew Smith, General Manager of Recreation and Culture

Re: Recreation and Culture Department – Q2 Report

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for the Recreation and Culture Department.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. In an effort to provide Council with an update on progress towards achieving these goals, the following report has been created.

The City of Kenora Recreation and Culture Department produces quarterly updates for Council that provides information and statistics on facility usage, programs, and events. The Recreation and Culture department oversees.

### **Focus Area 3 – Community Recreation, Well-Being, and Safety**

**Goal 3.1.1 - Complete the City of Kenora "Parks and Recreation Master Plan".**

**Goal 3.1.2 – Undertake a review to create an engaging suite of recreational, tourism and cultural programming.**

### ***Parks and Recreation Plan (PRP)***

***Section 7 – ACTION PLAN FOR SERVICE DELIVERY***

***Section 8 - IMPLEMENTATION AND MONITORING***

### **Baseball Diamonds**

Kenora Recreation Large and Small diamonds, and JM fields began being used by all groups the week of May 7<sup>th</sup>. Outfield improvements to Keewatin large and small diamonds in the fall of 2022 had resulted in usage delays due to dry weather. The parks team had put a lot of work in with daily watering and maintenance to bring the field online by June 28<sup>th</sup>. We want to commend the team for the work put in to ensure safe, and sustainable playing fields for the entire community.

The Recreation small and large fields will be implementing an added service level of chalked baselines, a desire that was voiced by user groups at the yearly user group meeting held in March of 2023.

In the fall of 2023, there will be infield mix, fencing and lighting improvements added to numerous fields within the community for improved play for community user groups. Within the fencing improvements, we have added an additional gate to the Recreation large field to help minor baseball remove their mobile pitchers' mound from the field of play at times they are not using to ensure the mound is not obstructing the field of play and damage cannot occur to the mound during other user group usages.

## **Arena's**

Ice was removed from the Bowman Electric Keewatin Memorial arena the week of April 2<sup>nd</sup>, and all bookings were moved to the Moncrief Construction Sports Centre to allow for efficiencies with scheduling. The recreation team recognizes an opportunity in having a space available for recreational programming on the dry pad in the spring of 2024 before outdoor opportunities are available and are actively exploring new and exciting options for community members.

The ice in the Thistle arena was removed the week of April 16<sup>th</sup>. The recreation team had added numerous public opportunities for patrons which was well received prior to removal, and the team is continuously exploring options to add to current service levels and prioritizes affordable public arena usage to all community members.

Exploratory drilling was required to assess and design the Thistle Arena ice pad replacement ahead of the 2024 construction commencement. The drilling did not directly affect any events as staff had strategically planned when drilling would start and finish. Holes in the pad were covered with steel plates after the pad had been drilled into to ensure there were no open holes and patrons could use the facility without gaps in service.

The Recreation team has begun exploring streaming options in partnership with youth user groups and are in talks with the best options in relation to the desires of groups. The recreation team is also reviewing opportunities based on the privacy of groups who do not wish to have their ice times broadcasted, operating requirements, and reliability.

During the months of May and June, user groups were consulted to provide feedback in relation to an ice allocation policy review, which is currently being reviewed amongst industry norms and demonstrated community values.

See appendix A for stats and usage.

## ***Sport Tourism and Event Hosting***

### **Special Events**

Skate Keewatin Ice Show	North American First Nations Tournament
Kenora Chamber of Commerce Home & Leisure Show	Lake of the Woods Girls Hockey Banquet
The Great Benjamin Circus	Bear Witness Pow Wow
Grad Pow Wow	Kenora District Dog Show

Staff have begun pursuing partnerships with numerous organizations within the region to work on augmenting special event usage in all facilities, with an emphasis on dry pad usage for both Thistle arena and Bowman Electric Keewatin Memorial Arena's. A facility rental package is currently being worked on to better help with attracting events to our facilities, which will be ready to publish by Winter of 2024.

## **Recreation Programs and Services**

The Recreation and Culture Department and Tourism department facilitated the first Annual "Party in the Park" at Garrow Park on June 16<sup>th</sup>. Community partners and City of Kenora departmental collaboration were key in the administration of the event. Groups had set up individual stations which included touch-a-truck, games, fitness options, informational booths, free barbeque and aquatics. With over 300 attendees, the event was a huge success, and an event review will take place to ensure sustainable growth and success for years to come.

The City of Kenora is currently engaging with numerous Ontario, Manitoba and federal sport organizations to help support sport development in the community, current sports organizations that we are actively involved in talks with are:

Indigenous Sport and Wellness Ontario – Standing Bear Program  
Ontario Lacrosse Association/Manitoba Lacrosse Association  
Ontario Tennis Association  
Play On! Canada

The recreation team is currently reviewing and proceeding with the recommendation of the Parks and Recreation Master plan to offer pre-registered fitness programming in the fall. This provides more stability to the fitness regimen and allows the public to utilize the Activenet portal for all fitness registration, including drop in options. We want to ensure we are inclusive so the pre-registered options will be a hybrid model, meaning if classes are not full, patrons will still be allowed to drop into their desired fitness classes. Membership and creative pricing solutions continue to be available to the community.

Please see Appendix A for statistics and usage.

### **Meeting Rooms and New Horizons Seniors Room**

The recreation team has added a pin code punch pad to the New Horizons and Meeting room hallway to provide a secure space for patrons to enjoy their experiences within the facility. Since installation, there have been no complaints or disturbances amongst the users for the Multipurpose room, Rotary Room, or New Horizons rooms.

Recreation staff have begun working on a rental guide for community members to easily review to see what room best suits their needs, with rates, images and options for all City of Kenora rentable facilities, which will be released in the winter of 2024.

### **Marketing and Communications**

Strong social media numbers have continued to demonstrate the effectiveness of positive story telling amongst the recreation Facebook platform. Diversifying the social platform is a priority moving forward, by exploring effective means to grow additional platform presences such as Instagram and Tic Tok.

Facebook Page Stats	April – June 2023	October – December 2022	Change Percentage
Overall Page Reach	38,782	33,812	+14.7%
Page Visits	10,374	2792	+371.6%
New Likes	93	55	+69.1%

### **Micheal Smith Fitness Centre**

New Fitness equipment was installed quickly and efficiently by Life Fitness, and during this time, staff members had the ability to thoroughly clean and disinfect all locations of the fitness centre. The new equipment has resulted in positive feedback and consistent attendance with an average of 20 people in our gym at all times of the day.

Please see Appendix A for statistics and usage.

### **Aquatics**

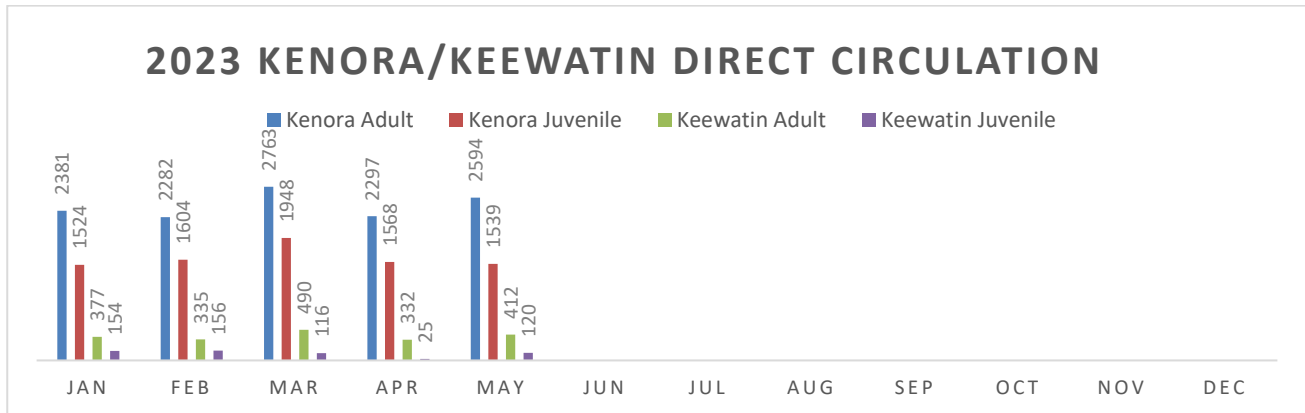
Lifeguard shortages have plagued the nation coming out of Covid, and the City of Kenora was not immune to this; however, tools have been implemented to grow the current lifeguard complement which is showing positive signs. Providing free leadership courses to all community members was one tool utilized, where we provide training, and hire all successful candidates in assistant roles until they are of age to be a certified lifeguard.

Additionally, we are working with the school boards to work towards a leadership credit where students will be able to receive credits for being certified within the lifesaving society lifeguard program. This not only adds more lifeguards to the Moncrief Construction Sports Centre complement, but also gives flexibility to the schools when they need water supervision for field trips to the numerous waterbodies within our region.

Please see Appendix A for statistics and usage.

## Kenora Public Library

Statistics	April – June 2023	April – June 2022
Inter Library Loans	414	397
Computer Usage	12,584	8,826
Memberships Added/Deleted	142	134
Electronic Resources	51,272	73,176
Total Circulation(E-resources not included)	40,968	32,476



### Programming and New Opportunities

**Common Ground: A Sharing of our Stories**, 16<sup>th</sup> annual event was held on April 9, 2023. The event brings together the community to hear stories of our area which are then published every five years capturing them for future generations. The library looks forward to participating in this community event each year with the dedicated committee that has made this event so successful!

**Recreation and Parks Month** - the library participated in the **Party in the Park** event held at Garrow Park on June 16 and had so much fun! The park was filled with happy people out enjoying a beautiful Friday evening. The Rotary Trail was the perfect backdrop for our Story walk. We look forward to this becoming an annual event! We also held a **Parks Bingo** to encourage families to spend time outdoors exploring our beautiful city. Each activity completed earned a draw slip for a chance to win prizes.

**Nerf Gun Battle** – children between the ages of 6 & 16 can register ahead to participate in this fun event meant to allow children to explore the library in a fun way. Participants will move through the library stacks, participate IN ORGANIZED GAMES, hit the targets, and each other!

**Library of Things** – Pickle ball paddles and two disc golf sets are now available through our Library of Things. These items can be used at Garrow Park where patrons can explore the sports without purchasing equipment.

**Gussy's Kids Fishing Corner** – Kids fishing equipment and life jackets will be available for loan with a library card in the next few weeks through our Library of Things program. **Thank you to City of Kenora Council** for the support in starting this program in honour of Jeff Gustafson's World Class Achievement!

**Children's Summer Programming** – There are some wonderful programming opportunities available this summer through the library. We are excited to be renewing our partnership with Pinecrest Home for the Aged to visit the long-term care home four times over the summer for the **Pinecrest Magic Carpet Story Hour**, where a resident will read to the children and then everyone will do a craft and have a snack. **Fresh Air Fridays** will also take staff off site with the Early ON Centre to do outdoor story time programming at local parks and trails.

**Read Around the World** – July and August adults are invited to participate in our Read Around the World Challenge. Try an author you've never read or read about a country that you don't know much about. Explore as many countries as you can and be entered into weekly draws!

### **Goal 3.1.3 – Complete “Active Transportation Plan”.**

#### **Trails**

The Recreation and Culture Department is currently working cross-departmentally and with Urban Systems from Winnipeg, Mb to create an Active Transportation Master Plan, which will provide direction in current and future trail enhancements. Community engagement is ongoing, with online surveys and in-person engagement happening at community events including weekly farmers markets.

### **Focus Area 5 – Relations with Treaty 3 Partners**

#### ***The Muse Strategic Plan 2021 to 2023 – Vitality, Partnerships, Impact and Engagement***

##### **Partnerships**

Over the last year The Muse has partnered with Grand Council Treaty #3 on its Treaty #3 150 commemoration activities. This process has involved several meetings and planning sessions, and correspondence with officials from Grand Council Treaty #3, the Province of Ontario, various Federal Government Ministries, and Library and Archives Canada. During March, April, and May the Muse Indigenous Advisory Committee have assisted in the creation of the Exhibit portion of the commemoration, an exhibit titled: The Sacred Document - Treaty #3 at 150. This exhibit was created to accompany the documents to various events around the territory. The Muse staff used the research and input of the Indigenous Advisory Committee to write the final copy of The Sacred Document exhibit and worked with Wake Marketing to have it printed. A second copy of the exhibit was printed for use on site at the Lake of the Woods Museum.

Museum staff worked with Library and Archives Canada staff to facilitate the building of museum exhibit cases for the treaty documents. Those cases were built by Cottage Essentials in Keewatin from locally harvested black ash. The Sacred Document: Treaty #3 150 Museum staff, GCT#3, and Library and Archives Canada all worked together to facilitate the travelling of the Treaty #3 documents to the territory. On May 12th the Treaty arrived at the Lake of the Woods Museum. While it is in the territory the Treaty will live in a climate-controlled environment at the Lake of the Woods Museum.

The Muse is at once proud and humbled to have been asked to play a role in the Treaty #3 150 Commemoration.

##### **Kenora District Festival of the Arts**

During the week of April 12th to 19th the Douglas Family Art Centre partnered with the Kenora district festival of the Arts to exhibit artwork in the Gail Konantz Studio

##### **A Walk in the Wilderness: Early Years Exhibit**

The Lake of the Woods Museum partnered with local school boards to exhibit, A Walk in the Wilderness. The event brought together several classes and school programs to display artwork that they'd produced over the previous school year. The exhibit culminated with an evening activity on June 15th where over 500 students and family members came to enjoy the artwork and a picnic in the park.

##### **Common Ground: A Sharing of Our Stories**

Saturday, April 22 from 10 am - 2 pm at the Beaver Brae Theatre. This was the 16th year of this local storytelling event. The Museum is involved in this partnership event with the Kenora Public Library and other community members.

This year's line-up included:

- John Bowiec - The Life and Times of a CPR Agent/Telegrapher
- Nadene McBride - Hudson's Bay Company to Bayridge General Store
- Geraldine Kakeeway - We are Still Here (video interview)
- Ida Skead - The Jingle Dress (video interview) Kelly Gibson - The Man Behind the Minaki
- Trading Company

- The late Sugar Robertson - The Kenora Thistles of the 1950s (video interview)
- Wanda Kabel - Visual Storytelling in Pursuit of Connecting with the Land

## **Impact**

### **Exhibits**

#### **Douglas Family Art Centre**

- Anong Migwans Beam - Susan and Jim Hill Gallery - February - April 8
- Kenora District Festival of the Arts - April 12-19
- Kingfisher Days: A Tale of Wonder - April 19 - May 6 — extended to June 3
- Written by Water - Olivia Whiddon and Theresa Bowyer - April 15 - July 8

#### **Lake of the Woods Museum**

- Something to Talk about: Kenora's 1973 Bank Robbery - April 11 - June 3
- A Walk in the Wilderness Early Years Exhibit - June 13 - 17
- Lake of the Woods Quilt Guild Annual Show - June 20 - July 15

### **Vitality**

#### *Class A Designation at the Douglas Family Art Centre*

The Muse staff continue the process to receive Class A Designation for the Douglas Family Art Centre, which directly impacts the exhibitions the Muse can borrow from other institutions, and has a tax receipt implication for donors.

This process includes, but is not limited to, the creation of modern disaster plans, documentation of environmental conditions, fine tuning the HVAC system (including installing upgrades), and environmental monitoring.

This process will take the better part of next year. Several meetings were conducted through March and April to better understand the process and to plan for how it will be completed.

#### *Soft Launch of the Lori Nelson Legacy Fund*

June saw the soft launch of the Lori Nelson Legacy Fund. This fund is named after retiring Muse Director Lori Nelson and will be administered through the Kenora and Lake of the Woods Regional Community Foundation. This is an endowment fund that will support both the Museum and Art Centre.

### **Engagement**

#### *Programming and Events*

- Afterschool art classes for children ages 5 - 14
- Saturday, April 8 - Family Crafternoon: Scratchboard Easter Eggs
- Started April 11 - Media Masters (2 sessions: 5-9, 9-14 years) - 8-week session
- May 6 - Written by Water Exhibition Opening - Performance, Artist Talk, Story w/ Theresa Boyer & Olivia Whiddon
- May 9 - Joe Ralko presented at both TA School and Beaver Brae School to several hundred local students
- May 10 - Joe Ralko Presentation on the 50th Anniversary of the 1973 Kenora Bank Robbery
- May 12 - Meet the Artists/Curator: In the Middle of the World
- May 12 - Artist/Curator Talk with Judy Martin, Penny Berens, and Miranda Bouchard
- May 13 - Artists/Curator Guided Tour of In the Middle of the World
- June 3 - Volunteer Appreciation Event - DFAC Multipurpose room
- June 9 - Lori Nelson retirement event at DFAC
- June 10 - Performance by Olivia Whiddon, co-curator of Written by Water
- June 15 - Early Years A Walk in the Wilderness event - over 500 in attendance
- June 17 - Birthday Party (Thatcher, age 5) - Gail Konantz Studio
- June 17 - "The Muse in Minaki" donor relations event
- Twenty-one school and group visits from ages 4-5 to post-secondary students to senior citizens at Pinecrest and Wiigwaas

## Appendix A – Recreation Facility Usage and Stats

This report has been generated based on the activities and data collected during the period of April - June 2023

### Participant Visits by Activity

ACTIVITY	January – March 2022	April – June 2022	January – March 2023	April – June 2023
Lane Swim	1243	1614	2123	1772
Tot Swim	615	625	842	342
WaterFit	974	1317	1555	1733
GentleFit	107	268	208	187
Schools	3980	5782	5251	5449
Public Swims	5418	5639	6843	4107
Weekend Leisure Swims	815	718	1072	559
Rentals	1091	1722	1671	1896
Swim Lessons	1474	2718	1650	2000
Life Saving Society Programs	459	252	52	89
Special Olympics	71	51	88	39
Kenora Swimming Sharks/Kenora Borealis	645	924	1541	1174
Other (Special Programming)	258	446	571	128
Hot Tub	3395	4184	5622	10,250
<b>Pool Totals</b>	<b>20,545</b>	<b>26,260</b>	<b>29,089</b>	<b>29,725</b>
Walking Track	2136	1834	4319	1769
Open Ice	740	52	745	107
Fitness Centre	8266	14,383	14,389	11,853
Group Fitness	795	1329	1944	1829
<b>Facility Total</b>	<b>32,482</b>	<b>43,858</b>	<b>50,486</b>	<b>45,283</b>

\*\*\* The bather load for the pools is sporadically tallied by lifeguards throughout the day. During a swim, a bather can utilize all 4 pools and be counted each time they enter a pool. These numbers are utilized so the operators can properly calculate the chemistry of the pool for adding fresh water/chemicals.

### Facility Rental Hours

Facility Booking in Hours	January – March 2022	April – June 2022	January – March 2023	April – June 2023
Thistle Rink	776.5 hours	223.50 hours	1105 hours	189 hours
Bowman Electric Keewatin Memorial Arena	466.75 hours	85.5 hours	778 hours	170 hours
Recreation Facility Rooms	437.75 Hours	858.75 hours	675.5 hours	879.7 hours
Dry Pad Rentals	0 hours	-	0 hours	364 hours

\*Some room rentals are rented out from community partners, such as New Horizon's Senior Centre and other City organizations.

### Membership and Package Sales

Membership Type	January – March 2022	April – June 2022	January – March 2023	April – June 2023	YTD 2023
Annual	40	44	45	58	103
Post-Secondary	28	61	23	82	105
3 Month	82	90	120	84	204
6 Month	12	19	20	14	34
1 Month	124	28	200	159	359
10 Visit Passes	179	102	244	141	385
25 Visit Passes	172	194	283	205	488
Instructional Program 10 and 25 Visit Passes	30	42	56	39	95

### Programs / Activities

\$3 Saturdays – April 1 <sup>st</sup>	Family Skate Open Skate Open Hockey
April Group Fitness	25 classes offered. Pop Up Classes: Inner Power April 6 <sup>th</sup> Flow April 6 <sup>th</sup> Body Balance April 16 <sup>th</sup> & 30 <sup>th</sup>
April 6 <sup>th</sup>	\$3 Public Skate before Easter Weekend
PD Day April 21 <sup>st</sup>	\$3 Family Swim \$3 Public Swim
Late Spring Swim Registration – May 2 <sup>nd</sup>	Preschool Swim for Life: 26 participants enrolled. Preschool Swimmer 1 – 6: 42 participants enrolled
May Group Fitness	26 classes offered
June Group Fitness	22 classes offered Pop Up Classes: Body Balance June 4 <sup>th</sup> & 18 <sup>th</sup>



	Yoga Fit June 21 <sup>st</sup>
PD Day – June 12 <sup>th</sup>	\$3 Activities: Family Swim Kids Obstacle Course Open Swim
Party in the Park – June 16 <sup>th</sup>	Partnered with: <ul style="list-style-type: none"> <li>- Mosswood Adventures</li> <li>- Kenora Rowing Club</li> <li>- Ne-Chee Friendship Centre</li> <li>- Kenora Youth Hub</li> <li>- Moncrief Constructions</li> <li>- Kenora Fire</li> <li>- Kenora OPP</li> <li>- MNR</li> <li>- City of Kenora</li> <li>- Kenora Public Library</li> <li>- KACL Children's Services</li> <li>- Health in a cup</li> </ul>
Offered programming to Camp Stevens	LSS Bronze Medallion/Cross Course: 13 participants
Offered Swim & Play to Ne-Chee Friendship Centre	7 participants

Appendix B – Publications to note

**Friday, April 21**  
**PD DAY**  
 at the  
**Moncrief Construction Sports Centre**

**\$3 Swims**

Family Swim	10 - 11:30 am
Public Swim	1 - 3 pm

**SWIM TIME CHANGES**

Lane Swim	7 am - 12:30 pm
	3 - 4 pm

**JUNE 12TH**  
**PD DAY**

**\$3 ACTIVITIES**

**KIDS OBSTACLE COURSE**  
 11 AM - 12 PM  
 ON THE DRY PAD

**POOL**  
**FAMILY SWIM**  
 9:30 - 10:30 AM

**OPEN SWIM**  
 1 - 3 PM

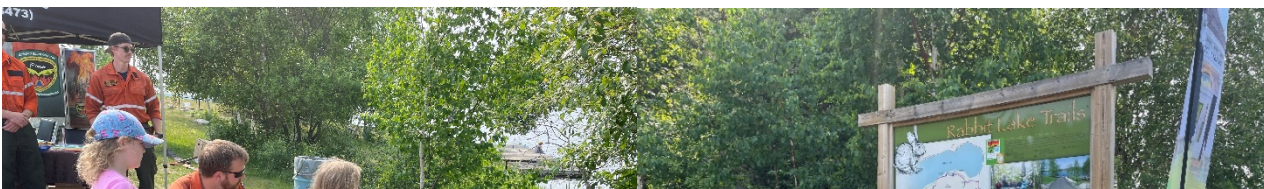
**SWIM CHANGES**  
 LANE SWIM: 7 - 9:15 AM, 12 - 1 PM & 3 - 4 PM  
 LEISURE SWIM: 12 - 1 PM & 3 - 5 PM

For more information please call 467-2087

**PARTY IN THE Park**  
**Garrow Beach**  
**FRIDAY, JUNE 16TH**  
 4 - 6 PM

**WHAT TO EXPECT:**

- Kenora Rowing Club Tour & Information
- Mosswood Adventures Information booth & demo
- Sponsored Free BBQ from Ne-Chee
- Kenora Youth Hub
- Fitness in the Park
- MCL Bucket Truck
- Kenora Fire Truck
- OPP
- City of Kenora Garbage Truck
- KACL Children's Services Information booth & Activity
- Kenora Public Library - Storywalk
- Swim to Survive and Water Smart with Lifeguards
- Health in the cup drinks
- And Much more!!!







September 7, 2023

## City Council Committee Report

**To:** Kyle Attanasio, CAO

**Fr:** Lori Nelson, The Muse Director

**Re:** The Muse By-law Amendments

**Recommendation:**

That Council gives three readings to a bylaw to authorize a bylaw respecting the Muse Board; and further

That bylaw number 88-2020 be hereby repealed.

**Background:**

In May 2020, Council passed a revised by-law respecting The Muse Board.

Recently, the Muse Board, in consultation with the CAO, have reviewed the by-law and have suggested amendments to clarify some areas of authority for The Muse Board, while also ensuring that policies are in place to provide accountability, control, and direction in those areas, specifically the Reserve Fund Policy and the Investment Policy. A Fundraising Policy is forthcoming.

**Budget:** There is no impact on the budget.

**Risk Analysis:** There is a low to insignificant risk associated with this report. Its purpose is to approve a by-law governing the operation of museum and art centre.

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

**Strategic Plan or Other Guiding Document:** Administrative

# The Corporation of the City of Kenora

## By-Law Number 88 - 2020

### A By-Law to Revise By-law 49-2019, Being a By-Law Respecting The Muse Board

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**Whereas** the *Municipal Act, 2001*, and in particular, section 196 thereof, authorizes municipalities to establish municipal service boards; and

**Whereas** the *Municipal Act, 2001*, and in particular section 198 thereof, provides that a municipality may give a municipal service board the control and management of such services and activities of the municipality as the municipality considers appropriate and shall do so by delegating the powers and duties of the municipality to the board in accordance with the *Municipal Act, 2001*, subject to any limits on and duties related to the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power;

**Whereas** Council by By-law 49-2019 established The Muse Board as a municipal service board to, subject to the limits established by Council, control and manage the Lake of the Woods Museum and the Douglas Family Art Centre and deems it advisable and expedient to revise this by-law and to continue The Muse Board under the provisions hereof;

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

#### Definitions

1. In this By-law, unless the context requires otherwise,

“Art Centre” means the Douglas Family Art Centre;

“Board Member” means a member of The Muse Board;

“By-law” means this By-law, including its schedules;

“City” means The Corporation of the City of Kenora or, where referring to a geographic area, the City of Kenora;

“Council” means the council of the City;

“Museum” means the Lake of the Woods Museum;

“The Muse” means the facilities known as the Lake of the Woods Museum and the Douglas Family Art Centre; and

“The Muse Board” means the municipal services board established by By-law 49-2019 and continued hereunder.

## Purpose

2. The Muse Board is continued as a municipal services board under section 196 of the *Municipal Act, 2001* to:
  - a) control and manage, subject to the limits established by Council, a museum, and in particular, the Lake of the Woods Museum, for the purpose of collecting, preserving, researching, exhibiting and interpreting the material culture, photographs and documents and artifacts of historical, scientific and cultural interest that serve to illustrate the human history of this region, including, without limitation, the region's first people and the founding, settlement and development of Rat Portage, Kenora, Keewatin, Jaffray Melick and Lake of the Woods for the purpose of the education, enjoyment and entertainment of the public;
  - b) control and manage, subject to the limits established by Council, an art centre, and in particular, the Douglas Family Art Centre, for the purpose of collecting, preserving, researching, exhibiting and interpreting the visual arts as defined by the Exhibit Policy and Collections Management Policy of the Douglas Family Art Centre; and including without limitation, the following:
    - a. serving as a public exhibition centre for the visual arts, for the purposes of education, enjoyment and entertainment; and
    - b. promoting, presenting and encouraging activities in the visual arts;
  - c) serve as a resource centre for local and area history and matters related to the collection and presentation of the visual arts;
  - d) encourage interest, discussion, exchanges of views and ideas, appreciation and support of arts and history, and participation by the presentation of opportunities to engage in the foregoing; and to
  - e) provide a significant tourist attraction which will draw maximum use by the general public.

## Property

3. All assets that are, subject to the limits established by Council, controlled and managed by The Muse Board are controlled and managed in trust and as agent for the City, which retains ownership of all such assets.
4. For the purpose of establishing, maintaining and operating the Muse, Lots 14, 15, 16 and part of Lot 13, Block 1, Plan 3 and the buildings, structures, equipment and other real and personal property thereon are, subject to the limits established by Council, placed by the City under the management and control of The Muse Board. Such real and personal property shall be used for a museum and an art centre complex and related parking.

5. The City shall remain the owner of all real and personal property placed, subject to the limits established by Council, under the management and control of The Muse Board.
6. Title to all real property acquired and all buildings and other structures and improvements constructed thereon for the purposes of The Muse shall be in the name of the City.
7. The eight parking spaces adjacent to the right-of-way abutting Lot 13 shall, subject to the limits established by Council, be controlled and managed by The Muse Board and all revenue from the rental of these spaces shall go directly to The Muse Board to advance its purposes.

### **Disposal of Assets**

8. In the event that a decision is made by Council to permanently close the Lake of the Woods Museum in its entirety and/or the Douglas Family Art Centre in its entirety, The Muse Board shall make recommendations to Council as to the disposition of the assets of the facility to be permanently closed, with Council making the decision with respect to the disposition of such assets.
9. With respect to Lake of the Woods Museum assets, in the event that a decision is made to permanently close the Lake of the Woods Museum in its entirety, the Disposal of Assets Statement set out in Schedule "B" to this By-law (which was created solely to meet governance standards established by the Ministry of Tourism, Culture and ~~Recreation~~ Sport) shall be applied to address the disposal of such assets.
10. With respect to Douglas Family Arts Centre assets, in the event a decision is made to permanently close the Douglas Family Art Centre in its entirety, Council may use the Disposal of Assets Statement set out in Schedule "B" to this By-law as a guideline to assist it in addressing the disposal of such assets.

### **Management and Control, Subject to the Limits Established by Council**

11. Subject to the limits established by Council in this By-law and otherwise from time to time, the control and management of the Lake of the Woods Museum and the Douglas Family Art Centre is delegated to The Muse Board.
12. The Muse Board shall be governed by the constitution which is attached as Schedule "A" to this By-law.
13. The Muse Board shall formulate and recommend to Council policies and regulations relating to the operations of the Lake of the Woods Museum and the Douglas Family Art Centre. Council may, in its discretion, accept or reject such recommendations in whole or in part and no policies or regulations shall come into effect until approved by Council. Council may also formulate new policies and regulations independently and/or revoke policies and/or regulations. The Muse Board shall implement all policies and regulations approved by Council.

14. In accordance with subsection 391(1.1) of the *Municipal Act, 2001*, The Muse Board may impose fees or charges on persons for services or activities provided or done by or on behalf of The Muse Board; for costs incurred by it for goods or services or activities provided or done for participation in or admittance to any part of the Museum and/or the Art Centre's programs, services and facilities; and for the use of Museum and Art Centre property.
15. Persons employed for purposes of the Lake of the Woods Museum and/or the Douglas Family Art Centre are City employees and shall act in accordance with all City policies.
16. With respect to **The Muse Director**, notwithstanding that he or she consults with and assists The Muse Board, the Director of The Muse Board reports to the ~~Manager of Community Services for the City~~ **designated City official with responsibility for The Muse Board.** ~~The Manager of Community Services for the City~~ **The designated City official with responsibility for The Muse Board** shall conduct annual performance reviews for The Muse Director, but, in doing so, will consider input provided by The Muse Board.
17. In accordance with the applicable City of Kenora Recruitment Policy (Policy #HR1-01 at the time of passage of this By-law), The Muse Board may participate in the recruitment process for the hiring of a qualified and competent Muse Director only. All other employees of **The Muse** are hired in accordance with Human Resources Policies of the City and The Muse Board will be made aware of the successful candidates.

### **Limits on Authority**

18. Notwithstanding any other provision in this By-law, The Muse Board is not authorized to do any of the following, all such authority remains solely with Council:
  - a) incorporate, amalgamate with another entity, apply to continue under the laws of this or another jurisdiction, merge, consolidate or re-organize, whether statutorily or otherwise;
  - b) take any steps to permanently close the Lake of the Woods Museum and/or the Douglas Family Art Centre or to wind up or dissolve The Muse Board;
  - c) subject Muse assets to any lien, charge, encumbrance or security interest;
  - d) guarantee any indebtedness of any person;
  - e) incur any debts, liabilities or obligations that have not been approved by Council through its budget process **with the exception of expenditures that are fully funded through commitments from third-party donations;**
  - f) expend any of The Muse reserve funds **outside of the Reserve Fund Policy;**
  - g) expend any monies raised through Muse fundraising efforts **outside of the Fundraising Policy;**
  - h) acquire any property, except in the name of the City;



- i) acquire any real property or sell or otherwise transfer or dispose of any real property; or
- j) subject to the limits established by Council from time to time, sell or otherwise dispose of any **personal** property that is under the management or control of The Muse Board, ~~other than items such as souvenirs and used office equipment sold or disposed of in the ordinary course of business~~ other than items sold in the gift shops, used equipment sold or disposed of in the ordinary course of business, or items which fall within the purview of the Collections Management policies of the Lake of the Woods Museum or Douglas Family Art Centre.

- 19. ~~The Muse Board shall not incur, or purport to incur, any debt, liability or obligation on behalf of The Muse Board or the City, without having previously obtained the consent of Council to do so.~~ *This is already addressed under Section 18.e.*
- 20. The Muse Board acts as a whole and no member of The Muse Board has authority to incur, and shall not purport to incur, any debt, liability or obligation on behalf of The Muse Board or the City, without having previously obtained the consent of The Muse Board or Council, as the context requires.

### Reporting to Council

- 21. The Muse Director, on behalf of The Muse Board, shall, through the ~~Manager of Community Services~~ *the designated City official with responsibility for The Muse Board*, submit an annual operating and capital budget to Council for its approval and all expenditures made by The Muse Board shall be expenses approved by Council through the budget process, unless Council expressly and in writing approves otherwise.

### Board Minutes

- 22. The City shall designate a person to be responsible for the recording of Board minutes.
- 23. The official copy of the minutes and financial records of The Muse Board shall be delivered by The Muse Director to the City Clerk for safekeeping and shall be stored at City Hall, 1 Main Street South, Kenora, ON, or at such other location as Council may require. A copy of the minutes and the financial records may be stored at the Lake of the Woods Museum at 300 Main Street South, Kenora, ON, and/or at such other location as Council may require.
- 24. The Muse Board shall, without undue delay, submit to ~~Council~~ *the City Clerk* all open and closed minutes and resolutions from meetings of The Muse Board and an audited statement.

### Members of The Muse Board and Terms of Office

- 25. The Muse Board shall consist of nine (9) members appointed or re-appointed by Council *in consultation with The Muse Director*, one of whom shall be a Member of Council

appointed to represent Council. For greater certainty, a Member appointed by Council is a voting member of The Muse Board.

26. All appointments are at the pleasure of Council, and in no case shall an appointment be for a term of more than four (4) years.
27. Notwithstanding section 26, a Board Member may be re-appointed to The Muse Board for more than one term.
28. Unless Council provides otherwise, The Muse Board Member appointments and re-appointments shall be in accordance with the City's Boards & Committees Policy, subject to any modification, to the extent necessary, required in order to comply with the appointment restrictions established in section 196 of the *Municipal Act, 2001* and this By-law.
29. In addition to meeting the criteria established in the City's Boards and Committees Policy, The Muse Board Members must be members in good standing of The Muse.
30. The Muse Board Member appointments may, at any time, be revoked at the pleasure of Council.
31. Any member of The Muse Board may terminate his or her term on The Muse Board by submitting his or her resignation in writing to the Chair and the Vice-Chair of the Board. Within seven (7) days of receipt of such resignation, shall be forwarded to the City Clerk.
32. Unless Council provides otherwise, meeting attendance requirements for The Muse Board Members and consequences for absences from such meetings shall be in accordance with the City's Boards & Committees Policy.
33. Vacancies on The Muse Board shall be filled in accordance with the City of Kenora's Boards and Committees Policy and this By-law. For greater certainty, decisions respecting the filling of vacancies rest solely with Council.
34. Board member time, knowledge, and resources are valued and important contributions to The Muse. Members of The Muse Board are under a duty to attend The Muse events and to support The Muse fundraising efforts.
35. The Muse Director, while not a member of The Muse Board (and, thus, having no voting rights), shall attend Board Meetings, open and closed, to provide support to The Muse Board at such meetings.
36. The ~~Manager of Community Services of the City~~ designated City official with responsibility for The Muse Board, while not having voting rights, may attend all meetings, open and closed, of The Muse Board.

## Officers

37. The Muse Board shall appoint a Chair, Vice-Chair, and a Secretary-Treasurer and may appoint such committee members to sub-committees as are required to carry out The Muse Board's mandate.

## Signing Authority

38. Each of the Chair, the Vice-Chair, the Secretary-Treasurer, ~~The Muse Director and the Manager of Community Services of the City designated City official with responsibility for The Muse Board~~ shall have signing authority for The Muse Board for the duration of their respective appointments to these positions. For greater certainty, such authority shall expire upon such person's resignation or upon the expiration of such person's term.
39. Two persons with signing authority, with one to be the Chair, the Vice Chair or the Secretary-Treasurer and the other to be ~~The Muse Director or the Manager of Community Services for the City designated City official with responsibility for The Muse Board~~, are required to sign any document on behalf of The Muse Board or to otherwise bind The Muse Board to any commitment or obligation.

## Meetings

40. A minimum of nine (9) Muse Board meetings shall be held annually.
41. The Muse Board may hold its meetings at such time and place as it may from time to time determine.
42. The Muse Board Chair shall preside at all meetings. In the event of the Chair's absence, the meeting shall be presided over by the Vice-Chair.
43. Special or emergency Muse Board meetings may be called by the Chair, on his or her own initiative, at the request of any Muse Board Member, or at the request of ~~The Muse Director and~~ notice of the meeting shall be telephoned or electronically sent to each Muse Board Member, to the Muse Director and ~~Manager of Community Services the designated City official with responsibility for The Muse Board~~ not less than three (3) days before the requested meeting.
44. A Muse Board meeting must be called if a requisition is signed by at least three (3) members of the Board.
45. In extenuating circumstances, the Chair of The Muse Board may call a meeting on shorter notice than the time period prescribed in section 43.
46. Reasons for the calling of the special or emergency meeting, including why it is being called on short notice, if applicable, shall be provided by the Chair with the notice of the calling of the meeting.
47. Unless otherwise provided in this By-law or in the Constitution of The Muse Board, meetings shall be conducted according to the most recent edition of *Robert's Rules of Order Newly Revised*.

## Quorum

48. Subject to section 7 of the *Municipal Conflict of Interest Act*, a majority of the members of **The** Muse Board shall constitute a quorum.
49. Meetings may be held and motions may be voted upon in person or by electronic means. With respect to an electronic vote, such vote must be approved by The Muse Board in advance of the vote.

### **Remuneration**

50. All Muse Board Members shall act in all of their capacities with The Muse Board without remuneration.
51. Board Members may be reimbursed for reasonable expenses incurred by them on behalf of The Muse Board, provided that such expenses were incurred in good faith for the purposes of The Muse Board and such expenses are authorized in the budget of The Muse Board.

### **Board Member Conduct**

52. Members of The Muse Board shall carry out their duties in good faith and with the best interests of The Muse Board in mind.
53. With regards to their conduct, in addition to this By-law and The Muse Board Constitution, Board Members are governed by all applicable laws and policies, including but not limited to the *Municipal Conflict of Interest Act*, Part V.1 of the *Municipal Act, 2001* and the Code of Conduct of the City for members of council and local boards.

### **Amendments to the Bylaw**

54. The Muse Board may, by resolution, authorize requests to the Council for amendments to this By-law. The Council, after considering such requests, may determine, in its discretion, to approve or deny any such requests, in whole or in part.

### **Repeal**

55. When this By-law to revise By-law 49-2019 comes into effect, By-Law Number 49-2019 is repealed.

### **Effective Date**

56. This By-law shall come into force and take effect on the final passing hereof.

**By-law read a First & Second Time this 19<sup>th</sup> day of May, 2020**

**By-law read a Third & Final Time this 19<sup>th</sup> day of May, 2020**

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

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**Daniel Reynard, Mayor**

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**Heather L. Pihulak, City Clerk**

## **The Muse Board Constitution**

### **1. Name and Location**

- i. The Muse is comprised of the Lake of the Woods Museum and the Douglas Family Art Centre and is governed by a municipal services board established by The Corporation of the City of Kenora (the “City”) and known as The Muse Board.
- ii. The Muse is located on the traditional territory of the Anishinaabeg and the Métis, dating back over 8,000 years. It is land covered by Treaty #3, signed October 3, 1873 and the Treaty Adhesion signed by the Métis in 1875.
- iii. The operations of the Muse are to be primarily carried out in the City of Kenora and the surrounding area.

### **2. Purpose**

The purposes of The Muse Board are to:

- a) control and manage, subject to the limits established by Council, a museum, and in particular, the Lake of the Woods Museum, for the purpose of collecting, preserving, researching, exhibiting and interpreting the material culture, photographs and documents and artifacts of historical, scientific and cultural interest that serve to illustrate the human history of this region, including, without limitation, the region’s first people and the founding, settlement and development of Rat Portage, Kenora, Keewatin, Jaffray Melick and Lake of the Woods for the purpose of the education, enjoyment and entertainment of the public;
- b) control and manage, subject to the limits established by Council, an art centre, and in particular, the Douglas Family Art Centre, for the purpose of collecting, preserving, researching, exhibiting and interpreting the visual arts as defined by the Exhibit Policy and Collections Management Policy of the Douglas Family Art Centre; and including without limitation, the following:
  - a. serving as a public exhibition centre for the visual arts, for the purposes of education, enjoyment and entertainment; and
  - b. promoting, presenting and encouraging activities in the visual arts;
- c) serve as a resource centre for local and area history and matters related to the collection and presentation of the visual arts;

- d) encourage interest, discussion, exchanges of views and ideas, appreciation and support of arts and history, and participation by the presentation of opportunities to engage in the foregoing; and to
- e) provide a significant tourist attraction which will draw maximum use by the general public.

### **3. Responsibilities of The Muse Board**

The Muse Board is an agent of The Corporation of the City of Kenora (the "City") and was established as a municipal services board by by-law of the Council of the City. The assets of the Muse are owned by the City.

In addition to the duties and responsibilities set out in the by-laws of the City authorizing the establishment of The Muse Board and which relate to the control and management of the Muse by The Muse Board, The Muse Board shall, subject to the limits established by Council, be responsible for all of the following with respect to the control and management of the Muse:

- a) developing, evolving and pursuing the vision and mission of the organization;
- b) creating an organizational strategic plan and overseeing achievement of organizational goals;
- c) promoting and executing good governance through accountability and stewardship, Muse Board recruitment, education and development;
- d) cultivating and maintaining positive governmental relations;
- e) pursuing and maintaining financial sustainability;
- f) recommending policies and regulations;
- g) providing legal, regulatory and fiduciary oversight;
- h) recommending Terms of Reference for all standing and ad hoc committees to Council for Council's consideration;
- i) reviewing and considering recommendations from the standing and ad hoc committees;
- j) ensuring that Muse Board Members have the necessary skills and practices to fulfill their functions and responsibilities; and
- k) contributing to the management and performance of the Muse Director.

### **4. Standing Committees**

Subject to Council approval of their establishment and their Terms of Reference, The Muse Board may establish the following three (3) Standing Committees:

1. the Museum Advisory Committee
2. the Art Centre Advisory Committee
3. the Indigenous Advisory Committee

Council may, in its discretion, revoke its approval of a Standing Committee, require it to be disbanded and/or require any changes to its Terms of Reference.

## **5. Additional Committees**

Subject to Council approval of their establishment and their Terms of Reference, additional ad hoc committees may be established by The Muse Board and:

- a) each committee of The Muse Board shall develop and function in accordance with their respective objectives and regulations according to the Terms of Reference established and approved by Council; and
- b) there shall be a minimum of one (1) Muse Board Member on each committee.

Council may, in its discretion, revoke its approval of any ad hoc committee, require it to be disbanded and/or require any changes to its Terms of Reference.

## **6. Finances**

- a) The financial year of The Muse Board shall be from January 1 to December 31.
- b) The financial accounts of The Muse Board shall be audited by auditors appointed by the City at the time that the other City accounts are being examined. A copy of the audited financial statements shall be provided to the City Treasurer, without undue delay, upon approval by The Muse Board.
- c) The Muse Board shall be carried on without purpose of gain for its members.

## **7. Code of Conduct**

- a) Each member of The Muse Board shall adhere to the highest standards of ethical and professional conduct required of persons representing the public, the City and The Muse Board and, without limiting the generality of the foregoing, each member of The Muse Board shall adhere to the Code of Conduct of the City that governs members of council and members of local boards.



- b) Although a member of The Muse Board may comment on or disagree with any topic, issue and direction taken by the Board within a meeting of The Muse Board, once a decision is made by The Muse Board, in the interests of public relations and public confidence in The Muse Board, any and all comments made outside the confines of the Board's meetings should be supportive and should not undermine the credibility and reputation of The Muse Board or the City.
- c) The Chair of The Muse Board or, alternatively, the Muse Director shall be the sole spokesperson in any cases of public comment, reports to the media, and public presentations beyond standard committee reports. The Chair may delegate this responsibility to anyone as circumstances dictate or as the occasion may arise.
- d) Muse Board Members shall comply with the policies of the Muse and all applicable law, including the *Municipal Conflict of Interest Act*, the *Municipal Act, 2001*, the *Municipal Freedom of Information and Protection of Privacy Act*, and all other relevant federal, provincial and municipal legislation.

## **8. Public Accessibility and Confidentiality**

- a) Meetings of The Muse Board are deemed "public".
- b) Consistent with section 239 of the *Municipal Act, 2001*, any meeting may move in-camera, or be closed to the public when the subject involves:
  - i. the security of the property of the City or The Muse Board;
  - ii. personal matters about an identifiable individual, including municipal or Muse Board employees;
  - iii. a proposed or pending acquisition or disposition of land;
  - iv. labour relations or employee negotiations;
  - v. litigation or potential litigation, affecting the City or The Muse Board;
  - vi. advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or
  - vii. a matter in respect of which a Council, Board or committee or other body may hold a closed meeting under another Act.
- c) In addition, a meeting of The Muse Board or a Muse Board committee may be closed to the public if the following conditions are both satisfied:
  - i. the meeting is held for the purpose of educating or training the members; and
  - ii. at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of The Muse Board or Muse Board committee.

- d) Minutes of decisions only shall be recorded and maintained of all in-camera sessions and may be approved at any subsequent open meeting of The Muse Board.

## **9. Amendments to the Constitution**

The Muse Board shall complete a comprehensive review of the Constitution every four (4) years and shall make recommendations to Council regarding amendments to the Constitution.

Any amendments to the Constitution recommended by The Muse Board must be ratified by Council by bylaw before they come into force and effect.

## Schedule “B”

### Disposal of Assets Statement for the Lake of the Woods Museum

This Disposal of Assets Statement was created solely to meet governance standards established by the Ministry of Tourism, Culture and ~~Recreation~~ Sport.

In the event that a decision is made to permanently close the Lake of the Woods Museum in its entirety, this Disposal of Assets Statement sets out how the City will dispose of the Lake of the Woods Museum collection of historically significant assets and of funds that were specifically designated for collection, acquisition and development.

#### 1. General

The City and The Muse Board, the City’s agent, will proceed as follows to implement this Disposal of Assets Statement.

Every effort shall be made to ensure that historical objects, archival material and heritage structures remain in the public domain.

The City and The Muse Board shall attempt to transfer all assets to another governmental or not-for-profit agency located in the Kenora area, whose mandate is consistent with that of the Lake of the Woods Museum.

The City and The Muse Board shall seek a successor agency that will carry out its responsibilities at a level consistent with generally accepted museological standards, with the Ministry of Tourism, Culture and ~~Recreation~~ Sport Community Museum Standards at the applicable time intended to serve as a minimum standard.

The new organization shall be required to meet all requirements of municipal, provincial and federal regulations governing the operation of museums.

The City and The Muse Board shall not approve disposals directly to a City employee, a former City employee, a member of The Muse Board, a former Member of The Muse Board, a member of any Muse Board Committee or Advisory Board, a member or former member of City Council, a Muse Board volunteer, or the family members or other representatives of such persons.

The City and The Muse Board shall not sell the museum collection to reduce liabilities prior to transfer to another agency.

#### 2. Historical Objects

The disposal of historical objects, everything else being equal, shall proceed in the following preferred order:

- a) transfer of the museum collection in total to another governmental or not-for-profit agency;

- b) donation of collections of objects to other publicly funded museums and related repositories;
- c) donation of individual objects to other publicly funded museums and related repositories;
- d) sale by public auction.

For those objects that were accepted into the Muse's collection with conditions attached by the donor, a thorough search of collection records shall be completed to identify such conditions so that every reasonable effort can be made to ensure that such conditions are honoured by the City, The Muse Board and/or any successors.

Objects originally acquired with the financial assistance of government grants or funding programs shall be gifted only to other public agencies.

Upon approval of a recommendation to dispose of parts of a collection and/ or individual objects, the City and The Muse Board shall make public, through the appropriate professional museum associations, a list of items to be disposed of that may be of significance to another institution. Such notice shall be made at least two months in advance of the proposed date of disposal.

Disposals to museums and related repositories shall only be considered if those repositories meet a level consistent with generally accepted museological standards, with the Ministry of Tourism, Culture and **Recreation Sport** Community Museum Standards at the applicable time intended to serve as a minimum standard.

The City and The Muse Board shall not dispose of historical objects by returning them to the original donors as a gift; however, the original donor may purchase the object(s) at current fair market value at public auction should a sale occur.

For objects being sold at public auction, the City and The Muse Board shall seek tenders for the sale of the objects by reputable auctioneers. The City and The Muse Board shall ensure that the place, date and time of any sale(s) at which objects from The Muse Board's collection are being sold are widely advertised.

All monies realized from the sale of disposed historical objects shall be deposited in a reserve fund, to be administered by the City.

The City and The Muse Board shall not transfer or donate objects which pose a threat or risk to others without first advising the receiver of the risk. The Muse Board and the City shall not sell objects at public auction which pose a threat or risk to others.

Prior to disposing of an object, other than transferring the entire Lake of the Woods Museum collection to another agency, accession numbers shall be removed from all objects.

Disposals shall adhere to all applicable municipal, provincial and federal laws and international agreements and treaties.

### **3. Structures**

The City and The Muse Board and respective successors shall honour any heritage designation or easement affixed to real property, including structures, and, should it be deemed necessary and advisable to do so, the City and The Muse Board shall seek a registration of a restrictive covenant or notice on the title of the designated heritage structure(s) which is to be transferred in order to protect against demolition and to ensure that changes made to the structure respect the historical integrity of the building.

All monies realized from the sale of disposed heritage structures shall be deposited in a reserve fund, to be administered by the City.

#### **4. Heritage Accounts**

All monies in the Lake of the Woods Museum's Heritage Account and Collection and Exhibition Development Fund shall be deposited in a reserve fund, to be administered by the City.



September 5, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Janis Pochailo, Director of Planning and Building**

**Re: Planning and Building – Q2 Report**

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for the Planning and Building Department.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. To provide Council with an update on progress towards achieving these goals, the following report has been created.

The Planning and Building Department is comprised of the following Divisions: Planning; Building Inspection; and Development Services.

### **Focus Area 2 - Tourism, Economic Growth, and Development**

#### **Goal 2.1 (A) – Promote new investment and development of City-owned and private lands in Kenora:**

The Planning and Building Department facilitates development by processing applications for land division (subdivision, condominiums and consents), land use consultation, and the issuing of building permits. In the year to date Planning has received thirteen (13) applications for land division which will add 87 new lots to the housing market. The Department has also assisted seven (7) clients to rezone their land and obtain planning approvals for residential and commercial development.

Building Inspection continues to process permit applications for new development. Although the number of approved permits is slightly down from last year, the division is managing larger development projects, so overall building investment is high. Year to date building investment for the City of Kenora is \$38,449,889.00. This exceeds August 2022 investment numbers by \$11,413,524. In addition, there are 53 permit applications proceeding through plan review. We therefore anticipate much higher building investment by the end of 2023.

## **Goal 2.1 (B) – Facilitate opportunities for more and diverse housing development across the housing spectrum:**

Planning and Building has facilitated approvals for numerous housing developments including subdivision for a 68 unit condominium (duplex and tri-plex), zoning and Official Plan amendments for an affordable housing development (147 apartment dwelling units, ten (10) bungalow townhomes and 60 two storey townhomes), a zoning variance for a two (2) building 87 unit apartment complex, a zoning variance for a mixed use development with sixteen (16) suites targeted for low-income senior tenants, and subdivision approval for ten (10) waterfront lots rural residential development.

### **Goal 2.1.2 – Continuously identify and divest City-owned and surplus lands as recommended by the City of Kenora Vacant Lands and Growth Strategy:**

Development Services is in the process of concluding land sales agreements for several properties including one in a prominent Main Street location that will bring new business and housing to our Commercial Centre. The division is also conducting preliminary research into divestment of a property on Highway 17 East and working with a developer who is interested in the purchase of city property for a hotel.

### **Goal 2.1.3 – Complete the comprehensive review of the City of Kenora Official Plan and Zoning By-law:**

The Province of Ontario has reviewed the draft City of Kenora Official Plan and scheduled a follow up meeting in mid-September. In preparation, the Planning Division is reviewing the both the current and proposed Official Plans.

## **Focus Area 3 - Community Recreation, Well Being, and Safety**

### **Goal 3.1.3 – Complete an Active Transportation Plan:**

Together with Recreation and Culture, the Planning Division has engaged Urban Systems Planning Consultants to prepare an Active Transportation Master Plan (ATMP) for the City of Kenora. The ATMP will help the City prioritize investments in new infrastructure and provide informed decision making around other active transportation initiatives. Over the last quarter Urban Systems has engaged with Kenora and area residents through an online survey and in-person displays at the Matiowski Farmers Market.

## **Focus Area 4 - Service Delivery and Organizational Capacity**

### **Goal 4.1.3 Employ technology to enhance the “customer experience”:**

**Cloudpermit** – The City’s contract with RSM Building Consultants has given our Building Inspection Division the opportunity to “test drive” Cloudpermit online portal for building permit applications. Once applications are uploaded into the system, applicants are able to review the status of their application, communicate directly with the plan reviewer and upload additional information as may be required. Regular notices and updates are emailed to the applicant directly from the portal.

## **Focus Area 5 – Relations with Treaty 3 Partners**

### **Goal 5.1.1 – Develop a strategy with a focus on advancing reconciliation, inclusion and relationships:**

**Winnipeg River Subdivision** – The Planning Division routinely circulates subdivision applications to Treaty 3 Partners. Recently Waushushk Onigum and Niisaachewewan Anishinaabe First Nations both submitted letters of objection for a rural residential subdivision adjacent to the Winnipeg River. In response, the department facilitated a meeting between the developer and our First Nation partners.

The meeting was very successful with the developer agreeing to address concerns relating to fish habitat and archeological resources. The developer also agreed to meet with a working group of Elders and provide access to the site for ceremony as required. The draft Plan of Subdivision was approved.



September 5, 2023

**City Council  
Committee Report**



**To: Kyle Attanasio, CAO**

**Fr: Janis Pochailo, Director of Planning and Building Services**

**Re: Permanently Close, Declare Surplus and Authorize the Sale of  
Shoreline Road Allowance, Part 1 23R 14935**

**Recommendation:**

That Council hereby authorizes to stop up, permanently close, declare surplus and authorize the sale of Part 1 23R 14935; and further

That Council hereby authorizes the Mayor and Clerk to complete purchase and sale agreements between the Corporation of the City of Kenora and Ray and Donna Gagnon for the sale of Part 1 23R 14935 in the amount of \$1,150 + HST; and further

That in accordance with public notice bylaw 160-2022 public notice is hereby given of the intention of Council to stop up, permanently close, declare surplus and authorize sale of said lands; and further

That three readings be given to two by-laws for this purpose.

**Background Information:**

In October 2022 an application for Minor Variance, File No. D13-22-12, subject property 214 Beryl Winder Road was approved to seek relief from Section 4.5.3(k) of the Zoning By-law to reduce the required shoreline front yard from 1.0 m to 0.0m adjacent a 20 m shoreline allowance on Plan M133.

At the time, the shoreline allowance was thought to be under the jurisdiction of the Ministry (Crown lands) as a shoreline reserve. The Ministry of Natural Resources and Forestry issued a Land Use Permit (LUP) to support the development of a sunroom that would encroach onto the Crown land.

Subsequently, the Crown Surveyor deemed the lands Municipal jurisdiction as a shoreline road allowance. Legal for the City of Kenora made an application to the Land Registry Office to have the City of Kenora entered as owners under Section 152 of the *Land Title Act*. Now that the lands have been patented and the City of Kenora is the registered owner, the lands are enabled to proceed with disposition as per the City of Kenora Sale and Other Disposition of Land Policy.

The shoreline road allowance has been surveyed as Parts 1 & 2 23R14935; Staff are recommending the disposition of a Part 1 23R14935, only. The total area is 0.037 ha in size and is located above the contour of elevation 320.60m CGVD28 datum.

**Budget:**

Mr. Del Burton, Broker REMAX Realty provided a letter of opinion and estimated the value of the shoreline allowance to be \$1,000.00. As per the Tariff of Fees for planning applications, the minimum price shall be \$1,150 plus applicable HST. All legal fees and advertising costs are borne by the applicant.

**Risk Analysis:** There is a positive financial risk associated with the disposition, generating revenue upon the sale and financial support for development on the property will contribute to economic growth outcomes and increased assessment. Future development shall be subject to approval through the City of Kenora Planning Department and shall require application for a Building Permit.

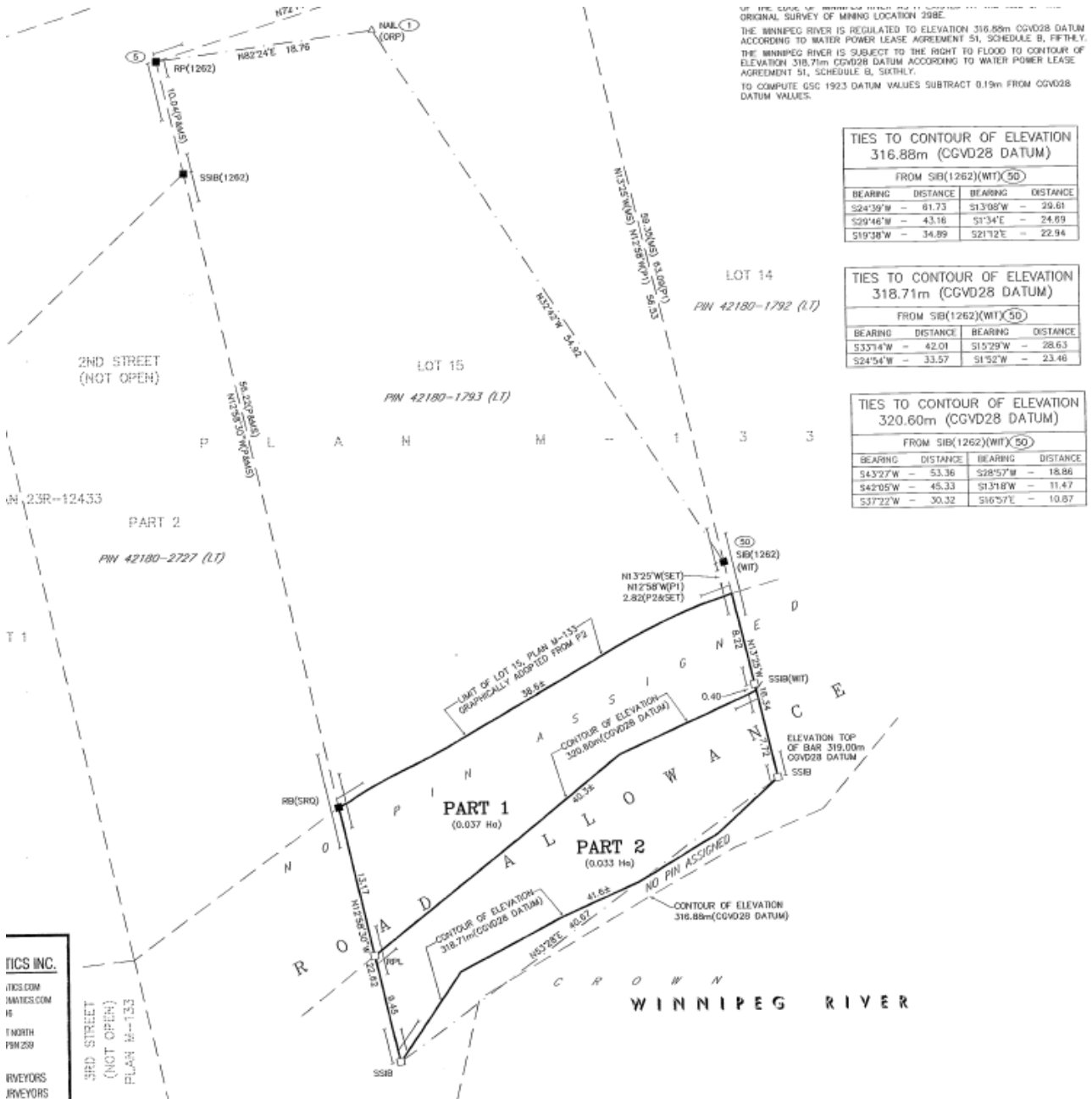
**Communication Plan/Notice By-law Requirements:** bylaw and public notice  
A notice of Intent to Stop Up, Close, and Declare Land Surplus of Complete Application to Purchase City Property was mailed to the owners of all neighbouring properties located within 60m of the subject properties and advertised in the Municipal Memo on August 10<sup>th</sup>, 2023, and August 17<sup>th</sup>, 2023.

**Strategic Plan or another Guiding Document:**

2.1.2 Continuously identify and divest City-owned vacant and surplus lands as recommended by the City of Kenora Vacant Lands and Growth Strategy.

# Schedule A

Part 1 and 2 23R-14935. Request to dispose of Part 1 23R-14935, only.



**TICS INC.**  
 TICS.COM  
 INFO@TICS.COM  
 16  
 1 NORTH  
 PIN 259  
 RVEYORS  
 RVEYORS

## Schedule B

Kenora GIS, 2022- aerial photo of subject lands.





July 12, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Kevan Sumner, City Planner**

**Re: D14-19-09 Mill Site–Removal of Holding Provision from Part of Lot 5**

### **Recommendation:**

That Council hereby approves the removal of the Holding “[h]” provision from a portion of lot 5 for which a Record of Site Condition has been completed, to allow the use of the land in accordance with the “R3” Residential – Third Density Zone; and further

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

### **Background:**

In November 2019, Council approved By-law 172-2019, a zoning amendment for the former Abitibi Mill Site (addressed at that time as 661 Ninth Street North). The zoning amendment proposed that certain portions of the property, including the one that has since been subdivided as Lot 5, Plan 23M-974, being zoned as R3[h], Residential Third Density, Holding Zone. A copy of By-law 172-2019 is attached.

The holding zone has the effect of allowing the uses set out in the R3 zone at some time in the future, when the holding symbol is removed by an amendment to the zoning by-law once specified conditions are met. For this property, the specified conditions were:

- a) A Record of Site Condition satisfactory to residential use is submitted and approved.
- b) Supporting studies, including a transportation impact study, servicing study to address water, sanitary, and stormwater requirements, noise and vibration study, and planning rationale are submitted and approved; and
- c) An agreement is entered into with the City of Kenora for the implementation of recommendations and associated mitigation as required by the supporting studies referenced in a) and b) above, to the satisfaction of the City, if required.

The necessity for a Record of Site Condition (RSC) was identified as a requirement due to regulations of the Ministry of the Environment, Conservation and Parks, as the proposed redevelopment of the property to include residential use would be a change to a more sensitive land use than the previous use of the property. The holding provision was included in the zoning to ensure that it was completed prior to any future planning approvals for redevelopment of the property.

Since that time, the owners of the property have completed a Record of Site Condition for the eastern portion of Lot 5, as identified in the attached survey. As part of that process, they filed a Phase 1 Environmental Site Assessment to evaluate the property for potential contamination and a subsequent Phase 2 Environmental Site Assessment to validate with on-site testing. These studies were conducted by qualified professionals and filed with the Ministry, and the recommendations will be considered by the City of Kenora in reviewing any future Site Plan Control application.

It is the opinion of the Planning Department that the studies mentioned under condition b) are not required at this time. A noise study is not required, as the subject property is more than 300m from the nearest rail line. Traffic concerns in the neighbourhood are being addressed via the Mellick Avenue extension to connect with Main Street North. A drainage plan and any necessary servicing studies will be required, if necessary, with the future application for Site Plan Control approval.

It is the opinion of the Planning Department that no formal agreement is required under condition c), as the Record of Site Condition has not identified any recommendations for mitigation.

As the property owner has fulfilled the condition for removal of the holding provision on this portion of the property, the Planning Department is recommending that Council formally do so. A Record of Site Condition has not been filed for the western portion of the property, so the holding zone will remain on that portion of the property, preventing any future development until the holding conditions are addressed or the zoning is amended to a non-residential zone.

**Budget:** N/A

**Risk Analysis:** There is no risk to approving the removal of the holding provision. The property owner has fulfilled the condition for removal and the recommendations of the report will help the Development Services division to ensure that any future redevelopment of the property is completed appropriately.

**Communication Plan/Notice By-law Requirements:** No public notice or public hearing is required for removal of a holding provision, per section 36(1) of The Planning Act, R.S.O., 1990..

**Strategic Plan or other Guiding Document:** Strategic Plan Goal 2.1: Facilitate opportunities for more and diverse housing development across the housing spectrum.

City of Kenora Official Plan, Section 8.3.3: Council may utilize Holding provisions as permitted under Section 36 of the Planning Act in order to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council uses a Holding provision, the use of land may be restricted to existing uses until... site contamination or other environmental constraints have been appropriately addressed.

# The Corporation of the City of Kenora

## By Law Number 172 - 2019

### A By-law to Amend Comprehensive Zoning By-law 101-2015

---

Whereas the Council of the Corporation of the City of Kenora passed Comprehensive Zoning By-law No. 101-2015 on December 15, 2015; and

Whereas Council has amended By-Law 101-2015 from time to time; and

Whereas it is deemed advisable and expedient to further amend By-Law 101-2015;

Now therefore the Council of the City of Kenora Enacts as follows:

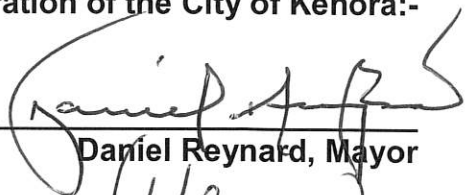
1. That Schedule A of the City of Kenora Comprehensive Zoning By-law No. 101-2015 is hereby amended by changing the zoning of property located at 661 Ninth Street North, and described as unopened roads, lots and blocks on historical plans of survey, being PIN #42170-0256 ("subject lands"), from Future Development (FD), Heavy Industrial (MH), and Residential Second Density (R2[h]) to General Commercial, Exception (GC[50]), Light Industrial (ML), Light Industrial, Exception (ML[46]), and Residential Third Density, Holding (R3[h]), as illustrated on Schedule "A" to this By-law.
2. That on the subject lands to be rezoned General Commercial, Exception Zone (GC[50]), a minimum front yard setback of 10 m and a minimum exterior side yard setback of 10 m shall be required.
3. That on the subject lands to be rezoned to Light Industrial, Exception Zone (ML[46]), a reduced front yard requirement from 6 m to 1.6 m, a reduced exterior side yard (south) from 6 m to 1.7 m, and a reduced exterior side yard (north) from 6 m to 2.4 m, shall be permitted to reflect existing buildings on the subject lands.
4. That on the subject lands to be rezoned to Residential Third Density, Holding Zone (R3[h]), the '-h' holding symbol may not be removed and development may not occur on the subject lands until:
  - a. A Record of Site Condition satisfactory to residential use is submitted and approved;
  - b. Supporting studies, including a transportation impact study, servicing study to address water, sanitary, and stormwater requirements, noise and vibration study, and planning rationale, are submitted and approved; and


- c. An agreement is entered into with the City of Kenora for the implementation of recommendations and associated mitigation as required by the supporting studies referenced in a) and b) above, to the satisfaction of the City, if required.
5. That this By-Law shall come into force as provided in the *Planning Act* c. 13, R.S.O. 1990, as amended, and thereupon shall be effective from the date of its final passing.
6. The City's Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this By-law, in accordance with the *Planning Act* c. 13, R.S.O. 1990, as amended.

**By-law read a First and Second time this 19<sup>th</sup> day of November, 2019**

**By-law read a Third and Final time this 19<sup>th</sup> day of November, 2019**

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

  
\_\_\_\_\_  
**Daniel Reynard, Mayor**

  
\_\_\_\_\_  
**Heather Pihulak, City Clerk**



Schedule "A"



# PLAN OF SURVEY OF

PART OF  
LOT 5, PLAN 23M-974

## CITY OF KENORA

DISTRICT OF KENORA

ERIC RODY, OLS

SCALE 1 : 750



METRIC: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471.

### BEARING NOTE

BEARINGS AND COORDINATES ARE UTM GRID, DERIVED FROM STATIC GPS OBSERVATIONS PROCESSED USING NATURAL RESOURCES CANADA PRECISE POINT POSITIONING ON NAIL 1 AND MONUMENT 5586 TO YIELD A GRID BEARING OF N 53°33' E, NAD 83 CSRS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 15 (93° W LONGITUDE) (2010).

### ROTATION NOTE

NO ROTATION REQUIRED.

### SCALE FACTOR NOTE

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999693.

### LEGEND

■	-----	DENOTES - SURVEY MONUMENT FOUND
□	-----	DENOTES - SURVEY MONUMENT PLANTED
IB	-----	DENOTES - IRON BAR
RB	-----	DENOTES - ROCK BAR
SSIB	-----	DENOTES - SHORT STANDARD IRON BAR
SIB	-----	DENOTES - STANDARD IRON BAR
1262	-----	DENOTES - R. M. JOHNSON, O.L.S.
RUGD	-----	DENOTES - RUGGED GEOMATICS INC.
P	-----	DENOTES - PLAN 23M-974
FNE	-----	DENOTES - FOUND NO EVIDENCE

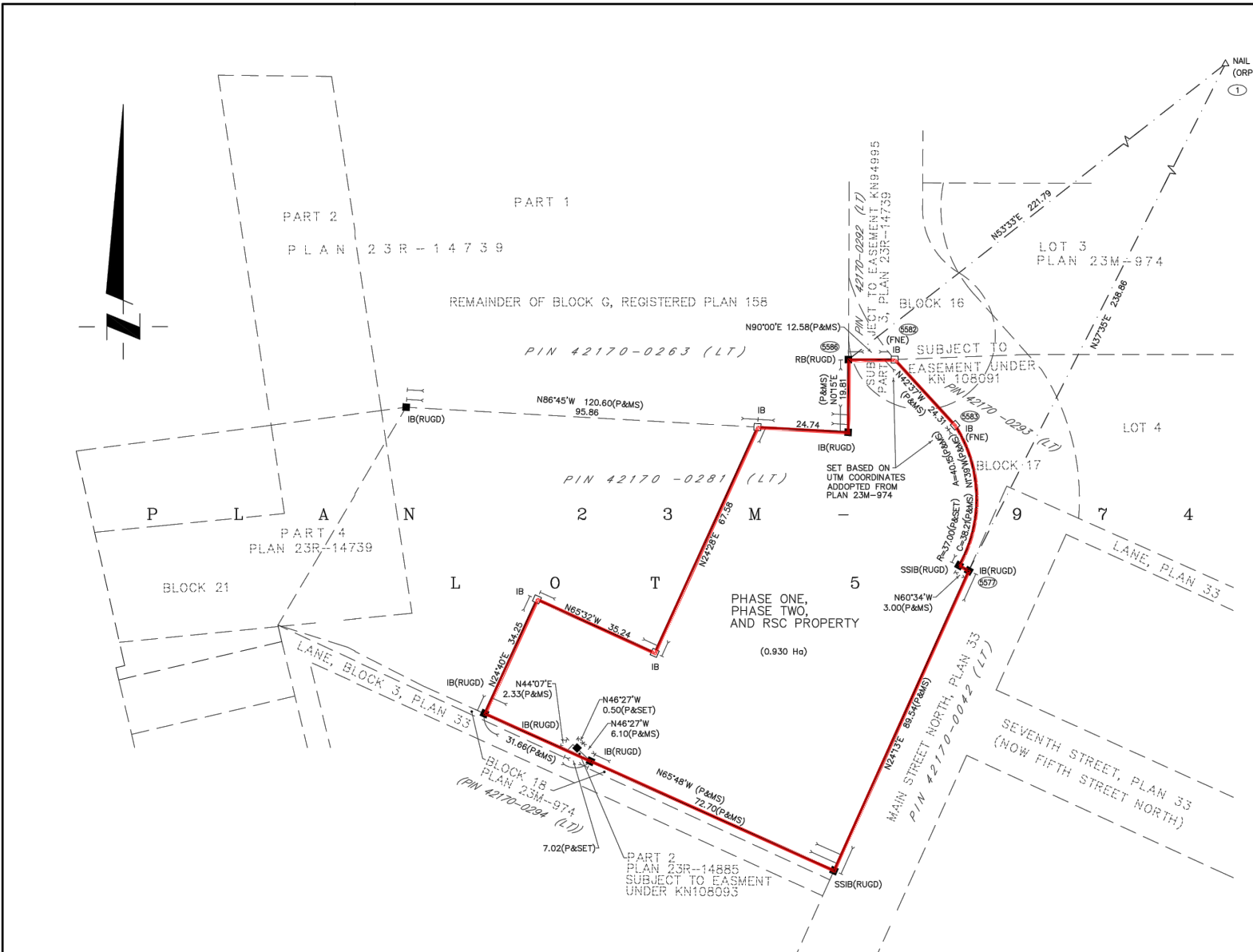
### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON 2023 02 23

DATE 2023 03 10

*Eric Rody*  
ERIC RODY  
ONTARIO LAND SURVEYOR



### INTEGRATION COORDINATE TABLE

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 15, NAD 83 CSRS (2010).

COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10.

POINT NO.	NORTHING	EASTING
1	5514724.51	393141.98
5577	5514535.26	392996.36
5586	5514592.80	392963.61
5582	5514592.80	392976.19
5583	5514574.92	392992.65

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**RUGGED GEOMATICS INC.**

WWW.RUGGEDGEOMATICS.COM  
ERIC.RODY@RUGGEDGEOMATICS.COM  
(807) 468-8516

3-619 NINTH STREET NORTH  
KENORA, ONTARIO, P9N 2S9  
CANADA

ONTARIO LAND SURVEYORS  
CANADA LANDS SURVEYORS

---

PARTY CHIEF: KYLE CRESWICKE & CAM LONGE

CHECKED BY: ERIC RODY, O.L.S., C.L.S.

FILE: SK19065      DRAWN BY: JASON ROMAS

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
**2205752**

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 11025, Section 29(3).



September 12, 2023

## City Council Committee Report

**To: Kyle Attanasio, CAO**

**Fr: Stace Gander , Director of Economic Growth and Recovery**

**Re: Economic Development and Tourism – Q2 Report 2023**

### **Recommendation:**

That Council hereby receives the 2023 Second Quarter Report for the Economic Growth Development and Tourism.

### **Background:**

As part of the planning process, Administration seeks and receives Council's approval on operating and capital budgets in any given year. To provide Council with an update on progress towards achieving these goals, the following report has been created.

Strategic guidance to actions taken by the Department is provided through the Five Year – Tourism and Economic Development Plan and the 2022-2027 "Charting Our Course" strategic plan.

**Focus Area - 1 Economic Development – 2.2 Support the growth and retention of local businesses and emerging sectors.**

### **Highlights:**

#### **April**

- New Economic Development Officer
- Coordinated guest Speaker Event - Dr. Marvin Washington, business networking and breakfast session.
- Attended the Lake of the Woods Business Incentive Corporation Annual General Meeting
- Attended the Annual Pitch-It Event where local entrepreneurs competed in a pitch their business event. Kenora's own Vic Moss from Mosswood Adventures and Rentals took home 1<sup>st</sup> place and People's Choice

#### **May**

- Attended Northern Ontario Angels (NOA) Board meeting. NOA works to connect entrepreneurs looking for angel investment in their growth stage of business with the investment community
- Hosted ribbon cutting with new owner of Playa Vida.
- Hosted Kenora Business Partners meeting. This group includes LOWBIC, Harbourtown BIZ, the Chamber and Innovation Centre. The group collaborates on campaigns and events that support the local business community.
- Hosted Glad You Are Here Summer Kickoff Event and delivered the campaign which welcomes residents and visitors to Kenora.

- Co-chaired Regional Economic Development Organization meeting in Sioux Narrows. This is a group of business and economic development professionals who collaborate on advancing opportunities in the region.
- Hosted Ministry of Northern Development Trade & Investment Unit's Trade & Investment Specialist for a full day tour and discussions about development and investment opportunities in Kenora.

## June

- Participated in Beaver Brae's Co-Op's students Culminating Event in support of the City's Co-Op student.
- Co-chaired and attended the Northwest Training and Adjustment Board's (NTAB) Annual General Meeting. This organization works to support regional workforce planning and local market development.
- Ribbon Cutting at the grand opening of McLeod Park. This represents the completion of Phase 1 of a significant capital project.
- Attended the Magnetic North Conference. This conference was hosted by the Northern Policy Institute. The goal is to support population growth efforts in Northern Ontario.
- Issued Expression of Interest for 117 Main Street in conjunction with the Land Acquisition and Divestment Officer including selection and details for proponent redevelopment.
- Hosted the Northern Ontario Export Program in Kenora. This included meeting with seven (7) businesses to promote the program and to understand business needs to start or expand export of the company's product.
- Partnered with the Northwestern Ontario Innovation Centre to host Co-Starter 2.0. This program attempts to recruit new innovative businesses to relocate their businesses to Kenora.
- Partnered with Harbourtown Biz to host two social media influencers who use Facebook and Instagram to showcase Kenora (@nonstopdestination and @thesandeep29)

Sample article from Nonstopdestination: <https://nonstopdestination.com/things-to-do-in-kenora-ontario/>

Key Metrics/views from influencers

### Views:

Sandeep Videos – 152,507

Sandeep Pictures – 13,745

Lies & Ash Videos – 16,313

Lies & Ash Pictures – 22,485

Ontario Travel Reposting – 43,635

**Total: 248,685**

## Co-Starter 2.0 Program Overview

**Costarter 2.0**  
**\$268,000**  
**TO LAUNCH YOUR SCALABLE BUSINESS**

<b>WHAT IS IT?</b>	<b>3 Month Program</b>	<b>4 Startups in Thunder Bay</b>	<b>\$268,000 Seed Investment Opportunity</b>
<b>1 Startup in Kenora</b>	<b>A Lower Burn Rate</b>	<b>Connections to Growing Sectors</b>	<b>Access to Non-dilutive Government Funding</b>

For more information and to apply:  
[CLICK HERE](#)  
 or visit [www.costarter.ca](http://www.costarter.ca)

**DEADLINE TO APPLY IS AUGUST 25<sup>th</sup>**  
 Have Questions?  
 Contact: [judy@polyanwaterinnovation.ca](mailto:judy@polyanwaterinnovation.ca)

powered by

**Focus Area - 2 Tourism Development – Develop Kenora into a four-season destination:**

**USA Drive – Spring/Summer Campaign**

Budget - \$100,000

City of Kenora Contribution - \$12,500

Partners – Sioux Narrows/Nestor Falls, Destination Northern Ontario, Destination Ontario

Target Market – U.S.A – Minneapolis & Wisconsin

Media – Social Media & Digital

Timing – May 15<sup>th</sup> – July 5<sup>th</sup>

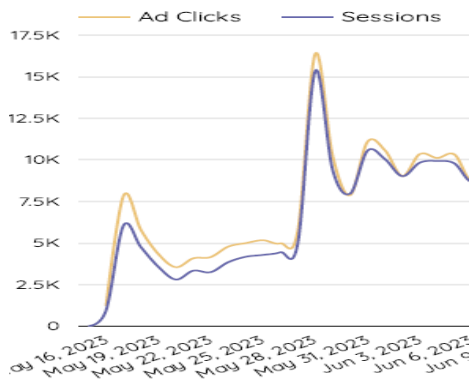
[Experience Lake of the Woods](#)

**Destination Ontario** Sponsored

Just a short drive away lies an oasis of fun and adventure for the whole family.

[experiencelakeofthewoods.com](http://experiencelakeofthewoods.com)  
**Discover Lake of the Woods, Canada** [Learn more](#)

Like Comment Share



Overage view 17-18 seconds

Device Category	Sessions
mobile	475,988
tablet	2,584
desktop	2,403
<b>Grand total</b>	<b>480,976</b>

**What a Ride – Boating Content Creation**

Budget - \$20,000

City of Kenora Contribution - \$2,000

Partners – SNNF, Destination Northern Ontario, Destination Ontario

Deliverables – 1 long form video, 5-10 short form videos, photography & blog post  
 Tourism Kenora in partnership with Sioux Narrows/Nestor Falls hosted a video production company from June 21<sup>st</sup> – June 23<sup>rd</sup>. The videography focused on boating however it also showcases the MUSE, the Farmers Market, and the Discovery Centre along with others.

Link to boating video: <https://youtu.be/f2x6FfPcaus>



The content will continue to be used in future campaigns moving forward.

## Glad You are Here-May 19<sup>th</sup>.

On Friday May 19<sup>th</sup> from 3pm to 6pm Tourism in partnership with Economic Development hosted the Glad You are Here Summer Kick-Off where we showcased the new giant Adirondack chair and welcomed our locals, visitors, and seasonal residents to the Lake of the Woods Discovery Centre to celebrate the start of the summer season in Kenora. In addition to waving the "Honk if you Love Summer" and "Happy Long Weekend" the event featured local community groups and organizations including Lions Club, LOTW Brewing Company, Ministry of Natural Resources, Artsfest and Coney Island Music Festival.



## Food Vendor Program

In 2023, the Harbourfront added one additional seasonal food vendor Beavertails. They were accompanied by the Bridge Drive-In. These vendors were supplemented by Gropps, Ye Old Chip Truck and the Black Oven on market days.

The Ye Old Chip Truck second truck returned to the Lake of the Woods Discovery Centre for 2023.

Tourism Kenora  
Published by Morgan Sellen · May 27 ·  
It's a beautiful sunny day in Kenora and it's officially food truck season on the Kenora Harbourfront. We would like to welcome our seasonal trucks - Bridge Drive-In and BeaverTails. [Swipe the Card!](#) For menus and more information visit their pages.  
<https://bridgedrivein.com/goog-to-go-truck>  
<https://www.facebook.com/beavertailskenora/>



## Spring Fling Market

May 20<sup>th</sup> Spring Fling Market under the Janel Construction Pavilion (JCP) with over 60 vendors including artisans, crafters, community groups, plants, baking, jewellers, etc. Additionally, NISH Deva hosted a fashion show having models walk throughout the market wearing indigenous regalia and fashions she had made.



**Matiowski Farmers Market**

The market started on June 14<sup>th</sup> and will run every Wednesday until October 4th. During the month of July, the market was sold out hosting over 105 vendors weekly.

Market attendance has reached pre COVID volume with approximately 2,000 people per Market.

**Kenora Canada Day-July 1<sup>st</sup>**

This free-family event was held on July 1<sup>st</sup> on the Kenora Harbourfront and featured a specialty farmers’ market, bouncy castles, face painting, a photo booth and tie dye t-shirt making. The festivities kicked off with the Bike/Scooter Decorating event, followed by the Kenora Scottish Pipe and Drum Band’s entry to the main stage in the south parking lot. Mya Hermann was the O’Canada anthem singer for 2023 and Mayor Poirier, MP Eric Melillo and MPP Minister Rickford assisted with serving free cake and popcorn to the crowds. Attendees were entertained throughout the afternoon by the Mr. Circus fun show, a stilt walker and a race car and driver from the Lake of the Woods Speedway. The event drew a significant number of attendees from other communities, including several new Canadians joining in the celebrations. On-line views for the Kenora Canada Day festivities reached 2,713 for July 1<sup>st</sup> alone.





## Visitor Stats

### Discovery Centre

	2022			2023	
	Count	YTD		Count	YTD
January	1	1	January	342	342
February	143	144	February	746	1,088
March	312	456	March	743	1,831
April	350	806	April	806	2,637
May	1,039	1,845	May	1,571	4,208
June	2,096	3,941	June	2,580	6,788
July	4,600	8,541	July	5,004	11,792
<b>Total</b>		8,541	<b>Total</b>		11,792

## Northwest Business Centre Activity Summary

### April 1, 2023- June 30, 2023, Statistics

	April 1, 2023- June 30, 2023
<b>Inquiries</b>	422
<b>Business Consultations (in-depth)</b>	35
<b>Business Consultations (in-depth) Kenora</b>	15
<b>Business Start-ups and Expansions</b>	17
<b>Jobs Created</b>	10
<b>Event Attendance</b>	370

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

City of Kenora's Charting Our Course 2027 – 2022-2027 Strategic Plan  
Five Year Tourism and Economic Development Strategy

September 12, 2023

## City Council Committee Report

To: Kyle Attanasio, CAO

Fr: Stace Gander, Director of Economic Development and Tourism

Re: Contribution to Kenora HK Properties Ltd. – 117 Main Street

### Recommendation:

That Council approves a financial contribution in the amount of \$39,220 to Kenora HK Properties Ltd. enabled by City of Kenora By-law 58-2023 Municipal Capital Facilities By-law for Municipal Housing Project Facilities to be funded through the Future Land Development Reserve; and further

That Council hereby authorizes the Mayor and Clerk to execute a Municipal Capital Facilities Agreement between the Corporation of the City of Kenora and Kenora HK Properties Ltd. for the provision of four (4) new affordable housing units to be located at 117 Main Street South; and further

That in accordance with Notice By-law Number 160-2022 public notice is hereby given that Council intends to amend its 2023 Budget at its September 20, 2023 meeting; and further

That Council hereby gives three readings to a by-law for this purpose.

### Background:

The City of Kenora issued an Expression of Interest (EOI) in May 2023 for the subject land locally known as 117 Main Street South.



The EOI closed on June 8, 2023 – one (1) submission was received. City staff representing Planning and Building Services, Economic Development and Tourism undertook an evaluation of the proposal based on the criteria outlined within the EOI.

At its July 19, 2023 meeting, by By-law 97-2023, Council approved to surplus and sell 117 Main Street South to Kenora HK Properties Ltd. After the approval, in August 2023, Kenora HK Properties Ltd. made formal request for financial support under the Municipal Capital Facilities By-law. The City of Kenora financial contribution is intended to support site development costs associated with the project. An application under the Harbourtown Centre Community Improvement Plan-Tax Increment Based Grant will be accepted by staff once the property transfer is completed.

**Project Overview:**

Kenora HK Properties Ltd. is proposing the construction of a three-storey mixed-use building that will include 1,250 square feet of commercial restaurant space on the main level and the construction of four (4) affordable rental housing units on the second and third floors.

Total projects costs are estimated at \$1.835 million and construction will take approximately 8-10 months to complete. The project is anticipated to create 15-20 new jobs in Kenora.

**Rationale for Support:**

The requested contribution is \$39,220 and is based on estimates provided by the proponent for site development. This is equivalent to \$9,805 per unit of affordable housing and is consistent with the level of support provided for a previous multi-unit housing project.

Conditions related to the contribution will be outlined in a formalized agreement between the Corporation of the City of Kenora and Kenora HK Properties Ltd. including, but not limited to proposed rent, provisions related to any potential rent increases and a term of no less than ten (10) years. The proposed rent of \$1,435 per month aligns with the definition of affordable housing as prescribed in the Municipal Capital Facilities By-law.

**Budget:** The total contribution of \$39,220 is proposed to be funded through the Future Land Development Reserve.

**Risk Analysis:** There is financial risk associated with the contribution which will be mitigated through the execution of a formal agreement with the proponent and should be assumed. Support through the Municipal Capital Facilities By-law is a condition of the Agreement of Purchase and Sale between the Corporation of the City of Kenora and Kenora HK Properties Ltd.

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

**Strategic Plan or another Guiding Document:  
2022-2027 Strategic Plan – Charting Our Course**

- 2.1 a) Promote new investment and development of City-owned and private lands in Kenora.
- 2.1 b) Facilitate opportunities for more and diverse housing development across the housing spectrum.



September 12, 2023

## City Council Committee Report

**To:** Kyle Attanasio, CAO

**Fr:** Stace Gander, Director of Economic Development and Tourism

**Re:** Application to the Canadian Mortgage and Housing Corporation (CMHC)  
Housing Accelerator Fund Stream

### **Recommendation:**

That Council hereby authorizes an application for funding to the CMHC under its Housing Accelerator Fund to support housing developments in the City of Kenora.

### **Background:**

CMHC's Housing Accelerator Fund is to support initiatives that:

- Improves permitting approval timelines,
- Provides lasting benefit,
- Incentivizes units over the long-term,
- Impacts a large portion of developable land,
- Impacts a high number of eligible and/or potential projects,
- Improves development predictability and stability,
- Presents the potential of improving the broader housing system.

The application stream opened in July 2023 and closed August 18, 2023. To be eligible for funding, applicants must demonstrate that new housing unit starts will exceed the historic average of housing starts by 10%. As part of the application process, applicants must put forward an action plan which provides an overview of activities that will help achieve the initiatives identified above while exceeding the historic 10% housing starts. For the City of Kenora, this will be achieved through the Official Plan and Zoning By-Law review and approval process.

There is an extensive list of eligible costs under this application. Some of which include:

- Investments in Housing Accelerator Fund Application Plans
- Investments in Affordable Housing (direct link to the Capital Facilities By-Law supported projects)
- Investments in Housing-related Infrastructure (drinking water, wastewater, solid waste, site preparation for housing developments)
- Investments in Community-related Infrastructure that supports housing (local roads and bridges, sidewalks, lighting, landscaping, green space)

One key element of the application process was that a Housing Needs Assessment study had to be undertaken. The City of Kenora was able to use the Kenora District Services Board's 2023 – Kenora District Housing Strategy to satisfy this requirement.

**Budget:** The only financial impact associated with an approval for funding is to conduct an updated housing needs assessment study in approximately 2026 or 2027. The estimated cost of that study is \$15,000 - \$20,000.

**Risk Analysis:** The financial risk of this application is related to not submitting applications for funding. If successful, the City of Kenora will be in an improved financial position.

**Communication Plan/Notice By-law Requirements:** Resolution required to support the applications submission.

**Strategic Plan or another Guiding Document:**

Strategic Plan – Charting Our Course

Goal 1.2 Ensure well maintained and sustainably financed City infrastructure.

Goal 2.1 (A) Promote new investment and development of City-owned and private lands in Kenora.

(B) Facilitate opportunities for more and diverse housing development across the housing spectrum.

Goal 4.3 Improve the fiscal planning capacity of our administration.



**PROCLAMATION**

By Virtue of Authority Vested in me

I hereby proclaim

September, 2023

As Arthritis Awareness Month in and for the City of

Kenora and request its observance as

such by our citizens.

Proclaimed at the City of Kenora this 13th Day of

September, 2023



His Worship Mayor

Andrew Poirier

