



# **AGENDA MATERIAL**

## **COMMITTEE OF THE WHOLE**

**MEETING DATE:** MONDAY, OCTOBER 21, 2019

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

**TIME:** IMMEDIATELY FOLLOWING CITY COUNCIL (PUBLIC MEETING)



**MEETING:** Committee of the Whole

**DATE:** October 21, 2019

*Reference No. COW - 45/50*

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**CLOSED SESSION in the McNaughton Room at 5:00 p.m.**

Committee of the Whole - Closed Session

Chair: Councillor Trevor Giertuga

Closed Session Agenda Items for October 21, 2019 will be distributed separately to Members of Council and EMT only.

**OPEN SESSION in S.H. Blake Memorial Auditorium immediately following City Council (Public Meeting)**

Committee of the Whole - Planning Session

Chair: Councillor Trevor Giertuga

**DISCLOSURES OF INTEREST**

**CONFIRMATION OF AGENDA**

Confirmation of Agenda - October 21, 2019 - Committee of the Whole **(Page 3)**

With respect to the October 21, 2019 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

**REPORTS OF COMMITTEES**

**Heritage Advisory Committee Minutes**

Minutes of Meetings No. 8-2019 and No. 9-2019 of the Heritage Advisory Committee held on August 22, 2019 and September 12, 2019, for information. **(Pages 4 - 11)**

**Lakehead Region Conservation Authority Minutes**

Minutes of Meeting No. 7-2019 of the Lakehead Region Conservation Authority held on August 28, 2019, for information. **(Pages 12 - 20)**

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

### **Bill 108, the More Homes, More Choices Act, 2019 (Pages 21 - 25)**

R 145/2019 (Development & Emergency Services - Planning Services) providing information relative to Bill 108, the More Homes, More Choices Act, 2019 that was passed on September 3, 2019 by the legislature. This Bill amends the Planning Act, 1990 together with 13 different statutes in order to implement the province's More Homes, More Choice: Ontario's Housing Supply Action Plan.

The changes broaden the Local Planning Appeal Tribunal's jurisdiction over land use planning matters, reduce timelines for municipalities to make planning decisions, remove third party appeals on plans of subdivision, and require that municipalities provide for second dwelling units in ancillary buildings like garages.

The Bill also introduces the opportunity for a new community benefits charge and amends the Development Charges Act, 1997.

### **Investing in Canada Infrastructure Program (ICIP) - Community, Recreation and Culture Funding (Pages 26 - 32)**

Report No. R 152/2019 (Community Services) recommending that City Council approve the submission of applications to the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Funding Stream Ontario Program as outlined in this Report.

With Respect to Report No. R152/2019 (Community Services), we recommend that City Council approve the submission of applications to the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Funding Stream Ontario Program as outlined in this Report;

AND THAT City Council endorse the Thunder Bay Public Library's Waverly Resource Library Renewal Project as outlined in this Report;

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

## ***NEW BUSINESS***

## ***ADJOURNMENT***

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***MEETING DATE***      10/21/2019 (mm/dd/yyyy)

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***SUBJECT***              Confirmation of Agenda

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***SUMMARY***

Confirmation of Agenda - October 21, 2019 - Committee of the Whole

***RECOMMENDATION***

With respect to the October 21, 2019 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

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***MEETING DATE***     10/21/2019 (mm/dd/yyyy)

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***SUBJECT***             Heritage Advisory Committee Minutes

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***SUMMARY***

Minutes of Meetings No. 8-2019 and No. 9-2019 of the Heritage Advisory Committee held on August 22, 2019 and September 12, 2019, for information.

***ATTACHMENTS***

1 HAC minutes Aug 22 2019  
2 HAC minutes Sep 12 2019

**DATE:** THURSDAY, AUGUST 22, 2019**MEETING NO. 08-2019****TIME:** 5:03 P.M.**PLACE:** MCNAUGHTON ROOM, 3<sup>RD</sup> FLOOR, CITY HALL  
500 DONALD STREET EAST**CHAIR:** MR. A. COTTER**PRESENT:**

Mr. C. Cotter, Chair  
Mr. N. Duplessis  
Mr. L. Hebert  
Ms. D. Pallen  
Ms. H. Strobl  
Ms. J. Waite  
Mr. D. Yahn

**OFFICIALS:**

Ms. L. Lavoie, Committee Coordinator

**RESOURCE PERSONS:**

Ms. L. Abthorpe, Heritage Researcher  
Ms. P. Mader, Arts & Cultural Development Coordinator  
Mr. G. Mason, Planner II

**GUESTS:**

Ms. K. Dixon, Director – Engineering & Operations  
Mr. M. Vogrig, Project Engineer  
Ms. J. Taylor, Taylor Hazell Architects (via teleconference)  
Mr. N. Lawler, Tacoma Engineers (via teleconference)

**1.0 DISCLOSURES OF INTEREST**

None.

**2.0 WELCOME NEW COMMITTEE MEMBERS**

Mr. A. Cotter, Chair welcomed new committee member, Mr. N. Duplessis and returning committee member, Mr. D. Yahn and there was a roundtable of introductions.

**3.0 AGENDA APPROVAL**

MOVED BY: Ms. D. Pallen  
SECONDED BY: Mr. L. Hebert

With respect to the August 22, 2019 Heritage Advisory Committee meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

**4.0 CONFIRMATION OF PREVIOUS MINUTES**

The Minutes of the Heritage Advisory Committee Meetings No. 06-2019 held on June 27, 2019 and No. 07-2019 held on July 31, 2019 to be confirmed.

MOVED BY: Mr. L. Hebert

SECONDED BY: Ms. J. Waite

THAT the Minutes of Meetings No. 06-2019 and No. 07-2019 held on June 27, 2019 and July 31, 2019 be confirmed.

CARRIED

**5.0 PRESENTATIONS****5.1 Thunder Bay Multicultural Association**

The presentation relative to the above-noted was deferred to the September 26, 2019 meeting as Mr. J. Squier, President – Thunder Bay Multicultural Association was unable to attend.

**5.2 Boulevard Lake Dam**

Document entitled Boulevard Lake Dam, Thunder Bay Cultural Heritage Evaluation Report, dated July 2019 was distributed separately with agenda.

Ms. J. Taylor, Taylor Hazell Architects (via teleconference), Mr. N. Lawler, Tacoma Engineers (via teleconference), Mr. M. Vogrig, Project Engineer and Ms. Ms. K. Dixon, Director - Engineering & Operations provided a PowerPoint presentation entitled Boulevard Lake Dam Rehabilitation Cultural Heritage Evaluation Report.

Boulevard Lake Dam's concrete is severely deteriorated and must be replaced. Work to repair the dam includes:

- Reinforce with rods
- Remove wooden stop logs and replace with mechanical gates
- Widen walkway
- Add lighting on walkway

A Cultural Heritage Evaluation Report (CHER) was completed by Taylor Hazell Architects Ltd. and the report revealed historical significance, design/physical value and historical/associative value.

The property has been significant to the community as a public park, as well as for flood protection as a civic structure.

The dam was designed by Smith, Kerry & Chace Engineers, of Toronto, who designed other notable power generation facilities in Canada. It is an early example of a concrete gravity dam with several unique and notable construction features. It is representative of a high degree of skill in engineered construction technology under dramatic conditions and displays a high level of precision and forethought in design. It is connected to the history of public utilities and hydroelectric power generation in the City.

As a result of the CHER, Taylor Hazell Architects Ltd. recommends designation under Part IV of the Ontario Heritage Act.

Administration noted that gatehouse creates a serious safety issue. It is in very poor condition, there is water in the basement and vandalism is rampant. The gatehouse location also creates a bottleneck on the walkway, hindering accessibility. Removing the gatehouse will make the walkway accessible by allowing for it to be 3m wide. If the gatehouse were to remain, construction of a bridge would be necessary to provide accessibility.

Administration recommends building a public space on the gatehouse foundation to include benches along with interpretive panels and displays relative to the history of the dam and gatehouse. The committee discussed ideas for the public space, including a display of the wooden stop logs. If they proceed with the proposed public space, Administration intends to consult with HAC on the project.

The fish ladder has no historical value as it was not part of the original dam design. It will remain, but is not part of the rehabilitation project.

The committee requested permission to photo document the property, including the dam and gatehouse, before rehabilitation begins.

MOVED BY: Mr. L. Hebert  
SECONDED BY: Ms. D. Pallen

THAT the Heritage Advisory Committee adopt the draft Boulevard Lake Dam Cultural Heritage Evaluation Report, completed by Taylor Hazell Architects Ltd. and dated July 2019.

CARRIED

## 6.0 WAVERLEY LOOKOUT

Memorandum from Mr. W. Schwar, Supervisor – Parks & Open Space Planning, dated August 20, 2019 containing an update relative to the above-noted.



There was discussion relative to the memorandum. It was the consensus of committee to invite Mr. W. Schwar to the September 26, 2019 committee meeting.

#### 7.0 DEASE POOL – MEMO FOR COUNCIL

Ms. L. Lavoie, Committee Coordinator provided an update relative to the memorandum from Mr. A. Cotter, Chair, dated June 28, 2019. The memorandum was presented to City Council at the July 29, 2019 Committee of the Whole meeting. A resolution was passed referring this matter to Administration for more information.

#### 8.0 PROPOSED 2020 REGIONAL HERITAGE CONFERENCE

An update relative to the above-noted was deferred to the September 26, 2019 committee meeting.

#### 9.0 DIGITAL TOUR APP

Ms. L. Abthorpe, Heritage Researcher provided a PowerPoint presentation relative to the City's new digital walking tour app, using a platform called Wander. Features of the app include:

- Uses GPS technology
- Includes audio
- Accessible content
- Sends notifications when passing significant features
- Administration maintains control of content
- Tours may be download for use offline
- Tours may be sorted various ways, such as featured tours, historic tours or around me
- Analytics are included, will provide valuable insight
- Potential for advertising sales

Current walking tours, available on paper, are being digitized with the app and new walking tours will be added. A digital walking tour app will allow citizens to discover their community, educate people on Thunder Bay's history and enhance visitors' experiences with guided tours, photos, content and audio.

The expected launch date for the app is early May 2020.

**10.0 HERITAGE RESEARCHER UPDATE**

Ms. L. Abthorpe, Heritage Researcher provided a PowerPoint presentation which included the following.

- New HAC logo
- HAC Facebook page
- New covers and new look for paper copies of the City's walking tours
- Overview of some new properties added to the walking tours

Ms. L. Abthorpe provided updates relative to the following:

- Culture Days will take place September 27-29, 2019
- August Walleye article was about the Thunder Bay Main Lighthouse
- September Walleye article will feature Soroptimist International Friendship Gardens

Ms. L. Abthorpe asked HAC members to consider volunteering for the Doors Open Thunder Bay 2020 Committee. The first meeting to begin Doors Open planning will be in September.

2019 marks the 100<sup>th</sup> anniversary of the completion of Murphy Mansion, 431 Selkirk Street S, which is a designated heritage property. Ms. L. Abthorpe is organizing a media event to present the property owner with a certificate acknowledging 100 years.

**11.0 NEW BUSINESS****12.0 NEXT MEETING DATE**

The next meeting is scheduled for Thursday, September 26, 2019 at 5:00 p.m. in the McNaughton Room.

**13.0 ADJOURNMENT**

The meeting was adjourned at 7:50 p.m.

**DATE:** THURSDAY, SEPTEMBER 12, 2019 **MEETING NO. 09-2019**

**TIME:** 12:02 P.M.

**PLACE:** MCNAUGHTON ROOM, 3<sup>RD</sup> FLOOR, CITY HALL  
500 DONALD STREET EAST

**VICE CHAIR:** MR. A. COTTER

**PRESENT:**

Ms. K. Costa, Vice Chair  
Mr. A. Cotter, Chair  
Mr. N. Duplessis  
Mr. L. Hebert  
Ms. D. Pallen  
Mr. D. Yahn

**OFFICIALS:**

Ms. L. Lavoie, Committee Coordinator

**RESOURCE PERSONS:**

Ms. L. Abthorpe, Heritage Researcher  
Ms. P. Caland, Ministry of Tourism, Culture & Sport  
Mr. G. Mason, Planner II

**GUESTS:**

Mr. B. Caland, TBDSSAB  
Mr. M. McKay, TBDSSAB  
Ms. L. Wiebe, TDE Enterprises Inc.  
Ms. J. Vondrasek, TDE Enterprises Inc.

1.0 DISCLOSURES OF INTEREST

None.

2.0 AGENDA APPROVAL

MOVED BY: Ms. D. Pallen  
SECONDED BY: Mr. L. Hebert

With respect to the September 12, 2019 Heritage Advisory Committee meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3.0 PRESENTATIONS

3.1 9 Regent Street

Ms. L. Wiebe, TDE Enterprises Inc. and Ms. J. Vondrasek, TDE Enterprises Inc. provided information relative to proposed replacement of the exterior and interior

vestibule doors at 9 Regent Street, a designated property as part of the Waverley Park Heritage Conservation District.

Mr. B. Caland, Manager, Facilities – The District of Thunder Bay Social Services Administration Board (TBDSSAB) provided additional information relative to the above-noted. Following a building assessment conducted in 2013/2014, it was determined that the vestibule doors were at the end of their lifecycle. Their replacement is planned maintenance, along with enhancements to the building's security system. The current aluminum doorframe will be replaced with a steel one. The aesthetic of the building's exterior will not change.

Drawings dated June 2019 were circulated at the meeting.

Mr. B. Caland and Mr. M. McKay, TBDSSAB responded to questions.

MOVED BY: Mr. L. Hebert  
SECONDED BY: Mr. D. Yahn

THAT the Heritage Advisory Committee approves replacement of the exterior and interior vestibule doors and an enhanced security system at 9 Regent Street, located in the Waverley Park Heritage Conservation District, as presented by Ms. L. Wiebe and Ms. J. Vondrasek of TDE Enterprises Inc. and Mr. B. Caland and Mr. M. McKay of The District of Thunder Bay Social Services Administration Board at the September 12, 2019 Committee meeting;

AND THAT the Heritage Advisory Committee confirms that the plans as presented do not conflict with the significant heritage features of the building;

AND THAT a copy of this resolution be forwarded to The City of Thunder Bay's Building Division, if required.

CARRIED

#### 4.0 NEXT MEETING DATE

The next meeting is scheduled for Thursday, September 26, 2019 at 5:00 p.m. in the McNaughton Room.

#### 5.0 ADJOURNMENT

The meeting was adjourned at 12:12 p.m.

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***MEETING DATE***      10/21/2019 (mm/dd/yyyy)

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***SUBJECT***              Lakehead Region Conservation Authority Minutes

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***SUMMARY***

Minutes of Meeting No. 7-2019 of the Lakehead Region Conservation Authority held on August 28, 2019, for information.

***ATTACHMENTS***

1. LRCA MINUTES - AUGUST 28, 2019



# LAKEHEAD REGION

## CONSERVATION AUTHORITY

Minutes of the Seventh Regular Meeting of the Lakehead Region Conservation Authority held on Wednesday, August 28, 2019, in the Authority Boardroom. The Chair called the Meeting to order at 4:30 p.m.

**PRESENT:** Donna Blunt, Chair  
Grant Arnold, Vice-Chair  
Rudy Buitenhuis  
Ed Chambers  
Andrea Goold  
Umed Panu  
Allan Vis

**REGRETS:** Erwin Butikofer  
Andrew Foulds  
Trevor Giertuga  
Jim Vezina

**ALSO PRESENT:** Tammy Cook, Chief Administrative Officer  
Mark Ambrose, Finance Manager  
Gail Willis, Watershed Manager  
Ryne Gilliam, Lands Manager  
Ryan Mackett, Communications Manager  
Melanie O'Riley, Receptionist/Admin Clerk, recorder of Minutes

### 1. ADOPTION OF AGENDA

Resolution #84/19

Moved by Andrea Goold, Seconded by Rudy Buitenhuis

***"THAT: the Agenda is adopted as published." CARRIED.***

### 2. DISCLOSURE OF INTEREST

None.

### 3. RETIREMENT OF SOURCE PROTECTION COMMITTEE CHAIR

Members were advised of the retirement of Bob Hartley, Source Protection Committee Chair. The Board recognized Bob Hartley's 12 years of service as the Chair of the Source Protection Committee (SPC) and presented him with a plaque and framed photo.

It was noted that the Ministry of Environment, Conservation and Parks is in the process of appointing a new Chair for the SPC.

### 4. MINUTES OF PREVIOUS MEETING

Resolution #85/19

Moved by Rudy Buitenhuis, Seconded by Andrea Goold

***"THAT: the Minutes of the Lakehead Region Conservation Authority Sixth Regular Meeting held on Wednesday, June 26, 2019, together with the In-Camera portion are adopted as published."***  
**CARRIED.**

### 5. IN-CAMERA AGENDA

Resolution #86/19

Moved by Andrea Goold, Seconded by Rudy Buitenhuis

***"THAT: we now go into Committee of the Whole (In-Camera) at 4:36 p.m."*** **CARRIED.**

Resolution #87/19

Moved by Rudy Buitenhuis, Seconded by Andrea Goold

***"THAT: we go into Open Meeting at 5:55 p.m."*** **CARRIED.**

The purpose of the In-Camera Meeting pertained to personnel and legal matters.

It is noted that the completed 2019 Pay Equity/Compensation Review Study was presented by the consultant.

Resolution #88/19

Moved by Ed Chambers, Seconded by Grant Arnold

***"THAT: Staff Report FIN-05-2019 is received AND FURTHER THAT Scenario #3 as amended be adopted with an effective date of January 1, 2020."*** **CARRIED.**

## **6. BUSINESS ARISING FROM PREVIOUS MINUTES**

### **(a) File: Dive Park at Silver Harbour Conservation Authority**

It was noted that parking fees at Silver Harbour Conservation Area have been received from the diving community, which have been placed in envelopes noting the origin. Staff has begun tracking the diving community parking fees annually. It was also noted that Thunder Country Diving donated \$80.00 that was collected during a recent event held at Silver Harbour.

## **7. CORRESPONDENCE**

### **(a) File: Michael Gravelle, MPP Thunder Bay – Superior North**

Correspondence received from Michael Gravelle, MPP, Thunder Bay – Superior North, thanking the Authority for the 2018 Annual Report was noted.

### **(b) File: Conservation Ontario**

The minutes from the June 24, 2019 Conservation Ontario Council Meeting was noted.

### **(c) File: Letter to all Conservation Authorities from MECP**

A letter from the Minister of the Ministry of Environment, Conservation and Parks that was received via email on Friday August 16, 2019 at 6 p.m. was noted. Members were provided with Conservation Ontario's media release in response to the letter.

The MECP letter advises Conservation Authorities to begin to wind-down programs that are not considered to be core mandate and that CAs "do not proceed with any increases to your fees or levies". There has been extensive media coverage, including local interviews. Media articles circulated at the meeting.

Some of the main concerns related to the letter include:

- The Ministry has not defined what they consider "core mandate" programs.
- Changes to the act to define the categories of core mandate in the letter have not been proclaimed in legislation.
- The inability to increase levies or fees takes away the budget approval authority from the Board.
- Conservation Ontario has been working with the government on their proposed changes; however, there was no consultation with Conservation Ontario or Conservation Authorities prior to issuing the letter.

### **(d) File: Printed Material**

Printed material was circulated.



## 8. STAFF REPORTS

Members reviewed and discussed Staff Report STRAT-01-2019 related to the Strategic Plan progress between January 2018 and July 2019.

Resolution #89/19

Moved by Grant Arnold, Seconded by Ed Chambers

***“THAT: Staff Report STRAT-01-2019 be received.” CARRIED.***

Members reviewed and discussed Staff Report POLICY-HS-10/11/12-2019 related to the Health and Safety Orientation, Incident Investigations and Return to Work Self-Assessment Policies.

Resolution #90/19

Moved by Ed Chambers, Seconded by Grant Arnold

***“THAT: Health and Safety Policy HS-10-2019: Health and Safety Orientation be adopted.” CARRIED.***

Resolution #91/19

Moved by Grand Arnold, Seconded by Ed Chambers

***“THAT: Health and Safety Policy HS-11-2019: Incident Investigations be adopted.” CARRIED.***

Resolution #92/19

Moved by Ed Chambers, Seconded by Allan Vis

***“THAT: Health and Safety Policy HS-12-2019: Return to Work Self Assessment be adopted.” CARRIED.***

Members reviewed and discussed Staff Report POLICY-GEN-14-2019 related to the Section 28 – Compliance and Enforcement Policy.

Resolution #93/19

Moved by Grant Arnold, Seconded by Ed Chambers

***“THAT: General Policy GEN-14-2019: Section 28 – Compliance and Enforcement be adopted.” CARRIED.***

Members reviewed and discussed Staff Report FLFOR-02-2019 related to the Whitefish River flood event which occurred on June 4, 2019.

Resolution #94/19

Moved by Rudy Buitenhuis, Seconded by Andrea Goold

***“THAT: Staff Report FLFOR-02-2019 be received.” CARRIED.***

## **9. CHIEF ADMINISTRATIVE OFFICER REPORT**

Members were provided with the monthly Treasurer’s Report for expenses and revenues for June and July plus totals to date for Administration, Capital and Vehicle and Equipment Program.

Members reviewed and discussed the 2020 Draft Budget, a presentation was provided to review the work plan and preliminary budget for 2020. It was noted that the 2020 Current Value Assessment (CVA) numbers had not been provided from the MNRF at the time of writing; therefore, the levy values will change in the final version of the budget document based on the 2020 CVA. It is also noted that the Draft Budget was completed prior to the MECP letter of August 16, 2019.

As required by the City of Thunder Bay, the Draft 2020 Capital Budget was submitted on July 26, 2019. It was noted that the Operating Budget is due on September 6, 2019 with a meeting with the Executive Management Team scheduled for October 3, 2019 to discuss the Capital and Operating portions of the budget.

Members were advised to ask if their Township/Municipality would like a visit to a Council Meeting during September/October related to the 2020 Draft Budget.

The final 2020 budget will be presented to the Board at the November Meeting for approval. It was noted that in previous years, the budget approval occurred in February.

## **10. PASSING OF ACCOUNTS**

Resolution #95/19

Moved by Andrea Goold, Seconded by Rudy Buitenhuis

***“THAT: having examined the accounts for the period of June 1, 2019 to June 30, 2019 cheque #1669 to #1696 for \$63,713.17 and preauthorized payments of \$76,419.77 for a total of \$140,132.94, we approve their payment.” CARRIED.***

Resolution #96/19

Moved by Rudy Buitenhuis, Seconded by Andrea Goold

***“THAT:** having examined the accounts for the period of July 1, 2019 to July 31, 2019 cheque #1697 to #1727 for \$214,457.78 and preauthorized payments of \$64,823.02 for a total of \$279,280.80, we approve their payment.” **CARRIED.***

## **11. REGULATORY ROLE**

The Plan Input and Review for the period from June 27, 2019, to August 28, 2019, was circulated.

The Permits issued under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses for the period from June 27, 2019, to August 28, 2019, were circulated.

## **12. PROJECTS UPDATE**

It was noted that Fisheries and Oceans Canada conducted their annual sea lamprey trapping program at the Neebing River Weir. They have reported only catching 15 this year, which may indicate a reduction in the population or a reflection of the variable spring water levels.

It was noted that Staff met with representatives from Parks Canada and WSP for an orientation meeting between all parties to discuss the Hurkett Cove Birding Tower. WSP was hired by Parks Canada to administer the project. Staff then met with Parks Canada and WSP on-site at Hurkett Cove Conservation Area to determine the best site for the proposed birding tower. Further updates to the Board will be provided as this project progresses.

It was noted that approximately 270 people attended Hazelwood Lake Family Fun Day on Sunday, July 21, 2019.

It was noted that approximately 350 people attended Silver Harbour Day on Saturday, August 24, 2019. A verbal update was provided at the Meeting.

Members were advised that the Fall Mushroom Hike is scheduled for Sunday, September 15 and will feature a talk from Dr. Leonard Hutchison at the LRCA Administrative Office, followed by a guided hike at Mills Block Forest.

It was noted that the LRCA hosted its first-ever Medicine Walk as part of the TD Friends of the Environment-funded Living Classroom Program. The event featured a smudging ceremony and guided hike, both lead by Elder Tony DePerry, and was co-hosted with the Thunder Bay Indigenous Friendship Centre (TBIFC).

It was noted that the LRCA staff hosted two guided hikes for the Thunder Bay 55+ Centre. The first was held at Cascades Conservation Area and focused on plant identification. The second was held on August 27 at Mills Block Forest.

It was noted that Staff will have an information table at the Maadaadizi event at Marina Park on Saturday, September 7, 2019.

It was noted that Staff will have an information table at the Lakehead University International Student Orientation Event on Wednesday, August 28, 2019.

Members were advised that a Flood Watch was issued on August 14, 2019 in response to the increasing high water levels on Lake Superior. The beginning of August water level was 2 centimetres higher than the previous beginning of August record set in 1950. The level is currently 35 centimetres above average for August (1918-2018) and 22 centimetres higher than the level last year. The current water level is approximately 36 centimetres lower than the 100-year flood level for Lake Superior. Assuming average water supply conditions, Lake Superior is expected to continue to rise in August. Staff will continue to monitor conditions and issue Flood Messages as warranted. Photos that compare Lake Superior water level at an all-time low in 2007 and high in 2019 were circulated.

It was noted that on August 6, 2019, LH North demobilized the crane and turbidity curtain from the Neebing/McIntyre Floodway dredging site. An underwater survey of the bottom of the floodway channel was completed by Hatch, which confirmed that the sediment had been removed to the proper depth within the contract limits. The dredging activities were completed in six weeks (June 24 to August 6). Work to be completed by the end of the year includes the replacement of the recreational trail, paving the new path to William Street, and site cleanup. It is planned that the dredged sediment will remain on-site to dewater until the end of October 2019, at which time the dry sediment will be hauled to Port Authority lands.

### **13. NEW BUSINESS**

None.

### **14. NEXT MEETING**

Wednesday, September 25, 2019, at 4:30 p.m.

### **15. AJOURNMENT**

Resolution #97/19

Moved by Rudy Buitenhuis, Seconded by Andrea Goold

***"THAT: the time being 6:36 p.m. AND FURTHER THAT there being no further business we adjourn." CARRIED.***

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Chair

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Chief Administrative Officer

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Development & Emergency Services - Planning Services	<b>REPORT NO.</b>	R 145/2019
<b>DATE PREPARED</b>	09/23/2019(mm/dd/yyyy)		
<b>MEETING DATE</b>	10/21/2019 (mm/dd/yyyy)		
<b>SUBJECT</b>	Bill 108, the More Homes, More Choices Act, 2019		

## **RECOMMENDATION**

For Information Only

## **EXECUTIVE SUMMARY**

On September 3, 2019 Bill 108, the *More Homes, More Choices Act, 2019* was passed by the legislature. This Bill amends the *Planning Act, 1990* together with 13 different statutes in order to implement the province's More Homes, More Choice: Ontario's Housing Supply Action Plan.

The changes broaden the Local Planning Appeal Tribunal's jurisdiction over land use planning matters, reduce timelines for municipalities to make planning decisions, remove third party appeals on plans of subdivision, and require that municipalities provide for second dwelling units in ancillary buildings like garages.

The Bill also introduces the opportunity for a new community benefits charge and amends the *Development Charges Act, 1997*.

## **DISCUSSION**

Bill 108, the *More Homes, More Choices Act, 2019* is an omnibus bill that amends 13 different statutes including the *Planning Act, 1990*, the *Development Charges Act, 1997*, the *Ontario Heritage Act* and the *Endangered Species Act, 2007* in order to implement the province's More Homes, More Choice: Ontario's Housing Supply Action Plan. Bill 108 was passed by the Legislature on June 6, 2019 and changes related to the *Planning Act* came into force on September 3, 2019.

The purpose of this Report is to provide an overview of the changes to the *Planning Act, 1990*, and to provide some commentary on how those changes may affect the operations of the Development & Emergency Services Department and development in Thunder Bay.

Bill 108 repeals many of the amendments introduced through Bill 139 (the *Building Better Communities and Conserving Watersheds Act, 2017*). Bill 139 renamed and reconstituted the

Ontario Municipal Board (OMB) as the Local Planning Appeal Tribunal (LPAT), and made significant changes to the *Planning Act*, *Local Planning Appeal Tribunal Act*, and land use planning approval process.

## **What's New?**

### Local Planning Appeal Tribunal

Bill 108 retains the LPAT name, but returns to the previous hearing process that existed under the OMB. The process will once again allow for a single hearing where the LPAT will have the power to make a final determination approving, refusing to approve, or modifying all or part of the matter under appeal. The ability to introduce evidence and examine or cross-examine witnesses at hearings is restored and applicants will once again be considered a party in appeal proceedings. Case management conferences continue to be mandatory for a limited set of appeals. The purpose of these conferences is to identify issues raised by the proceeding, discuss opportunities for settlement, and to determine administrative details of the conduct of hearing. Planning Services believes that these are all positive changes. Planning staff found the requirements for written submissions and the municipality's responsibilities under the Bill 139 LPAT regime quite onerous and believe that the Bill 108 changes will result in an improved process.

### Appeals

Bill 108 repeals the requirement that planning appeals be exclusively on the basis that approval of the matter is inconsistent with the Provincial Policy Statement, fails to conform or conflict with a provincial plan, or fails to conform with an Official Plan. Appellants can still raise these as grounds of appeal (and provide supporting reasons), but are no longer limited to just these grounds. This change does remove the consideration that was given to the decisions made by Municipal Councils under the Bill 139 regime and allows the LPAT to overturn a Municipal Council's decision if, in the Tribunal's opinion it does not represent good planning.

Additionally, Bill 108 eliminates the two-stage appeal process for Official Plan and Zoning By-law Amendment appeals. The LPAT is no longer required to allow Council to make a new decision prior to allowing an appeal as it was under the Bill 139 regime. The broad authority of the Tribunal to make a binding decision at the conclusion of a hearing has been restored.

Third party appeals of plans of subdivision are now restricted. Only the applicant, the municipality, the Minister, or prescribed public bodies have the right to appeal an approval authority's decision on a draft plan or any condition of draft plan approval. This removes the rights of adjacent property owners to appeal the approval of subdivision plans in their neighbourhoods. Fortunately, third party appeals of subdivisions are rarely received in Thunder Bay. Planning Services works collaboratively with developers and surrounding property owners throughout the subdivision planning process and in most cases are able to address neighbourhood concerns through design considerations and development controls.

There continues to be no right to appeal the Minister's decision if the Minister is the approval authority of an Official Plan.

### Timeframes for Planning Decisions

Timeframes for the municipal processing of development applications, which had been extended under Bill 139, have now been made even shorter than the pre-Bill 139 *Planning Act*. Municipalities are now required to make a decision within 90 days for a Zoning By-law Amendment, and 120 days for an Official Plan Amendment or Draft Plan of Subdivision. The trigger for these timelines is when an application is deemed "complete". This means municipalities still maintain some control over the process as the municipality determines what constitutes a "complete" application. These shortened timeframes, and the "complete" application trigger, highlight the importance of pre-consultation. Planning Services will continue to work with developers at the earliest stages of their development planning to ensure that applications are submitted together with all of the necessary supporting documentation and studies.

Where a municipality fails to meet the timelines proscribed by the *Planning Act*, the applicant has the right to appeal the non-decision to the Tribunal. However, this may not be an attractive option to applicants, as it would mean starting the approval process from scratch with an entirely new decision maker.

Given legislated notice requirements and internal timeframes associated with the review and submission of corporate reports, Planning Services would be under tight time constraints. Discussions are currently underway with staff in the City Clerks office to explore any opportunities available to adjust internal deadlines.

### Secondary Suites

Municipal Official Plans and Zoning By-laws are now required to contain policies and regulations that permit additional residential units in both primary dwellings (single detached, semi-detached and rowhouses) as well as in ancillary buildings such as detached garages. The City of Thunder Bay's Official Plan, which was approved earlier this year, already contains policies that support second residential units in ancillary buildings. The implementing Zoning By-law is currently under review and Planning Services staff are working to include regulations to facilitate and control the introduction of second residential units.

### Development Charges

Development charges are fees that can be collected by municipalities on new developments to pay for services that support the population growth that the development will accommodate. Prior to Bill 108, municipalities could charge for both "hard services" (e.g. roads, stormwater



drainage, fire protection and transit) and “soft services” (e.g. libraries, community centres, arenas, playgrounds, or sports fields).

Bill 108 has removed funding for “soft” services under development charges and has made changes to the scope of eligible “hard” services. In addition, opportunities to postpone the payment of development charges have been introduced and secondary units have been exempted from development charges. The City of Thunder Bay does not currently impose any development charges and so these changes will have no impact on how the City currently conducts its business.

### Community Benefits Charge

To address the funding of “soft” services, which are no longer eligible under development charges, Bill 108 has introduced a new community benefits charge, which will allow municipalities to collect a fee for certain ‘soft services’. Before passing a community benefits charge by-law, municipalities will be required to prepare a community benefits charge strategy, identifying the facilities, services and matters to be funded through a community benefits charge. Limits on the community benefits charge will be imposed based on the value of the land being developed.

The new community benefits charge will also be used to replace the density bonusing provisions of Section 37 of the *Planning Act*, which has been repealed. Section 37 was seldom, if ever, used by the City of Thunder Bay as it relates to the development of high density residential buildings of which Thunder Bay has very few.

If a municipality enacts a community benefits charge it will be the tool used to collect parkland dedication. If a municipality chooses not to introduce a community benefits charge, Section 42 of the *Planning Act* will continue to provide for parkland dedication; however, a review of current processes may be necessary.

### Other changes

Bill 108 also makes amendments to the *Ontario Heritage Act* and the *Endangered Species Act 2007* that will impact development. These include new opportunities to appeal the designation of a heritage property, new notice requirements with respect to the municipal register, and increased authorities that allow the Minister to enter into agreements and introduce regulations with respect to species listed on the Species at Risk in Ontario List.

## **CONCLUSION**

Some of the changes introduced by Bill 108 will have little impact on the planning processes in Thunder Bay. The City’s Official Plan already contains policies with respect to secondary suites in ancillary buildings, and third party appeals of subdivisions are not commonly received.

The LPAT's jurisdiction over planning decisions has been broadened and the approach to appeals and hearings that existed under the Ontario Municipal Board has been re-introduced. Staff see the removal of written submissions as positive.

The reduced timeframes will increase the importance on pre-consultation and Planning Services will work to adjust internal timelines to expedite the process.

As Thunder Bay does not utilize development charges, the changes to the *Development Charges Act* and the introduction of the community benefits charge will have no impact on current operations.

***PREPARED BY: LESLIE MCEACHERN MCIP, RPP, DIRECTOR PLANNING SERVICES***

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith, GM Development & Emergency Services	October 10, 2019

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Community Services	<b>REPORT NO.</b>	R 152/2019
<b>DATE PREPARED</b>	10/04/2019	<b>FILE NO.</b>	
<b>MEETING DATE</b>	10/21/2019 (mm/dd/yyyy)		
<b>SUBJECT</b>	Investing in Canada Infrastructure Program (ICIP) - Community, Recreation and Culture Funding Stream		

## **RECOMMENDATION**

With Respect to Report No. R152/2019 (Community Services), we recommend that City Council approve the submission of applications to the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Funding Stream Ontario Program as outlined in this Report;

AND THAT City Council endorse the Thunder Bay Public Library's Waverly Resource Library Renewal Project as outlined in this Report;

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

## **EXECUTIVE SUMMARY**

The purpose of this report is to provide information and recommendations regarding the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation Funding Stream Ontario Program recently made available to the City of Thunder Bay. The report includes a summary of information gathered to date and planned next steps. Administration is advising that after careful review, submitting several projects is the more strategic option. Administration will be advised as the selection process proceeds what projects are most likely to succeed and Council will accordingly be so advised.

## **DISCUSSION**

The ICIP program is a cost-shared infrastructure funding program between the federal government, provinces and territories, and municipalities and other recipients. The program is designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy.

Through ICIP, the federal government is providing federal infrastructure funding to cost share projects under the following streams:

- Public Transit
- Green Infrastructure
- Community, Culture and Recreation
- Rural and Northern Communities.

The Community, Recreation and Culture Funding Stream is currently accepting applications until November 12, 2019. This stream will support projects that improve access to and / or quality of community, cultural, and recreation priority infrastructure projects. Priority is given to projects that are community-oriented, non-commercial and open to the public. Projects must be completed prior to March 31, 2028. In addition to federal criteria, Ontario's objectives for the current proposed Community, Culture and Recreation stream project intake are noted below. Projects will be assessed based on their alignment with these objectives:

- Meet community and user needs or clear service level gap
- Promotes good asset management planning
- Good value for money – *the most cost effective option for delivering a similar level of service should be sought*
- Fosters greater accessibility.

Approximately \$407 million in federal funding and \$320 million in provincial funding will be available for the Community, Culture and Recreation stream over 10 years starting in 2019-20. The following breakdown defines the maximum cost sharing percentages of total eligible costs:

	Percentage (%)
Federal Contribution	40
Provincial Contribution	33.33
Municipal Contribution	26.67

Eligible applicants include:

- Municipalities
- First Nations
- Other Indigenous communities/organizations
- Broader public sector – school boards, hospitals, colleges and universities (educations and health are facilities excluded)
- Non-Profit organizations.

Eligible asset types include:

- Recreation facilities – e.g. hockey arenas, multi-purpose recreation centres, playing fields
- Cultural facilities – e.g. theatres, libraries, museums, cultural centres, civic squares, performing arts centres

- Community centres/hubs – e.g. multi-purpose spaces that bring together different services, community centres including recreation facilities
- Education and health facilities advancing Truth and Reconciliation Commission Calls to Action – e.g. funding for new/existing Indigenous healing centres.

There are two eligible project types:

- i) Multi-purpose Category:
  - Focus on integrated service delivery that bring together a variety of different services to address service gaps
  - Individual project cap - \$50 M
  - May be – new build, larger scale renovation, expansion of existing facility
- ii) Rehabilitation and Renovation Category:
  - Focus on small-scale projects that improve condition of existing facilities
  - Individual project cap - \$5 M
  - May be – addressing functionality of existing facility, costs to address accessibility, small new build (e.g. playing fields, tennis courts, small community squares).

Other requirements include ownership by the applicant. The project must be informed by the applicant's Asset Management Plan or have strong rationale provided. Projects must meet energy management/conservation and accessibility standards. Joint projects between multiple eligible applicants, particularly those that service multiple communities are encouraged and will be given additional consideration. In addition, projects must demonstrate ability to manage ongoing operating pressures and project readiness. Projects over \$10 M must complete a climate lens assessment and report on community employment benefits.

Projects will be deemed ineligible for funding if:

- it involves a private sector, for profit ultimate recipient
- the purpose is primarily for a commercial operation (ie. serving a major junior hockey league)
- the Government of Canada has not confirmed in writing that environmental assessment and Indigenous consultation obligations have been met
- contracts are awarded before funding approval.

The deadline to apply for funding November 12, 2019. The Province is expected to advise of nominated projects between January to March 2020. A Federal funding decision is expected April to September 2020.

Administration is recommending the following projects for this intake:

Multi-purpose Category (\$50M Project Cap)

- i) Multi-Use Indoor Sports Facility at Chapples Park (Recreation Facility) - \$26 million – 2020 – 2022

As per resolution of City Council at the July 22, 2019 meeting and respect to Report 86/2019 (Community Services), this project is to be considered a priority under the ICIP Program. This project would provide for the construction of a pre-engineered, metal building to address current service gaps for indoor turf. The required City contribution is \$7.04 million.

Rehabilitation and Renovation Category (\$5M Project Cap):

- ii) Resurface Fort William Stadium Legion Track and Replace Turf Field (Recreation Facility) - \$1.55 million – 2021

This project will address safety issues presented by aging rubberized, athletic track and artificial turf field that are both in poor repair. The track is used by thousands of area school children/youth in spring/early summer and throughout spring to fall by high school athletics and other athletes. The turf field experiences 100% prime time utilization during field season. Both surfaces are at the end of their lifespan. Resurfacing and necessary supporting ground work will be completed as per existing design and is expected to extend life of this asset by 10-15 years. The required contribution by City/partners is \$0.41M.

Recreation & Facilities Master Plan Recommendation 20 is to maintain and continue to invest in Fort William Stadium as a major competition hosting venue and seek to improve the utilization of the track facility.

- iii) Renew Fort William Gardens (Recreation Facility) - \$4.8 million – 2021 – 2025

This project involves the renewal of an aging facility (interior and exterior) including new energy efficient upgrades and potential addition -box office/concessions, and change rooms to support enhanced event hosting. Additionally modern rigging will address a safety issue for contractors/employees and optimize venue for various performances as it is not currently possible to rig to the ceiling. Improvements will allow us to optimize an existing asset that has additional capacity and extend its' useful life pending planning for a replacement. The required City contribution is expected to be \$1.28 million.

- iv) Waterfront Phase II – Festival Area Improvements (Cultural Facility) - \$5 million – 2025-2027

This project will re-orient the festival site to relocate the stage area to the north end of the field, angled away from the downtown. Planned enhancements to stage support include electrical and back of stage infrastructure that will benefit all events hosted in the Festival Area. This will address health and safety concerns for employees, contractors, performers; provide more secure and properly set-up back stage and loading areas; and, improve audience layout/flow, crowd control and emergency access. Improvements will allow enhanced programming and tourism attraction, limit sound transfer to downtown area, improve audience experience, increase event

hosting/management capabilities, allow for more efficient event set-up for organizers, and implement electrical enhancements to support higher level events/concerts. Free city and community events attract more than 100,000 patrons annually including individuals living on a low income, families, and Indigenous Peoples. The required City contribution will be \$1.33 million.

The Phase 2 Waterfront Master Plan outlines the Festival Area Improvement project. In 2018, initial work towards this long-term goal was approved in acquisition of stage and production equipment and removal of former stage infrastructure.

- v) Waverly Resource Library Renewal (Cultural Facility and Community Centre/Hub) - \$4 million – 2020

Should Council approve the resolution in this Report thus endorsing the Thunder Bay Public Library's (TBPL) application, the TBPL will proceed as the applicant for their Waverly Resource Library renewal project. City Council endorsement is a necessary condition for the TBPL to apply for this funding. There are several structural needs in the building including water damage, foundation issues, asbestos, and ventilation problems. There are also accessibility challenges that will need to be addressed to ensure the building is AODA compliant. Finally, the TBPL is transforming and this project will see the Waverly Resource Library become more of a community hub. To the latter, the TBPL will reorganize and consolidate public areas, redefine the front entry, rationalize the children and youth areas to improve security, sightlines, flexibility and explore the utility of an outdoor reading garden.

### ***FINANCIAL IMPLICATION***

Below is a table illustrating the total project cost, the potential approximate contributions from the Federal government, Provincial government, and City as per the ICIP funding formula, and, the recommended source(s) of funding to support the City's required contribution to each potential project:

Funding Category	Multi-purpose	Rehabilitation and Renovation		
Project	Multi-use Indoor Sports Facility 2020-2022	Resurface Legion Track 2021	Renew Fort William Gardens 2021-2025	Waterfront Phase II – Festival Area Improvements 2025-2027
Total Project Cost	\$30M	\$1.55M	\$4.8M	\$5M
Ineligible costs – Design (Funded by Indoor Turf Reserve fund**)	\$3.6M			
Eligible ICIP Costs	\$26.4M			
Federal Contribution (40%)	\$10.56M	\$0.62M	\$1.92M	\$2M
Provincial Contribution (33.3%)	\$8.8M	\$0.52M	\$1.60M	\$1.67M

Municipal Contribution (26.67%)	\$7.04M	\$0.41M	\$1.28M	\$1.33M
Municipal Contribution – Potential Funding Options				
Within Community Services Capital Envelope		\$0.10M	\$1.28M	\$1.03M
FW Stadium Reserve Fund		\$0.06M		
Within Infrastructure & Operations Planned Capital Envelope				\$0.3M
MAT Reserve Fund (2020-2023) - estimated	\$3M			
Indoor Turf Reserve Fund	\$1.4M			
Reserve Fund		\$0.25M		
Reserve Fund and/or Debenture	\$2.64M			

## **CONCLUSION**

It is concluded that the projects noted above are anticipated to be eligible for this funding program, that they are reflected in asset management planning and/or represent priorities identified and endorsed by Council through various plans, and therefore that City Council should approve submission of the applications to the Invest in Canada Infrastructure – Community, Culture and Recreation Funding Stream as outlined in this Report.

## **BACKGROUND**

City Council at the July 22, 2019 meeting in respect of Report No. R 86/2019 (Community Services) approved in principle the development of a new Multi-use Indoor Sports Facility to be located at Chapples Park and that the project be identified as a priority for the Investing in Canada Infrastructure Program. Also, in July 2018, Council resolved in respect of Report No. R88/2018 (Community Services), the priority need for an indoor turf facility, that City Council and Administration continue to advocate for provincial and federal funding to develop a permanent, year round, pre-engineered facility at Chapples Park, and that any future City financial support to this project be contingent upon the availability of funding from other level(s) of government.

In January 2017, City Council approved Report No. R152/2016 (Community Services) adopting the Recreation and Facilities Master Plan “Fit Together” as a strategic planning document for redevelopment and investment into recreation facilities, programming and services over a 12 –



15 year horizon. This plan, amongst other priorities, endorsed the community need for indoor turf and continued investments in Fort William Stadium as a major competition hosting venue.

The Fort William Stadium synthetic turf was installed in Fall 2010 and the track resurfaced in June 2011 through a partnership with the Boards of Education and financial assistance available through other levels of government through the RinC stimulus fund. Through agreement with the Boards of Education, a portion of revenues collected through user fees involving school use of the facilities, are to be held in reserve to be used for future track and field maintenance. (Corporate Report – 541/95, 01/09/95)

In September 2015, City Council approved Report No. 70/2015 (Development and Emergency Services) Waterfront Master Plan update to guide waterfront development over the next 20 years, including enhancements to the Festival Area at Prince Arthur's Landing.

On October 7, 2019, officials from the TBPL appeared before Committee of the Whole to explain their project and to seek Council's endorsement of it. Committee referred the matter to administration and this report includes our recommendation that Council endorse the TBPL projects.

***REFERENCE MATERIAL ATTACHED:***

NONE

***PREPARED BY: KELLYROBERTSON, GENERAL MANAGER – COMMUNITY SERVICES***

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Kelly Robertson, General Manager, Community Services	October 15, 2019