



Memorandum

Office of the City Clerk
Fax: 623-5468
Telephone: 625-2230

TO: Members of Council
FROM: Krista Power, City Clerk
DATE: Thursday, August 4, 2022
SUBJECT: **Additional Information/New Business
Committee of the Whole/City Council – August 8, 2022**

COMMITTEE OF THE WHOLE

Additional Information

1. Report R 138/2022 (Infrastructure & Operations – Engineering & Operations) Dawson Road Safety Improvements recommending that 2022-102-INO be removed from the Outstanding List.
2. Report R 145/2022 (City Manager’s Office – City Solicitor & Corporate Counsel) Legal Services’ Office Space Requirements within City Hall – Revenue Division Relocation to the Whalen Building – Approval as to Source of Funds.
3. Memorandum from Kayla Dixon, Director – Engineering, dated July 28, 2022, relative to Contract 2, 2022 - Sidewalk & Pedestrian Crossover Construction, for information.
4. Memorandum from Kayla Dixon, Director – Engineering, dated July 28, 2022, relative to River Street Culvert Repairs, for information.

CITY COUNCIL

Additional Information

1. July 25, 2022, City Council (Public Meeting) Minutes
2. July 25, 2022, City Council Minutes
3. July 25, 2022, Committee of the Whole Minutes

New Business

1. Memorandum from Doug Vincent, Manager – Licensing & Enforcement, dated August 3, 2022, containing a recommendation requesting to refer Report R 106-22 as presented at the June 20, 2022 Committee of the Whole meeting, to Administration for Housekeeping edits.
2. Memorandum from Doug Vincent, Manager – Licensing & Enforcement, dated August 4, 2022, relative to Outstanding Item 2020-024-DEV – Request for Deferral – Nuisance By-law Report.

/lw

DEPARTMENT/ DIVISION	Infrastructure & Operations - Engineering & Operations	REPORT NO.	R 138/2022
DATE PREPARED	7/11/2022	FILE NO.	
MEETING DATE	8/8/2022 (mm/dd/yyyy)		
SUBJECT	Dawson Road Safety Improvements		

RECOMMENDATION

WITH RESPECT to Report R 138/2022 (Infrastructure & Operations – Engineering & Operations), we recommend that 2022-102-INO be removed from the Outstanding List;

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

LINK TO STRATEGIC PLAN

This report supports the ‘Renew’ strategy of the 2019-2020 One City, Growing Together Corporate Strategic Plan and supports the priority area of cost effective and quality services to citizens through improvements to safety programs related to traffic control infrastructure.

EXECUTIVE SUMMARY

On April 4th, 2022 Council directed Administration to review and report back on potential safety improvement measures that could be implemented in absence of a Designated Truck Route or weight restrictions on Dawson Road not limited to speed reductions, signage and road design considerations, including the use of additional turning lanes. Also that Administration include their recommendation of improvements and costs associated with those improvements. Additionally that Administration work with the Ontario Truckers Association and/or MTO to explore the feasibility of potential paths forward to advocate for increased training and/or awareness campaigns for tractor-trailer operators and report back on any recommendations.

Collision records over a 10 year timeframe, traffic data and roadway alignment of Dawson Road were reviewed and compared to current engineering standards. A speed radar feedback sign and traffic calming paint markings will be installed to highlight and encourage compliance with the reduced speed limit as drivers approach the built up area of Dawson Road as they travel into the City.

Discussions between the Ministry of Transportation (MTO) and City Administration focused on current operations and MTO’s planned infrastructure upgrades. Administration also reviewed the

current safety actions that the Ontario Trucking Association is lobbying for in Ontario and believes these to be beneficial without further efforts by Administration.

DISCUSSION

History of Safety Improvements to Date

On January 1, 1998 the Province of Ontario transferred jurisdictional ownership of Highway 102 (Dawson Road) from Skyline Avenue to 100 metres west of Highway 589 (Dog Lake Road) to the City of Thunder Bay. Dawson Road has a traffic volume of 12,000 vehicles per day with 15 percent of this being heavy trucks. The long standing concerns from residents of engine compression use, excess noise and vibration of homes along Dawson Road are attributed to the long haul trucks on this section of road. Residents have also identified perceived safety concerns based on tractor trailer speeding and near miss occurrences.

The City initially adopted the existing posted speed limits that were in effect at the time of transfer. These speed limits were 60 km/h from Hilldale Road to Paquette Road and 80 km/h from Paquette Road to 100 metres west of Highway 589. The portion of Highway 102 west of Highway 589 to Townline Road, which is within city limits, but is under the jurisdiction of the Ontario Ministry of Transportation (MTO), still has a posted speed limit of 90 km/h.

The speed limit between Lydia Avenue to Paquette Road in front of Five Mile School was revised from 80 km/h to 60 km/h in 2001. Feedback from the community relayed that 60 km/h was too slow as a reasonable travel speed based on the characteristics of the roadway. The posted speed limit was revised in this section again and increased to 70 km/h.

In the capital budget year of 2000, the City of Thunder Bay rehabilitated Dawson Road. The scope of work included, widening of the roadway, street lighting improvements, storm drain installations, and turning lane installations from Dog Lake Road to Skyline Avenue. Turning lanes were installed at all major intersections and some intersections classed as minor use were allocated turning lanes as well.

A Community Safety Zone (CSZ) was established on Dawson Road between Hunter Road and Willow Park Drive, adjacent Five Mile School.

Two speed radar feedback signs were installed within the Community Safety Zone of Dawson Road in 2012. Analysis of the effectiveness of the speed feedback signs found vehicle speeds were reduced by 5 km/h on average.

Analysis of Road Design Improvements

An analysis of the roadway characteristics was included in the operational safety review of Dawson Road within the City's jurisdiction to determine any safety improvements required. The roadway alignment, grade of hills and turning lane operation were examined. It has been

determined that the roadway alignment and grade of the roadway that was constructed in the 2000 road rehabilitation project still meets current engineering standards.

The roadway intersections were also assessed for turning lane effectiveness. The volume of the roadway versus turning vehicles and collision history was analyzed to identify problematic areas and determine if improvements are recommended. This study limit encompassed from Paquette Road to Townline Road. The Dawson Road rehabilitation in 2000 included the construction of turning lanes in the major intersections between Paquette Road to Dog Lake Road. The review confirmed no additional intersections in the jurisdiction of the City of Thunder Bay qualify for turning lane recommendations. The review of the Dog Lake Road to Townline Road section, under the MTO's jurisdiction, also did not yield any turn lane improvements that are warranted based on traffic volumes and collisions.

Consultations with the Ministry of Transportation

Discussions regarding safety improvements along Dawson Road and Highway 102 occurred between City Administration and the Ministry of Transportation (MTO). The MTO communicated that they are reviewing potential improvements at the intersection of Highway 11/17 and Highway 102, also referred to as Sistonen's Corner. The improvements may include, but are not limited to, signing improvements, rumble strips and illumination upgrades. The MTO has not identified other areas of planned operational or safety improvements between Highway 11/17 and Highway 589 (Dog Lake Road).

Collision Review

A review of the past ten years of vehicle collisions within the City Limits of Dawson Road was conducted. According to records of collisions, single motor vehicle collisions encompass 74% of all known recorded collisions on Dawson Road. Single Motor Vehicle collisions include, adverse weather events, distracted driving and animal strikes. The remaining 26% include vehicle-vehicle conflicts of various form. 28% of the total collisions on Dawson Road involve a tractor trailer unit, which is higher than the 15% traffic composition of heavy trucks, which includes both tractor trailers as well as other heavy trucks, like dump trucks. Driver personal experiences such as "near miss" occurrences are not recorded and therefore cannot be accounted for in this review.

The Ministry of Transportation publishes a review of the collision rate on Ontario roadways each year. A comparison of the Ontario collision rate to the collision rate calculated for Dawson Road encompassing the area between Paquette to Townline Road displays a lower collision rate than the average roadway in Ontario. Of course, zero collisions is the goal when assessing road safety, but no locations on Dawson Road exhibited a higher sustained collision rate that identified a specific safety hazard that needed to be addressed with the roadway design.

The following data from the roadway safety review indicates the majority of collisions consist of single motor vehicle and rear end collisions which are generally less serious.

Accident Type by Area 10 Year Study	80 km/h Zone Hwy 589 to Willow Park	70 km/h Zone Willow Park to Paquette
Single Motor Vehicle	74 %	74 %
Rear End	6 %	9 %
Side Swipe	4 %	1 %
Approaching	6 %	4 %
Angle	6 %	7 %
Other	4 %	5 %

Injury Type by Area 10 Year Study	80 km/h Zone Hwy 589 to Willow Park	70 km/h Zone Willow Park to Paquette
Property Damage	128	73
Injury	11	3
Fatal	1	0

Reducing Speeds

The posted speed limit of a road is calculated as a result of the road classification, function, physical characteristics and engineering design factors, such as number of access points, collisions, pedestrian usage, and area zoning, which influence the expected level of risk along the roadway. The analysis of the Dawson Road posted travel speed is found to be appropriate, understanding that posted speed limits do not necessarily correlate to travel speed.

Thunder Bay Police have identified that vehicles are driving in excess of the speed limit as they approach the built up area of the city from the previous higher speed limits of the rural section of Dawson Road. Police have requested the installation of a new speed radar feedback sign to be placed on Dawson Road east of Paquette Road. The speed radar feedback unit will be placed after the speed transition zone from 70km/h to 50km/h for eastbound traffic to better communicate the regulatory speed. This radar speed feedback sign is intended as a permanent placement as a continued traffic calming method and to provide assistance to the Thunder Bay Police. The radar installation will also be accompanied by traffic calming paint lines. Paint lines applied perpendicular to the travel direction of a vehicle are a visual indicator method that gives the impression of an increased travel speed to the vehicle operator resulting in increased attentiveness and potentially reduced speeds. Vertical and horizontal traffic calming measures, like speed humps and chicanes, are not considered appropriate for arterial roads.

After the transfer of Dawson Road from the MTO to the City of Thunder Bay, a Community Safety Zone (CSZ) was established on Dawson Road between Hunter Road and Willow Park Drive. Automated Speed Enforcement (ASE) technology is now authorized to be placed in Community Safety Zones. Council has directed Administration to report on the feasibility of ASE. If the use of ASE is adopted, the CSZ of Dawson Road is a candidate for the use of speed cameras to assist local law enforcement in reducing speeding.

Provincial Safety Initiatives

Administration reviewed the current safety actions that the Ontario Trucking Association is lobbying for in Ontario. Those items include, refined CVOR audit standards, advocating for mandatory speed limiters, and advocating for electronic vehicle logs to monitor compliance and vehicle roll stability. Administration believes those safety initiatives are beneficial to the municipality as well as the province and does not recommend that the municipality enter the existing lobbying effort.

FINANCIAL IMPLICATION

No financial implications. The installation of the speed radar feedback sign and additional paint can be completed with funds from existing operation and capital budgets.

CONCLUSION

A review of the operational performance and collision history of Dawson Road within city jurisdiction was completed. Based on the review no major infrastructure changes are recommended. A speed radar feedback sign and traffic calming paint will be installed to encourage drivers to reduce their speeds as they drive into the city.

BACKGROUND

Report 2000.115 reconstruction of Dawson Road, scope of work included, widening of the roadway, street lighting improvements, storm drain installations, and turning lane installations from Dog Lake Road to Skyline Avenue.

Report 2013.105 outlines a comparison of the vehicle speeds in the Community Safety Zone.

REFERENCE MATERIAL ATTACHED: None

PREPARED BY: DAVID BINCH, TRAFFIC TECHNOLOGIST

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Michelle Warywoda, Acting General Manager-Infrastructure & Operations	August 3, 2022

DEPARTMENT/ DIVISION	City Manager/City Solicitor & Corporate Counsel	REPORT NO.	R 145/2022
DATE PREPARED	August 3, 2022	FILE NO.	17-196
MEETING DATE	August 8, 2022		
SUBJECT	Legal Services' Office Space Requirements within City Hall – Revenue Division Relocation to the Whalen Building – Approval as to Source of Funds		

RECOMMENDATION

WITH RESPECT to Corporate Report R145/2022 (City Manager – City Solicitor & Corporate Counsel) we recommend that Council approve the consolidation of Legal Services to the main floor of City Hall for the estimated amount of \$1,012,400.00,

AND THAT the Revenue Division be relocated to the seventh floor of the Whalen Building,

AND THAT Appropriation No. 26, as attached to this report, be approved,

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

EXECUTIVE SUMMARY

Legal Services requires additional office space beyond that which the current location of its office on the 3rd floor of City Hall can accommodate.

There are several factors that need to be taken into consideration when determining appropriate space for Legal Services, including appropriate space for its people, its files, and its particular security needs, due to the nature of the work that its staff undertakes for the City.

Recognizing the increasing space constraints within City Hall, consultation with a number of divisions, including Facilities, Fleet & Energy Management and the Revenue Division, took place over several years, resulting in the above-noted recommendation.

It is the intention of Administration to shift Legal Services within City Hall to the first floor, where the Revenue Division currently resides, and relocate the Revenue Division to the Whalen Building. The total estimated cost for this work is \$1,012,400.00.

DISCUSSION

The City Solicitor & Corporate Counsel Division (“Legal Services”) has had a long standing need for additional office space, beyond that which the current location of its office on the 3rd floor of City Hall can accommodate.

This space need was first identified in 2014. The City Solicitor, at the time, managed space pressures by temporarily relocating two staff (the municipal prosecutor and clerk) to a non-municipally owned office space within the Chapple Building (Victoriaville Centre Mall). This lease is set to expire in 2024.

This space within the Chapple Building is inadequate as a permanent solution: there is no room for expansion beyond the current two (2) municipal prosecutions staff, communication between work units (City Hall and Chapple Building) creates challenges, particularly as it relates to the proper supervision, management, and support for these staff, accessibility challenges, and security concerns.

What are the Office Needs for Legal Services?

There are several factors that need to be taken into consideration when determining appropriate office space for Legal Services.

Space for People

Currently, the office space on the 3rd floor of City Hall cannot accommodate four (4) staff:

- one (1) staff is required to work remotely from home on a permanent basis until additional office space is found,
- one (1) placement student, being an unpaid position through Lakehead University Law School's Practice Placement Program, who is a third year law student, is not being fulfilled due to a lack of space within Legal Services, and
- two (2) municipal prosecutions staff are currently in the Chapple Building; when the lease expires, there is no space within the current location of Legal Services for them and their particular office space needs, as it relates to Provincial Offence Act (POA) prosecutions.

It should also be noted that it is anticipated that a further expansion of two (2) additional full-time staff within Legal Services may be required within the near future. A separate confidential memorandum on this point has been circulated to Council, in conjunction with this report, to help inform Council's decision with respect to the above-noted recommendation. The cost estimate, as contained within this report, includes space for future expansions.

In total, there are potentially up to six (6) staff who cannot be accommodated within Legal Services' current office location.

Space for Files

In addition to the need to fit people into the office, there is a growing need to find storage for all the hardcopy files associated with the legal work being undertaken by Legal Services.

The documentation retention requirements for this division significantly differs from any other division or department across the Corporation. As per their Rules of Professional Conduct (Law Society of Ontario) and their professional liability insurance program requirements, lawyers have a higher responsibility to ensure that their files are complete (e.g. all correspondence and other documentation pertaining to a matter are contained within the file) and that their files are retained for an appropriate period of time (which in some instances, includes indefinitely).

In addition to longer retention periods, as well as professional responsibilities and liability insurance requirements, space for files is being further constrained within Legal Services for the following reasons:

- an increase in large, complex legal files, including real estate and development files (e.g. waterfront development) and litigation files (e.g. class action lawsuits), which generate a significant amount of paper, thereby, requiring additional space,
- the 2020 reorganization of Legal Services, which was designed to save taxpayers' dollars by bringing more litigation files in-house, rather than farming these files to external legal counsel at a significantly higher cost, and
- in certain circumstances, Legal Services has historically been treated as a repository of corporate documents complementarily to that of the Office of the City Clerk (e.g. agreements and contracts that are signed by Administration with delegated signing authority).

Confidentiality and Security Requirements

As the City's in-house law firm, Legal Services provides comprehensive legal advice and representation in a variety of areas for the City, and in some instances for its related local boards, including litigation (before the courts and administrative tribunals) and solicitor work (real estate, development, planning, IT, corporate, commercial, procurement, construction, environmental, human rights, privacy, etc.).

Legal Services is also responsible for the following:

- **municipal prosecutions:** all Part I ("tickets") provincial offence prosecutions (e.g. *Highway Traffic Act*) and some Part III offences (e.g. property standards, zoning by-law, etc.) for the City and surrounding municipalities within the district,
- **insurance and risk management:** the procurement and placement of all insurance needs for the City and its related local boards (e.g. commercial general liability, property, cybersecurity, etc.); issuance and review of insurance certificates; some risk management activities, and
- **claims management:** overseeing and managing the City's claims processes with respect to external claims (e.g. damage to third parties' property) and internal claims (e.g. damage to City property) and its third-party insurance adjusters.

All of the above-noted work of Legal Services necessitates that certain additional measures are undertaken to ensure both the confidentiality of its work, in accordance with the professional and insurance responsibilities of its lawyers with the Law Society of Ontario, as well as the safety of its staff. As Council may well appreciate, significant conflict does arise in legal matters, from time to time, including prosecutions and claims, which warrants additional measures to ensure staff safety, such as security personnel, pass protected entry ways and exits, and availability of a secure interview room, among other things.

Administration did review other options other than the one outlined within this report, including the relocation of the Revenue Division to Victoriaville Civic Centre and the relocation of Legal Services to a leased space in the downtown South Core. The former option for Revenue was more costly, while the latter option for Legal Services did not result in any additional cost savings to the City (both options being equal with respect to cost) nor did it meet Legal Services' needs.

FINANCIAL IMPLICATION

It is estimated that \$1,012,400.00 will be required to fund the total costs associated with both the relocation of Legal Services (to the main floor of City Hall) and Revenue Division (to the Whalen Building). Additionally, there will be an operating impact of approximately \$29,000.00 related to rent for the Revenue Division at the Whalen Building.

Administration is recommending the source of financing as the Capital General Reserve Fund, as identified in the attached Appropriation No. 26.

Similar to other corporate divisions, Legal Services maintains reserve funds. These funds are accessed annually, as required, with deposits (as a result of positive variances) or debits (as a result of negative variances). Since 2016, on average, between these two types of legal fees (insured and non-insured), as well as Legal Services' operating costs (e.g. salaries), approximately \$430,000.00 of savings has been realized each year. In total, as a result of operational decisions made respect to the operations of Legal Services, including the 2020 reorganization as noted above, approximately \$3.1 million in savings over the 2017, 2019, 2020, and 2021 years has been realized, which were deposited into reserve. In 2021, approximately \$700,000.00 was saved and deposited into reserve.

CONCLUSION

It is concluded that Legal Services be consolidated on the main floor of City Hall, thereby resulting in the relocation of the Revenue Division to the seventh floor of the Whalen Building, for the estimated amount of \$1,012,400.00.

It is further concluded that Appropriation No. 26, as attached, be approved.

BACKGROUND

None.

REFERENCE MATERIAL ATTACHED

Appendix "A" - Appropriation No. 26.

PREPARED BY: Patty Robinet, City Solicitor

THIS REPORT SIGNED AND VERIFIED BY: LINDA EVANS, ACTING CITY MANAGER	DATE: August 3, 2022
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Memorandum

TO: Krista Power
City Clerk

FROM: Kayla Dixon, P. Eng., MBA
Director – Engineering & Operations

DATE: July 28, 2022

SUBJECT: Contract 2, 2022- Sidewalk & Pedestrian Crossover Construction
August 8, 2022 Committee of Whole Meeting

Award of Contract 2, 2022 - Sidewalk & Pedestrian Crossover Construction was awaiting approval of the Investing in Canada Infrastructure Program (ICIP) - Transit Stream funding. Applications were submitted to this funding stream for pedestrian facilities to improve access to transit. All of the new sidewalk construction in the contract was included in the funding application. Construction costs would become ineligible if the work was awarded before approval of the funding was received.

Administration was notified on July 27, 2022 that the City's application was approved. Due to the short remaining time in our construction season, especially for flatwork concrete work, and resource capacity, if awarded now the work in this contract would not be finished by the completion date. Administration will be cancelling Contract 2, 2022 and deferring the sidewalk work to the 2023 capital construction season. The work within this contract will still be eligible for ICIP funds at this time.

Where there is opportunity to have planned pedestrian crossover construction completed in 2022, Administration will work to advance this construction this year.

KD

cc: Kerri Marshall, GM Infrastructure & Operations

Memorandum

TO: Krista Power
City Clerk

FROM: Kayla Dixon, P. Eng., MBA
Director – Engineering & Operations

DATE: July 28, 2022

SUBJECT: River Street Culvert Repairs Update
August 8, 2022 City Council Meeting – Presentation of Committee of the Whole Minutes
from the July 25, 2022 meeting

At the July 25 2022 Committee of the Whole, Administration presented Report 127/2022, recommending that Council approve spending up to \$2.5M to complete design and rehabilitation of the River Street culvert at McVicars Creek that failed during the spring floods experienced in the City in May of this year. This memo provides new information on the status of the failed culvert and proposed repairs. Full replacement is now recommended within the same spending limit, but with an extended construction timeline. As a result, a revised recommendation has been provided relative to Report 127/2022. It is requested that this item be extracted upon presentation of the Committee of the Whole minutes from the July 25, 2022 Committee of the Whole meeting and the following recommendation be presented in its place and voted on separately.

WITH RESPECT to Report R 127/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that an allowance of \$2,500,000 from carry forward funds and the General Capital Reserve be set aside for additional inspection, design and construction for the McVicar Creek culverts at River Street;

AND THAT the construction contract for the culvert replacement be awarded to the lowest qualified bidder if the tender bid comes within the available construction allowance set aside;

AND THAT Administration report back with information on the successful bidder and cost within 30 days of award;

AND THAT consulting engineering services be completed by JML Engineering Ltd. including additional inspection, design and contract administration for the project;

AND THAT Appropriation No. 24 be approved;

AND THAT the General Manager of Infrastructure and Operations report any circumstances to City Council should any significant variations in the work 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.

On Tuesday, July 26, 2022, an inspection was completed of the River Street twin culverts to confirm rehabilitation requirements of the second (east) culvert, which had not presented signs of failure to date. At this time it was found that the failure of the west pipe has progressed significantly. The culvert barrel is continuing to collapse from the weight of the embankment and lost confining pressure, with approximately 500 mm to 600 mm additional deflection since May. There are now numerous corroded corrugated steel plates projecting upwards into the base of the barrel. The significant additional deformation that has occurred renders the proposed relining option not feasible.

Based on the assessment, it is recommended to move forward with replacement of the twin large diameter culverts with a new steel multi-plate arch culvert.

Currently costs and material delivery are being discussed with suppliers to confirm previous information obtained for the design brief repair options. At this time it is thought that construction of the arch can still occur this year within the \$2.5M spending limit identified. Paving, curbs/sidewalks, and guiderail work would not be able to be completed until 2023. River Street could be reopened to traffic once the arch culvert is installed and backfilled, with the excavation maintained as gravel over the winter, possibly with a cold patch riding surface.

The structural design consultant has been given approval to proceed with geotechnical engineering and updating their design to the arch culvert concept. New information and recommendations will be provided to Council, if additional authority is needed to move this project forward.

KD

cc: Kerri Marshall, GM Infrastructure & Operations



City Council (Public Meeting) Minutes

Monday, July 25, 2022, 6:46 p.m.

S.H. Blake Memorial Auditorium

Present: Mayor Bill Mauro
Councillor Albert Aiello
Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Aldo Ruberto
Councillor Peng You

Officials: Dana Earle, Deputy City Clerk
Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Linda Evans, General Manager - Corporate Services & Long-Term Care
Karen Lewis, General Manager - Development & Emergency Services
Kelly Robertson, General Manager - Community Services
Joel DePeuter, Manager – Realty Services
Devon McCloskey, Supervisor – Planning Services
Decio Lopes, Senior Planner – Planning Services
Jamie Kirychuk, Planner II - Planning Services
Michael Grimaldi, Solicitor
Flo-Ann Track, Council & Committee Clerk

1. City Council (Public Meeting)

Chair: Mayor Bill Mauro

2. Disclosures of Interest

3. Confirmation of Agenda

Confirmation of Agenda - July 25, 2022 - City Council (Public Meeting)

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Brian Hamilton

WITH RESPECT to the July 25, 2022 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

4. Public Meeting Procedures

Public Meeting procedures were read to Members of Council and those in attendance.

5. City Council (Public Meeting)

6. Reports of Municipal Officers

6.1 Consent to Sever - 380 Belton Avenue

Report R 126/2022 (Planning Services) The application for consent to sever, as submitted by K. Treichler, seeks to create one new lot comprised of two parcels separated by a Hydro One transmission corridor.

Planning Services supports the application as approval was given to OPA #8 and Zoning By-law Amendment 69/2022, which seeks to accommodate development that is otherwise constrained given the specific circumstances that effect the property.

Memorandum from Senior Planner - Planning Services Decio Lopes dated July 21, 2022 relative to Report R 126/2022 (Development & Emergency Services - Planning Services) was distributed separately on Thursday, July 21, 2022 to members of Council and the City Manager only.

Decio Lopes provided a brief overview of the report and responded to questions from Members of Council.

The Chair asked whether the applicant was in attendance and wished to be heard.

Applicant Kevin Treichler appeared before Committee and provided a brief overview.

The Chair asked if there were any speakers to the application who wished to be heard.

The Deputy City Clerk advised that no speakers to the application had registered.

The Chair asked Members of Council if they wished to ask any further questions of the applicant.

Moved By: Councillor Rebecca Johnson

Seconded By: Councillor Albert Aiello

WITH RESPECT to Report R 126/2022 (Planning Services), and to the application from K. Treichler to create one new rural lot as it applies to the lands on the east side of Belton Street, further described as Registered Plan 762, part of Lots 31 & 32, we recommend that the proposed severance be approved conditionally, for a period of two years ending on July 25, 2024, upon the following being submitted to the Secretary-Treasurer of the Committee of Adjustment:

1. That the applicant submit to the Secretary-Treasurer, a proper legal description of the lands to be severed including the lot frontage, lot depth, and lot area of the surveyed parcel(s), prepared by an Ontario Land Surveyor. The Plan shall contain a minimum of two observed reference points noted on the printed Plan. The Reference Plan drawing shall be modified to represent real world co-ordinates based on North American Datum (NAD) 1983 Canadian Spatial Reference System (CSRS) Version 6 (2010.0). The drawing shall be supplied in digital format (AutoCAD.dwg or ArcGIS shapefile) and hard copy format.
2. That the applicant receive preliminary approval from the Thunder Bay District Health Unit for the required on-site septic system for the parcel being created.
3. That the applicant completes and returns to the Building Division, the municipality's Well Water Quantity Testing forms required for the

severed and retained parcels to the satisfaction of the Building Division.

4. That the applicant prepare, for the approval of the City Engineer, a lot grading and drainage plan and the construction of any drainage facilities and dedication of easements as required.
5. That payment of the required Parkland fee is made, pursuant to subsections 51.1(1) & 51.1(3) of Section 51 of the Planning Act, R.S.O. 1990, for the lot to be severed.
6. That Official Plan No. #8 is approved.
7. That Zoning By-law amendment By-law 69/2022 is approved.
8. That Council has passed By-law 70/2022 to withdraw authority for approval of Consent through Section 54(7) of the *Planning Act*.

ALL as contained in Report R 126/2022 (Development & Emergency Services - Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

6.2 Official Plan Amendment - 2811 Oliver Road (Lindstrom Holdings Inc.)

Report R 128/2022 (Planning Services) providing a recommendation relative to a request for a site-specific Official Plan Amendment, to amend the lot creation policies within the rural area. The purpose of this application is to permit the severance of 2811 Oliver Road. The proposal seeks to sever the subject property into two equally sized lots that would both be 2.06 hectares (5.09 acres) in size.

The Official Plan restricts lot creation within the rural areas and states “no more than two lots may be created from a parcel held under unity of ownership on January 1st, 1978”. If granted, this application would result in the fourth lot being created from the parent parcel since 1978.

The Planning Services Division finds that the proposed amendment is not consistent with the Official Plan or Provincial Policy Statement, as it does not promote sustainable land use patterns or cost effective development. For these reasons, it is recommended that the Official Plan not be amended.

Memorandum from Planner II - Planning Services Jamie Kirychuk dated July 21, 2022 relative to Report R 128/2022 (Development & Emergency Services - Planning Services) was distributed separately on Thursday, July 21, 2022 to members of Council and the City Manager only.

Jamie Kirychuk provided a PowerPoint Presentation relative to the above noted and responded to questions.

Consultant Tyler Rizzuto - Stantec, on behalf of the applicant, appeared before Committee and responded to questions.

Applicant Matthew Lindstrom appeared before Committee and responded to questions.

The Chair asked if there were any speakers to the application who wished to be heard.

The Deputy City Clerk advised that no speakers to the application had registered.

The Chair asked Members of Council if they wished to ask any further questions of the applicant.

Moved By: Councillor Andrew Foulds

Seconded By: Councillor Brian Hamilton

THAT a Public Meeting having been held with respect to the application by Lindstrom Holdings Inc., relative to PT LT MARKED GEORGE A.L. WOOD N OF NEEBING MCINTYRE SPO RT 1. 55R3329 THUNDER BAY, municipally known as 2811 Oliver Road, we recommend that no change be made to the Official Plan;

ALL as contained in Report R 128/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

Referral: Official Plan Amendment - 2811 Oliver Road (Lindstrom Holdings Inc.)

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Brian McKinnon

THAT a Public Meeting having been held with respect to the application by Lindstrom Holdings Inc., relative to PT LT MARKED GEORGE A.L. WOOD N OF NEEBING MCINTYRE SPO RT 1. 55R3329 THUNDER BAY, municipally known as 2811 Oliver Road, we recommend that Report R 128/2022 (Planning Services) be referred back to Administration so that

an alternate resolution that supports the request Official Plan Amendment can be prepared;

Council accepts the rationale provided by the applicant and concurs that a site specific policy should be added to allow for the proposed lot creation within the rural area.

CARRIED

6.3 Official Plan & Zoning By-law Amendment - Corner of Golf Links Road & Harbour Expressway

Report R 129/2022 (Planning Services) requesting a site-specific Official Plan and Zoning By-law amendment to facilitate a regional commercial development. More specifically, the proposal seeks to amend the Zoning By-law to add retail store and restaurant as permitted uses and reduce the number of parking spaces for a restaurant without drive-through service. In addition, the application seeks to re-designate a portion of the lands from the Natural Heritage Designation to Business Area.

The lands are proposed to be developed in three phases, with this application requesting amendments exclusively for Phase 1. Phase 1 will be developed with a retail warehouse (2,879.50 square metres) and two smaller retail commercial buildings (676.00 square metres & 204.00 square metres). The lands will be accessed from Innovation Drive and Golf Links Road.

The Applicant's request is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario and is in keeping with the intent of the Official Plan. For these reasons, Administration supports the approval of the proposed amendments.

Memorandum from Planner II - Planning Services Jamie Kirychuk dated July 21, 2022 relative to Report R 128/2022 (Development & Emergency Services - Planning Services) was distributed separately on Thursday, July 21, 2022 to members of Council and the City Manager only.

Jamie Kirychuk provided a PowerPoint Presentation relative to the above noted.

Applicant Toby Singlehurst appeared before Committee and responded to questions.

Consultant Tyler Rizzuto - Stantec, on behalf of the applicant, appeared before Committee and responded to questions.

The Chair asked if there were any speakers to the application who wished to be heard.

The Deputy City Clerk advised that no speakers to the application had registered.

The Chair asked Members of Council if they wished to ask any further questions of the applicant.

Moved By: Councillor Peng You

Seconded By: Councillor Mark Bentz

Official Plan Amendment

THAT a Public Meeting having been held with respect to the application by Jennum Properties Inc., relative to lands described in "Attachment C", we recommend:

1. That the proposed Official Plan Amendment to re-designate a portion of the lands from Natural Heritage to Business Area as show on "Attachment A" be approved,

AND THAT the necessary By-law is presented to City Council for ratification.

ALL as contained in the Report R 129/2022 (Planning Services), as submitted by the Development and Emergency Services Department.

Zoning By-law Amendment

Zoning By-law 100-2010

THAT a Public Meeting having been held with respect to the application by Jennum Properties Inc., relative to lands described in "Attachment C", we recommend that the Zoning By-law 100-2010 be amended as follows:

1. Rezone a portion of the lands from "IN6" – Prestige Industrial Zone – Holding and "FD" – Future Development Zone to "IN6" – Prestige Industrial Zone;
2. Add "Retail Store" and "Restaurant" as permitted uses, in the "IN6" – Prestige Industrial Zone;
3. Reduce the required number of parking spaces for a restaurant without drive-through service from 1 parking space for every 6.0 square

metres of gross floor area to 1 parking space for every 8.0 square metres of gross floor area.

And

THAT a Public Meeting having been held with respect to the application from the application by Jennum Properties Inc., relative to lands described in “Attachment C”, we recommend that the Zoning By-law 1/2022 be amended as follows:

1. Add “Retail Store” as a permitted use, in the “BU” – Business Use Zone.
2. Reduce the required number of parking spaces for a restaurant without drive-through service from 1 parking space for every 6.0 square metres of gross floor area to 1 parking space for every 8.0 square metres of gross floor area.

Subject to the following condition:

That prior to the passing of the amending by-law:

1. Official Plan Amendment No. 9 is approved by City Council.
2. Lands are designated Site Plan Control.

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

ALL as contained in Report R 129/2022 (Planning Services) as submitted by the Development & Emergency Services Department

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

CARRIED

6.4 Zoning By-law Amendment - 224 Burwood Road

Report R 130/2022 (Development & Emergency Services - Planning Services) seeks to amend Zoning By-law 100-2010 to add office and hotel as permitted uses and increase the height of a hotel to 21.0 metres. In addition, the application seeks to increase the height of a hotel to 21.0

metres in Zoning By-law 1/2022 (currently under appeal) at 224 Burwood Road.

The Planning Services Division is of the opinion that the proposed uses and height increase are appropriate, given the proposed development parameters, at this location, and would be compatible with the surrounding business park area.

Administration is recommending support of the proposed amendment. The proposal is consistent with the Provincial Policy Statement, Official Plan criteria and is compatible with the surrounding land uses.

Memorandum from Senior Planner - Planning Services Decio Lopes dated July 21, 2022 relative to Report R 130/2022 (Development & Emergency Services - Planning Services) distributed separately on Thursday, July 21, 2022 to members of Council and the City Manager only.

Decio Lopes provided a PowerPoint Presentation relative to the above noted.

Robert Zanette on behalf of the Applicant - Reliable Northern Developments Inc., appeared before Committee and responded to questions.

The Chair asked if there were any speakers to the application who wished to be heard.

The Deputy City Clerk advised that no speakers to the application had registered.

The Chair asked Members of Council if they wished to ask any further questions of the applicant.

Moved By: Councillor Rebecca Johnson

Seconded By: Councillor Brian McKinnon

THAT a Public Meeting having been held with respect to the application from Reliable Northern Developments Inc (Agent: R. Zanette), to amend Zoning By-law 100-2010 as it applies to Registered Plan 760, south part of Lot 19, we recommend Zoning By-law 100-2010 be amended as follows:

1. Rezone the lands from "IN6-H" – Prestige Industrial Zone – Holding to "IN6" Prestige Industrial Zone;
2. Add "Office" as a permitted use, in the "IN6" – Prestige Industrial Zone;

3. Add "Hotel" as a permitted use in the "IN6" – Prestige Industrial Zone on "Property Location 2"; and
4. Increase maximum height for a "Hotel" to 21.0 metres.

And

THAT a Public Meeting having been held with respect to the application from Reliable Northern Developments Inc (Agent: R. Zanette), to amend Zoning By-law 1/2022 as it applies to Registered Plan 760, south part of Lot 19, we recommend Zoning By-law 1/2022 be amended as follows:

1. Increase maximum height for a "Hotel" to 21.0 metres.

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

ALL as contained in Report R 130/2022 (Development & Emergency Services - Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

7. By-Laws

7.1 BL 68/2022 - Official Plan Amendment - 380 Belton Street

A By-law to adopt Amendment No. 8 to the City of Thunder Bay Official Plan (380 Belton Street)

7.2 BL 69/2022 - Zoning By-law Amendment - 380 Belton Street

A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (380 Belton Street).

7.3 BL 70/2022 - Withdraw Delegation - 380 Belton Street

A By-law to withdraw delegated authority to the Committee of Adjustment for an application for consent (380 Belton Street).

7.4 BL 75/2022 - Zoning By-law Amendment - 224 Burwood Road

A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (224 Burwood Road).

8. By-Law Resolution

By-law Resolution - July 25, 2022 - City Council

Moved By: Councillor Rebecca Johnson

Seconded By: Councillor Albert Aiello

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

1. A By-law to adopt Amendment No. 8 to the City of Thunder Bay Official Plan (380 Belton Street)

By-law Number: BL 68/2022

2. A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (380 Belton Street).

By-law Number: BL 69/2022

3. A By-law to withdraw the delegation of authority of the Committee of Adjustment for an application for consent (380 Belton Street)

By-law Number: BL 70/2022

4. A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (224 Burwood Road).

By-law Number: BL 75/2022

CARRIED

9. Adjournment

The meeting adjourned at 8:21 pm.

Mayor

City Clerk



City Council Meeting Minutes

Tuesday, July 26, 2022, 1:33 a.m.

S.H. Blake Memorial Auditorium

Present: Mayor Bill Mauro
Councillor Mark Bentz
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Brian McKinnon
Councillor Aldo Ruberto
Councillor Peng You

Officials: Dana Earle, Deputy City Clerk
Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Kayla Dixon, Acting General Manager – Infrastructure & Operations
Linda Evans, General Manager - Corporate Services & Long-Term Care
Karen Lewis, General Manager - Development & Emergency Services
Kelly Robertson, General Manager - Community Services
Tracie Smith, Director - Corporate Strategic Services
Flo-Ann track, Council & Committee Clerk

1. City Council

Chair: Mayor Bill Mauro

2. Opening Ceremonies

One Minute of Silence.

3. Disclosures of Interest

4. Confirmation of Agenda

Confirmation of Agenda - July 25, 2022 - City Council

Moved By: Councillor Brian Hamilton

Seconded By: Councillor Aldo Ruberto

WITH RESPECT to the July 25, 2022 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

5. Minutes of Previous Meetings

5.1 City Council

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

1. The Thunder Bay City Council held on July 18, 2022 were distributed separately on Thursday, July 21, 2022.

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Brian Hamilton

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

1. The Thunder Bay City Council held on July 18, 2022.

CARRIED

6. Reports of Committees, Boards, and Outside Agencies

6.1 Committee of the Whole Minutes

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

1. July 18, 2022 Committee of the Whole were distributed separately on Thursday, July 21, 2022.

Moved By: Councillor Peng You
Seconded By: Councillor Mark Bentz

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

1. July 18, 2022 Committee of the Whole.

6.1.1 Report R 28/2022 (Recreation & Culture) Affordable Access Pilot Program - Transit and Recreation & Culture

It was requested that the above noted resolution as contained in the July 18, 2022 Committee of the Whole minutes be voted on separately.

Moved By: Councillor Andrew Foulds
Seconded By: Councillor Rebecca Johnson

WITH RESPECT to Report R 28/2022 (Community Services - Recreation & Culture), we recommend that the Affordable Bus Pass Pilot Program and the and the Affordable Access to Recreation & Culture Pilot Program presented in this report, be approved;

AND THAT the Pilot Programs' anticipated participant subsidy and administration costs of \$115,750 for six (6) months representing a \$66,000 increase to the Transit Services and \$49,750 increase in the Recreation and Culture budgets be included in the 2023 Operating Budget submission for Council's consideration;

AND THAT Administration will report back on the findings of the pilot program annually beginning Q4 2024;

AND THAT Administration be authorized to negotiate and enter into an agreement with Lakehead Social Planning Council (LSPC) relative to this project in such form and content satisfactory to the General Manager – Community Services, Treasurer, and City Solicitor;

AND THAT the General Manager – Community Services be authorized to execute all associated documents;

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

LOST

6.1 Committee of the Whole Minutes

Moved By: Councillor Peng You
Seconded By: Councillor Mark Bentz

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

1. July 18, 2022 Committee of the Whole.

CARRIED

6.2 Ward Meeting Minutes

The Minutes of the following Ward Meetings to be received:

1. Meeting 01-2022 of the McKellar Ward held on March 9, 2022;
2. Meeting 02-2022 of the McIntyre Ward held on June 2, 2022.

Moved By: Councillor Brian Hamilton
Seconded By: Councillor Brian McKinnon

THAT the Minutes of the following Ward Meetings to be received:

1. Meeting 01-2022 of the McKellar Ward held on March 9, 2022;
2. Meeting 02-2022 of the McIntyre Ward held on June 2, 2022.

CARRIED

6.3 Town Hall Meeting Minutes

The Minutes of the following Town Hall Meetings to be received:

1. Meeting 2-2022 of the At Large Town Hall held on March 16, 2022.

Moved By: Councillor Peng You
Seconded By: Councillor Aldo Ruberto

THAT the Minutes of the following Town Hall Meetings be received:

1. Meeting 2-2022 of the At Large Town Hall held on March 16, 2022.

CARRIED

7. By-Laws

7.1 BL 67/2022 - Restricted Act - Delegation of Authority

A By-law to delegate certain authorities to Administration.

7.2 BL 73/2022 - To repeal By-law 123-1992 - Sandy Beach Reserve Fund

A By-law to repeal By-law Number 123-1992, being a By-law to provide for the establishment and maintenance of a Reserve Fund to be known as the Sandy Beach Reserve Fund.

7.3 BL 74/2022 - Appointment of Persons to Enforce Parking

A By-law to amend By-law Number 99-2005 being a By-law to appoint Municipal Law Enforcement Officers for The Corporation of the City of Thunder Bay for the enforcement of Municipal Parking By-laws.

7.4 BL 76/2022 - Amendment to By-law 011-2007

A By-law to amend By-law 011-2007, being a By-law to Appoint Officers for The Corporation of the City of Thunder Bay (Development Services Department/Finance Department) to update the appointment of officers.

8. By-law Resolution – July 25, 2022 – City Council

Moved By: Councillor Brian Hamilton

Seconded By: Councillor Brian McKinnon

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

1. A By-law to delegate certain authorities to Administration.

By-law Number: BL 67/2022

2. A By-law to repeal By-law 123-1992 - Sandy Beach Reserve Fund

By-law Number: BL 73/2022

3. A By-law to appointment of Persons to Enforce Parking

By-law Number: BL 74/2022

4. A By-law to amend By-law 011-2007

By-law Number: BL 76/2022

CARRIED

6.1.1 Re-vote: Report R 28/2022 (Recreation & Culture) Affordable Access Pilot Program - Transit and Recreation & Culture

A re-vote was requested on the above noted item.

Moved By: Councillor Andrew Foulds

Seconded By: Councillor Rebecca Johnson

WITH RESPECT to Report R 28/2022 (Community Services - Recreation & Culture), we recommend that the Affordable Bus Pass Pilot Program and the and the Affordable Access to Recreation & Culture Pilot Program presented in this report, be approved;

AND THAT the Pilot Programs' anticipated participant subsidy and administration costs of \$115,750 for six (6) months representing a \$66,000 increase to the Transit Services and \$49,750 increase in the Recreation and Culture budgets be included in the 2023 Operating Budget submission for Council's consideration;

AND THAT Administration will report back on the findings of the pilot program annually beginning Q4 2024;

AND THAT Administration be authorized to negotiate and enter into an agreement with Lakehead Social Planning Council (LSPC) relative to this project in such form and content satisfactory to the General Manager – Community Services, Treasurer, and City Solicitor;

AND THAT the General Manager – Community Services be authorized to execute all associated documents;

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

CARRIED

9. Notice of Motion

9.1 Notice of Motion - Lakehead Transportation Museum

Memorandum from Councillor Aldo Ruberto, dated July 12, 2022 requesting that a Notice of Motion be introduced at the July 25, 2022 City Council meeting, for debate at the August 8, 2022 City Council meeting.

WITH RESPECT to the memorandum from Councillor Aldo Ruberto dated July 12, 2022, we recommend that a Notice of Motion to Amend the previous decision relative to Report 2020CLS.012 (Development & Emergency Services – Realty) be approved to allow for 5 years rent free from the date of lease commencement with the Lakehead Transportation Museum notwithstanding that this is in contravention of the Corporate Land Related Financial Assistance Policy (09-04-65);

AND THAT Administration be directed to update the existing contract and refund any rent payments received to date by the municipality for 2020 and 2021;

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

10. Confirming By-Law

10.1 BL 72/2022 - Confirming By-law - July 25, 2022

A By-law to confirm the proceedings of a meeting of Council, this 25th day of July, 2022.

11. Confirming By-law Resolution – July 25, 2022 – City Council

Moved By: Councillor Brian Hamilton

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 25th day of July, 2022.

By-law Number: BL 72/2022

CARRIED

12. Adjournment

The meeting adjourned at 1:46 am.

Mayor

Deputy City Clerk



Committee of the Whole Meeting Minutes

**Monday, July 25, 2022, 4:30 p.m.
S.H. Blake Memorial Auditorium**

Present: Mayor Bill Mauro
Councillor Albert Aiello
Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Aldo Ruberto
Councillor Peng You

Officials: Dana Earle, Deputy City Clerk
Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor

1. Closed Session

1.1 Disclosures of Interest

Councillor Albert Aiello declared a conflict relative to Report 2022CLS.028 (Legal Services) and Report 2022CLS.032 (Legal Services) as they own property related to the matter and left the meeting.

Councillor Shelby Ch'ng declared a conflict relative to Report 2022CLS.028 (Legal Services) and Report 2022CLS.032 (Legal Services) as they own property related to the matter and left the meeting.

1.2 Reports of Municipal Officers

1.2.1 2022CLS.028 (Legal Services) - Legal Matter

Report 2022CLS.028 (Legal Services) relative to the above noted was distributed separately to Members of Council, City Manager and City Solicitor only.

Ashley Eager, Law Clerk & Litigation Support Specialist, Gord McGuire, Lawyer - Adair, Goldblatt, Bieber LLP and Dawne Latta, Deputy City Solicitor entered the meeting electronically via MS Teams.

Gord McGuire provided an overview relative to the above noted and responded to questions.

Dawne Latta responded to questions.

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

The Deputy City Clerk advised that the recommendation relative to the above noted would be presented at Committee of the Whole meeting to be held later in the evening.

Gord McGuire left the meeting.

1.2.2 2022CLS.032 (Legal Services) - Legal Matter

Report 2022CLS.032 (Legal Services) relative to the above noted was distributed separately to Members of Council, City Manager and City Solicitor only.

Larry Theall, Lawyer and Jeff Brown, Lawyer - Theall Group LLP entered the meeting electronically via MS Teams.

Larry Theall provided an overview and responded to questions.

Dawne Latta, Deputy City Solicitor responded to questions.

Ashley Eager, Law Clerk & Litigation Support Specialist, Larry Theall, Jeff Brown and Dawne Latta left the meeting.

1.2.3 2022CLS.027 (Legal Services) Thunder Bay Art Gallery

Report 2022CLS.027 (Legal Services) relative to the above noted was distributed separately to Members of Council, City Manager, City Solicitor, General Manager- Corporate Services & Long Term Care and City Treasurer, and General Manager - Development & Emergency Services only.

Councillor Albert Aiello, Linda Evans, General Manager - Corporate Services & Long-Term Care and City Treasurer, Karen Lewis, General Manager - Development & Emergency Services, Emma Westover, Director - Financial Services and Joel DePeuter, Manager - Realty Services entered the meeting.

Councillor Shelby Ch'ng, Gerry Broere, Director - Facilities, Fleet & Energy Management and Deanna Walker, Law Clerk & Land Development Specialist entered the meeting electronically via MS Teams.

Acting City Solicitor Cynthia Cline provided an overview relative to the above noted and responded to questions.

Joel DePeuter responded to questions.

Gerry Broere responded to questions.

City Manager Norm Gale responded to questions.

Emma Westover responded to questions.

Linda Evans responded to questions.

1.2.4 Committee of the Whole Recess

At 6:39 p.m. the Closed Session concluded. It was the consensus of Committee that Committee of the Whole Open Session reconvene immediately following the City Council (Public Meeting).

**2. Open Session - Planning Services Session 8:22 pm.
S.H. Blake Memorial Auditorium**

Chair: Councillor Aldo Ruberto

Present: Mayor Bill Mauro
Councillor Albert Aiello
Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Aldo Ruberto
Councillor Peng You

Officials: Dana Earle, Deputy City Clerk
Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Kayla Dixon, Acting General Manager – Infrastructure & Operations
Linda Evans, General Manager - Corporate Services & Long-Term Care
Karen Lewis, General Manager - Development & Emergency Services
Kelly Robertson, General Manager - Community Services
Tracie Smith, Director – Corporate Strategic Services
Chief Wayne Gates – Superior North EMS
Joel DePeuter, Manager – Realty Services
Michael Grimaldi, Solicitor
Devon McCloskey, Supervisor – Planning Services
Dan Munshaw, Manager – Supply Management
Flo-Ann Track, Council & Committee Clerk

3. Disclosures of Interest

3.1 Councillor Albert Aiello - 2022CLS.028 (Legal Services) - Legal Matter

Councillor Albert Aiello declared a conflict relative to Report 2022CLS.028 (Legal Services) as they own property related to the matter.

3.2 Councillor Shelby Ch'ng - 2022CLS.028 (Legal Services) - Legal Matter

Councillor Shelby Ch'ng declared a conflict relative to Report 2022CLS.028 (Legal Services) as they own property related to the matter.

4. Confirmation of Agenda

Confirmation of Agenda - July 25, 2022 - Committee of the Whole

It was the consensus of the Committee that the order of the agenda be changed to allow Report R 133/2022 (Development & Emergency Services - Superior North EMS) - Work Plan for Superior North EMS 2021 - 2030 Master Plan to be presented prior to Report R 121/2022 (Planning Services) - Telecommunications Tower Consultation - 1101 Syndicate Avenue South - Bell Mobility Inc..

Moved By: Councillor Rebecca Johnson

Seconded By: Councillor Brian Hamilton

WITH RESPECT to the July 25, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

5. Items Arising from Closed Session

5.1 2022CLS.028 (Legal Services) - Legal Matter

2022CLS.028 (Legal Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

Councillor Albert Aiello declared a conflict on this item as they own property related to the matter and refrained from discussing or voting on the following resolution.

Councillor Shelby Ch'ng declared a conflict on this item as they own property related to the matter and refrained from discussing or voting on the following resolution.

Moved By: Councillor Rebecca Johnson

Seconded By: Councillor Brian Hamilton

WITH RESPECT to 2022CLS.028 (Legal Services) we recommend that Administration proceed as directed in Closed Session.

CARRIED

5.2 2022CLS.027 (Legal Services) - Thunder Bay Art Gallery

2022CLS.027 (Legal Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

Moved By: Councillor Brian McKinnon

Seconded By: Councillor Brian Hamilton

WITH RESPECT to 2022CLS.027 (Legal Services) we recommend that Administration proceed as directed in Closed Session.

CARRIED

6. Reports of Committees, Boards and Outside Agencies

6.1 Downtown Fort William (DTFW) Revitalization Advisory Committee Minutes

Minutes of Meetings 02-2022, 03-2022 of the DTFW Revitalization Advisory Committee held on February 8, 2022 and March 8, 2022 respectively, for information.

7. Reports of Municipal Officers

7.1 Work Plan for Superior North EMS 2021-2030 Master Plan

At the June 14, 2021 Committee of the Whole meeting, Report R 78/2021 (Development & Emergency Services - Superior North EMS) was presented. A resolution was passed accepting the Master Plan as the Guiding Document.

At the May 16, 2022 Committee of the Whole meeting, a resolution was passed deferring this item until July 25, 2022.

Report R 133/2022 (Development & Emergency Services – Superior North EMS), recommending that the Superior North EMS 2021 to 2030 Master Work Plan, as appended as Attachment A to this report, be approved.

Memorandum from General Manager - Development & Emergency Services Karen Lewis dated July 12, 2022 requesting an opportunity to provide a presentation relative to the above noted.

Written Deputation from Chief Paul Gladu - Bingwi Neyaashi Anishinaabek (Sand Point First Nation) dated July 20, 2022 relative to the above noted for information, was distributed separately on Thursday, July 21, 2022.

Correspondence from Mayor Kevin Mullins – Schreiber dated July 6, 2022 relative to the above noted, attaching correspondence from Brad McMillan, President - Nicol Island Services Ltd. dated July 15, 2022 and correspondence from Rob Stewart, Chairman - Local Services Board of Rossport dated July 11, 2022 relative to the above noted for information, was distributed separately on Thursday, July 21, 2022.

Written Deputation from John J. Szura, CEO – Pawgwasheeng (Pays Plat First Nation) dated Friday, July 15, 2022, relative to the above noted for information, was distributed separately on Thursday, July 21, 2022.

Written Deputation from Chief Gladys Thompson - Biinjitiwaabik Zaaging Anishinaabek (Rocky Bay First Nation) dated July 21, 2022, relative to the above noted for information, was distributed separately on Friday, July 22, 2022.

Written Deputation from Mayor Jody Davis – Township of Terrace Bay dated July 22, 2022, relative to the above noted for information was distributed separately on Monday, July 25, 2022.

Chief Wayne Gates - Superior North EMS appeared before Committee, provided a PowerPoint presentation relative to the above noted and responded to questions.

Moved By: Councillor Brian Hamilton

Seconded By: Mayor Bill Mauro

WITH RESPECT to Report R 133/2022 (Development & Emergency Services – Superior North EMS), recommend that the Superior North EMS 2021 to 2030 Master Work Plan , as appended as Attachment A to this report, be approved;

AND THAT Administration continue to advocate to the Province for increased and continued North Shore Non-Urgent Transportation to enhanced schedules and hours;

AND THAT Administration proceed with implementation of North Shore Base Consolidation: Nipigon/Red Rock as outlined in the SNEMS work plan;

AND THAT Administration proceed with implementation North Shore Base Consolidation: Schreiber/Terrace Bay as outlined in the SNEMS Work plan;

AND THAT Administration proceed with Beardmore Ambulance Redeployment and those hours be redeployed to the District;

AND THAT Administration proceed with Beardmore Community Paramedicine Initiative in conjunction with the Beardmore Ambulance redeployment;

AND THAT Administration continue to advocate for First Nations Fair Funding;

AND THAT Administration continue to Support the Nishnawbe Aski Nation (NAN) Paramedic Service/Community Paramedicine Initiative;

AND THAT the General Manager, Development and Emergency Services be authorized to execute all required documentation;

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

Amendment - Work Plan for Superior North EMS 2021-2030 Master Plan

Moved By: Councillor Andrew Foulds

Seconded By: Councillor Shelby Ch'ng

WITH RESPECT to the recommendation contained in Report R 133/2022 (Development & Emergency Services - Superior North EMS) we recommend that the following be added after paragraph 9:

AND THAT Administration be directed to provide annual reports to Council relating to the implementation of the SNEMS Master Plan beginning in Q3 2023;

CARRIED

Amended - Work Plan for Superior North EMS 2021-2030 Master Plan

Moved By: Councillor Brian Hamilton

Seconded By: Mayor Bill Mauro

WITH RESPECT to Report R 133/2022 (Development & Emergency Services – Superior North EMS), recommend that the Superior North EMS 2021 to 2030 Master Work Plan , as appended as Attachment A to this report, be approved;

AND THAT Administration continue to advocate to the Province for increased and continued North Shore Non-Urgent Transportation to enhanced schedules and hours;

AND THAT Administration proceed with implementation of North Shore Base Consolidation: Nipigon/Red Rock as outlined in the SNEMS work plan;

AND THAT Administration proceed with implementation North Shore Base Consolidation: Schreiber/Terrace Bay as outlined in the SNEMS Work plan;

AND THAT Administration proceed with Beardmore Ambulance Redeployment and those hours be redeployed to the District;

AND THAT Administration proceed with Beardmore Community Paramedicine Initiative in conjunction with the Beardmore Ambulance redeployment;

AND THAT Administration continue to advocate for First Nations Fair Funding;

AND THAT Administration continue to Support the Nishnawbe Aski Nation (NAN) Paramedic Service/Community Paramedicine Initiative;

AND THAT the General Manager, Development and Emergency Services be authorized to execute all required documentation;

AND THAT Administration be directed to provide annual reports to Council relating to the implementation of the SNEMS Master Plan beginning in Q3 2023;

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

CARRIED

7.2 Telecommunications Tower Consultation - 1101 Syndicate Avenue South - Bell Mobility Inc.

Report R 121/2022 (Planning Services) recommending the support of issuance of a Concurrence Letter regarding public consultation on a proposed telecommunications antenna structure, relative to 1101 Syndicate Avenue South.

Moved By: Councillor Rebecca Johnson

Seconded By: Mayor Bill Mauro

WITH RESPECT to Report R 121/2022 (Development & Emergency Services – Planning Services), the City of Thunder Bay is satisfied that the applicant has met all terms of the community consultation process required by Corporate Policy 02-02-15, Communications Tower Consultation, accordingly we recommend that the issuance of a Concurrence Letter for the proposed antenna structure location be authorized, relative to:

1. 1101 Syndicate Avenue, legally described as Lot 4 less 10 feet for lane, S/S Mary Street, Town Plot of Fort William, as in TB285032.

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

CARRIED

7.3 The Need for a Belrose Plan Deputation – Administrative Response

At the March 21, 2022 Committee of the Whole meeting DiGregorio Developments and Northern Planning provided a deputation and requested Council's support for the preparation of a Secondary Plan for the Belrose area, outlining the need for more housing, more choice, and more lands to be designated for development in the Belrose Area.

Report R 137/2022 (Planning Services) providing a recommendation relative to the undertaking of a Secondary Plan Background Study for the entire Growth Area identified in the City's Official Plan, and that funds included in the Planning Services 2021 and 2022 budgets for Planning Studies be reallocated towards this project.

Moved By: Councillor Brian Hamilton

Seconded By: Councillor Andrew Foulds

WITH RESPECT to Report R 137/2022 (Development & Emergency Services – Planning Services) it is recommended that Administration be directed to undertake a Secondary Plan Background Study for the entire Growth Area identified in the City's Official Plan using already allocated Streamline Development Approval Fund monies;

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

Deferral - The Need for a Belrose Plan Deputation – Administrative Response

Moved By: Councillor Peng You

Seconded By: Councillor Albert Aiello

WITH RESPECT to Report R 137/2022 (development & Emergency Services - Planning Services), we recommend that the report be deferred to the August 8, 2022 Committee of the Whole meeting.

CARRIED

7.4 Thunder Bay Art Gallery Designation as Municipal Capital Facility

Report R 141/2022 (Development & Emergency Services - Realty Services) providing a recommendation relative to the designation of a Municipal Capital Facility.

Correspondence dated July 4, 2022 from Thunder Bay Art Gallery Director Sharon Godwin requesting an opportunity to provide a deputation relative to the above noted was distributed separately on Thursday, July 25, 2022, for information.

Director Sharon Godwin - Thunder Bay Art Gallery appeared before Committee electronically via MS Teams and responded to questions.

Moved By: Councillor Brian Hamilton

Seconded By: Mayor Bill Mauro

WITH RESPECT to Report R 141/2022 (Development & Emergency Services – Realty Services), we recommend that, conditional on the City entering into a ground lease (the “Ground Lease”) with the Thunder Bay National Exhibition Centre and Centre for Indian Art, more commonly known as the Thunder Bay Art Gallery (the “Tenant”) for the development, construction, use and operation of a building (the “Building”) for the purposes of an art gallery on the lands municipally described as 2399 Sleeping Giant Parkway, in the City of Thunder Bay, as more particularly described in Schedule “A” (the “Ground Lease Lands”), pursuant to section 110 of the *Municipal Act*, 2001, the City hereby:

1. Designate the Building and all present and future improvements thereto, as a municipal capital facility for cultural purposes;
2. Exempt the Building and the lands upon which the Building is situate from taxation for municipal and education purposes; and
3. Provide financial and other assistance to the Tenant for the operation of the Building, as set out in the Ground Lease;

AND THAT the City approves the by-law substantially in the form attached hereto as Schedule “B” (the “By-law”);

AND THAT upon the City and Tenant entering into the Ground Lease, Administration bring the By-law forward to be passed by Council;

AND THAT, conditional on the passage of the By-law, the City is authorized to enter into a municipal capital facility agreement (the “MCF Agreement”) that provides for (a) the use, operation and maintenance of the Building as a municipal capital facility; (b) the provision by the City to the Tenant of the

financial and other assistance under the Ground Lease; and (c) the exemption of the Building and the lands upon which the Building is situate from taxation for municipal and school purposes, in form and content satisfactory to the City Solicitor;

AND THAT the Mayor and Clerk be authorized to execute the MCF Agreement;

AND THAT, further to the City and the Tenant entering into the Ground Lease, Council declares that the Building is for the purposes of the municipality and is for public use, as set out in the Ground Lease;

AND THAT, subject to the By-law being passed, the City Clerk provide written notice of the By-law to the Minister of Finance, and also provide a written notice of the contents of the By-law to the Municipal Property Assessment Corporation, and the secretary of any school board if the area of jurisdiction of any such board includes the lands exempted by the By-law.

CARRIED

7.5 New Municipal Standards for Property, Clean & Clear Yards, Vacant Buildings Security and Minimum Heat By-laws

At the September 20, 2021 Committee of the Whole meeting, a resolution was passed recommending that Committee of the Whole approve the work plan and priorities for the review of enforcement bylaws as outlined in R 120/2021 (Development & Emergency Services/Licensing & Enforcement); and a referral resolution was passed recommending that the contents of the deputation by Kyla Moore entitled "Reimagining the Yard Maintenance Bylaw: An Opportunity to Contribute Towards Sustainability Goals" be referred to Administration as part of the Property Standards and Yard Maintenance By-law review, referenced in R 120/2021 - Review of Enforcement Bylaws.

At the December 13, 2021 Committee of the Whole meeting, a memorandum was presented by Administration requesting that the presentation date be rescheduled to April 11, 2022.

At the January 10, 2022 Committee of the Whole meeting a resolution was passed as contained in a memorandum from City Manager Norm Gale directing Administration to defer items on the Outstanding List for all Departments by up to two (2) months.

At the June 20, 2022 Committee of the Whole meeting this report was introduced as a 'first report' to allow Council and the general public time to consider the implications of the report.

R 106/2022 (Development & Emergency Services - Licencing & Enforcement) re-presented, recommending that the draft Municipal Standards for Property By-law, as appended as Attachment D to this report, be approved.

Memorandum from Manager - Licencing & Enforcement Services Doug Vincent dated July 14, 2022 relative to the above noted, for information.

Moved By: Councillor Andrew Foulds

Seconded By: Councillor Rebecca Johnson

WITH RESPECT to Report R 106/2022 (Development & Emergency Services – Licencing & Enforcement) we recommend that the draft Municipal Standards for Property By-law, as appended as Attachment D to this report, be approved;

AND THAT the draft Clean & Clear Yards By-law, as appended as Attachment B to this report, be approved;

AND THAT the draft Vacant Building Security By-law, as appended as Attachment F to this report, be approved;

AND THAT the draft Minimum Heat By-law, as appended as Attachment H to this report, be approved;

AND THAT the current Property Standards By-law No. 66-2008, be repealed;

AND THAT the current Yard Maintenance By-law No. 68-2008 as amended, be repealed;

AND THAT the current Heat Rented Dwelling By-law No. 210-1974 and associated Municipal Code Chapter 831 be repealed;

AND THAT that the following Outstanding Items be removed from the Planning Outstanding List:

- 2021-107-DEV Reimagining the Yard Maintenance By-law
- 2021-117-DEV Vacant Buildings By-law
- 2021-118-DEV Property Standards & Yard Maintenance Bylaw

AND THAT the Outstanding Item No 2021-115-DEV Boulevard /Obstruction Bylaw be deferred from August 22, 2022 to May 30, 2023;

AND THAT all By-laws outlined in this report be presented to City Council on August 22, 2022 for ratification.

CARRIED

During discussion of the above noted item, the following resolution was passed:

Moved By: Mayor Bill Mauro

Seconded By: Councillor Mark Bentz

THAT the hour being 11:00 p.m., we continue with the business at hand.

CARRIED

8. Outstanding Items

8.1 Outstanding List for Planning Services as of July 12, 2022

Memorandum from City Clerk Krista Power, dated July 12, 2022 providing the Planning Services Outstanding Items List, for information.

9. Open Session - Administrative Services Session

Chair: Councillor Mark Bentz

10. Reports of Committees, Boards and Outside Agencies

10.1 Audit Committee Minutes

Minutes of Meeting 01-2022 of the Audit Committee held on May 19, 2022 for information.

11. Reports of Municipal Officers

11.1 Clean, Green and Beautiful 2022 - 2023 Plan

Report R 122/2022 (City Manager's Office - Strategic Initiatives & Engagement) 2022-2023 Clean, Green and Beautiful Plan, providing a recommendation to approve the revised Clean, Green and Beautiful Policy.

Moved By: Councillor Peng You
Seconded By: Councillor Brian Hamilton

WITH RESPECT to Report R 122/2022 (City Manager's Office - Strategic Initiatives & Engagement), we recommend that City Council approve the 2022-2023 Clean, Green and Beautiful Plan;

AND THAT the amended Clean Green and Beautiful Policy #02-05-01# be approved:

AND THAT Outstanding List item #2018-009-ADM (City Manager's Office – Strategic Initiatives & Engagement) Clean Green and Beautiful Policy Review be removed from the Administrative Services Outstanding List;

AND THAT the amended Terms of Reference, as appended as Attachment A to this report, be approved;

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

CARRIED

11.2 Administrative Update - Multi Use Indoor Sports Facility

Report R 123/2022 (Community Services - Central Support Services) providing information and a recommendation relative to the current status and proposed options to advance a proposed multi-use indoor sports facility.

Moved By: Councillor Brian Hamilton
Seconded By: Councillor Andrew Foulds

WITH RESPECT to Report R 123/2022 (Community Services – Administration), we recommend that the decision relating to the advancement of a long term multi-use indoor sports facility be deferred to January 2023 for the 2022-2026 Council to determine the next steps;

AND THAT Administration engage with the current Tournament Centre operator to maintain the current temporary conversion of one playing surface from ice to synthetic turf for the 2022 – 2023 season and work with the Operator to mitigate the negative impacts on displaced ice users through the ice allocation process;

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

Amendment 1 - Administrative Update - Multi Use Indoor Sports Facility

Moved By: Councillor Peng You

Seconded By: Councillor Aldo Ruberto

WITH RESPECT to Report R 123/2022, we recommend that paragraph 1 be deleted and replaced with:

WITH RESPECT to Report R 123/2022, we recommend that Administration be directed to proceed with the procurement process relating to the design, construction and operation of an air-supported structure at Fort William Stadium as outlined in EOI-02-21 submission ST-2;

AND THAT up to \$16 million be allocated from the Indoor Turf Facility Reserve Fund to support the procurement process;

LOST

Amendment 2 - Administrative Update - Multi Use Indoor Sports Facility

Moved By: Councillor Shelby Ch'ng

Seconded By: Councillor Aldo Ruberto

WITH RESPECT to Report R 123/2022, we recommend that paragraph 1 be deleted and replaced with:

WITH RESPECT to Report R 123/2022, we recommend that Administration be directed to develop a Request for Proposal to advance a long-term multi-use indoor sports facility with a change in scope through a partnership approach at Chapples Park;

AND THAT up to \$48 million be allocated to the project to be funded from the Indoor Turf Facility Reserve Fund and by debenture;

LOST

Administrative Update - Multi Use Indoor Sports Facility

Moved By: Councillor Brian Hamilton

Seconded By: Councillor Andrew Foulds

WITH RESPECT to Report R 123/2022 (Community Services – Administration), we recommend that the decision relating to the advancement of a long term multi-use indoor sports facility be deferred to January 2023 for the 2022-2026 Council to determine the next steps;

AND THAT Administration engage with the current Tournament Centre operator to maintain the current temporary conversion of one playing surface from ice to synthetic turf for the 2022 – 2023 season and work with the Operator to mitigate the negative impacts on displaced ice users through the ice allocation process;

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

CARRIED

During the discussion of the above noted item, the following resolution was passed:

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Peng You

THAT the hour being 12:00 a.m., we continue with the business at hand.

CARRIED

During the discussion of the above noted item, the following resolution was passed:

Moved By: Councillor Brian

Seconded By: Mayor Bill Mauro

THAT the hour being 1:00 a.m., we continue with the business at hand.

CARRIED

11.3 2022 Budget Variance Report #2

Report R 115/2022 (Corporate Services & Long-Term Care - Financial Services) reviewing year-to-date revenues and expenditures and completes a forecast of the City's financial position to year-end (December 31, 2022), was distributed separately on Thursday, July 21, 2022.

Moved By: Mayor Bill Mauro

Seconded By: Councillor Brian Hamilton

WITH RESPECT to Report R 115/2022 (Corporate Services & Long-Term Care - Financial Services), we recommend that Administration send a letter to the Office of the Solicitor-General to advise of the impact of the \$5.3 million

projected negative variance for the City of Thunder Bay, including an estimated \$2.2 million shortfall from the Thunder Bay Police Services;

AND THAT the letter advocate for support for funding or programming initiatives for policing that may be available to the City of Thunder Bay;

AND THAT a copy of the letter be sent to the Administration of the Thunder Bay Police Services Board, Thunder Bay-Atikokan MPP Kevin Holland, and Thunder Bay-Superior North MPP Lise Vaugeois;

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

CARRIED

11.4 Contract 9, 2022 - Sewer & Watermain III

Report R 95/2022 (Infrastructure & Operations - Engineering & Operations) recommending that Contract 9, 2022 – Court Street Phase III be awarded to Makkinga Contracting and Equipment Rentals, which submitted the lowest tender and will be awarded a reduced scope in the revised amount of \$2,486,000 (inclusive of HST), and that Appropriation 23 be approved.

Moved By: Councillor Brian Hamilton

Seconded By: Councillor Peng You

WITH RESPECT to Report R 95/2022 (Infrastructure & Operations – Engineering & Operations), we recommend that Contract 9, 2022 – Court Street Phase III be awarded to Makkinga Contracting and Equipment Rentals, which submitted the lowest tender and will be awarded a reduced scope in the revised amount of \$2,486,000 (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 work completed;

AND THAT the General Manager of Infrastructure and Operations report significant variations in the Contract quantities to City Council;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to this matter;

AND THAT Appropriation #23 be approved;

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

CARRIED

11.5 River Street Culvert Repairs

Report R 127/2022 (Infrastructure & Operations - Engineering & Operations) providing a relative to the above noted was distributed separately on Thursday, July 21, 2022.

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Brian McKinnon

WITH RESPECT to Report R 127/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that an allowance of \$2,500,000 from carry forward funds and the General Capital Reserve be set aside for additional inspection, design and construction of rehabilitation measures for the McVicar Creek culverts at River Street;

AND THAT the construction contract for the culvert rehabilitation be awarded to the lowest qualified bidder if the tender bid comes within the available construction allowance set aside;

AND THAT Administration report back with information on the successful bidder and cost within 30 days of award;

AND THAT consulting engineering services be completed by JML Engineering Ltd. including additional inspection, design and contract administration for the project;

AND THAT Appropriation No. 24 be approved;

AND THAT the General Manager of Infrastructure and Operations report any circumstances to City Council should any significant variations in the work 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

12. Outstanding Items

12.1 Outstanding List for Administrative Services as of July 12, 2022

Memorandum from City Clerk Krista Power, dated July 12, 2022 providing the Administrative Services Outstanding Items List, for information.

13. New Business

13.1 Establishment of Closed Session Meeting

The following resolution will be presented to Committee of the Whole in order to establish a Committee of the Whole – Closed Session meeting on Monday, August 8, 2022:

Moved By: Councillor Aldo Ruberto

Seconded By: Councillor Brian Hamilton

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, August 8, 2022 at 4:30 p.m. in order to receive information pursuant to the Municipal Act (Section 239 (2)) relative to:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board.
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (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

13.2 Re-allocation of Capital Funding

Memorandum date July 20, 2022 from Mayor Bill Mauro containing a motion relative to the above noted, distributed separately on Friday, July 22, 2022.

The Deputy City Clerk advised that this item has been withdrawn from the agenda.

14. Adjournment

The meeting adjourned at 1:33 am.



Licensing & Enforcement

Fax: 625-2977

Telephone: 625-2644

MEMORANDUM

TO: Krista Power, City Clerk

FROM: Doug Vincent, Manager–Licensing & Enforcement Services

DATE: August 4, 2022

RE: Request to refer Report R106-22 to Administration – Housekeeping edits.
(contained within the July 25 Committee of the Whole Minutes)
City Council – August 8, 2022 – New Business

Administration is recommending that Council extract the resolution passed at the July 25, 2022 Committee of The Whole minutes, related Report R106-22 (four new By-laws for consideration), and vote on it separately in order to refer to Administration to complete some minor housekeeping edits and further, that the revised By-laws containing the housekeeping edits, be brought back to the August 22, 2022, in final form for consideration.

As such, a revised recommendation has been provided for City Council’s consideration.

WITH RESPECT to Report R 106/2022 (Development & Emergency Services – Licensing & Enforcement) we recommend that the draft Municipal Standards for Property By-law, as appended as Attachment D to this report, be referred to administration for further review;
AND THAT the draft Clean & Clear Yards By-law, as appended as Attachment B to this report, be referred to administration for further review;
AND THAT the draft Vacant Building Security By-law, as appended as Attachment F to this report, be referred to administration for further review;
AND THAT the draft Minimum Heat By-law, as appended as Attachment H to this report, be referred to administration for further review;
AND THAT the current Property Standards By-law No. 66-2008, be repealed;
AND THAT the current Yard Maintenance By-law No. 68-2008 as amended, be repealed;
AND THAT the current Heat Rented Dwelling By-law No. 210-1974 and associated Municipal Code Chapter 831 be repealed;
AND THAT that the following Outstanding Items be removed from the Planning Outstanding List:

- 2021-107-DEV Reimagining the Yard Maintenance By-law
 - 2021-117-DEV Vacant Buildings By-law
 - 2021-118-DEV Property Standards & Yard Maintenance Bylaw
- AND THAT the Outstanding Item No 2021-115-DEV Boulevard /Obstruction Bylaw be deferred from August 22, 2022 to May 30, 2023;
AND THAT all Administration report back with respective changes to the above noted by-laws on or before August 22, 2022

AND THAT once approved the associated By-laws outlined in this report be presented to City Council on or before September 12, 2022 for ratification.

The initial staff review of the Property Standards By-law and the Yard Maintenance By-law was a very lengthy and complex task which resulted in two additional By-laws being created (Vacant Building Security and Minimum Heat By-law) and the original two By-laws being totally re-written as replacement (Municipal Standards for Property and Clean & Clear Yard By-laws). These four new By-laws were then put through the public consultation and input processes resulting in some additional and substantive changes to some of the newly drafted by-laws. In the intervening weeks, and through use of the drafts in training, numerous minor error or deficiencies were identified that require correction.

The minor errors to be corrected for all by-laws would include correct spelling, grammar, punctuality, repetition and mostly formatting errors. There will be minor corrections to cross-referenced section numbers in one by-law and reinstating “current & valid vehicle registration required” in the Clean & Clean Yards By-law definition of “Derelicts Vehicles”, to conform to the provincial governments recent clarification that vehicles still need registration renewal but the requirement for the “validation tag” has been removed; the By-law presented had removed the “validation tag requirement” portion.

Doug Vincent
Manager, Licensing and Enforcement

cc. Karen Lewis, GM Development & Emergency Services
Patty Robinet, City Solicitor
Michael Grimaldi, Solicitor



Licensing & Enforcement

Fax: 625-2977

Telephone: 625-2644

MEMORANDUM

TO: Krista Power, City Clerk

FROM: Doug Vincent, Manager–Licensing & Enforcement Services

DATE: August 4, 2022

RE: Outstanding Item 2020-024-DEV – Request for Deferral – Nuisance By-law Report

Administration is recommending a revised report back date for on the Outstanding List Item 2020-024-DEV; Report on the Development of A Nuisance By-law, from August 22, 2022 to on or before September 18, 2023. The deferral is requested as Administration has been working on implementing many other council priorities surrounding restructuring, including the development of new stronger by-laws to support this initiative.

The new Municipal Enforcement Services model is progressing well and the first group of trained Officers are just starting a new phase with the graduated field placement roll-out (with Coach Officer mentoring) starting in the coming weeks. The new By-laws (Municipal Standards For Property, Clean & Clear Yards, Vacant Building Security and Minimum Heat By-law) were a priority relative to the restructuring, as they were required to effectively train the new staffing model. The Report on these by-laws was first presented as a First Report on June 20, 2022 and, following a public review period, was considered and passed by Committee of the Whole on July 25. Those by-laws, following some minor house-keeping edits, should be ready for final consideration and possible approval as early as the September 12, 2022 Committee and Council meetings.

RECOMMENDATION

WITH RESPECT to the Memorandum from D. Vincent, Manager – Licensing & Enforcement dated August 8, 2022, we recommend that Outstanding Item No 2020-024-DEV Report on the Development of A Nuisance By-law be deferred from August 22, 2022 to on or before September 18, 2023.

Doug Vincent
Manager, Licensing and Enforcement

cc. Karen Lewis, GM Development & Emergency Services