



# **AGENDA MATERIAL**

## **CITY COUNCIL**

**MEETING DATE:** MONDAY, JUNE 27, 2022

**LOCATION:** S. H. BLAKE MEMORIAL AUDITORIUM  
(Council Chambers)

**TIME:** IMMEDIATELY FOLLOWING COMMITTEE OF THE WHOLE



**MEETING:** City Council

**DATE:** Monday, June 27, 2022

*Reference*

*CC - 20/53*

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**OPEN SESSION in the S.H. Blake Memorial Auditorium immediately following Committee of the Whole**

City Council

Chair: Mayor Bill Mauro

***OPENING CEREMONIES***

One Minute of Silence.

***DISCLOSURES OF INTEREST***

***CONFIRMATION OF AGENDA***

Confirmation of Agenda - June 27, 2022- City Council

WITH RESPECT to the June 27, 2022 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

***MINUTES OF PREVIOUS MEETINGS***

**City Council Minutes**

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council held on June 6, 2022;
2. The Thunder Bay City Council (Special Session) CEDC AGM held on June 20, 2022 (Distributed Separately);
3. The Thunder Bay City Council (Public Meeting) held on June 20, 2022 (Distributed Separately).

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council held on June 6, 2022;

2. The Thunder Bay City Council (Special Session) CEDC AGM held on June 20, 2022;
3. The Thunder Bay City Council (Public Meeting) held on June 20, 2022.

## ***REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES***

### **Committee of the Whole Minutes**

The Minutes of the following Committee of the Whole meeting(s), to be adopted:

1. June 6, 2022 Committee of the Whole;
2. June 20, 2022 Committee of the Whole (Distributed Separately).

THAT the Minutes of the following Committee of the Whole meeting(s), be adopted:

1. June 6, 2022 Committee of the Whole;
2. June 20, 2022 Committee of the Whole.

### **Ratifying Resolutions - June 27, 2022**

Pending the passage of the resolution relative to the above-noted at the Committee of the Whole meeting, to be held earlier in the evening, the resolution will be presented for ratification and under Council's policy will require a two-thirds vote.

THAT the following ratifying resolutions be introduced, read, dealt with individually

1. Report R 96/2022 – Contract 11, 2022 – Multi-Use Trails/Parks;
2. Report R 99/2022 - Contract 10, 2022 – Hot-In-Place Asphalt Paving;
3. Report R 108/2022 - Single Source Purchase of Software Modules and Related Implementation Services for the City's Property Information System (AMANDA).

## ***BY-LAWS***

### **BL 56/2022 - Election Sign By-law**

A By-law to manage and regulate Election Signs in the City of Thunder Bay, in the District of Thunder Bay.

### **BL 57/2022 - A by-law to amend the Fence Regulation By-law 314-1994**

A By-law to amend By-law 314-1994, being a by-law regulating fences within the City of Thunder Bay.

## **By-law Resolution**

By-law Resolution - City Council - June 27, 2022

THAT the following By-law(s) be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. Election Sign By-law

By-law Number: BL 56/2022

2. A By-law to amend the Fence Regulation By-law 314-1994.

By-law Number: BL 57/2022

## ***NEW BUSINESS***

### ***CONFIRMING BY-LAW***

#### **BL 59/2022 - Confirming By-law June 27, 2022**

A By-law to confirm the proceedings of a meeting of Council, this 27th day of June 2022.

#### **Confirming By-law Resolution - June 27, 2022 - City Council**

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 27<sup>th</sup> day of June, 2022.

By-law Number: BL 59/2022

## ***ADJOURNMENT***

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***MEETING DATE***      06/27/2022 (mm/dd/yyyy)

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***SUBJECT***              Confirmation of Agenda

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***SUMMARY***

Confirmation of Agenda - June 27, 2022- City Council

***RECOMMENDATION***

WITH RESPECT to the June 27, 2022 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

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**MEETING DATE**     06/27/2022 (mm/dd/yyyy)

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**SUBJECT**             City Council Minutes

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***SUMMARY***

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council held on June 6, 2022;
2. The Thunder Bay City Council (Special Session) CEDC AGM held on June 20, 2022 (Distributed Separately);
3. The Thunder Bay City Council (Public Meeting) held on June 20, 2022 (Distributed Separately).

***RECOMMENDATION***

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council held on June 6, 2022;
2. The Thunder Bay City Council (Special Session) CEDC AGM held on June 20, 2022;
3. The Thunder Bay City Council (Public Meeting) held on June 20, 2022.

***ATTACHMENTS***

- 1 City Council Minutes - Monday, June 6, 2022



**MEETING:** City Council

**DATE:** Monday, June 6, 2022

*Reference No. COW 26/53*

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**OPEN SESSION 9:36 p.m.**

City Council

Chair: Mayor Bill Mauro

**PRESENT:**

Mayor Bill Mauro  
Councillor Andrew Foulds  
Councillor Cody Fraser  
Councillor Brian Hamilton  
Councillor Kristen Oliver  
Councillor Peng You

**OFFICIALS:**

Norm Gale, City Manager  
Dana Earle, Deputy City Clerk  
Linda Evans, General Manager - Corporate Services &  
Long Term Care and City Treasurer  
Kelly Robertson, General Manager – Community  
Services  
Flo-Ann Track, Council & Committee Clerk

**ELECTRONIC PARTICIPATION:**

Councillor Mark Bentz  
Councillor Trevor Giertuga  
Councillor Rebecca Johnson  
Councillor Brian McKinnon

**ELECTRONIC PARTICIPATION:**

Patty Robinet, City Solicitor  
Joel DePeuter, Acting General Manager –  
Development & Emergency Services  
Kerri Marshall, General Manager – Infrastructure &  
Operations  
Kayla Dixon, Director – Engineering

***OPENING CEREMONIES***

One Minute of Silence.

***DISCLOSURES OF INTEREST***

***CONFIRMATION OF AGENDA***

**Confirmation of Agenda - Monday, June 6, 2022**

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the June 6, 2022 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

***MINUTES OF PREVIOUS MEETINGS***

**City Council Minutes**

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council (Public Meeting) held on May 16, 2022.
2. The Thunder Bay City Council held on May 16, 2022.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Andrew Foulds

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council (Public Meeting) held on May 16, 2022;
2. The Thunder Bay City Council meeting held on May 16, 2022.

CARRIED

***PETITIONS AND COMMUNICATIONS***

**Minor Variances to the New Zoning By-law 1-2022**

Memorandum from Director - Planning Services Division Leslie McEachern dated May 19, 2022 containing a recommendation for Council's consideration relative to the above noted.

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Kristen Oliver



City Council – Monday, June 6, 2022

WITH RESPECT to By-law 1-2022, a new Zoning By-law for the City of Thunder Bay, we recommend that pursuant to Section 45(1.4) of the Planning Act, Thunder Bay City Council permit applications for minor variance generally;

AND THAT any necessary By-law be presented to City Council for ratification.

ALL as contained in the Memorandum from Director Leslie McEachern dated May 19, 2022.

CARRIED

### ***REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES***

#### **Committee of the Whole Minutes**

The Minutes of the following Committee of the Whole meeting(s), to be adopted:

1. May 16, 2022 Committee of the Whole.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Cody Fraser

THAT the Minutes of the following Committee of the Whole meeting(s), be adopted:

1. May 16, 2022 Committee of the Whole.

CARRIED

#### **Ward Meeting Minutes**

The Minutes of the following Ward Meetings to be received:

1. Meeting 01-2022 of the McIntyre Ward held on March 24, 2022.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Kristen Oliver

THAT the Minutes of the following Ward Meetings be received:

1. Meeting 01-2022 of the McIntyre Ward held on March 24, 2022.

CARRIED

## **Ratifying Resolutions**

The Deputy City Clerk advised that the resolution previously adopted by Committee of the Whole held earlier in the evening relative to the above noted required ratification by Council. Under Council's policy a two-thirds vote of Council was necessary.

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Cody Fraser

THAT the following ratifying resolutions be introduced, read, dealt with individually:

1. Board Appointment (CEDC)

CARRIED

## ***REPORTS OF MUNICIPAL OFFICERS***

### **Defer Ratification - Report R 66/2022 (Infrastructure & Operations - Engineering) Contract 7, 2022 - Balmoral Street Reconstruction Phase III**

At the May 9, 2022 City Council Meeting, ratification of Report R 66/2022 (Infrastructure & Operations – Engineering) Contract 7, 2022 – Balmoral Street Reconstruction Phase III as contained in the May 2, 2022 Committee of the Whole minutes was deferred to the May 16, 2022 City Council meeting.

At the May 16, 2022 City Council Meeting, ratification of Report R 66/2022 (Infrastructure & Operations – Engineering) Contract 7, 2022 – Balmoral Street Reconstruction Phase III as contained in the May 2, 2022 Committee of the Whole minutes was deferred to the June 6, 2022 City Council meeting.

Report R 66/2022 represented for ratification.

Memorandum from Director of Engineering Kayla Dixon dated June 3, 2022 providing additional information relative to the above noted, and an amendment to the recommendation as contained in R 66/2022 (Infrastructure & Operations) for Council's consideration.

WITH RESPECT to Report R 66/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that Contract 7, 2022 for Balmoral Street Reconstruction, Phase III and Phase IV, be awarded to Bruno's Contracting who submitted the lowest tender in the amount of \$8,294,626.01 [inclusive of HST]; it being noted that the amount shown is based on estimated quantities; final payment for this contract will be based on measured quantities for the completed work;

AND THAT consulting engineering services be awarded to the firm of Hatch Engineering with an agreement approved in the amount of \$314,404.42 [inclusive of HST] for construction administration and inspection associated with this contract;

AND THAT the General Manager of Infrastructure and Operations report any circumstances to City Council should any significant variations in the contract quantities occur;

AND THAT the Mayor and City Clerk be authorized to sign all documentation related to these matters;

AND THAT any necessary bylaws be presented to City Council for ratification.

**Amendment - Defer Ratification - Report R 66/2022**

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the Memorandum from K. Dixon (Engineering & Operations) June 3, 2022, we recommend the first paragraph in the recommendation of Report R 66/2022 be deleted and replaced with the following:

WITH RESPECT to Report R 66/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that a partial scope of work for Contract 7, 2022 for Balmoral Street Reconstruction, Phase III and Phase IV that does not include construction of the multiuse trails, be awarded to Bruno's Contracting Ltd. who submitted the lowest tender for the project for an estimated cost of \$7,190,765.74 [inclusive of HST]; it being noted that the amount shown is based on estimated quantities; final payment for this contract will be based on measured quantities for the completed work;

CARRIED

**Amended - Defer Ratification - Report R 66/2022 (Infrastructure & Operations - Engineering)**

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report R 66/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that a partial scope of work for Contract 7, 2022 for Balmoral Street Reconstruction, Phase III and Phase IV that does not include construction of the multiuse trails, be awarded to Bruno's Contracting Ltd. who submitted the lowest tender for the project for an estimated cost of \$7,190,765.74 [inclusive of HST]; it being noted that the amount shown is based on estimated quantities; final payment for this contract will be based on measured quantities for the completed work;

AND THAT consulting engineering services be awarded to the firm of Hatch Engineering with an agreement approved in the amount of \$314,404.42 [inclusive of HST] for construction administration and inspection associated with this contract;

City Council – Monday, June 6, 2022

AND THAT the General Manager of Infrastructure and Operations report any circumstances to City Council should any significant variations in the contract quantities occur;

AND THAT the Mayor and City Clerk be authorized to sign all documentation related to these matters;

AND THAT any necessary bylaws be presented to City Council for ratification.

CARRIED

**Ratification - Report R 66/2022 (Infrastructure & Operations - Engineering) Contract 7, 2022  
- Balmoral Street Reconstruction Phase III**

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Kristen Oliver

THAT the following ratifying resolutions be introduced, read, dealt with individually:

1. Amended - Report R66/2022 (Infrastructure & Operations – Engineering) Contract 7, 2022 – Balmoral Street Reconstruction Phase III

CARRIED

***BY-LAWS***

**BL 53/2022 – Part-lot Control Exemption By-law - Blocks 44-46, Weiler Blvd**

A By-law to exempt the lands from the Part-lot Control Provisions of the Planning Act. (Blocks 44-46, Weiler Blvd)

**By-law Resolution - City Council - June 6, 2022**

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Cody Fraser

THAT the following By-law(s) be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to exempt the lands from the Part-lot Control Provisions of the Planning Act. (Blocks 44-46, Weiler Blvd)

By-law Number: BL 53/2022

CARRIED

***CONFIRMING BY-LAW***

**BL 62/2022 - Confirming By-law - June 6, 2022.**

A By-law to confirm the proceedings of a meeting of Council, this 6th day of June 2022.

**Confirming By-law Resolution - June 6, 2022 - City Council**

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Peng You

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 6th day of June, 2022.

By-law Number: BL 62/2022

CARRIED

***ADJOURNMENT***

The meeting adjourned at 9:50 p.m.

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Mayor

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Deputy City Clerk

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**MEETING DATE**      06/27/2022 (mm/dd/yyyy)

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**SUBJECT**              Committee of the Whole Minutes

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***SUMMARY***

The Minutes of the following Committee of the Whole meeting(s), to be adopted:

1. June 6, 2022 Committee of the Whole;
2. June 20, 2022 Committee of the Whole (Distributed Separately).

***RECOMMENDATION***

THAT the Minutes of the following Committee of the Whole meeting(s), be adopted:

1. June 6, 2022 Committee of the Whole;
2. June 20, 2022 Committee of the Whole.

***ATTACHMENTS***

- 1 Committee of the Whole Minutes - June 6, 2022



**MEETING:** Committee of the Whole

**DATE:** Monday, June 6, 2022

*Reference No. COW 27/53*

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**CLOSED SESSION in the McNaughton Room at 4:30 p.m.**

Committee of the Whole - Closed Session

Chair: Councillor Andrew Foulds

**PRESENT:**

Mayor Bill Mauro  
Councillor Albert Aiello  
Councillor Andrew Foulds  
Councillor Cody Fraser  
Councillor Kristen Oliver  
Councillor Peng You

**OFFICIALS:**

Norm Gale, City Manager  
Dana Earle, Deputy City Clerk

**ELECTRONIC PARTICIPATION:**

Councillor Mark Bentz  
Councillor Trevor Giertuga  
Councillor Rebecca Johnson  
Councillor Brian McKinnon

**DISCLOSURES OF INTEREST**

Councillor Cody Fraser declared a conflict relative to 2022CLS.017 (Financial Services) as their employer is retained by Tbaytel.

Councillor Albert Aiello declared a conflict relative to 2022CLS.021 (Human Resources) as they have a family member employed by the City.

Councillor Andrew Foulds declared a conflict relative to 2022CLS.021 (Human Resources) as they have a family member employed by the City.

## **REPORTS OF MUNICIPAL OFFICERS**

### **Human Resources Matter (Nepotism)**

2022CLS.023 (Community Services – Recreation & Culture) relative to the above noted was distributed to Members of Council, City Manager, City Solicitor & Director – Human Resources & Corporate Safety, General Manager – Community Services and Director - Recreation & Culture only.

Karie Ortgiese, Director – Human Resources & Corporate Safety entered the meeting room.

Kelly Robertson, General Manager – Community Services and Leah Prentice, Director - Recreation & Culture entered the meeting electronically via MS Teams.

It was the consensus of Committee that Administration proceed as directed.

The Deputy City Clerk advised that the recommendation relative to 2022CLS.023 (Community Services - Recreation & Culture) would be presented at the Committee of the Whole meeting to be held later in the evening.

Karie Ortgiese, Kelly Robertson and Leah Prentice left the meeting.

### **Human Resources Matter (Labour Relations)**

Memorandum from Manager, Labour Relations Erin Anderson dated May 31, 2022 relative to the above noted was distributed to Members of Council, City Manager, City Solicitor & General Manager - Corporate Services & Long Term Care and City Treasurer, Director – Human Resources & Corporate Safety, and General Manager – Infrastructure & Operations only.

Erin Anderson, Manager – Labour Relations, Kerri Marshall, General Manager – Infrastructure & Operations, Jason Sherband, Manager - Solid Waste & Recycling Services, and Michelle Warywoda, Director - Environment, entered the meeting electronically via MS Teams.

Jason Sherband responded to questions.

Erin Anderson responded to questions.

Erin Anderson, Kerri Marshall, Jason Sherband and Michelle Warywoda left the meeting.

### **Board Appointment (CEDC)**

Memorandum from City Clerk Krista Power dated May 31, 2022, relative to the above noted was distributed to Members of Council, City Manager, City Solicitor & Acting General Manager – Development & Emergency Services only.



Committee of the Whole – Monday, June 6, 2022

Joel DePeuter, Acting General Manager - Development & Emergency Services entered the meeting electronically via MS Teams.

Joel DePeuter responded to questions.

Norm Gale, City Manager responded to questions.

Dana Earle, Deputy City Clerk responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The Deputy City Clerk advised that the recommendation relative to Memorandum from City Clerk Krista Power dated May 31, 2022, would be presented at the Committee of the Whole meeting to be held later in the evening.

Joel DePeuter left the meeting.

### **Tbaytel Debenture Financing**

2022CLS.017 (Financial Services) relative to the above noted was distributed to Members of Council, City Manager, City Solicitor & General Manager - Corporate Services & Long Term Care and City Treasurer, and Director – Financial Services only.

Linda Evans, General Manager - Corporate Services & Long Term Care and City Treasurer and Dan Topatigh, President and CEO - Tbaytel entered the meeting room.

Scott Potts, Chair - Tbaytel Municipal Service Board entered the meeting electronically via MS Teams.

Scott Potts provided an overview relative to the above noted.

Dan Topatigh provided an overview relative to the above noted and responded to questions.

Linda Evans responded to questions.

Dan Topatigh and Scott Potts left the meeting.

### **Human Resources Matter (Labour Relations)**

2022CLS.021 (Human Resources) relative to the above noted was distributed to Members of Council, City Manager, City Solicitor & General Manager - Corporate Services & Long Term Care and City Treasurer, and Director – Human Resources & Corporate Safety only.

Councillor Mark Bentz assumed the Chair.

Councillor Albert Aiello declared a conflict and left the meeting.

Councillor Andrew Foulds declared a conflict and left the meeting.

Councillor Cody Fraser, Karie Ortgiese, Director – Human Resources & Corporate Safety and Anne Turuba, Manager Compensation, Benefits & Health Services entered the meeting room.

Anne Turuba responded to questions.

Karie Ortgiese responded to questions.

Norm Gale, City Manager responded to questions.

Dana Earle, Deputy City Clerk responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The Deputy City Clerk advised that the recommendation relative to 2022CLS.021 (Human Resources) would be presented at the Committee of the Whole meeting to be held later in the evening.

The meeting recessed at 5:27 p.m. It was consensus of Committee to reconvene Committee of the Whole (Open Session) at 6:30 p.m.

**OPEN SESSION in S.H. Blake Memorial Auditorium at 6:30 p.m.**

Committee of the Whole - Operations Session

Chair: Councillor Brian McKinnon

**PRESENT:**

Mayor Bill Mauro  
Councillor Andrew Foulds  
Councillor Cody Fraser  
Councillor Brian Hamilton  
Councillor Kristen Oliver  
Councillor Peng You

**OFFICIALS:**

Norm Gale, City Manager  
Dana Earle, Deputy City Clerk  
Linda Evans, General Manager - Corporate Services &  
Long Term Care and City Treasurer  
Kelly Robertson, General Manager – Community  
Services  
Flo-Ann Track, Council & Committee Clerk

**ELECTRONIC PARTICIPATION:**

Councillor Mark Bentz  
Councillor Trevor Giertuga  
Councillor Rebecca Johnson  
Councillor Brian McKinnon

**ELECTRONIC PARTICIPATION:**

Patty Robinet, City Solicitor  
Joel DePeuter, Acting General Manager -  
Development & Emergency Services  
Kerri Marshall, General Manager – Infrastructure &  
Operations

Kathleen Cannon, Director – Revenue  
Kayla Dixon, Director - Engineering  
Leah Prentice, Director - Recreation & Culture  
Michelle Warywoda, Director – Environment  
Emma Westover, Director - Financial Services  
Matthew Pearson, Manager, Central Support -  
Infrastructure & Operations  
Jason Sherband, Manager - Solid Waste & Recycling  
Services  
Ian Morgan, Chief Chemist - Infrastructure &  
Operations  
Summer Stevenson, Sustainability Coordinator -  
Infrastructure & Operations

### **DISCLOSURES OF INTEREST**

Councillor Cody Fraser declared a conflict relative to Report R 89/2022 (Corporate Services & Long Term Care – Financial Services) as their employer is retained by Tbaytel.

Councillor Andrew Foulds declared a conflict relative to 2022CLS.021 (Human Resources) as they have a family member employed by the City.

### ***CONFIRMATION OF AGENDA***

#### **Confirmation of Agenda - June 6, 2022 - Committee of the Whole**

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the June 6, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

### ***PRESENTATIONS***

#### **Remedial Action Plan Implementation Committee**

Memorandum from Chief Chemist - Environment Division Ian Morgan dated May 24, 2022 requesting an opportunity to provide a presentation relative to the above noted.

Memorandum from Chief Chemist – Environment Division Ian Morgan dated May 31, 2022 relative to the above noted was distributed separately on Thursday, June 2, 2022, for information.

Committee of the Whole – Monday, June 6, 2022

Tim Hollinger, Remedial Action Plans Coordinator, North Shore of Lake Superior Department of Geography and the Environment - Lakehead University, Gurpreet Mangat, Program Specialist, Northern Great Lakes Areas of Concern, Regional Director General's Office - Environment and Climate Change Canada and Mark Chambers, Supervisor - Environment and Climate Change Canada, Senior Program Coordinator - Great Lakes Areas of Concern, appeared before Committee electronically via MS Teams, provided a PowerPoint Presentation relative to the above noted and responded to questions.

### ***ITEMS ARISING FROM CLOSED SESSION***

#### **Human Resources Matter**

2022CLS.023 (Community Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

MOVED BY: Mayor Bill Mauro  
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report 2022CLS.023 (Recreation & Culture), we recommend that the Nepotism Policy Request #NP-01-22 for the Community Services Department be approved.

CARRIED

#### **Board Appointment (CEDC)**

Memorandum from City Clerk, Krista Power dated May 30, 2022 was previously presented in Closed Session held earlier in the evening.

The Deputy City Clerk advised that the resolution relative to the above noted would be presented for ratification at the City Council meeting to be held later in the evening and would require a two-thirds vote.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Cody Fraser

WITH RESPECT to the confidential memorandum from Krista Power, City Clerk, dated May 30, 2022 relative to an appointment to the Thunder Bay Community Economic Development Commission (CEDC), we recommend that Robert Frenette be appointed as a Community Director of the Thunder Bay Community Economic Development Commission Inc. (CEDC);

AND THAT Robert Frenette be appointed for a four (4) year term expiring on June 6, 2026, or until such time a replacement has been appointed.

CARRIED

**Human Resources Matter**

2022CLS.021 (Human Resources) relative to the above noted was previously presented in Closed Session held earlier in the evening.

Councillor Andrew Foulds declared a conflict and refrained from discussing or voting on the following resolutions.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Mayor Mauro

WITH RESPECT to Report 2022CLS.021 (Human Resources & Corporate Safety), we recommend an 8% realignment of the Non-Union Managerial Salary Schedule effective July 1, 2022 in accordance with the City's established pay philosophy;

AND THAT any necessary By-Laws be presented to Council for ratification.

CARRIED

***REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES***

**EarthCare Advisory Committee Minutes**

Minutes of Meeting 04-2022 of the EarthCare Advisory Committee held on April 5, 2022, for information.

**Clean, Green & Beautiful Committee Minutes**

Minutes of Meeting 03-2022 of the Clean, Green & Beautiful Committee held on April, 20 2022, for information.

***REPORTS OF MUNICIPAL OFFICERS***

**Net-Zero Strategy Update - 2021/2022**

Report R 91/2022 (Infrastructure & Operations) providing information regarding the progress achieved since the approval of Climate-Forward City: Thunder Bay Net-Zero Strategy in June 2021, for information.

Memorandum from Sustainability Coordinator Summer Stevenson dated May 17, 2022 requesting an opportunity to provide a presentation relative to the above noted.

Summer Stevenson appeared before Committee electronically via MS Teams, provided a

Committee of the Whole – Monday, June 6, 2022

PowerPoint Presentation and responded to questions.

**Report R 65/2022 (Infrastructure & Operations - Engineering & Operations) Contract 2, 2022 - Sidewalk & Pedestrian Crossover**

At the May 16, 2022 Committee of the Whole meeting the City Clerk advised that this item had been withdrawn from the agenda and will be re-presented at a later date.

Report R 65/2022 (Infrastructure & Operations - Engineering & Operations) containing a recommendation relative to the above noted, re-presented.

The Deputy City Clerk advised that this item was withdrawn from the agenda and will be re-presented at a later date.

**Report R 56/2022 (Infrastructure & Operations - Engineering & Operations) Contract 4, 2022 - Sewer & Watermain II**

At the May 16, 2022 Committee of the Whole meeting the City Clerk advised that this item had been withdrawn from the agenda and will be re-presented at a later date.

Report R 56/2022 (Infrastructure & Operations - Engineering & Operations) containing a recommendation relative to the above noted, re-presented.

The Deputy City Clerk advised that this item was withdrawn from the agenda and will be re-presented at a later date.

**School Crossing Location Deletion**

Report R 97/2022 (Infrastructure & Operations - Central Support) providing a recommendation for Council's consideration relative to the above noted.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Rebecca Johnson

WITH RESPECT to Report R 97/2022 (Infrastructure & Operations – Central Support), we recommend that a school crossing guard location at Shuniah Street and Huron Avenue be removed;

AND THAT any necessary By-laws be presented to City Council for ratification.

CARRIED

**School Crossing Location Addition**

Report R 98/2022 (Infrastructure & Operations - Central Support) recommending that a school crossing guard location be implemented at Leslie Avenue at Talbot Street for the start of the 2022/2023 school year.

MOVED BY: Mayor Bill Mauro  
SECONDED BY: Councillor Cody Fraser

WITH RESPECT to Report R 98/2022 (Infrastructure & Operations - Central Support), we recommend that a school crossing guard location be implemented at Leslie Avenue at Talbot Street for the start of the 2022/2023 school year;

AND THAT any necessary By-laws be presented to City Council for ratification.

CARRIED

**Fit Together: Recreation & Facilities Master Plan Update**

Report R 63/2022 (Community Services - Recreation & Culture) providing an update on the progress of the Fit Together: Recreation and Facilities Master Plan (the Plan), approved by City Council in January 2017 (R 152/2016), for information.

**Tbaytel Debenture Financing**

Report R 89/2022 (Corporate Services & Long-Term Care - Financial Services) recommending that City Council approve the request from Tbaytel to borrow \$25 million for capital infrastructure upgrades in 2022 through 2024.

Councillor Cody Fraser declared a conflict and refrained from discussing or voting on the following resolutions.

MOVED BY: Mayor Bill Mauro  
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report R 89/2022 (Corporate Services and Long-Term Care – Financial Services), we recommend that the request from Tbaytel to borrow \$25 million for capital infrastructure upgrades in 2022 through 2024 in accordance with the 3-year Tbaytel Capital Plan outlined in the report be approved;

AND THAT the City Treasurer be authorized to proceed with debenture financing as outlined in the Report;

AND THAT the necessary By-laws be presented to Council for ratification.

CARRIED

**Non-Consolidated Financial Statements, Reserve Fund and Investment of Municipal Funds Update**

Report R 81/2022 (Corporate Services & Long Term Care - Financial Services), recommending that the Non-Consolidated Financial Statements, Reserve Fund, and Investment of Municipal Funds Update for The Corporation of the City of Thunder Bay be received by City Council.

MOVED BY: Councillor Kristen Oliver  
SECONDED BY: Mayor Bill Mauro

WITH RESPECT to Report R 81/2022 (Corporate Services & Long Term Care - Financial Services), we recommend that the Non-Consolidated Financial Statements for the Corporation of the City of Thunder Bay, as appended as Attachment A to this report, be received for information purposes;

AND THAT the 2021 tax-supported surplus of \$10.9 million be transferred to reserve funds as follows:

1. \$6.0 million to the General Capital Reserve Fund;
2. \$1.9 million to the Winter Roads Reserve Fund;
3. \$0.7 million to the Legal Fees Reserve Fund;
4. \$0.1 million to the Event Hosting Reserve Fund; and
5. \$2.2 million to the Stabilization Reserve Fund;

AND THAT the 2021 update on the Reserve Funds and Investment of Municipal Funds be received for information purposes;

AND THAT Appropriation No. 16, appended as Attachment B, and No. 17, appended as Attachment C, be approved;

AND THAT By-law 123-1992 be repealed upon the closure of the Sandy Beach Reserve Fund;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to these matters;

AND THAT any necessary by-laws be presented to City Council for ratification.



Committee of the Whole – Monday, June 6, 2022

**Referral - R 81/2022 (Corporate Services & Long Term Care - Financial Services) Non-Consolidated Financial Statements, Reserve Fund and Investment of Municipal Funds Update**

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to Report R 81/2022, we recommend that the report be referred to Administration to determine if any portion of the defined surplus can be refunded to the taxpayer;

AND THAT Administration report back on or before July 25, 2022.

LOST

**Non-Consolidated Financial Statements, Reserve Fund and Investment of Municipal Funds Update**

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Mayor Bill Mauro

WITH RESPECT to Report R 81/2022 (Corporate Services & Long Term Care - Financial Services), we recommend that the Non-Consolidated Financial Statements for the Corporation of the City of Thunder Bay, as appended as Attachment A to this report, be received for information purposes;

AND THAT the 2021 tax-supported surplus of \$10.9 million be transferred to reserve funds as follows:

1. \$6.0 million to the General Capital Reserve Fund;
2. \$1.9 million to the Winter Roads Reserve Fund;
3. \$0.7 million to the Legal Fees Reserve Fund;
4. \$0.1 million to the Event Hosting Reserve Fund; and
5. \$2.2 million to the Stabilization Reserve Fund;

AND THAT the 2021 update on the Reserve Funds and Investment of Municipal Funds be received for information purposes;

AND THAT Appropriation No. 16, appended as Attachment B, and No. 17, appended as Attachment C, be approved;

AND THAT By-law 123-1992 be repealed upon the closure of the Sandy Beach Reserve Fund;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to these matters;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **Property Tax Assessment Appeals**

Report R 92/2022 (Corporate Services & Long-Term Care - Revenue) providing information on the outstanding number of assessment appeals, current and historical impact of assessment appeals on annual tax write-offs, and the status of the assessment appeal reserve fund, for information.

### **Election Sign By-law**

Report R 88/2022 (City Manager's Office - Office of the City Clerk) recommending that the draft Election Sign By-law, as outlined in this report and appended as Attachment A, be approved.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Peng You

WITH RESPECT to Report R 88/2022 (City Manager's Office – Office of the City Clerk), we recommend that the draft Election Sign By-law, as outlined in this report and appended as Attachment A, be approved;

AND THAT the Election Sign By-law, BL 56/2022, be presented to City Council on June 13, 2022.

CARRIED

### ***FIRST REPORTS***

#### **Food and Organic Waste Diversion Program – Implementation Plan**

Report R 24/2022 (Infrastructure & Operations - Environment) recommending the development and implementation of a food and organic waste diversion (Green Bin) program to achieve and maintain compliance with the requirements of the Provincial Policy Statement, and for the optimization of the City's collection services with the use of new technology and policies to minimize the cost of implementing the new program and achieve effective participation.

This report is being introduced as a 'first report' to allow Committee of the Whole and the general public time to consider the implications of the report before the following recommendations are considered by Committee of the Whole on June 27, 2022.

Memorandum from Manager - Solid Waste and Recycling Services Jason Sherband date May 24, 2022 requesting an opportunity to provide a presentation relative to the above noted.

Mike Birett, Consultant - Birett & Associates appeared before Committee via MS Teams (audio

Committee of the Whole – Monday, June 6, 2022

participation), provided a PowerPoint Presentation relative to the above noted and responded to questions.

**Receive Report R 24/2022 (Infrastructure & Operations - Environment) as a First Report**

Recommendation to receive Report R 24/2022 (Infrastructure & Operations - Environment) as a First Report:

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Rebecca Johnson

WITH RESPECT to Report R 24/2022 (Infrastructure & Operations - Environment) we recommend that the Report be received;

AND THAT Report R 24/2022 (Infrastructure & Operations - Environment) be presented at the June 27, 2022 Committee of the Whole meeting for consideration.

CARRIED

***PETITIONS AND COMMUNICATIONS***

**EarthCare Sustainability Plan**

Memorandum from Sustainability Coordinator Summer Stevenson dated May 16, 2022 providing an update on the renewal of the EarthCare Sustainability Plan, for information.

**Tree Production - Feasibility Assessment**

At the January 10, 2022 City Council meeting, a resolution was passed directing Administration to complete an Expression of Interest related to growing and provision of trees to inform the original report R 168/2021 (Engineering & Operations) submitted at the December 6, 2022 COW meeting, and to report back by June 2022.

Memorandum from Manager - Parks & Open Spaces Cory Halvorsen dated May 16, 2022 containing information and a recommendation for Council's consideration, relative to the above noted.

MOVED BY: Mayor Bill Mauro

SECONDED BY: Councillor Peng You

WITH RESPECT to the Memorandum from Cory Halvorsen, Manager – Parks & Open Spaces dated May 14 2022, we recommend that consideration of Report R 168/2021 (Engineering & Operations) Tree Production – Feasibility Assessment be deferred to September, 2023.

CARRIED

### **Summer Services Update**

Memorandum from Director - Recreation & Culture Leah Prentice dated May 19, 2022 relative to the above noted, for information

### **Tennis Court Resurfacing - Capital Appropriation**

Memorandum from Director, Recreation & Culture Leah Prentice dated May 19, 2022, providing a recommendation relative to the above noted.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Cody Fraser

WITH RESPECT to the Memorandum from Director – Recreation & Culture Leah Prentice dated May 19, 2022, we recommend that Appropriation 19 be approved;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **Licensed Private Home Child Care**

Memorandum from General Manager, Community Services Kelly Robertson dated May 24, 2022 providing an update and recommendation relative to the above noted.

MOVED BY: Councillor Brian Hamilton  
SECONDED BY: Councillor Peng You

WITH RESPECT to the Memorandum from General Manager – Community Services Kelly Robertson dated May 24, 2022, we approve the deferral of the termination of the City's administration and delivery of the Licensed Private Home Child Care Program from July 1, 2022 to September 1, 2022;

AND THAT Administration inform the Thunder Bay District Social Services Administration Board of the change in date for contract termination;

AND THAT Administration re-purpose the current staffing complement and remaining 2022 budget for the Licensed Private Home Worker position towards the creation of an Early Childhood Educator I position effective September 2022;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

### **Clean, Green & Beautiful Terms of Reference and Policy Review**

In June 2018, Council approved a recommendation from Administration and the Clean, Green and Beautiful Committee to review Corporate Policy 02-05-01. The Committee has formed a sub-committee to review the Policy and complete the annual review of the Terms of Reference, required under Council's Procedural By-law.

Memorandum from Councillor Rebecca Johnson, Chair – Clean, Green & Beautiful Committee dated May 24, 2022 containing a recommendation relative to the above noted.

MOVED BY: Mayor Bill Mauro  
SECONDED BY: Councillor Peng You

WITH RESPECT to the Memorandum from Councillor Rebecca Johnson dated May 24, 2022 we recommend that the report back date relating to Outstanding List Item 2018-009-ADM Clean, Green & Beautiful Policy review be changed from June 27, 2022, to July 25, 2022;

AND THAT any necessary by-laws be presented to Council for ratification.

CARRIED

### **Outstanding Item - Automated Speed Enforcement**

Memorandum from Director - Engineering & Operations Kayla Dixon dated May 27, 2022 providing a recommendation relative to Automated Speed Enforcement - Outstanding Item 2020-048-INO.

MOVED BY: Councillor Cody Fraser  
SECONDED BY: Mayor Bill Mauro

WITH RESPECT to the Memorandum from Kayla Dixon, Director, Engineering & Operations dated May 27, 2022, we recommend that the report back date relating to Outstanding Item No. 2020-048-INO (Automated Speed Enforcement) be changed from June 6, 2022 to December 12, 2022.

CARRIED

### ***OUTSTANDING ITEMS***

#### **Outstanding List for Operations as of May 24, 2022**

Memorandum from City Clerk K. Power, dated May 24, 2022 providing the Operations Outstanding Items List, for information.

***NEW BUSINESS***

**Establishment of Closed Session Meeting – June 20, 2022**

The following resolution will be presented to Committee of the Whole in order to establish Committee of the Whole – Closed Session on June 20, 2022.

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Mayor Bill Mauro

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, June 20, 2022 at 4:30 p.m. in order to receive information pursuant to the Municipal Act (Section 239 (2)) relative to:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

CARRIED

***ADJOURNMENT***

Then meeting adjourned at 9:35 p.m.

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**MEETING DATE**     06/27/2022 (mm/dd/yyyy)

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**SUBJECT**             Ratifying Resolutions - June 27, 2022

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***SUMMARY***

Pending the passage of the resolution relative to the above-noted at the Committee of the Whole meeting, to be held earlier in the evening, the resolution will be presented for ratification and under Council's policy will require a two-thirds vote.

***RECOMMENDATION***

THAT the following ratifying resolutions be introduced, read, dealt with individually

1.     Report R 96/2022 – Contract 11, 2022 – Multi-Use Trails/Parks;
2.     Report R 99/2022 - Contract 10, 2022 – Hot-In-Place Asphalt Paving;
3.     Report R 108/2022 - Single Source Purchase of Software Modules and Related Implementation Services for the City's Property Information System (AMANDA).



## Memorandum

Corporate By-law Number BL 56/2022

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Dana Earle  
City Manager's Office - Office of the City Clerk

**DATE:** 05/04/2022

**SUBJECT:** BL 56/2022 - Election Sign By-law

**MEETING DATE:** City Council - 06/27/2022 (mm/dd/yyyy)

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**By-law Description:** A By-law to manage and regulate Election Signs in the City of Thunder Bay, in the District of Thunder Bay.

**Authorization:** Report R 88/2022 (City Manager's Office / Office of the City Clerk) - Committee of the Whole – June 6, 2022.

**By-law Explanation:** The purpose of this by-law is to manage and regulate the placement of election signs for federal, provincial, municipal and school board elections and by-elections.

**Schedules and Attachments:**

**Amended/Repealed By-law Number(s):**





THE CORPORATION OF THE CITY OF THUNDER BAY  
BY-LAW NUMBER BL 56/2022

A By-law to manage and regulate Election Signs in the City of Thunder Bay, in the District of Thunder Bay.

Recitals

1. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, subsection 5(3) provides that a municipal power shall be exercised by by-law.
2. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, subsection 10(2) authorizes the City to pass by-laws respecting signs.
3. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, subsection 63(1) authorizes the City, if it passes a by-law for prohibiting or regulating the placing of an object on or near a Highway, to provide for the removal and impounding of such object placed on or near a Highway in contravention of that by-law.
4. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, section 425 authorizes the City to pass by-laws providing that any person who contravenes a by-law of the municipality is guilty of an offence.
5. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, section 429 authorizes a municipality to establish set fines for offences under a by-law of the municipality.
6. The *Municipal Act*, 2001, S.O. 2001, c.25, as amended, section 445 authorizes a municipality to make an order requiring a person who has contravened a by-law or who has caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention.
7. The City of Thunder Bay's Sign By-law was enacted on May 25, 1992, therefore it is deemed necessary to enact a stand-alone by-law which regulates Signs for the federal, provincial, municipal and school board elections.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

**1. Scope**

- 1.1 This by-law shall apply to:
  - a) All regular Federal, Provincial, Municipal and School Board Elections, including any by-election; and
  - b) Candidates, Third-Party Advertisers and all other persons erecting Election Signs.
- 1.2 If any provision of this by-law conflicts with any provision of any other City of Thunder Bay by-law, the provision of this by-law shall take precedence.

## 2. Short title

2.1 This by-law may be referred to as the “Election Sign By-law.”

## 3. Definitions

3.1 In this by-law:

- a) “Abandoned Signs” means an Election Sign that remains following the conclusion of the election and is not removed.
- b) “Billboard Sign” means a sign structure and sign face, erected under the authority of a Sign By-law permit, which lawfully allows advertising space to be upon which the space is sold or rented to a person who does not occupy the premises where the Sign is located.
- c) “Boulevard” means all parts of a Highway except the Roadway, Shoulder or Sidewalk.
- d) “Campaign Office” means one building or structure, or part of one building or structure, used by a Candidate.
- e) “*Canada Elections Act*” means the *Canada Elections Act*, S.C. 2000, c.9, as amended and any successor legislation.
- f) “Candidate” means a person who has been nominated under the *Canada Elections Act*, the *Election Act*, or the *Municipal Elections Act, 1996*.
- g) “City” means the Corporation of the City of Thunder Bay.
- h) “City Clerk” mean the City Clerk or their designate.
- i) “*Election Act*” means the *Election Act*, R.S.O. 1990, c.E.6, as amended and any successor legislation.
- j) “Election Sign” means any officially authorized sign by a candidate or registered third party advertiser or other election advertising device, including, without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof:
  - i. Advertising or promoting by use of words, pictures, graphics or any combination thereof is used by or on behalf of a candidate in a federal, provincial or municipal election or by-election; or
  - ii. Intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors under the *Municipal Elections Act, 1996*.
- k) “Election Vehicle Sign” means and Election Sign(s) that is non-illuminated and is affixed securely to the vehicle in a one dimensional plane (flat), except where a vehicle wrap is employed.
- l) “Highway” means property owned by the Corporation that is opened to the public as a route for vehicular Traffic. The term includes the entire property, encompassing all of the: Roadway, Boulevards, Curbs, Crosswalks and Shoulders.
- m) “Manager of Licensing & Enforcement” means the Manager or their designate.
- n) “Mobile Sign” means a mobile sign as set out in the Sign By-law but does not include mobile billboard signs.

- o) “*Municipal Act*” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended and any successor legislation.
- p) “*Municipal Elections Act, 1996*” means the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended and any successor legislation.
- q) “Municipal Law Enforcement Officer” means a person appointed by the Corporation to enforce its By-laws.
- r) “Officer” means a Municipal Law Enforcement Officer appointed for the City of Thunder Bay, or a Police Officer.
- s) “Owner” means the person who Places or permits the placing of an Election Sign or any person described on the Election Sign, whose name, address or telephone number is on the Election Sign or who benefits from the message on the Election Sign and for the purposes of this By-law there may be more than one owner of an Election Sign. For these purposes an “Owner” would be a candidate or registered third party advertiser.
- t) “Park” shall include any land or premises under the control and /or ownership of the City for park and recreational purposes and includes any lane, walkway or public parking area leading thereto, and also includes any and all buildings, structures, equipment, facilities, and improvements located in or on such land.
- u) “Person” includes a corporation.
- v) “Place” means attach, affix, install, erect, build, construct, reconstruct, move or display.
- w) “Private Property” means real property that is not a Highway or Public Property.
- x) “Public Property” means real property owned or under control of the City of Thunder Bay, Provincial Government, Federal Government or any of their respective agencies, boards or commissions including but not limited to Highways, all road allowances, Boulevards, Parks, open spaces and vacant public lands.
- y) “Roadway” means that part of a Highway, a private road, a Lane, or a driveway that is designated or ordinarily used for vehicular traffic, but does not include the Shoulder. Where a Highway includes two or more separate Roadways, the term refers to any one Roadway separately and not all of the Roadways collectively.
- z) “Sidewalk” means a portion of a Boulevard which is improved with concrete or pavement to accommodate pedestrian travel. The term expressly excludes any such walkway that is considered to be part of the Corporation’s recreational trail system and signed as such.
- aa) “Sign” means any sign or other advertising device, surface or structure and any component or appurtenant parts, used or capable of being used as a visual medium to attract attention to a specific subject matter or to create a design or convey a message, and includes a banner, awning, canopy, marquee, menu board, poster or billboard.

- bb) “Sign By-law” mean the City of Thunder Bay Sign By-law 135-1992, as amended, or any successor by-law.
- cc) “Sign Height” means the vertical height of a Sign from the finished grade to the highest part of the Sign.
- dd) “Third Party” means an individual, corporation or trade union that is registered as a third party under any legislation in force that regulates third party advertisers.
- ee) “Voting Location” means the entire building where voting will occur and the entire property associated with the building where voting is scheduled to take place, including advance voting days, on those dates when voting is to occur and includes the 24 hours preceding any established voting date.

#### **4. General Requirements**

- 4.1 Election Signs that are erected in accordance with the provisions of this By-law, are exempt from the requirements of the Sign By-law, to obtain a permit.
- 4.2 Election Signs are permitted on any Billboard Sign or Mobile Sign, where such sign is authorized with a permit issued for the location under the Sign By-law; Election Vehicle Signs are permitted without a permit during the period Election Signs are permitted under this by-law.
- 4.3 Where a Billboard Sign is a digital sign, the operation of the sign for the purposes of displaying Election Signs, must conform to the rules for “Illuminated and Electronic Signs” as contained within the Sign By-law, as amended by By-law 125/2016 (section 5.6), regardless of then the authorizing permit was issued to erect and operate the sign structure.
- 4.4 Election Signs permitted under this by-law shall have dimensions that are not more than 1.2 meters in side width, for each of two sides, and not more than 2.0 meters Sign Height, except where a Billboard sign or mobile signs is utilized under a valid permit, then this Sign Height restriction for Election signs does not apply.

#### **5. Contents of elections signs**

- 5.1 Each Election Sign that is erected on behalf of the candidate shall clearly identify who is responsible for the messaging, in a font easily readable at a distance of five (5) meters except that such identity on Billboard Signs and mobile signs must be visible from the adjacent street level.
- 5.2 Each Third Party sign shall identify the name of the registered Third Party, the municipality where the Third Party is registered and a telephone number, mailing address or email address at which the registered Third Party may be contacted.
- 5.3 No person shall display any of the City’s official marks or the City’s logo or the City’s municipal election logo, in whole or in part, on any Election Sign.

## **6. Timing**

6.1 Every candidate or their agent, Third Party or any other person shall only affix, erect or otherwise display an Election Sign or cause an Election Sign to be erected, affixed, or otherwise displayed:

- a) the Tuesday following Nomination Day of a referendum, a municipal question or a municipal or school board election or by-election; or
- b) after the issuance of the writ for a provincial or federal election or by-election; and
- c) shall be removed within 72 hours following voting day.

6.2 Notwithstanding subsection 6.1 (c) above, Election Signs at a Campaign office have fourteen (14) days to remove Election Signage.

## **7. Locations in general**

7.1 No person shall Place or permit to be placed an Election Sign, in any ward that they are not officially nominated or registered in.

7.2 No Election Sign shall be located where it will interfere with the safe movement or visibility of any vehicle or pedestrian traffic or where it is a general hazard to public safety.

7.3 No Election Sign shall be located so as to obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue, air intake or air exhaust, nor so as to prevent or impede the free access of emergency personnel to any part of a building, including any emergency water connection or fire hydrant.

## **8. Election signs on private property**

8.1 No Election Sign shall be placed or permitted to be placed on Private Property without the property owner's or an occupant's consent.

8.2 No more than three (3) Election Signs will be allowed per Private Property lot.

8.3 Notwithstanding subsection 8.2, one Election Sign per Candidate per 500 meters of frontage is allowed for commercial or industrial properties.

## **9. Election signs on public property**

9.1 No person shall Place or permit to be placed an Election Sign on any Public Property, including City boulevards and highways.

## **10. Election signs near voting locations**

10.1 No person shall, at any time on any election voting day including those days when advance election voting is held, erect, cause or permit to be erected an Election Sign or display a vehicle sign on any grounds associated with any place being used as a Voting Location.

10.2 No person shall at any time erect, cause or permit to be erected, or maintain an election Sign or vehicle sign within 150 meters of a Voting Location except on Private Property.



## **11. Campaign office exemptions**

11.1 Despite the foregoing provisions regarding the timing of Placing Election Signs, Election Signs may be erected on a Candidate's Campaign Office, once the Candidate has filed their nomination with the City Clerk.

## **12. Removal or damage of election signs**

12.1 Every Owner shall remove all Election Signs within 72 hours (3 days) immediately following 11:59 p.m. of the day of the election, except as otherwise provided.

12.2 No person shall deface, remove or willfully cause damage to a lawfully erected campaign sign.

12.3 The Manager of Licensing & Enforcement, or designate, may remove or cause to be removed immediately, without notice, any Election Sign that does not comply with this By-law.

12.4 The Manager of Licensing & Enforcement, or designate, may recover the expense for the removal of an Election Sign from the Owner of the Sign and may commence proceedings against the Owner to recover such expense.

12.5 The Manager of Licensing & Enforcement, or designate, without notice or compensation, shall destroy or otherwise dispose of Election Signs removed in accordance with this by-law.

12.6 The City shall not be liable for any damage or loss of an Election Sign that was displayed in accordance with this by-law or that was removed by the City.

## **13. Enforcement**

13.1 This by-law may be enforced by an Officer.

## **14. Offence and penalty**

14.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O., 1990, c. P. 33, as amended.

14.2 Any person who contravenes a provision of this By-law is also subject to a system of fines set out in section 429 of the *Municipal Act, 2001*, any and all contraventions of this By-law are designated as continuing offences for each day they continue.

14.3 Every person who is convicted of an offence is liable to a minimum fine of three hundred dollars (\$300.00) and a maximum of five thousand dollars (\$5,000.00) and then to a maximum fine of ten thousand dollars (\$10,000.00) for each subsequent conviction under the By-law to a maximum prescribed in the *Municipal Act, 2001*.

14.4 In addition to the fine amounts set out in section 14.3, for each day or part of a day that an offence continues, the minimum fine shall be three hundred dollars (\$300) per day or part day for the first conviction, but the total of all daily fines, shall not exceed five thousand dollars (\$5,000.00) for the first offence, where the convictions are registered to a person, that is not a corporation.

14.5 Where a corporation is convicted of a second and subsequent conviction, the minimum fine shall not be less than five thousand dollars (\$5,000) for each subsequent conviction to a maximum fine of one hundred thousand dollars (\$100,000).

15. This by-law shall come into force and take effect upon the date it is passed.

Enacted and passed this 27th day of June, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

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Mayor

Krista Power

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City Clerk





## *Memorandum*

Corporate By-law Number BL 57/2022

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Doug Vincent, Manager  
Development & Emergency Services - Licensing & Enforcement

**DATE:** 05/05/2022

**SUBJECT:** BL 57/2022 - A by-law to amend By-law 314-1994

**MEETING DATE:** City Council - 06/27/2022 (mm/dd/yyyy)

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**By-law Description:** A By-law to amend By-law 314-1994, being a by-law regulating fences within the City of Thunder Bay.

**Authorization:** Report R 73/2021 (Development & Emergency Services - Municipal Enforcement Services) Committee of the Whole - May 16, 2022.

**By-law Explanation:** The purpose of this By-law is to amend By-law 314-1994, being a by-law regulating fences within the City of Thunder Bay.

**Schedules and Attachments:**

**Amended/Repealed By-law Number(s):**



THE CORPORATION OF THE CITY OF THUNDER BAY  
BY-LAW NUMBER BL 57/2022

A By-law to amend By-law 314-1994, being a by-law regulating fences within the City of Thunder Bay.

Recitals

1. Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;
2. Under Section 10 (2) of the *Municipal Act, 2001*, as amended, grants broad authority to a single tier municipality that may pass by-laws respecting, among other thing, matters concerning economic, social and environmental well being of the community, including fences;
3. The Council deems it expedient to update the City's Fence By-law to provide for enhanced public safety and security systems, when permitting the upgrading or construction of appropriate fencing requirements at correctional and detainment facilities, authorized by appropriate government bodies.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. That By-law 314-1994, being a By-law Regulating Fences within the City of Thunder Bay, is amended by inserting the following under number 1. Definitions:

"1.(b.1) "Correctional Facility" means any Correctional Institution, Jail, Detention Centre or similar-purposed facility, approved and regulated by the Province of Ontario or the Government of Canada, that is constructed, maintained and used for the purpose of keeping people contained within a secure area", and

2. By-law 314-1994 is further amended by inserting the following under Section 13.  
OTHER ZONES.

"13.1 This By-law does not apply to Correctional Facilities, save and except for the application of section 24 (pedestrian and vehicular safety)".

3. **Effect:** This By-law comes into force and takes effect upon the date it is passed.

Enacted and passed this 27th day of June, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

\_\_\_\_\_  
Bill Mauro

Mayor

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Krista Power

City Clerk

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**MEETING DATE**     06/27/2022 (mm/dd/yyyy)

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**SUBJECT**             By-law Resolution

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***SUMMARY***

By-law Resolution - City Council - June 27, 2022

***RECOMMENDATION***

THAT the following By-law(s) be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1.     Election Sign By-law

By-law Number: BL 56/2022

2.     A By-law to amend the Fence Regulation By-law 314-1994.

By-law Number: BL 57/2022



## *Memorandum*

Corporate By-law Number BL 59/2022

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**TO:** Office of the City Clerk **FILE:**

**FROM:** Linda Crago  
City Manager's Office - Office of the City Clerk

**DATE:** 05/06/2022

**SUBJECT:** BL 59/2022 - Confirming By-law June 27, 2022

**MEETING DATE:** City Council - 06/27/2022 (mm/dd/yyyy)

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**By-law Description:** A By-law to confirm the proceedings of a meeting of Council, this 27th day of June 2022.

**Authorization:** Committee of the Whole - 2003/02/24

**By-law Explanation:** To confirm the proceedings and each motion, resolution and other action passed or taken by the Council at this meeting is, except where prior approval of the Ontario Land Tribunal required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

**Schedules and Attachments:**

**Amended/Repealed By-law Number(s):**



THE CORPORATION OF THE CITY OF THUNDER BAY  
BY-LAW NUMBER BL 59/2022

A By-law to confirm the proceedings of a meeting of Council,  
this 27th day of June 2022.

Recitals

1. Subsection 5(1) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, provides that the powers of a municipal corporation are exercised by its Council. Subsection 5(3) provides that those powers are to be exercised by by-law.
2. Council considers it appropriate to confirm and adopt its proceedings at this meeting by by-law.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF  
THUNDER BAY ENACTS AS FOLLOWS:

1. The actions of the Council at the following meeting:

27th day of June, 2022 OPEN SESSION, CITY COUNCIL MEETING

and each motion, resolution and other action passed or taken by the Council at that meeting is, except where prior approval of the Ontario Land Tribunal is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Thunder Bay are authorized and directed to do all things necessary to give effect to the actions of the Council referred to in Section 1 of this By-law. In addition, the Clerk is authorized and directed to affix the corporate seal to any documents which require it.
3. This By-law shall come into force on the date it is passed.

Enacted and passed this 27th day of June, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk

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**MEETING DATE**     06/27/2022 (mm/dd/yyyy)

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**SUBJECT**             Confirming By-law Resolution - June 27, 2022 - City Council

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***SUMMARY***

Confirming By-law Resolution - June 27, 2022 - City Council

***RECOMMENDATION***

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1.        A By-law to confirm the proceedings of a meeting of Council, this 27<sup>th</sup> day of June, 2022.

By-law Number: BL 59/2022