



CORPORATION OF THE CITY OF KENORA
One Main Street South, Kenora, Ontario, P9N 3X2
City Hall –807-467-2000 Fax No. 807-467-2045

- Development Services -
Melissa Shaw, Land Acquisition and Divestment Officer
60 14th Street North, 2nd Floor – Kenora, Ontario – P9N 4M9
Tel No. 807-467-2292 Fax No. 807-467-2246

**CALL FOR EXPRESSIONS OF INTEREST IN
THE ACQUISITION AND DEVELOPMENT OF
MUNICIPAL LANDS IN THE CITY OF KENORA**

1. Introduction and Background

The City of Kenora (“the City”) is interested in providing an opportunity for the potential sale of vacant land located within the Municipality. The City is requesting the submission of Expression of Interest (“EOI”) from interested Firms (the “Firm”) for the redevelopment of vacant municipal property located at 117 Main Street South, (the “Opportunity”):

The opportunity for potential purchase is conditional on a negotiated Agreement of Purchase and Sale (APS) that must be approved by the City of Kenora Council at a Municipal Council Meeting.

Further information about the Opportunity can be obtained at the:

City of Kenora: Melissa Shaw
Land Acquisition and Divestment Officer
Phone: 807-467-2292
E-mail: mshaw@kenora.ca

The subject lands are locally known as 117 Main Street South. PIN: 42163-0076 and legally described as:

PCL 220 SEC DKF; SLY PT LT 3 BLK 2 PL 3 LYING ON THE E/S MAIN ST, DESCRIBED AS FOLLOWS: COMM AT THE SW CORNER OF SAID LT THENCE NLY ALONG THE E SIDE OF MAIN ST 30 FT MORE OR LESS TO A POINT 20 FT DISTANT FROM THE NW CORNER OF SAID LT THENCE ELY PARALLEL TO THE SLY BOUNDARY OF SAID LT 150 FT MORE OR LESS TO THE E BOUNDARY OF SAID LT THENCE SLY ALONG THE ELY BOUNDARY OF SAID LT 30 FT MORE OR LESS TO THE SE BOUNDARY OF SAID LT THENCE WLY ALONG SAID S BOUNDARY 150 FT MORE OR LESS TO THE POB;
KENORA

2. **General Project Goals and Desired Outcomes**

Kenora has developed its position as a regional economic, tourism and service hub, while maintaining the character and charm that makes the community distinct and memorable. The City's *Charting Our Course 2027 Strategic Plan* guides our commitment to fostering an environment with diverse economic activity that thrives, strengthens and sustains the City of Kenora's financial position and contributes to broader community prosperity and quality of life, bolstering Kenora's position as a tourism destination and attracting new business.

Firms are encouraged to review the following goals and actions during the preparation of submissions:

- 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;
- c) Implement tourism initiatives to enhance visitor rates and experiences.

The City is looking for an opportunity to promote economic development within the community and support efforts to increase local housing stock. Housing development in Kenora is a top priority for the community, including increasing the available stock of all forms of housing. Proposals that maximize the site's development potential and contribute to the vibrancy of the Harbourn Centre, bringing residents and visitors to the area, will be preferred and is the goal of this EOI.

In 2021, the City developed the space into a 20' x 30' pop-up patio. There is currently existing infrastructure on-site including decking, railing and fencing that will not form part of an Agreement of Purchase and Sale.

The subject lands are approximately 4,500 square feet in size, or 0.0418 ha.

Any potential sale of property will be in an as is, where is condition.

The property is located between a financial institution and a retail store and is currently vacant. Previously, both residential and commercial uses were on-site and some subsurface infrastructure remains.

Land Use

The lands are designated as HC- Harbourn Centre in the City's Official Plan (2015). Harbourn Centre represents the downtown area of the City and contains major concentrations of commerce, finance, tourism, entertainment, dining, retail, recreation, residential and business activities, and provides a dynamic commercial core, for the residents of and visitors to, the City.

The Harbourtown Centre designation is intended to recognize and support commercial activities and functions of the Harbourtown Centre area by providing a wide range of goods and services, and to promote the Harbourtown Centre as a regional commercial, cultural, recreational, entertainment, business and tourism centre.

An objective of the designation is to maintain the unique sense of place and human scale derived from the heritage streetscapes and pedestrian orientated characteristics of the Harbourtown Centre and to support the development of services and facilities in the Harbourtown Centre that may attract and support tourism;

The subject property is zoned General Commercial (GC) in the Kenora Zoning By-law (101-2015). This zone allows for a wide range of uses and services to meet the needs of residents, business and tourists.

Image 1: GC- General Commercial Zone, City of Kenora Zoning By-law 101-2015

4.7 General Commercial Zone (GC)

4.7.1 Purpose

This Zone allows for a wide range of uses and services to meet the needs of residents, businesses and tourists.

4.7.2 Permitted Uses

The following are permitted uses in the GC Zone:

- Animal care establishment
- Animal hospital
- Art gallery
- Automobile gas bar
- Automobile rental establishment
- Automobile service station
- Bakery
- Car wash
- Cinema
- Clinic
- Communication facility
- Community garden
- Continuum care facility
- Day nursery
- Apartment dwelling unit(s)
- Financial establishment
- Funeral home
- Hostel
- Hotel
- Instructional facility
- Library
- Marina
- Micro-brewery
- Office
- Open air market
- Outdoor recreation facility
- Parking lot
- Personal service business
- Place of assembly
- Recreation facility
- Recreational rental establishment
- Retail store
- Restaurant
- Service and repair shop
- Shopping centre
- Studio
- Taxi stand

4.7.3 Zone Regulations

The following are zone regulations for permitted uses located on surveyed roads in the GC Zone:

Zoning Mechanism	Land Use Condition
	GC Zone abuts a residential zone
(a) Side yard (minimum)	5 m
(b) Rear yard (minimum)	8 m

- (c) The maximum building height of any permitted use is 11.0 m.
- (d) Dwelling units may only be located within the same structure and above one or more permitted uses that occupy the first floor of a non-residential use building. In one-storey buildings in the GC Zone, residential dwelling units are permitted, provided that:
 - i. Commercial uses occupy the front of the building; and
 - ii. Residential uses comprise no more than 40% of the gross floor area of the building.
- (e) Residential dwelling units in multi-storey buildings are not permitted on the ground floor.
- (f) Each permitted dwelling unit shall have a minimum gross floor area of 37 m².
- (g) Commercial uses are permitted only on the ground floor of a building in the GC Zone, unless the commercial use on upper storeys is an extension of the ground floor use.
- (h) Restaurants shall not include drive through facilities.

Municipal Services

Water, sanitary sewer and storm water sewer services are terminated at the west property line. Potential buyers should note some sidewalk restoration is likely required to connect to the services. Details of the existing servicing is as follows:

- Water – 50mm copper
- Sanitary Sewer – 200mm PVC
- Stormwater Sewer – 100mm

An existing subsurface foundation of unknown size, location and material type is present on the property. Any further details are unavailable to the City and as a result, the City urges all potential buyers to exercise caution and conduct their own inspections and due diligence before making any purchasing decisions.

In addition to servicing, other considerations include, but not limited to: traffic impacts and storm water management will be assessed during the site plan review process.

Proponents are encouraged to contact the Land Acquisition and Divestment Officer for additional information as submissions are drafted.

3. Contents of the Expression of Interest

1. A statement of interest SHALL contain ALL of the following information:

- a. Firm Profile- As part of the response, a firm profile is requested. The profile should include the following:
 - i. Legal Firm name;
 - ii. Legal business address;
 - iii. Contact names, phone numbers, email address for the purpose of correspondence;
- b. Firms should clearly articulate the proposed development of the vacant property in the submission.
Firms should include, but not be limited to, the following information:
 - i. Experience of the Firm;
 - ii. Description of the proposed use;
 - iii. Time frame for development, including identification of any conditions that must be met before the proposal can be implemented.

2. Draft site plan of proposed development, including:

- parking
- access/egress
- landscaping
- municipal servicing
- signage
- building layout
- lighting
- loading/storage
- storm water control and management

3. Estimated total (construction cost) and potential job creation;

4. Examples of previous involvement in commercial development;

5. Proposed purchase price of subject property – **minimum bid price of**
 - i. **\$135,000 CDN + HST.** – please note that Firms will be required to submit a five percent bid deposit (5%) with the submission in the form of certified cheque, bank draft or letter of credit made payable to the Corporation of the City of Kenora. Firms not selected will have the deposits returned within 15 business days of the proposal closing date. Purchase price will be subject to HST.

Please note that the City may require short-listed proponents to make a presentation to members of Council and City Administration as a component of this process.

Image 2: Map of subject property: Aerial Photograph-City of Kenora GIS, 2020



4. Statement of Municipal Interest

The City wishes to solicit expressions of interest for this property. It intends to sell the lands to an interested party who is prepared to immediately undertake an appropriate development that complies with all relevant regulations and procedures.

The City may, upon receipt of preliminary expressions of interest, as provided for in this document, select and invite a candidate to enter into discussions and negotiations, with a view to entering into a purchase and sales agreement.

The City shall not be limited in its discretion as to the basis for selection of the Firm, but indicates a specific interest in the following matters:

- financial stability and capability
- past experience with similar undertakings
- willingness and displayed capability to expedite the project maximization of use of lands based upon good planning considerations.

With respect to the selection of the Firm, the City shall have unfettered discretion in determining which, if any, of the proponents it wishes to select. As well, the City reserves all of its powers and authority under The Planning Act and The Building Code Act respecting the processing of construction and planning applications and relating to any site development. Nothing herein shall be construed as a predetermination or limitation of such authority.

The development process would be undertaken in compliance with the City's policies and authority under the Municipal Act, including requirements relating to the disposition of land.

No proposal or submission will result in any limitations on the rights of the City to develop the site in the same or a similar manner to that proposed in the event that no Agreement of Purchase and Sale is entered into and/or that development is not completed by the proponent.

Firms are encouraged to contact the Land Acquisition and Divestment Officer for additional information.

5. Purchase and Sale Agreement

The agreement of purchase and sale will contain, in addition to standard terms and conditions:

- Provisions satisfactory to the City to ensure that the proposed development is completed in accordance with approved submissions, which may include those terms relating to the transfer of title in relation to the degree of completion of construction and the right of the City to reacquire the lands in the event that the development is not completed;
- Provisions relating to environmental considerations;
- Time requirements for commencement and completion of construction;
- Restrictions on assignment.

6. Selection Process and Criteria

- The City reserves the right to reject any or all proposals submitted.
- Proposals will be reviewed by the 117 Main Street South Redevelopment Committee according to the evaluation criteria outlined herein. All proponents will be notified by electronic mail as to their status regarding the shortlist. Shortlisted proponents may receive an invitation for an oral presentation and interview.

The final selection will be based on:

Criteria	Percentage Weighting
Experience of Firm	5%
Description and Type of Development including Site Plan	40%
Timelines for Development	15%
Private Investment in our community	10%
Alignment with priorities under the <i>Charting Our Course 2027 Strategic Plan</i>	15%
Job Creation Potential	10%
Bid Price	5%
Total	100%

Firms will be required to submit a 5 percent (5%) deposit at time of submission in the form of certified cheque, bank draft or letter of credit made payable to the Corporation of the City of Kenora. Proponents not selected will have the deposits returned within 15 business days of the proposal deadline.

All proponents are encouraged to contact the City Development Services Department to support the development of a proposal requested as part of the submission.

SUBMISSIONS ARE TO BE IDENTIFIED AS "117 MAIN STREET SOUTH" AND SUBMITTED TO:

**Heather Pihulak
City Clerk
City of Kenora
1 Main Street South,
Kenora, ON P9N 3X2
hpihulak@kenora.ca**

Submissions are to be received no later than 11:00 am (Central Time) on June 8th, 2023.

Fax submissions will **not** be accepted.

The selected Firm will have a period of four (4) weeks from the date of notification of selection to inspect the lands and to prepare a preliminary draft plan which will thereafter become the focus of discussions and negotiation toward a purchase and sale agreement. The City further requires that negotiation of such an agreement shall be concluded and appropriate agreement signed by December 2023 or at such later date as the City may approve in writing in its sole discretion whereupon, should agreement not be completed, any and all municipal involvement in such discussion shall be terminated and the City shall be at liberty to enter into discussions and negotiations with any other party who submitted a preliminary submission, advertise again, cancel the process or otherwise deal with the lands in a manner it may desire.

Nothing herein shall be construed as to obligate the City to select any submission or support any proposal submitted, and the City reserves, at all times, the right to reject any and all proposals, and thereafter to deal with the lands in any manner that the City may determine.

All expenses that may be incurred in the preparation and submission of expressions of interest, and all costs including but not limited to: legal, accounting, engineering, and surveying associated with the preparation and signing of agreements and meeting of all conditions of approval shall be the sole responsibility of those Firms making the submissions and not of the Corporation of the City of Kenora.

The City reserves the right to accept or reject any or all submissions and to waive irregularities and informalities at its discretion. The City reserves the right to accept a submission other than the highest submission without stating reasons. By the act of submitting its proposal, the Firm waives any right to contest, in any legal proceeding or action, the right of the City to select the proposal to whomever it chooses which shall be, in its sole and unfettered discretion, and for whatever reasons the City deems appropriate. Without limiting the generality of the foregoing, the City may consider any other factor, besides price and capability to perform the work, that it deems, in its sole discretion, to be relevant to its decisions.