



# **AGENDA MATERIAL**

## **COMMITTEE OF THE WHOLE**

**MEETING DATE:** MONDAY, APRIL 25, 2022

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

**TIME:** IMMEDIATELY FOLLOWING CITY COUNCIL SPECIAL  
SESSION



**MEETING:** Committee of the Whole

**DATE:** Monday, April 25, 2022

*Reference No. COW - 23/53*

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

Committee of the Whole - Closed Session

Chair: Councillor Aldo Ruberto

Closed Session Agenda will be distributed separately to Members of Council and EMT only.

**OPEN SESSION in S.H. Blake Memorial Auditorium immediately following City Council Special Session - Tbaytel Annual General Meeting**

Committee of the Whole - Administrative Services Session

Chair: Councillor Mark Bentz

**DISCLOSURES OF INTEREST**

***CONFIRMATION OF AGENDA***

**Confirmation of Agenda - April 25, 2022 - Committee of the Whole**

WITH RESPECT to the April 25, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed. **(Page 5)**

***PRESENTATIONS***

**Monthly – Citizens of Outstanding Achievement Award**

Memorandum from Deputy City Clerk Dana Earle dated April 12, 2022 requesting an opportunity to provide a presentation relative to the Monthly Citizens of Outstanding Achievement Awards. **(Pages 6 – 7)**

***ITEMS ARISING FROM CLOSED SESSION***

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

### **Anti-Racism & Respect Advisory Committee Minutes**

Minutes of Meeting 02-2022 of the Anti-Racism & Respect Advisory Committee held on February 28, 2022, for information. **(Pages 8 – 12)**

### **Official Recognition Committee Minutes**

Minutes of Meeting 02-2022 of the Official Recognition Committee held on February 14, 2022, for information. **(Pages 13 – 16)**

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

### **2022 Budget Variance Report #1**

Report R 72/2022 (Corporate Services & Long Term Care - Financial Services) provides projections to City Council of the City's financial position to year-end, for information. (Distributed Separately)

### **2023 Proposed Budget Calendar**

Report R 59/2022 (Corporate Services & Long-Term Care - Financial Services) recommending approval of the Proposed Budget Calendar for the 2023 Budget. **(Pages 18 – 22)**

WITH RESPECT to Report R 59/2022 (Corporate Services & Long Term Care - Financial Services), we recommend that the dates for Special Committee of the Whole meetings to deliberate the 2023 Capital and Operating Budgets for the City of Thunder Bay be approved in accordance with Attachment A - 2023 Budget Calendar;

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

### **2022 Tax Policy Report**

Report R 70/2022 (Corporate Services & Long-Term Care - Revenue) providing City Council with recommendations on the Corporate Tax Policy options and requirements under the Municipal Act, 2001 for the setting of tax policies, tax rates and due dates in preparation for the 2022 final property tax billing. **(Pages 23 – 38)**

WITH RESPECT to the Corporate Tax Policy Report R 70/2022 (Corporate Services & Long Term Care - Revenue), we recommend that the tax ratios and tax rates included in Attachment 6 and outlined in Option 1 be approved for the 2022 taxation year;

AND THAT the final tax levy be due in two installments on August 3 and October 5, 2022;

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

### **Terms of Reference - Anti-Racism & Respect Advisory Committee**

Report R 60/2022 (Development & Emergency Services – Community Strategies) recommending that the Terms of Reference for the Anti-Racism & Respect Advisory Committee, as appended to this Report, be adopted to replace the current Terms of Reference. **(Pages 39 – 53)**

WITH RESPECT to Report R 60/2022 (Development & Emergency Services – Community Strategies), we recommend that the Anti-Racism & Respect Advisory Committee be renamed as the Anti-Racism & Equity Advisory Committee;

AND THAT the amended Terms of Reference for the Anti-Racism & Equity Advisory Committee, as appended to this Report, be adopted;

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

### **Conversion Therapy Resolution**

At the July 26, 2021 Committee of the Whole meeting, memorandum from Councillor S. Ch'ng dated July 13, 2021 was presented. A resolution was passed directing Administration to report back on options available to prohibit the practice and advertising of conversion therapy in the City of Thunder Bay, through Planning, Development, Business Licensing and Human Resources support available for city employees along with engagement with local agencies such as Canadian Mental Health, Thunder Pride, Rainbow Collective, Children's Centre Thunder Bay and any other relevant stakeholders. **(Pages 54 -66)**

Report R 67/2022 (City Manager - City Solicitor & Corporate Counsel) providing information relative to the above noted and a recommendation for Council consideration.

WITH RESPECT to Corporate Report R 67/2022 (City Manager's Office - City Solicitor & Corporate Counsel) it is recommended that this corporate report be received for information;

AND THAT Outstanding Item Subject, "Ban Against Conversion Therapy" (Reference No. 2021-105-DEV) be removed from the Outstanding List for Planning Services;

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

### ***FIRST REPORTS***

## ***OUTSTANDING ITEMS***

### **Outstanding List for Administrative Services as of April 11, 2022**

Memorandum from City Clerk Krista Power, dated April 11, 2022 providing the Administrative Services Outstanding Items List, for information. **(Pages 67 – 68)**

## ***NEW BUSINESS***

## ***ADJOURNMENT***



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**MEETING DATE**     04/25/2022 (mm/dd/yyyy)

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**SUBJECT**             Confirmation of Agenda - April 25, 2022 - Committee of the Whole

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***SUMMARY***

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

***RECOMMENDATION***

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



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**MEETING DATE**     04/25/2022 (mm/dd/yyyy)

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**SUBJECT**             Monthly – Citizens of Outstanding Achievement Award

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***SUMMARY***

Memorandum from Deputy City Clerk Dana Earle dated April 12, 2022 requesting an opportunity to provide a presentation relative to the Monthly Citizens of Outstanding Achievement Awards.

***ATTACHMENTS***

1. Memo - Official Recognition Committee - Monthly Awards - April 25, 2022

## **Memorandum**

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

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**TO:** Members of City Council

**FROM:** Dana Earle, Deputy City Clerk

**DATE:** April 12, 2022

**SUBJECT:** Monthly Awards – Citizens of Outstanding Achievement  
Committee of the Whole – April 25, 2022

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Please be advised that Citizens of Outstanding Achievement Monthly Awards will be presented virtually at the April 25, 2022 Committee of the Whole meeting to the following Curling teams under the category of Sports Achievement.

Team Larocque (Team Northern Ontario) being awarded Gold Medal at the 2021 Everest Canadian Curling Club Women's Championships

Team McCarville being awarded Silver Medal at the 2022 Scottie's Tournament of Hearts



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***MEETING DATE***     04/25/2022 (mm/dd/yyyy)

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***SUBJECT***             Anti-Racism & Respect Advisory Committee Minutes

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***SUMMARY***

Minutes of Meeting 02-2022 of the Anti-Racism & Respect Advisory Committee held on February 28, 2022, for information.

***ATTACHMENTS***

1. Minutes - Anti-Racism & Respect Advisory Committee - February 28, 2022

**DATE:** FEBRUARY 28, 2022**MEETING NO. 02-2022****TIME:** 12:05 P.M.**PLACE:** VIRTUAL MEETING – MS TEAMS**VICE-CHAIR:** TANNIS KASTERN**ELECTRONIC PARTICIPATION:**

Carol Audet/Breanne Anderson, *Matawa First Nations*  
Heather Carroll, *Indigenous Students – Confederation College*  
Ronnie Kasana, *SUCCI Representative*  
Tannis Kastern, *Fort William First Nation*  
Chris Krumpholz, *Community Representative*  
Yamandeep Mahli, *LUSU Representative*  
Moffat Makuto, *Reg. Multicultural Youth Council*  
Michelle McGuire, *TB Urban Aboriginal Advisory Committee*  
Anita Muggeridge - *Thunder Bay Multicultural Association*  
Beth Ponka, *Kinna-aweya Representative*  
Ryan Scott, *Community Representative*  
Inspector Derek West, *Thunder Bay Police Service*

**OFFICIALS – ELECTRONIC PARTICIPATION:**

Cynthia Olsen, Manager – Community Strategies  
Jeff Howie, Policy Assistant to the Mayor  
Maureen Nadin, Committee Resource  
Katie Piché, Council & Committee Clerk

**GUESTS:**

Leanne Skunk, *RMYC*

**1.0 LAND ACKNOWLEDGMENT**

The Vice-Chair acknowledged that we are meeting on the traditional territory of the Ojibwa Anishinaabe people of Fort William First Nation, signatory to the Robinson Superior Treaty of 1850, and acknowledged the history that many nations hold, and are committed to a relationship with First Nations, Métis, and Inuit peoples based on the principles of mutual trust, respect, reciprocity, and collaboration in the spirit of reconciliation.

**2.0 WELCOME, DISCLOSURES OF INTEREST**

The Vice-Chair welcomed those in attendance. There were no disclosures of interest declared at this time.

**3.0 CONFIRMATION OF AGENDA**

It was consensus of the Committee to add Lakehead Social Planning (LSPC) Update to the agenda.

MOVED BY: Ronnie Kasana  
SECONDED BY: Anita Muggeridge

WITH RESPECT to the February 28, 2022 meeting of the Anti-Racism & Respect Advisory Committee, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

#### 4.0 MINUTES OF PREVIOUS MEETINGS

The minutes of Meeting 01-2022 of the Anti-Racism & Respect Advisory Committee held on January 24, 2022 to be confirmed.

MOVED BY: Ryan Scott  
SECONDED BY: Insp. Derek West

THAT the Minutes of Meeting 01-2022 of the Anti-Racism & Respect Advisory Committee, held on January 24, 2022, be confirmed

CARRIED

#### 5.0 TERMS OF REFERENCE REVIEW & DISCUSSION

The Vice-Chair provided an overview relative to updating the Committee's Terms of Reference, including discussion on the Committee's name change, as per discussion at the Strategic Planning Retreat.

Copy of current Terms of Reference, for information, were distributed with agenda.

The following items were discussed:

- Determining scope
- Working through processes
- Name change
- Recommended changes to be presented to Council
- Truth & Reconciliation
  - Engaging and building trust with Indigenous community
- What is the role of the Committee?
  - Name change must reflect that
- What does future look like?
- How to access external funds
- Including "Equity" in committee name

- How to include education as part of mandate/objectives
- What is root cause of hate?

Committee members were encouraged to email any further suggestions to the Chair and/or Manager – Community Strategies Cynthia Olsen prior to the next meeting.

The Chair will work with Cynthia Olsen to revise the Terms of Reference document and report back at the next meeting with proposed changes.

## 6.0 CANADIAN MUSLIM SUMMIT REPORT AND RECOMMENDATIONS

At the November 29, 2021 Anti-Racism & Respect Advisory Committee meeting, the above noted report was distributed from Diversity Thunder Bay to the Anti-Racism & Respect Advisory Committee for discussion. The item was deferred to a future meeting.

At the January 24, 2022 Anti-Racism & Respect Advisory Committee meeting, no update was available and this item was deferred to a future meeting.

Manager – Community Strategies Cynthia Olsen provided an overview relative to the recommendations in the above noted report and responded to questions.

The following items were discussed:

- Overview of recommendations
- Committee scope
- Specific funding
- Can be challenging to engage, how to educate
- How can the City utilize social media to better capture peoples' attention
- Can other platforms be used?

Cynthia Olsen noted that more research is required on certain recommendations and further discussion can be provided at a later date.

## 7.0 NOHFC ANTI-RACISM & RESPECT INTERN UPDATE

Cynthia Olsen, Manager – Community Strategies provided a brief update relative to the above noted and responded to questions. An update will be provided at a future meeting.

## 8.0 2022 ARRAC Budget

Memorandum from Manager – Community Strategies Cynthia Olsen, dated February 24, 2022 relative to the Committee's 2022 Budget.

Cynthia Olsen provided an overview relative to the above noted and responded to questions.

MOVED BY: Moffat Makuto

SECONDED BY: Insp. Derek West

WITH RESPECT to the Memorandum from Manager – Community Strategies Cynthia Olsen, dated February 24, 2022, we recommend that the proposed allocation of the Committee's \$30,000 approved budget, as detailed in the 2022 City Budget, be approved.

AND THAT the approved budget for Incident Reporting, as detailed in the 2022 City Budget, be allocated as proposed.

CARRIED

## 9.0 NEW BUSINESS

### Incident Reporting

Manager – Community Strategies Cynthia Olsen advised that LSPC has confirmed Dr. A. Siciliano can support writing the 2021 Incident Reporting & Referral Service Program report.

### Diversity Breakfast

The Vice-Chair provided a reminder of the upcoming Diversity Breakfast with Jody Wilson-Raybould on March 23, 2022.

### RMYC Update

Moffat Makuto advised that the Regional Multicultural Youth Council has received \$8,000 in 2022 City funding.

## 10.0 NEXT MEETING

The next meeting will be held on Monday, March 28, 2022 at 12:00 p.m.

## 11.0 ADJOURNMENT

The meeting adjourned at 1:13 p.m.



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**MEETING DATE**     04/25/2022 (mm/dd/yyyy)

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**SUBJECT**             Official Recognition Committee Minutes

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***SUMMARY***

Minutes of Meeting 02-2022 of the Official Recognition Committee held on February 14, 2022, for information.

***ATTACHMENTS***

1. Official Recognition Committee Minutes - February 14, 2022

**DATE:** February 14, 2022

**MEETING NO. 02-2022**

**TIME:** 1:04 p.m.

**PLACE:** via MS Teams

**CHAIR:** Allison Hill

**PRESENT:**

Councillor Peng You  
Allison Hill  
Ollie Sawchuk  
Matthew Villella

**OFFICIALS:**

Dana Earle, Deputy City Clerk  
Tina Larocque, Coordinator – Boards,  
Committees and Special Projects

1.0 DISCLOSURES OF INTEREST

Tina Larocque declared an interest relative to a monthly nomination as one of the team members is a family member.

2.0 AGENDA APPROVAL

MOVED BY: Matthew Villella  
SECONDED BY: Ollie Sawchuk

WITH RESPECT to the February 14, 2022 Official Recognition Committee meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3.0 MINUTES OF PREVIOUS MEETING

The Minutes of Meeting No. 01-2022 of the Official Recognition Committee held on January 11, 2022 to be confirmed.

MOVED BY: Ollie Sawchuk  
SECONDED BY: Councillor Peng You

THAT the Minutes of Meeting No. 01-2022 of the Official Recognition Committee held on January 11, 2022, be confirmed.

CARRIED

At 1:06 p.m. it was the consensus of Committee to convene to Closed Session to continue with the business at hand.

Resolution to Resolve into Closed Session

MOVED BY: Matthew Villella  
SECONDED BY: Ollie Sawchuk

THAT the Official Recognition Committee resolve into closed session in order to receive information pursuant to the Municipal Act (Section 239 (2)) relative to:

b) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

4.0 CITIZENS OF OUTSTANDING ACHIEVEMENT MONTHLY AWARDS

4.1 Current Nominations

The Committee reviewed the current nominations.

Dana Earle and Tina Larocque responded to questions.

4.2 New Nominations

The Committee discussed the new nominations that came forward from the committee members.

A nomination received relative to a Sports Achievement was brought forward.

Tina Larocque declared an interest and left the meeting room.

The Committee discussed the nomination.

It was consensus of Committee that Administration proceed as directed.

Tina Larocque entered the meeting room.



5.0 2021/2022 ANNUAL CITIZENS OF EXCEPTIONAL ACHIEVEMENT AWARDS

The Committee reviewed the nominations to the Annual Citizens of Exceptional Achievement Awards.

Allison Hill declared an interest relative to a Good Citizen nomination and left the meeting room at that time.

Allison Hill entered the meeting room.

It was consensus of the Committee that members seek additional information and bring it back to the next meeting.

At 2:50 the Committee resolves back into open session

6.0 NEXT MEETING DATE

The next meeting will be held on March 14 from 1-2:30 p.m.

7.0 ADJOURNMENT

The meeting adjourned at 2:52 p.m.



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**MEETING DATE**     04/25/2022 (mm/dd/yyyy)

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**SUBJECT**             2022 Budget Variance Report #1

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***SUMMARY***

Report R 72/2022 (Corporate Services & Long Term Care - Financial Services) provides projections to City Council of the City's financial position to year-end, for information. (Distributed Separately)

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Corporate Services & Long Term Care - Financial Services	<b>REPORT</b>	R 59/2022
<b>DATE PREPARED</b>	04/12/2022	<b>FILE</b>	
<b>MEETING DATE</b>	04/25/2022 (mm/dd/yyyy)		
<b>SUBJECT</b>	2023 Proposed Budget Calendar		

## **RECOMMENDATION**

WITH RESPECT to Report R 59/2022 (Corporate Services & Long Term Care - Financial Services), we recommend that the dates for Special Committee of the Whole meetings to deliberate the 2023 Capital and Operating Budgets for the City of Thunder Bay be approved in accordance with Attachment A - 2023 Budget Calendar;

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

## **EXECUTIVE SUMMARY**

This report identifies recommended timelines for the 2023 Budget Calendar, with the distribution of proposed Capital and Operating Budget documents to members of Council on December 19, 2022. Review of the 2023 Budget by the Committee of the Whole would commence on January 17, 2023, with budget ratification scheduled for February 6, 2023. These proposed timelines are consistent with the 2022 Budget Calendar.

## **DISCUSSION**

### **2023 Operating and Capital Budgets**

The recommended timelines for the Council review process for the 2023 Budget are provided in Attachment A to this Report. Distribution of proposed Capital and Operating Budget documents to members of Council is scheduled for December 19, 2022.

The Budget review process includes an Informal Question and Answer session with City Council scheduled for January 10, 2023, providing an opportunity for City Council to meet with Administration to discuss and answer questions about the proposed Capital and Operating Budgets. Additional sessions could be added to the schedule if desired by Council.

The Long Term Financial Overview begins the budget review cycle and is proposed for January 10, 2023. This overview provides information about the City's proposed budget, and the economic and fiscal environment, including significant future challenges and opportunities facing the City of Thunder Bay.

The 2023 proposed Operating and Capital Budgets would be available on the City of Thunder Bay website on January 4, 2023. Copies of the Budget would also be available for viewing at City Hall and at the Brodie and Waverly Thunder Bay Public Library branches.

The proposed budget calendar provides opportunities to involve the community in the budget process including: a Public Pre-Budget consultation survey proposed to be launched in June 2022, a Public Pre-Budget deputation meeting on January 12, 2023 prior to the start of Council deliberations, and a Public Post-Budget deputation meeting on February 2, 2023 prior to budget ratification. In addition, between January 4 and February 2, community feedback on the proposed budget will be solicited both online through the Get Involved Tbay website and in paper through the Community Handbook.

Council review of the Budget is proposed for January 17, 19, 25, and 31, 2023. City Administration will be available to respond to questions related to the Operating and Capital Budgets.

Based on the proposed schedule, budget ratification is scheduled on February 6, 2023.

### ***FINANCIAL IMPLICATION***

There are no financial implications resulting from the recommendation contained in this Report.

### ***CONCLUSION***

It is concluded that the proposed 2023 Budget Calendar, should be approved.

### ***BACKGROUND***

As required under Section 290(1) of the *Municipal Act, 2001*, Council is to adopt estimates of all sums required during the year for the purposes of the municipality, and as such, Administration annually presents a recommended Capital and Operating Budget package to Committee of the Whole for consideration. It is necessary to establish dates for Special Committee of the Whole meetings to consider the 2023 Operating and Capital Budgets.

***REFERENCE MATERIAL ATTACHED:***

Attachment A – Proposed 2023 Budget Calendar

***PREPARED BY: EMMA WESTOVER, DIRECTOR-FINANCIAL SERVICES***

THIS REPORT SIGNED AND VERIFIED BY:  LINDA EVANS, GM Corporate Services & Long Term Care, City Treasurer	DATE:  April 13, 2022
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## 2023 Budget Calendar

<b>Council Budget Review Process</b>	<b>2022 Approved</b>	<b>2023 Proposed</b>
Public Pre-Budget Consultation * survey only in election year	June, 2021	June, 2022
Budget Directions Report	July, 2021	See Note
Budget Package (Operating and Capital) delivered to City Council	Dec 20, 2021	Dec 19, 2022
Budget Available on Web	Jan 4, 2022	Jan 4, 2023
Informal Question and Answer Session with Council (Operating and Capital)	Jan 11, 2022 <b>3 – 5:30 pm</b>	Jan 10, 2023 <b>3 – 5:30 pm</b>
Long Term Financial Overview	Jan 11, 2022 <b>6:30 pm start</b>	Jan 10, 2023 <b>6:30 pm start</b>
Public Pre-Budget Deputation Meeting	Jan 13, 2022 <b>6:30 pm start</b>	Jan 12, 2023 <b>6:30 pm start</b>
Council Budget Review	Jan 18, 20, 26, Feb 1, 2022 <b>5:00 pm start</b>	Jan 17, 19, 25, 31, 2023 <b>5:00 pm start</b>
Public Post-Budget Deputation Meeting	Feb 3, 2022	Feb 2, 2023
Ratification by City Council	Feb 7, 2022	Feb 6, 2023
Tax Policy	May, 2022	May, 2023

<b>Administrative Capital Budget Timelines</b>	<b>2022 Approved</b>	<b>2023 Proposed</b>
Capital Module Open in FMW	May 3, 2021	May 2, 2022
Capital Envelopes	Early May, 2021	Early May, 2022
Capital Budget Packages to Budget Office (Departments & Outside Boards)	July 28, 2021	July 27, 2022
Administrative Review of Capital Budgets	July 29 - Aug 18, 2021	July 28 - Aug 17, 2022
EMT Meetings on Capital Budget	Aug 19 - 26, 2021	Aug 18 - 26, 2022
Final Capital Budget Packages to Budget Office (Departments & Outside Boards)	Aug 31, 2021	Aug 31, 2022

Note: Not applicable in election year – City Manager to provide direction June 2022 to departments and outside boards.

## 2023 Budget Calendar

Operating and Salary Plan Modules Open in FMW	Mid June, 2021	Mid June, 2022
Operating Budget Packages to Budget Office (Departments & Outside Boards)	Sept 3, 2021	Sept 2, 2022
Administrative Review of Operating Budgets	Sept 7 – 30, 2021	Sept 6 – 29, 2022
EMT Meetings on Operating Budget	Oct 1 - 19, 2021	Oct 3 - 18, 2022
Final Operating Budget to Budget Office (Departments & Outside Boards)	Oct 25, 2021	Oct 24, 2022
User Fee Schedules to Budget Office	Oct 25, 2021	Oct 24, 2022
Department & Outside Board Overviews Finalized	Nov 1, 2021	Oct 31, 2022
Budget Team – Preparation of Budget Books, Drafting Corporate Report, Community Handbook, Long Term Financial Overview	Oct 25 - Nov 23, 2021	Oct 24 - Nov 30, 2022
Budget Corporate Report Formal Review	Dec 2, 2021	Dec 8, 2022
Budget Package Final Review before Printing	Nov 24 - Dec 9, 2021	Dec 1 - Dec 8, 2022
Budget Books submitted to Print shop	Dec 10, 2021	Dec 9, 2022
Detailed Agendas for COW Meetings, and Community Handbook Finalized	Dec 17, 2021	Dec 16, 2022
Long Term Financial Overview Finalized	Dec 23, 2021	Jan 6, 2023

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Corporate Services & Long Term Care - Revenue	<b>REPORT</b>	R 70/2022
<b>DATE PREPARED</b>	04/05/2022	<b>FILE</b>	
<b>MEETING DATE</b>	04/25/2022 (mm/dd/yyyy)		
<b>SUBJECT</b>	2022 Tax Policy Report		

## **RECOMMENDATION**

WITH RESPECT to the Corporate Tax Policy Report R 70/2022 (Corporate Services & Long Term Care - Revenue), we recommend that the tax ratios and tax rates included in Attachment 6 and outlined in Option 1 be approved for the 2022 taxation year;

AND THAT the final tax levy be due in two installments on August 3 and October 5, 2022;

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

## **EXECUTIVE SUMMARY**

This report is being presented to provide City Council with recommendations on the Corporate Tax Policy options and requirements under the *Municipal Act, 2001* for the setting of tax policies, tax rates, and tax due dates in preparation for the 2022 final property tax billing.

This report recommends eliminating graduated taxation for the large industrial property class and adopting starting ratios for all classes except for the large industrial ratio which would be reduced from 2.881955 to 2.85.

The 2022 starting ratios are the approved 2021 tax ratios with the exception of the commercial ratio which is automatically reduced (2.076437 to 2.042037) because it is above the provincial threshold of 1.98.

The recommended option results in an increase of \$90.35 (2.70%), for a median residential single family detached home.

The recommended tax policies and ratios are consistent with the approved long-term tax strategy.



## ***DISCUSSION***

### **Long-Term Property Tax Strategy**

At the May 13, 2019 Committee of the Whole meeting, Report No. 59/2019 (Corporate Services & Long Term Care - Revenue), was presented and direction was provided by City Council to establish a long-term property tax strategy that included the following considerations:

1. Graduated taxation in the large industrial property class be phased out by increasing the low band rate;
2. The broad class industrial ratio be reduced to 2.63, the provincial threshold ratio for the industrial property class, by reducing the large industrial tax ratio;
3. The multi-residential tax ratio be reduced to the provincial threshold ratio of 2.0;
4. The commercial tax ratio be reduced to 1.98, the provincial threshold ratio for the commercial property class by adopting the starting ratio each year;
5. Recommendations in paragraphs 1-4 be limited to the extent that the impact on the residential property class does not exceed the Council approved tax levy increase for the year by more than 0.5%; and
6. The annual tax policy report provide three options for Council's consideration including: an option which will reflect recommendations in paragraphs 1-5; a status quo option (starting ratios with same tax policies as adopted by City Council in the previous year) and a tax shift mitigation option.

In 2021 items #2 and #3 above were achieved as both the broad class industrial ratio and the multi-residential tax ratio were reduced to their respective provincial thresholds. Item #1 will be achieved in 2022 if the recommended option is approved and item #4 is forecasted to be achieved in 2024 if the commercial starting ratio continues to be adopted by Council.

As noted above, Administration was directed by Council to provide a tax shift mitigation option in the annual tax policy report for Council's consideration. However, due to the fact the Municipal Property Assessment Corporation (MPAC) reassessment has been deferred, revenue neutral ratios are the same as starting ratios in 2022. Therefore, only two options are provided in 2022 for Council's consideration.

### **MPAC Reassessment and Assessment Growth**

There is a four-year phase-in of assessment increases as determined by the MPAC, whereby increases are spread equally over a four-year term. The reassessment that was scheduled in 2020 with a valuation date of January 1, 2019 and phase-in over 2021-2024 was deferred. Therefore, there are no re-assessment shifts (value/equity changes) in 2022 as shown in Attachment 1.

Assessment growth was 0.19%, with the City experiencing negative growth in the multi-residential, commercial and large industrial classes. The majority of the growth continues to

come from the residential class resulting in the ongoing shift of the tax levy onto the residential property class.

Net assessment growth of 0.19% in 2021 has contributed \$117,107 in taxation revenue in 2022.

### Education Taxes

The Province sets the education rates across all municipalities in Ontario and updates the rates on an annual basis to offset the impact of reassessment. Since reassessment was deferred, there were no changes to the education rates in 2022.

### Municipal Tax Levy

City Council approved a 2022 municipal tax levy including payments in lieu of taxes of \$207,966,600. This represents an increase of \$4.91 million or 2.42% over 2021. For billing purposes, the budget is allocated as follows in order to levy separately for urban/special services:

	2021	2022
Municipal General Tax Levy	\$181,752,790	\$187,044,286
<b>Urban/Special Services:</b>		
Garbage Collection	7,689,912	\$7,845,231
Street Lighting	3,546,505	\$1,900,495
Sewage and Drainage	385,666	\$1,116,840
Public Transportation	9,678,927	\$10,059,748
Total Municipal Tax Levy	\$203,053,800	\$207,966,600

### Tax Ratios

- A municipal tax ratio is the degree by which a property class is taxed relative to the residential class.
- The residential tax ratio is always 1.0.
- Tax ratios determine how much of the municipal tax burden is borne by each property class.
- Altering tax ratios does not alter the overall levy amount, only how it is distributed.
- Education tax rates are set by the Province and are not dependent on tax ratios approved by municipal Councils.
- The Province has established a range of fairness for each property class. With the exception of revenue neutral ratios, tax ratios cannot be moved further away from the range of fairness.

- The Province has established threshold ratios for the multi-residential (2.0), commercial (1.98) and industrial (2.63) property classes. Property tax increases cannot be spread evenly over all property classes if any tax ratio exceeds the provincial thresholds.
- Revenue neutral tax ratios are a ratio flexibility decision that is made annually by the Province. This flexibility allows municipalities to adjust tax ratios away from the range of fairness to offset tax shifts that may occur between property classes as a result of the phase-in of reassessment changes.
- Attachment 2 provides an overview of Thunder Bay's historical tax ratios including those recommended in 2022.
- The chart below is a comparison of the tax ratios approved for 2021, and the tax ratios for each of the options identified in this report.

<b>Property Class</b>	<b>2021 Approved Tax Ratios</b>	<b>2022 Option 1 Ratios</b>	<b>2022 Option 2 Ratios</b>
Residential	1.000000	1.000000	1.000000
New Multi-Residential	1.000000	1.000000	1.000000
Multi-Residential	2.000000	2.000000	2.000000
Commercial	2.076437	2.042037	2.042037
Industrial	2.370836	2.370836	2.370836
Large Industrial (no band)	2.881955	2.850000	2.881955
Landfills	2.583329	2.583329	2.583329
Pipelines	2.768387	2.768387	2.768387
Farm	0.250000	0.250000	0.250000
Managed Forests	0.250000	0.250000	0.250000

### **Graduated Taxation**

Since 1998, graduated taxation has been an option available to municipalities. The objective of graduated taxation is to reduce taxation levels on businesses that are located on lower-value properties.

Municipalities are permitted to tax commercial and industrial properties at different rates depending upon their CVA. Graduated CVA bands are defined by CVA ranges. Either two or three bands may be chosen with no limits being placed on where the CVA boundaries between bands are set. Municipalities also have full flexibility to choose the relative tax levels for each band although the band with the highest value properties is always set at 100%. This program is self-funded within the class, and as such, by providing a lower tax rate for a lower band, the tax rate for the higher band increases.

The 2014 Tax Policy established graduated taxation as the tool to manage significant tax shifts that would have occurred among properties within the large industrial property class leading to tax increases in excess of 10% for some properties. Graduated taxation was utilized in 2014 with

the intent of phasing it out in future years so the year over year tax changes among the properties in the class were reasonable.

The CVA boundary between taxation bands in 2021 was \$18.5 million with the low band being taxed at 96% of the high band.

Consistent with the long-term tax strategy, Administration does not recommend the use of graduated taxation in 2022.

### **Optional Property Classes**

In addition to the standard property classes, municipalities can adopt optional classes. Optional classes provide flexibility in spreading the municipality's property tax burden within the commercial and industrial property classes.

The optional property classes are:

#### **Commercial**

- Office Building
- Shopping Centre
- Parking Lot/Vacant Land
- Small Business

#### **Industrial**

- Large Industrial
- Small Business

All available optional classes were adopted by City Council in 1998 as a temporary solution to mitigate large shifts in the overall tax burden that would have otherwise occurred. The optional classes were not intended to be a permanent solution and in 2006, Council ceased using all but the large industrial optional class.

The large industrial ratio was 2.881955 in 2021 compared to the industrial residual ratio of 2.370836.

There are currently five properties in large industrial class, one being vacant land. Having so few properties in the class, increases the volatility of the class, which is magnified by the high ratios. Therefore, administration recommends that the large industrial class ratio be reduced as outlined in option 1.

<b>Summary of Options</b>		
	<b>Option 1</b>	<b>Option 2</b>
<b>Residential property class total levy increase</b>	2.71%	2.69%
<b>Increase in tax bill for a median residential single family detached home</b>	\$90.35 2.70%	\$89.89 2.69%
<b>Graduated taxation- low band rate</b>	N/A	96%
<b>Large industrial ratio</b>	2.850000	2.881955

#### Option 1 – Approved Long-Term Tax Strategy

The approved Long-Term Tax Strategy seeks to phase out graduated taxation in the large industrial property class, reduce the large industrial ratio, the multi-residential ratio and the commercial ratio until they reach the provincial ratio while limiting the impact on the residential property class to a maximum of 0.5% more than the 2.42% municipal tax levy increase (2.92%).

**Graduated Taxation:** Consistent with the long-term tax strategy, administration recommends that graduated taxation not be adopted this year. Properties that were in the low band in 2021 would experience an overall tax increase of 2.92%, while the one property having a value in excess of \$18.5 million will have a tax increase of 0.36%.

**Tax Ratios:** Under this option, all ratios will remain at the 2021 approved ratios except for the commercial and large industrial ratios. The commercial ratio is above the provincial threshold of 1.98, therefore the starting ratio is automatically reduced from 2.076437 to 2.042037 to account for the 2021 levy restriction applicable to the property class. The large industrial ratio will be reduced from 2.881955 to 2.85 to partially offset the impact of eliminating graduated taxation. Without this change, the properties that were in the low band in 2021 would have experienced an overall tax increase of 3.9%.

All property classes experience similar tax increases except for the commercial class with an overall tax levy increase of 0.97%. It continues to be lower than the other property classes because it is the only class that has a ratio that is in excess of the provincial threshold. Therefore, only 50% of the municipal tax levy increase is passed on to the commercial class.

As shown in Attachment 3, the residential property class would see a municipal levy increase of 3.00%; however, with no change to the education rate, the overall increase to the residential property class is 2.71%.

The median residential single family detached home in Thunder Bay has an assessment of \$210,000 and would see an increase to their tax bill of 2.70% or \$90.35, \$0.46 more per year compared to option 2.

This approach is consistent with the approved long-term tax strategy and is the recommended option.

### Option 2 - Status Quo

Option 2 is the approach that is typically adopted when Council has achieved its desired ratios and is satisfied that the shifts that are occurring due to reassessment and growth are not significant enough to warrant a different approach.

**Graduated Taxation:** Under option 2, the lower band would remain unchanged from 2021 and would be taxed at 96% of the upper band. The CVA boundary between taxation bands would also remain unchanged at \$18.5 million. Properties in the low band would experience an overall tax increase of 2.45%, while the one property having a value in excess of \$18.5 million will have a tax increase of 2.11%.

This option would shift taxes within the large industrial class of \$16,916 from properties with assessment in the low band to the property with assessment in the high band.

**Tax Ratios:** Under this option, all ratios will remain at the 2021 approved ratios except for the commercial ratio which is updated from 2.076437 to 2.042037 to account for the 2021 levy restriction applicable to the commercial property class. These starting ratios for 2022 are shown in Attachment 4.

As shown in Attachment 4, the residential property class would see a municipal levy increase of 2.98%; however with no change to the education rate, the overall increase to the residential property class is 2.69%.

The median residential single family detached home in Thunder Bay has an assessment of \$210,000 and would see an increase to their tax bill of 2.69% or \$89.89, \$0.46 less per year compared to recommended option 1.

Graduated taxation remains in place in the large industrial class, therefore Option 2 is not recommended for 2022.

Attachment 5 highlights the Municipal Tax Shift by property class and the total tax increase by property class moving from Option #1 to Option #2.

### **Tax Rates and Due Dates**

Attachment 6 provides the tax ratios and tax rates required to raise the 2022 Municipal Tax Levy using Option 1 – Long Term Tax Strategy. This option is recommended.

Attachment 7 provides tax ratios and tax rates that would be required to raise the 2022 Municipal Tax Levy using option 2 – Status Quo. This option is not recommended.

Final bills are anticipated to be ready for mailing early June.

Administration recommends the final tax levy be due in two installments: August 3<sup>rd</sup> and October 5<sup>th</sup>.

### ***FINANCIAL IMPLICATION***

Approval of the 2022 tax policies and tax rates as recommended will ensure that the 2022 tax levy will be sufficient to meet budgeted taxation revenue.

### ***CONCLUSION***

It is concluded that the tax policies, tax ratios, and tax rates, as recommended in Report R70/2022 (Revenue) should be approved for the 2022 taxation year.

### ***BACKGROUND***

The provincial government sets the province-wide policies and rules with respect to property assessment and taxation. The Ministry of Finance sets assessment policy and standards and is responsible for establishing the majority of legislation and regulations governing tax policy. It also is responsible for setting education tax rates for all property classes. The Ministry of Education is responsible for establishing the deadlines for municipalities to pay their education tax installments and is responsible for allocating the education taxes to the school boards.

The Municipal Property Assessment Corporation (MPAC) is responsible for assessing all property in Ontario. The Province transferred responsibility for property assessment to what is now called MPAC on December 31, 1998. MPAC carries out its activities in accordance with the provisions of the Assessment Act, as well as regulations issued under the Act by the Province. Municipalities use the values MPAC establishes for properties when they calculate property taxes.

Municipalities have been granted some decision-making responsibility by the Province relating to municipal taxation. In this regard, there are options made available by the Province through the Municipal Act, 2001, and regulations issued thereunder whereby certain tax policy decisions must be made by December 31 of each year.

Since the introduction of current value assessment by the Province in 1998, inequities in tax treatment have been identified in the multi-residential, commercial and industrial property classes in many cities including Thunder Bay. On May 13, 2019, City Council approved a long-

term tax strategy that is designed to reduce property tax ratios to enhance long-term financial stability and achieve greater fairness and relative competitiveness over time.

***REFERENCE MATERIAL ATTACHED***

- Attachment 1 - Assessment Changes 2021-2022
- Attachment 2 - Tax Ratios 1998 - 2022
- Attachment 3 - Impact of using Option 1 – Approved Long Term Tax Strategy
- Attachment 4 - Impact of using Option 2 – Status Quo
- Attachment 5 - Impact Options 1 & 2 have on Distribution of the Tax Levy
- Attachment 6 - 2022 Tax Rates & Ratios with Option 1 – Long Term Tax Strategy
- Attachment 7 - 2022 Tax Rates & Ratios with Option 2 – Status Quo

***PREPARED BY: Kathleen Cannon – Director of Revenue***

THIS REPORT SIGNED AND VERIFIED BY:	DATE:
Linda Evans, GM Corporate Services & Long Term Care, City Treasurer	April 13, 2022



**Assessment Changes 2021 - 2022**  
(No Reassessment in 2022)

PROPERTY CLASS	2021 Returned Roll	2021 Yearend Roll	2021 Growth	2022 Returned Roll	2022 Value Change	% Growth	% Value Change	Total % Change
	A	B	C (B - A)	D	E (D - B)	F (C/A)	G (E/B)	H (D/A)
Residential	9,163,858,625	9,194,474,175	30,615,550	9,194,474,175	0	0.33	0.00	0.33
New Multi-Residential	25,053,900	28,437,900	3,384,000	28,437,900	0	13.51	0.00	13.51
Multi-Residential	464,356,800	460,105,220	-4,251,580	460,105,220	0	-0.92	0.00	-0.92
Commercial	1,719,290,330	1,710,726,308	-8,564,022	1,710,726,308	0	-0.50	0.00	-0.50
Industrial	63,008,100	63,495,500	487,400	63,495,500	0	0.77	0.00	0.77
Large Industrial	64,810,800	64,512,200	-298,600	64,512,200	0	-0.46	0.00	-0.46
Landfill	690,000	690,000	0	690,000	0	0.00	0.00	0.00
Pipeline	37,788,000	38,027,000	239,000	38,027,000	0	0.63	0.00	0.63
Farm	2,478,600	2,552,700	74,100	2,552,700	0	2.99	0.00	2.99
Managed Forest	1,158,700	1,464,200	305,500	1,464,200	0	26.37	0.00	26.37
Total Taxable/PIL	11,542,493,855	11,564,485,203	21,991,348	11,564,485,203	0	0.19%	0.00	0.19%

**Tax Ratios for the City of Thunder Bay  
1998 to 2022**

	Residential	New Multi- Residential	Multi- Residential	Commercial	Shopping Centre	Office Building	Parking/ Vac Land	Industrial	Large Industrial (No Band)	Landfill	Pipelines	Farmland	Managed Forests
1998	1.000000		2.903900	2.445000	2.213600	2.582300	1.493900	3.230100	3.471800		2.198400	0.250000	0.250000
1999	1.000000		2.903900	2.445000	2.213600	2.582300	1.493900	3.230100	3.471800		2.198400	0.250000	0.250000
2000	1.000000		2.903900	2.445000	2.213600	2.582300	1.493900	3.230100	3.471800		2.198400	0.250000	0.250000
2001	1.000000		2.538500	2.445000	2.213600	2.582300	1.493900	3.230100	3.471800		2.152000	0.250000	0.250000
2002	1.000000		2.538500	2.394081	2.167501	2.528523	1.462789	3.162832	3.399498		2.152000	0.250000	0.250000
2003	1.000000		2.538500	2.020900	1.829700	2.134400	1.234800	2.475700	2.660900		2.152000	0.250000	0.250000
2004	1.000000		2.740000	2.020900	1.829700	2.134400	1.234800	2.382400	2.681200		2.152000	0.250000	0.250000
2005	1.000000		2.740000	1.980000	1.866300	2.091700	1.259500	2.430000	2.627500		2.152000	0.250000	0.250000
2006	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.627500		2.152000	0.250000	0.250000
2007	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.627500		2.152000	0.250000	0.250000
2008	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.627500		2.152000	0.250000	0.250000
2009	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.627500		2.152000	0.250000	0.250000
2010	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.465000		2.152000	0.250000	0.250000
2011	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.465000		2.152000	0.250000	0.250000
2012	1.000000		2.740000	1.952709	n.a	n.a	n.a	2.430000	2.465000		2.152000	0.250000	0.250000
2013	1.000000		2.708571	1.980000	n.a	n.a	n.a	2.559283	2.596145		2.271603	0.250000	0.250000
2014	1.000000	1.000000	2.685576	1.980000	n.a	n.a	n.a	2.540000	3.230648		2.388795	0.250000	0.250000
2015	1.000000	1.000000	2.649522	2.045366	n.a	n.a	n.a	2.503555	3.325639		2.502278	0.250000	0.250000
2016	1.000000	1.000000	2.631000	2.067700	n.a	n.a	n.a	2.445300	3.376233		2.612379	0.250000	0.250000
2017	1.000000	1.000000	2.566505	2.144417	n.a	n.a	n.a	2.488302	3.368219	2.453732	2.691541	0.250000	0.250000
2018	1.000000	1.000000	2.422438	2.137932	n.a	n.a	n.a	2.441050	3.304256	2.583329	2.768387	0.250000	0.250000
2019	1.000000	1.000000	2.285000	2.115246	n.a	n.a	n.a	2.415148	3.170000	2.583329	2.768387	0.250000	0.250000
2020	1.000000	1.000000	2.142500	2.108740	n.a	n.a	n.a	2.407719	2.975329	2.583329	2.768387	0.250000	0.250000
2021	1.000000	1.000000	2.000000	2.076437	n.a	n.a	n.a	2.370836	2.881955	2.583329	2.768387	0.250000	0.250000
2022 (recommended)	1.000000	1.000000	2.000000	2.042037	n.a	n.a	n.a	2.370836	2.850000	2.583329	2.768387	0.250000	0.250000
% change (1998 - Present)	0.00	0.00	-31.13	-16.48				-26.60	-17.91	5.02	25.93	0.00	0.00

**Notes:**

In 2006 City Council stopped using the optional commercial property classes (shopping centre, office building, and parking/vac Land).  
 In 2014 City Council created the optional new multi-residential property class and confirmed a tax ratio of 1.0 for the class.  
 In 2017 the Province created a new property class for landfills.

**Analysis of 2022 Tax Change by Property Class**  
**Option 1 - Long Term Tax Strategy**  
**Recommended**

Property Class	2022 Tax Ratio	2021 Municipal Taxation at Year-end \$	2021 Education Taxation at Year-end \$	2021 Total Taxation at Year-end \$	2022 Municipal Taxation \$	2022 Education Taxation \$	2022 Total Taxation \$	Difference Between 2021 and 2022 Taxation					
								Municipal \$	Municipal %	Education \$	Education %	Total Change \$	Total Change %
Residential	1.000000	130,917,528	14,065,794	144,983,322	134,839,623	14,065,794	148,905,417	3,922,095	3.00%	-	0.00%	3,922,095	2.71%
New Multi-Residential	1.000000	408,960	43,510	452,470	421,195	43,510	464,705	12,235	2.99%	-	0.00%	12,235	2.70%
Multi-residential	2.000000	13,232,319	703,961	13,936,280	13,628,174	703,961	14,332,135	395,855	2.99%	-	0.00%	395,855	2.84%
Commercial	2.042037	50,263,494	14,216,453	64,479,947	50,888,042	14,216,453	65,104,495	624,548	1.24%	-	0.00%	624,548	0.97%
Industrial	2.370836	2,156,587	561,638	2,718,225	2,220,197	561,638	2,781,835	63,610	2.95%	-	0.00%	63,610	2.34%
*Large Industrial	2.850000	2,670,198	571,510	3,241,708	2,712,593	571,510	3,284,103	42,395	1.59%	-	0.00%	42,395	1.31%
Landfills	2.583329	23,744	6,762	30,506	24,564	6,762	31,326	820	3.45%	-	0.00%	820	2.69%
Pipelines	2.768387	1,513,916	334,638	1,848,554	1,559,208	334,638	1,893,846	45,292	2.99%	-	0.00%	45,292	2.45%
Farm	0.250000	8,501	976	9,477	8,794	976	9,770	293	3.44%	-	0.00%	293	3.09%
Managed Forests	0.250000	4,911	560	5,471	5,077	560	5,637	166	3.37%	-	0.00%	166	3.03%
<b>Total</b>		<b>201,200,158</b>	<b>30,505,802</b>	<b>231,705,960</b>	<b>206,307,467</b>	<b>30,505,802</b>	<b>236,813,269</b>	<b>5,107,309</b>	<b>2.54%</b>	<b>-</b>	<b>0.00%</b>	<b>5,107,309</b>	<b>2.20%</b>

*Large Industrial (Properties < \$18.5 M)	982,494	212,684	1,195,178	1,014,772	215,356	1,230,128	32,278	3.29%	2,672	1.26%	34,950	2.92%
*Large Industrial (Properties > \$18.5 M)	1,687,704	358,826	2,046,530	1,697,821	356,154	2,053,975	10,117	0.60%	(2,672)	-0.74%	7,445	0.36%
<b>Total Large Industrial Property Class</b>	<b>2,670,198</b>	<b>571,510</b>	<b>3,241,708</b>	<b>2,712,593</b>	<b>571,510</b>	<b>3,284,103</b>	<b>42,395</b>	<b>1.59%</b>	<b>0</b>	<b>0.00%</b>	<b>42,395</b>	<b>1.31%</b>

\*Graduated taxation is not used in 2022. In 2021, graduated taxation reflected with two bands of taxation; the lower band being taxed at 96% of the upper band and CVA boundary between taxation bands is \$18.5 million. There is currently one property in the Large Industrial Class having an assessment in excess of \$18.5 million.

**Analysis of 2022 Tax Change by Property Class**  
**Option 2 - Status Quo**  
**Not Recommended**

Property Class	2022 Tax Ratio	2021 Municipal Taxation at Year-end \$	2021 Education Taxation at Year-end \$	2021 Total Taxation at Year-end \$	2022 Municipal Taxation \$	2022 Education Taxation \$	2022 Total Taxation \$	Difference Between 2021 and 2022 Taxation					
								Municipal \$	Municipal %	Education \$	Education %	Total Change \$	Total Change %
Residential	1.000000	130,917,528	14,065,794	144,983,322	134,819,710	14,065,794	148,885,504	3,902,182	2.98%	-	0.00%	3,902,182	2.69%
New Multi-Residential	1.000000	408,960	43,510	452,470	421,133	43,510	464,643	12,173	2.98%	-	0.00%	12,173	2.69%
Multi-residential	2.000000	13,232,319	703,961	13,936,280	13,626,168	703,961	14,330,129	393,849	2.98%	-	0.00%	393,849	2.83%
Commercial	2.042037	50,263,494	14,216,453	64,479,947	50,880,576	14,216,453	65,097,029	617,082	1.23%	-	0.00%	617,082	0.96%
Industrial	2.370836	2,156,587	561,638	2,718,225	2,219,870	561,638	2,781,508	63,283	2.93%	-	0.00%	63,283	2.33%
*Large Industrial	2.881955	2,670,198	571,510	3,241,708	2,742,601	571,510	3,314,111	72,403	2.71%	-	0.00%	72,403	2.23%
Landfills	2.583329	23,744	6,762	30,506	24,560	6,762	31,322	816	3.44%	-	0.00%	816	2.68%
Pipelines	2.768387	1,513,916	334,638	1,848,554	1,558,979	334,638	1,893,617	45,063	2.98%	-	0.00%	45,063	2.44%
Farm	0.250000	8,501	976	9,477	8,793	976	9,769	292	3.44%	-	0.00%	292	3.08%
Managed Forests	0.250000	4,911	560	5,471	5,077	560	5,637	166	3.38%	-	0.00%	166	3.03%
<b>Total</b>		<b>201,200,158</b>	<b>30,505,802</b>	<b>231,705,960</b>	<b>206,307,467</b>	<b>30,505,802</b>	<b>236,813,269</b>	<b>5,107,309</b>	<b>2.54%</b>	<b>-</b>	<b>0.00%</b>	<b>5,107,309</b>	<b>2.20%</b>
*Large Industrial (Properties < \$18.5 M)		982,494	212,684	1,195,178	1,011,730	212,684	1,224,414	29,236	2.98%	-	0.00%	29,236	2.45%
*Large Industrial (Properties > \$18.5 M)		1,687,704	358,826	2,046,530	1,730,871	358,826	2,089,697	43,167	2.56%	-	0.00%	43,167	2.11%
<b>Total Large Industrial Property Class</b>		<b>2,670,198</b>	<b>571,510</b>	<b>3,241,708</b>	<b>2,742,601</b>	<b>571,510</b>	<b>3,314,111</b>	<b>72,403</b>	<b>2.71%</b>	<b>-</b>	<b>0.00%</b>	<b>72,403</b>	<b>2.23%</b>
*Graduated taxation reflected with two bands of taxation; the lower band being taxed at 96% of the upper band and CVA boundary between taxation bands is \$18.5 million. There is currently one property in the Large Industrial Class having an assessment in excess of \$18.5 million.													

## Tax Ratio Options - Impact on Distribution of 2022 Municipal Tax Levy

Property Class	A	B	Municipal Tax Levy \$ Change between Option 1 and Option 2	% Change
	2022 Municipal Tax Levy Option 1 (Recommended)	2022 Municipal Tax Levy Option 2 (Not recommended)		
Residential	134,839,623	134,819,710	19,913	0.01%
New Multi-Residential	421,195	421,133	62	0.01%
Multi-Residential	13,628,174	13,626,168	2,006	0.01%
Commercial	50,888,042	50,880,576	7,466	0.01%
Industrial	2,220,197	2,219,870	327	0.01%
Large Industrial Properties <\$18.5M	1,014,772	1,011,730	3,042	0.30%
Large Industrial Properties >\$18.5M	1,697,821	1,730,871	(33,050)	-1.91%
Landfills	24,564	24,560	4	0.01%
Pipelines	1,559,208	1,558,979	229	0.01%
Farm	8,794	8,793	1	0.01%
Managed Forest	5,077	5,077	-	0.00%
Total	206,307,467	206,307,467	-	0.00%

2022 Tax Rates Summary  
Option 1 - Long Term Tax Strategy

	Recommended								
	Residential	New Multi-Residential	Multi-Residential	Commercial			Industrial		
				Occupied	Excess Land	Vacant Land	Occupied	Excess Land	Vacant Land
<b>Tax Ratios</b>	1.000000	1.000000	2.000000	2.042037			2.370836		
Education	0.00153000	0.00153000	0.00153000	0.00880000	0.00880000	0.00880000	0.00880000	0.00880000	0.00880000
General	0.01322317	0.01322317	0.02644634	0.02654783	0.02654783	0.02654783	0.03134997	0.03134997	0.03134997
Garbage	0.00055725	0.00055725	0.00111450	0.00113793	0.00113793	0.00113793	0.00132115	0.00132115	0.00132115
PubTrans	0.00079480	0.00079480	0.00158960	0.00162301	0.00162301	0.00162301	0.00188434	0.00188434	0.00188434
SewDrain	0.00009155	0.00009155	0.00018310	0.00018695	0.00018695	0.00018695	0.00021705	0.00021705	0.00021705
Street Lighting	0.00014427	0.00014427	0.00028854	0.00029460	0.00029460	0.00029460	0.00034204	0.00034204	0.00034204
Total Full Service 2022	0.01634104	0.01634104	0.03115208	0.03859032	0.03859032	0.03859032	0.04391455	0.04391455	0.04391455

	Large Industrial		Landfills	Pipelines	Farm	Managed Forests
	Occupied	Excess Land	Occupied	Occupied	Occupied	Occupied
	2.850000		2.583329	2.768387	0.250000	0.250000
Education	0.00880000	0.00880000	0.00880000	0.00880000	0.00038250	0.00038250
General	0.03768604	0.03768604	0.03415980	0.03660685	0.00330580	0.00330580
Garbage	0.00158816	0.00158816	0.00143956	0.00154268	0.00013931	0.00013931
PubTrans	0.00226518	0.00226518	0.00205323	0.00220031	0.00019870	0.00019870
SewDrain	0.00026092	0.00026092	0.00023650	0.00025345	0.00002289	0.00002289
Street Lighting	0.00041117	0.00041117	0.00037270	0.00039940	0.00003607	0.00003607
Total Full Service 2022	0.05101147	0.05101147	0.04706179	0.04980269	0.00408527	0.00408527

## 2022 Tax Rates Summary

## Option 2 - Status Quo

## Not Recommended

	Residential	New Multi-Residential	Multi-Residential	Commercial			Industrial		
				Occupied	Excess Land	Vacant Land	Occupied	Excess Land	Vacant Land
<u>Tax Ratios</u>	1.000000	1.000000	2.000000	2.042037			2.370836		
Education	0.00153000	0.00153000	0.00153000	0.00880000	0.00880000	0.00880000	0.00880000	0.00880000	0.00880000
General	0.01322122	0.01322122	0.02644244	0.02654393	0.02654393	0.02654393	0.03134534	0.03134534	0.03134534
Garbage	0.00055717	0.00055717	0.00111434	0.00113776	0.00113776	0.00113776	0.00132096	0.00132096	0.00132096
PubTrans	0.00079467	0.00079467	0.00158934	0.00162275	0.00162275	0.00162275	0.00188403	0.00188403	0.00188403
SewDrain	0.00009155	0.00009155	0.00018310	0.00018695	0.00018695	0.00018695	0.00021705	0.00021705	0.00021705
Street Lighting	0.00014424	0.00014424	0.00028848	0.00029454	0.00029454	0.00029454	0.00034197	0.00034197	0.00034197
Total Full Service 2022	0.01633885	0.01633885	0.03114770	0.03858593	0.03858593	0.03858593	0.04390935	0.04390935	0.04390935

	Large Industrial						Landfills	Pipelines	Farm	Managed Forests
	Occupied			Excess Land			Occupied	Occupied	Occupied	Occupied
	No Band	Low Band	High Band	No Band	Low Band	High Band				
<u>Tax Ratios</u>	2.881955						2.583329	2.768387	0.250000	0.250000
Education	0.00880000	0.00866934	0.00903056	0.00880000	0.00866934	0.00903056	0.00880000	0.00880000	0.00038250	0.00038250
General	0.03810296	0.03756981	0.03913521	0.03810296	0.03756981	0.03913521	0.03415476	0.03660146	0.00330531	0.00330531
Garbage	0.00160574	0.00158327	0.00164924	0.00160574	0.00158327	0.00164924	0.00143935	0.00154246	0.00013929	0.00013929
PubTrans	0.00229020	0.00225815	0.00235224	0.00229020	0.00225815	0.00235224	0.00205289	0.00219995	0.00019867	0.00019867
SewDrain	0.00026384	0.00026384	0.00027483	0.00026384	0.00026384	0.00027483	0.00023650	0.00025345	0.00002289	0.00002289
Street Lighting	0.00041569	0.00040987	0.00042695	0.00041569	0.00040987	0.00042695	0.00037262	0.00039931	0.00003606	0.00003606
Total Full Service 2022	0.05147843	0.05075428	0.05286903	0.05147843	0.05075428	0.05286903	0.04705612	0.04979663	0.00408472	0.00408472

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Development & Emergency Services – Community Strategies	<b>REPORT</b>	R 60/2022
<b>DATE PREPARED</b>	03/25/2022	<b>FILE</b>	
<b>MEETING DATE</b>	04/25/2022 (mm/dd/yyyy)		
<b>SUBJECT</b>	Terms of Reference - Anti-Racism & Respect Advisory Committee		

## **RECOMMENDATION**

WITH RESPECT to Report R 60/2022 (Development & Emergency Services – Community Strategies), we recommend that the Anti-Racism & Respect Advisory Committee be renamed as the Anti-Racism & Equity Advisory Committee;

AND THAT the amended Terms of Reference for the Anti-Racism & Equity Advisory Committee, as appended to this Report, be adopted;

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

## **LINK TO STRATEGIC PLAN**

The 2019-2022 Corporate Strategic Plan *One City, All Together*, under the Lead pillar, includes the Strategic Question – “Is this making us more inclusive and equitable?”

## **EXECUTIVE SUMMARY**

The Anti-Racism & Respect Advisory Committee has determined it would benefit from a change of name to better reflect its purpose for being established by Committee of the Whole in 2009, and is presenting a revised Terms of Reference for approval which includes a more clearly articulated mandate, key deliverables and updated membership composition.

## **DISCUSSION**

The Advisory Committee on Anti-Racism (the Committee) was established by Committee of the Whole on August 31, 2009 through Report No. 2009.144 (Office of the City Clerk) to act in an advisory capacity to City Council, and to provide advice on current policies and practices on equity, diversity and racism.



In 2015, a review was conducted of the work of the Committee, resulting in a new two-tiered structure including 1) a smaller Advisory Committee and 2) a larger, inclusive Roundtable of community-based organizations united in action against racism and to promote equity, diversity and respect in the community.

In 2021, a strategic planning day was facilitated for Committee members and supporting community partners to review the work of the Committee and explore areas that would strengthen its activities. As a result of the strategic planning day, the Committee did determine that an update to the Terms of Reference and changing the name of the Committee was important to reflect the scope of anti-racism work it was committed to undertaking, and to recognize the importance of providing advice and guidance to Council on areas of equity.

### **Revised Terms of Reference**

The Committee is recommending that the previous Terms of Reference, as set out in Report No. R 160/2019 (City Manager's Office – Office of the City Clerk) in Attachment A, be replaced by those appended to this Report in Attachment B.

Key amendments to the Terms of Reference include the following:

1. Inclusion of land acknowledgment used by Committee in all of its meetings
2. Updated Vision statement from the previous which had been excerpted from Thunder Bay Counts Shared Agenda for Change
3. Included Purpose, which was developed from background information related to the Committee's establishment by Resolution of Council in 2009
4. Reorganized what was previously Objectives and Deliverables to Mandate and Deliverables, and included: engage the community through a Summit on Anti-Racism & Equity
5. Updated membership section: reflect change in Council composition as per Council Resolution (R 100/2021) to one member of Council and the Mayor, and increased citizen representation from five to seven under the following voluntary self-identifiers in an effort to have balanced representation of diverse and equity seeking groups in Thunder Bay:
  1. 2 Indigenous (First Nation, Metis, Inuit) Citizen Representatives
  2. 2 BIPOC (Black, Indigenous, Person of Colour) or Racialized Citizen Representatives
  3. 1 Female-identified Citizen Representative
  4. 1 2SLGBTQIA+ Citizen Representative
  5. 1 Ally Citizen Representative
6. Added a section on the Commitment of Committee members, and renamed and updated language previously under heading of Principles to Values
7. New reference to being able to establish task-specific and time-limited ad hoc working groups
8. Under governance added provision to include resource members to bring additional voices of equity seeking groups to debate and discussion

On March 28, 2022, the Anti-Racism & Respect Advisory Committee passed a resolution recommending the above revisions to the Terms of Reference and to forward to Committee of the Whole for consideration.

### ***FINANCIAL IMPLICATION***

There are no financial implications associated with this Report.

### ***CONCLUSION***

It is concluded that City Council should approve the proposed change of name of the Advisory Committee and its updated Terms of Reference as appended to this Report.

### ***BACKGROUND***

The Advisory Committee on Anti-Racism was established by Committee of the Whole on August 31, 2009 through Report No. 2009.144 (Office of the City Clerk).

On September 13, 2010, Council ratified the Terms of Reference for the Advisory Committee on Anti-Racism, as contained in Report No. 2010.145 (Office of the City Clerk).

On May 27, 2013, the Committee passed a motion to approve revisions to the Terms of Reference and to forward them to Committee of the Whole for consideration.

On October 26, 2015, the Committee passed a resolution to approve a revised Terms of Reference and the 2015-2018 Work Plan and to forward them to Committee of the Whole for consideration.

On November 23, 2015, Council ratified the revised Terms of Reference as contained in Report No. R 165/2015 (Corporate Strategic Services).

On October 23, 2017, members of the Anti-Racism & Respect Committee met with City Council to suggest what they could do in their capacity to help improve race relations in the City.

On March 26, 2018, Committee passed a resolution to approve forwarding a summary of the recommendations presented at that meeting to Committee of the Whole for consideration.

On April 30, 2018, the Committee passed a resolution to approve a revised Terms of Reference and to forward them to Committee of the Whole for consideration.

On June 25, 2018, Council ratified the revised Terms of Reference as contained in Report R 76/2018.

On December 2, 2019, Council ratified the revised Terms of Reference as contained in Report R 160/2019.

***REFERENCE MATERIAL ATTACHED:***

1. Current Terms of Reference, ratified on December 2, 2019 (Report R 160/2019)
2. 2022 Proposed Terms of Reference - Anti-Racism & Equity Advisory Committee

***PREPARED BY: CYNTHIA OLSEN, MANAGER – COMMUNITY STRATEGIES***

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)  Joel DePeuter – Acting General Manager, Development and Emergency Services Department	DATE:  April 13, 2022
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# **ANTI-RACISM & RESPECT ADVISORY COMMITTEE**

## **TERMS OF REFERENCE**

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### **Vision**

Diversity is valued and racism is not accepted.

- Excerpted from Thunder Bay Counts Shared Agenda for Change

### **Principles**

We observe the following anti-racism principles:

1. We recognize that racism exists in Canadian society and in its institutions, and therefore affects Thunder Bay itself.
  2. We recognize our role in combating racism in Thunder Bay.
  3. We assert our commitment to implement specific measures to combat racism and to engage in actions to eliminate it.
  4. We recognize and value the racial diversity of Thunder Bay.
  5. We recognize and respect the unique identities of Aboriginal peoples and the need for a distinct approach to anti-racism measures for Aboriginal peoples.
- Excerpted from the Ontario Human Rights Commission

### **Background**

Having received Diversity Thunder Bay's Committee Against Racism and Discrimination report 'Overcoming Racism & Discrimination: A Plan for Action', in June 2009, City Council then established an 'Advisory Committee on Anti-Racism'. That Committee was to be a community based body whose principle role would be 'acting as an integrating structure, and building on the relationships the City has already established with various organizations and the broader community to develop and recommend a plan of action with timelines and measurable objectives and to provide advice on current policies and practices on equity, diversity and racism.

In 2015, a review was conducted of the work of the Committee and the best structure moving forward. It was determined that the best structure would be two tiered with a smaller Advisory Committee weighted toward community representatives, operating in accordance with Council's procedures, and a larger, inclusive Roundtable of community-based organizations united in action against racism and to promote equity, diversity and respect in the community. (Attachment A)

In April 2018, Committee members agreed the structure required additional community

representation, both by individuals and organizations.

## **Objectives**

According to its mandate, the Anti-Racism and Respect Advisory Committee specifically:

- Develops and recommends to City Council a four-year Action Plan to challenge individual or systemic acts of racial discrimination and foster respect and inclusion;
- Monitors and assesses progress in challenging racial discrimination in our community in collaboration with the Roundtable Against Racism;
- Promotes the **respect.** initiative in our community;
- Provides public education to equip citizens with the knowledge and skills to recognize and challenge racial discrimination in our community;
- Reviews the four-year Plan annually.

## **Deliverables**

The Committee will develop and recommend to Council a four-year Action Plan with timelines, key priorities and measurable objectives and success indicators to eliminate racism and to promote equity, diversity, inclusion and respect in the community of Thunder Bay.

The Committee will implement the plan in conjunction with city staff as determined by the City Manager.

The Committee will develop partnerships with community organizations, agencies and others to assist in identifying and addressing issues related to diversity, inclusion and racism and the implementation of the plan.

The Committee will provide advice on current policies and practices within The Corporation of the City of Thunder Bay on equity, diversity, inclusion and racism, and such new initiatives that might from time to time be developed.

The Committee will provide an annual report to the public, City Council and CCMARD (Canadian Coalition of Municipalities Against Racism and Discrimination) on the results achieved through the implementation of the work plan.

The Committee will convene a Roundtable Against Racism annually to bring together the broader community organizations engaged in actions against racism and to promote equity, diversity and respect in the community. Invitation to participate in the Roundtable shall be extended to, but not limited to, the organizations listed in Attachment A.

The purpose of the Roundtable is to share information, research and best practices on related work and to provide a forum for stakeholder engagement in actions against racism and to promote equity, inclusion, diversity and respect in the community.

## **Committee Membership and Responsibilities**

The Committee is comprised of up to 20 members\* including:

- Mayor or designate
- Two members of City Council

The following shall be appointed by Resolution of Council:

- 5 community representatives, which will include the following:
  - 1 Citizen Representative to be identified as Indigenous (which includes First Nations, Métis and Inuit);
  - 1 Citizen Representative to be identified as Visible Minority;
  - 1 Citizen Representative to be identified as a Woman

\*Application form to ask for identifier

The following organizations shall each be invited to appoint one voting representative from their community:

- 1 appointee from Thunder Bay Multicultural Association
- 1 appointee of Regional Multicultural Youth Council (may rotate among youth)
- 1 appointee of the Urban Aboriginal Advisory Committee
- 1 appointee from Thunder Bay Police Service (Front Line Staff)
- 1 appointee from Matawa First Nation
- 1 appointee from Fort William First Nation
- 1 appointee from Nishnawbe Aski Nation
- 1 appointee from the Métis Nation of Ontario
- 1 appointee from the Indigenous Friendship Centre
- 1 appointee from Kinna-aweya Legal Clinic
- 1 appointee from Lakehead University Student Union
- 1 appointee Confederation College Student Union

\*Final composition dependent on organizations appointing a representative

### Community Representatives:

- will be appointed to staggered four year terms to ensure an overlap of terms and continuity of experience
- vacancies shall be filled as quickly as possible within two months of occurrence, when possible
- applications received to fill any/all vacancies will be reviewed by the Committee and a recommendation will be made to City Council to fill said vacancy

- terms will be staggered by two years

#### All Members:

Members are expected to participate in meetings of the Committee and be actively engaged in the planning and execution of program activities and initiatives.

The members will, from amongst themselves, select and appoint a Chair for the Committee whose role it will be to preside over the meetings of the Committee and generally provide leadership to the Committee in its activities.

In addition, the Committee members will select and appoint a Vice Chair to act on behalf of the Chair in their absence. The selection of the Chair and Vice-Chair is to be conducted on an annual basis.

The terms of office of the voting members of the existing Committee are staggered to avoid a circumstance where a large turnover of Committee membership could possibly occur in any given year. This provides for consistency in governance.

#### **Governance**

Established to develop, recommend and implement an annual work plan, based on the approved four-year Action Plan, to address racism and to promote equity, diversity, inclusion and respect in the community of Thunder Bay, the Committee will report to Committee of the Whole through the regular presentation of its minutes on the agenda of the Administrative Services Committee of the Whole session.

In addition, the Committee will present such reports and information it deems appropriate to Committee of the Whole, so as to inform Council and the community at large of the actions, activities and programs of the Committee.

Voting on motions and questions before the Committee shall be in accordance with the procedural rules for Council and its Committees.

Quorum at a meeting shall be a simple majority of confirmed voting members. While the Committee will work on a consensus basis, any recommendations to Thunder Bay City Council shall be voted on.

Members of Council not appointed to the Committee may, with the permission of the Chair, participate in discussions and debates on matters before the Committee, and provide information, advice and assistance to the Committee as they are able, but will have no vote at the Committee.

The Committee will set a calendar of meeting dates and Roundtable dates for each year, and shall otherwise meet at the call of the Chair.

Amendments to the Terms of Reference may only be made with the approval of Committee of the Whole.

### **Timelines**

The Anti-Racism & Respect Advisory Committee will generally meet monthly aside from the months of July and August and shall otherwise meet at the call of the Chair.

### **Resources & Finances**

The Committee and Roundtable will be supported by City Administration through the Corporate Strategic Services Division and a Committee Coordinator from the Office of the City Clerk.

### **Contact**

Correspondence and agenda materials are to be directed to the assigned Committee Coordinator in the Office of the City Clerk.

Each Committee member is asked to make sure that his or her contact information is kept current with the City Clerk.

*Director - Corporate Strategic Services:*  
*Telephone: 625-3859*

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



## **ATTACHMENT A**

### **Roundtable Against Racism**

Invitation to participate in the Roundtable held twice a year shall be extended to, but not limited to, the following organizations:

- Members and Officials of the Anti-Racism & Respect Advisory Committee
- Fort William First Nation
- Regional Multicultural Youth Council
- Thunder Bay Youth Strategy
- Thunder Bay Police Services
- Confederation College
- Lakehead District School Board
- The Métis Nation of Ontario
- Diversity Thunder Bay
- Thunder Bay Catholic District School Board
- Conseil scolaire de district catholique des Aurores boréales
- Lakehead University
- The Urban Aboriginal Advisory Committee
- Thunder Bay Multicultural Association
- Thunder Bay Indigenous Friendship Centre
- City of Thunder Bay Office of the Aboriginal Liaison
- Ontario Native Women's Association (ONWA)
- Nishnawbe Aski Nation (NAN)
- SUCCI (Student Union of Confederation College Inc.)
- LUSU (Lakehead University Student Union)
- Matawa First Nation
- SHIFT
- Thunder Bay Chamber of Commerce
- Thunder Bay Public Library
- Thunder Bay District Health Council
- District of Thunder Bay Social Services Administration Board
- Nokiiwin Tribal Council

# ANTI-RACISM & EQUITY ADVISORY COMMITTEE

## TERMS OF REFERENCE

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*We acknowledge that Thunder Bay is built on the traditional territory of the Ojibwa Anishinaabe people of Fort William First Nation, signatory to the Robinson Superior Treaty of 1850. We acknowledge the history that many nations hold, and are committed to a relationship with First Nations, Métis, and Inuit peoples based on the principles of mutual trust, respect, reciprocity, and collaboration in the spirit of truth and reconciliation.*

### **1. Name of Committee**

The Committee shall be named the “Anti-Racism & Equity Advisory Committee”. The accepted acronym will be ARE Advisory Committee.

### **2. Vision**

There is full equity, solidarity and well-being for all who live, work and play in Thunder Bay, where racism is not accepted and diversity is valued.

### **3. Purpose**

The purpose of the Committee is to provide advice on strategic direction and advocacy to City Council on issues related to racism and equity, and to develop, recommend and implement a Four-Year Action Plan as approved by Council.

### **4. Background**

Having received Diversity Thunder Bay’s Committee Against Racism and Discrimination report ‘Overcoming Racism & Discrimination: A Plan for Action’ in June 2009, City Council then established an ‘Advisory Committee on Anti-Racism’. That Committee was to be a community based body whose principle role would be ‘acting as an integrating structure, and building on the relationships the City has already established with various organizations and the broader community to develop and recommend a plan of action with timelines and measurable objectives, and to provide advice on current policies and practices on equity, diversity and racism.

In 2015, a review was conducted of the work of the Committee and the best structure moving forward. It was determined that the best structure would be two tiered with a smaller Advisory Committee weighted toward community representatives, operating in accordance with Council’s procedures, and a larger, open membership Roundtable of community-based organizations united in action against racism to promote equity, diversity and respect in the community.

In April 2018, Committee members agreed the structure required additional community representation, both by individuals and organizations.

In November 2021, Committee members came together for a full day strategic planning

retreat to gather member input on the Committee's purpose, scope of work, and ideas for strengthening its work. It was determined that a refresh of the Terms of Reference, including a review of membership structure was needed.

## **5. Mandate**

- a. Develop and recommend to City Council a four-year Action Plan to address individual, institutional and systemic racism, and to promote equity and inclusion for the Committee's implementation
- b. Partner and collaborate with community organizations, agencies and others to assist in identifying and addressing issues related to racism and equity, and to support the implementation of the Action Plan.
- c. Provide advice on current policies and practices within The Corporation of the City of Thunder Bay on equity, diversity, inclusion and racism, and such new initiatives that might from time to time be developed.
- d. Monitor and assess progress in combatting racism in our community, and support the administration of the Incident Reporting & Referral Service working group
- e. Promote the respect. initiative, and participate as a member of the respect. working group
- f. Provide public education to equip citizens with the knowledge and skills to recognize and challenge racism and discrimination, and promote equity in our community
- g. Engage the community through a Summit on Anti-Racism & Equity
- h. Participate in community development initiatives and events

## **6. Deliverables**

- a. Minutes of monthly meetings of the Advisory Committee
- b. Record of advice on strategic direction and advocacy provided to City Council
- c. Four-year Action Plan, and other deliverables as identified in the Plan:
  - i. Print and electronic education and awareness materials
  - ii. Record of Summit on Anti-Racism & Equity
- d. Annual report to City Council, Canadian Coalition of Inclusive Municipalities, and the community

## **7. Committee Membership**

The Committee is comprised of the Mayor or designate (ex-officio) and one Member of Council appointed by resolution of Council, plus seven members of the community at-large appointed by resolution of Council. Community members of the Committee will be appointed to staggered four-year terms to ensure an overlap of terms and continuity of experience. Council representatives shall be appointed for their elected term at the discretion of City Council.

Every effort should be made to establish balanced representation of diverse and equity seeking groups in Thunder Bay. As such, the application form for Citizen Representatives will ask for identifiers from the following:

- 2 Indigenous (First Nation, Metis, Inuit) Citizen Representatives
- 2 BIPOC (Black, Indigenous, Person of Colour) or Racialized Citizen Representatives
- 1 Female-identified Citizen Representative
- 1 2SLGBTQIA+ Citizen Representative
- 1 Ally Citizen Representative

The following organizations shall each be invited to appoint one voting representative from their organization/group:

- 1 appointee from Thunder Bay Multicultural Association
- 1 appointee of Regional Multicultural Youth Council (may rotate among youth)
- 1 appointee of the Urban Aboriginal Advisory Committee
- 1 appointee from Thunder Bay Police Service (Community Inclusion Team)
- 1 appointee from Matawa First Nation
- 1 appointee from Fort William First Nation
- 1 appointee from Kinna-aweya Legal Clinic
- 1 appointee from Lakehead University Student Union
- 1 appointee Confederation College Student Union

Final composition will be dependent on organizations appointing a representative.

## **8. Commitment of Advisory Committee**

All members of the Advisory Committee are stewards of the Four-Year Action Plan. While members are appointed to represent a specific demographic or sector, as stewards, each member brings and shares knowledge and expertise gained from their involvement in diverse tables and sectors, as well as their personal experience.

All members of the Advisory Committee are committed to the Mission and Values below, and to advancing Truth and Reconciliation, combatting racism, and advancing equity in Thunder Bay and beyond.

### **Mission**

To acknowledge and centre the impact and experiences of multiple systems of overlapping oppression, power, and privileged social context for Indigenous, Racialized and equity seeking community members in our anti-racism and equity work.

### **Values**

- We acknowledge that racism exists in Thunder Bay, and the broader Canadian society at the systemic, institutional and individual levels
- We value the multi-cultural diversity of Thunder Bay
- We respect the unique identities of Indigenous people and the need for a distinct approach to anti-Indigenous racism efforts

- We promote positive transformation that encourages anti-racism, equity, and belonging throughout the City of Thunder Bay

## **9. Roles and Responsibilities**

Members are expected to participate in Advisory Committee meetings, and be actively engaged in the planning and execution of program activities and initiatives.

The members will, from amongst themselves, select and appoint a Chair for the Advisory Committee whose role it will be to preside over the meetings of the Committee and generally provide leadership to the Committee in its activities.

In addition, the Committee members will select and appoint a Vice-Chair to act on behalf of the Chair in their absence. The selection of the Chair and Vice-Chair is to be conducted on an annual basis.

### **Ad-Hoc Working Groups**

Task-specific and time-limited ad-hoc working groups may be established, by vote of the Advisory Committee, to work on specific actions and report back to the Advisory Committee. Ad-hoc Working Groups would not speak on behalf of the Committee and would report back to the Committee for consideration.

### **Governance**

Voting on motions and questions before the Committee and the general proceedings of the Committee shall be in accordance with the City's Procedural Bylaw (BL 51/2021) for City Council and its Committees. All appointed members have one vote each; a majority vote is required for an item to pass. Quorum at a meeting shall be a simple majority (nine) of appointed voting members.

The Advisory Committee will report to the Committee of the Whole through the regular presentation of its minutes on the agenda of the Planning Services Committee of the Whole Sessions. In addition, the Committee will present such reports and information it deems appropriate to Committee of the Whole, to inform Council and the community at large of the actions, activities and programs of the Committee.

Members of Council not appointed to the Committee may, with the permission of the Chair, participate in discussions and debates on matters before the Committee, and provide information, advice and assistance to the Committee as they are able, but will have no vote at the Committee.

Where it would benefit the decision-making process of the Advisory Committee, additional voices of equity seeking groups will be sought, and resource members will be invited to participate in discussion and debate, but will have no vote at the Committee.

### **Meeting Frequency**

The Anti-Racism & Equity Advisory Committee will generally meet monthly aside from the months of July and August, and shall otherwise meet at the call of the Chair.

### **Resources & Finances**

The Committee will be supported by City Administration through the Community

Strategies Division and a Council & Committee Clerk from the Office of the City Clerk.

Expenses and other resources for the normal ongoing work of the Anti-Racism & Equity Advisory Committee shall be provided through Community Strategies Division, dependent on Council's annual budget process. Additional resources will be sought as required.

**Contact**

Correspondence and agenda materials are to be directed to the assigned Council & Committee Clerk in the Office of the City Clerk.

Each Committee member is asked to make sure that their contact information is kept current with the City Clerk.

*Manager, Community Strategies – (807)625-2942*

*Office of the City Clerk – Phone: (807)625-2230; Facsimile: (807)623-5468*

**10. Review and Amendments to the Terms of Reference**

Amendments to these Terms of Reference may be made at any time with agreement of the Advisory Committee, and will be presented to City Council for approval. Terms of Reference will be reviewed on an annual basis.

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	City Manager - City Solicitor & Corporate Counsel	<b>REPORT NO.</b>	R 67/2022
<b>DATE PREPARED</b>	04/13/2022	<b>FILE NO.</b>	09-96
<b>MEETING DATE</b>	04/25/2022 (mm/dd/yyyy)		
<b>SUBJECT</b>	Conversion Therapy Resolution		

## RECOMMENDATION

WITH RESPECT to Corporate Report R 67/2022 (City Manager's Office - City Solicitor & Corporate Counsel) it is recommended that this corporate report be received for information;

AND THAT Outstanding Item Subject, "Ban Against Conversion Therapy" (Reference No. 2021-105-DEV) be removed from the Outstanding List for Planning Services;

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

## LINK TO STRATEGIC PLAN

The 2019-2022 Corporate Strategic Plan *One City, All Together*, includes the vision to "embrace and celebrate our diversity as it makes our community a vibrant and dynamic place to grow. Additionally, under the Lead pillar, the plan includes the Strategic Question – "Is this making us more inclusive and equitable?"

There is also alignment with the City's Community Safety & Well-Being Plan, in particular in the following priority areas: Racism & Discrimination; Mental Health & Substance Misuse; Community Violence & Gender-Based Violence; Supports for Children, Youth & Families.

## EXECUTIVE SUMMARY

With the practice of conversion therapy being recently criminalized, and with the gaps of the former Bill C-6 being addressed by Bill C-4, which came into force on January 7, 2022, Administration is of the view that the City no longer has a regulatory or enforcement role in respect of conversion therapy.

Federal legislation now criminalizes the practice of conversion therapy in Canada, which includes extensive prohibitions and penalties that extends beyond that which a municipality could impose. Any proposed municipal by-law aimed at prohibiting conversion therapy would arguably be *ultra vires* or beyond the municipality's authority or power.

Informed by stakeholder engagement, this report includes a brief overview of external and internal supports available to victims and survivors of conversion practices. While the City has no regulatory or enforcement role, it can support community organizations who are interested in addressing gaps in education and awareness, and dedicated support services to victims and survivors of conversion practices through continued collaboration and through its various funding programs.

## ***DISCUSSION***

City Council directed Administration to review areas where the City could support the intent of Bill C-6 (*An Act to Amend the Criminal Code (Conversion Therapy)*) because it was identified there were gaps to this proposed legislation. However, with the introduction and passing of Bill C-4, the landscape has changed.

### **Regulation & Prohibitions**

On November 29, 2021, the federal government introduced Bill C-4 to ban conversion therapy practices in Canada. Members of Parliament unanimously agreed to pass Bill C-4 through all legislative stages in the House of Commons on December 1, 2021. On December 7, 2021, the Senate passed the bill unanimously with no changes. The amendments to the *Criminal Code* came into force on January 7, 2022.

Council resolved to support the previous version of this bill, being Bill C-6, and sought to further its intent via resolution, on July 21, 2021 (see below). However, this resolution of Council predates Bill C-4. The context within which Council made this initial resolve has significantly changed.

As compared to Bill C-6, Bill C-4 contains expanded prohibitions of conversion therapy. Bill C-6 included a narrower definition of conversion therapy and did not criminalize conversion therapy on adults with consent. Bill C-4 contains an expanded definition of conversion therapy and criminalizes the practice regardless of consent.

Bill C-4 (the successor to Bill C-6) has incorporated conversion therapy related offences into the *Criminal Code*. Additionally, and as with any *Criminal Code* offence, the new conversion therapy offences will be subject to separate but related criminal offences, such as: conspiring, counselling or attempting to commit a conversion therapy offence; aiding or abetting any person in committing a conversion therapy offence; or being an accessory after the fact to a conversion therapy offence.

As Bill C-6 did not prohibit consenting adults from undergoing conversion therapy there was an opportunity for municipal involvement, for instance, through business licensing, to discourage conversion practices within the geographic boundaries of Thunder Bay.

But, now that all Canadians, regardless of age, are protected from conversion therapy practices, under Bill C-4, there is no regulatory or enforcement role for municipalities.



On a holistic reading, Bill C-4 makes conversion therapy illegal and imposes a severe penalty for offences without the need for municipal intervention. Administration examined the areas of “Planning and Development” and “Business Licensing”, Bill C-4 contains *Criminal Code* amendments that better impose penalties than would be available through planning and development or business licensing regimes.

Given that the federal government now fully occupies the field of conversion therapy, in that legislation criminalizes the practice in Canada, which includes extensive prohibitions and penalties that extends beyond that which a municipality could impose, there is no longer a role for municipalities. Any proposed municipal by-law aimed at prohibiting conversion therapy would likely be found to be *ultra vires* or beyond the municipality’s authority or power.

Even prior to Bill C-6, Council recognized the jurisdictional challenges posed in this matter, when it passed its resolution, on July 26, 2021. Although Council directed staff to examine how the City could support the intent of the proposed legislation, it also acknowledged that “any municipal prohibition on or regulation of conversion therapy may face legislative and jurisdictional challenges” and resolved that “regulation of this practice (conversion therapy) is better addressed at the federal level where it can be criminalized”.

<ul style="list-style-type: none"> <li>Planning and Development</li> </ul>	Everyone who receives a financial or other material benefit, knowing that it is obtained or derived directly or indirectly from the provision of conversion therapy, is guilty of an indictable offence.	Liable to imprisonment for up to two years.
<ul style="list-style-type: none"> <li>Business Licensing</li> </ul>	Everyone who knowingly promotes or advertises conversion therapy is guilty of an indictable offence.	Liable to imprisonment for up to two years.
	Everyone who knowingly causes another person to undergo conversion therapy — including by providing conversion therapy to that other person — is guilty of an indictable offence.	Liable to imprisonment for up to five years.

## Supports for Victims and Survivors

Victims and survivors of conversion practices can experience significant trauma. There are very likely community members who have been subjected to these practices. With appropriate supports in place, survivors can begin to heal from the trauma and suffering they may have experienced and rebuild their lives; this often requires dedicated professional supports.

In a brief search of local resources, there were no specific services dedicated to victims and survivors of conversion practices. However, there are several local organizations who provide a range of services, supports, and groups that would benefit individuals impacted by conversion practices.

The following is an overview of such services available in Thunder Bay, but is not meant to be exhaustive.

It should be noted that the City does not make any representations or assurances with respect to services provided by third parties. Rather, by providing this list, Administration is making efforts to identify services in the community that may be of interest or benefit to individuals impacted by conversion practices.

**Children's Centre Thunder Bay ("CCTB")** - an accredited, not-for-profit organization providing treatment and support services for children and youth, from birth to 18 years, who are experiencing behavioural, emotional, developmental or social difficulties. Children's Centre Thunder Bay employs professionals with expertise in fields such as social work, psychology, child and youth work, early childhood education, speech and language, developmental services and nursing.

- *Walk-In/Talk-In Counselling:* CCTB, in partnership with Thunder Bay Counselling, offers single-session counselling services - available to children, youth, and adults of all ages, as well as to couples, parents, and families. No appointment is necessary during walk-in hours, and clients speak with professional counsellors on a first-come, first-served basis, with no fees for service.
- *Counselling Services:* CCTB also offers counselling services to children between the ages of 0 and 17, which may include case management and advocacy. This service may be beneficial for children who are experiencing significant emotional, social, and/or behavioural issues such as trauma, mood swings, depression, anxiety, attention deficit issues, suicidal thoughts, self-harm, self-esteem, food-related issues, peer issues, family conflict, and issues of identity.
- *Youth Groups:* Among several youth groups offered and supported by CCTB, The Other 10% is for youth and young adults between the ages of 12 and 25 who are interested in exploring what it means – and doesn't mean – to be a part of the 2SLGBTIQ+ community. Group meetings are adult-facilitated, but youth-driven and provide a safe

space for participants to meet, discuss, and educate one another. The group also provides information and access to other community activities and resources to those who are interested.

**Thunder Bay Counselling (“TBC”)** - an accredited, not-for-profit organization providing counselling, psychotherapy, education and support services to individuals across the lifespan, couples, families, employees and employers. All programs and services are offered in confidence and include subsidized or fee for service solutions. Staff are professionally trained and have backgrounds in social work, psychology, addictions and mental health, child and youth work and the financial industry.

- *Walk-In/Talk-In Counselling:* CTB, in partnership with Children’s Centre Thunder Bay, offers immediate and free counselling and therapy services to individuals, couples and families on a first come, first served basis.
- *Mental Health Counselling:* Program provides counselling for individuals experiencing issues such as anxiety, depression, grief, stress, and recent or previous trauma.
- *Youth Outreach Counselling:* Youth Outreach Counsellors provide support for youth ages 12-25 and their families. Youth Outreach Counsellors provide free short-term counselling where support services are not immediately available or access to further community services is needed. Support provided for issues related to mental health, substance use, trauma, relationship violence, human/sex trafficking, criminal activity, personal and/or family relationships.
- *Addiction & Mental Health:* Wide range of programs to support individuals whose substance use or mental health are having a negative impact their lives, relationships, career, finances or general well-being. Services include Alcohol & Drug Assessment, Treatment Planning & Referral, Pre-treatment Stabilization, Case Management Support, Counselling & Psychotherapy.

**Canadian Mental Health Association (“CMHA”)** - Thunder Bay Branch: an accredited organization providing a comprehensive range of recovery based mental health services.

- *Crisis Response Services:* Crisis Response Services offers mobile crisis response, crisis support residence, and 24/7 telephone services to both youth and adults who are experiencing a mental health crisis.
- *New Foundations:* Structured day program for individuals who may require support in a variety of areas including employment, education, housing, social rec/rehab brief case management or simply want to belong to a community of individuals who are all at various stages of recovery. Informal peer support is a natural component of this program.

- *Case Management Programs:* Can provide mental health court support and diversion within the court system to youth and adults. It also offers housing support and case management to individuals who have mental health and/or addictions issues and who may be homeless or at risk of homelessness.

**Lakehead University Student Health and Wellness** - provides a range of counselling options, health services, and wellness programs for students of Lakehead University.

- *Individual Counselling:* Counselling at Student Health and Wellness is a free, short-term, client-centred, non-judgmental service. Licensed/registered, professionally trained counsellors provide one-to-one counselling to students.
- *Pride Central:* Lakehead University's queer resource centre. Objectives include peer support and referral service, education, resources, advocacy and lobbying, and safe space.
- *Gender Equity Centre:* An action, support and advocacy centre for all Lakehead University students. The Centre initiates and supports positive Feminist-Womanist action concerning gender, socio-economic status, ethnicity, religion, culture, family life, sexual orientation, gender identity and difference in physical or mental abilities. They offer accompaniment, a referral program, resource library, and peer support.

**Confederation College Counselling Services Department** - provides a safe, confidential place for students to get help and support.

- *Personal Counselling:* Counselling to support students with issues related to stress, crisis situations, mental health issues, depression, anxiety, money problems, interpersonal conflicts, trauma, gender identity, suicide, grief and loss. Services are provided by qualified, experienced counsellors and may involve referrals to other college services or community resources.

**Norwest Community Health Centres ("NWCHC")** - funded by Ontario Health, NWCHC states it exists to respond to individual and local community needs by providing a range of services that improve the health and well-being of people and their communities. The team features Family Physicians, Nurses, Nurse Practitioners, Therapists, Dietitians, Community Nutrition Workers, Community Health Workers, and Administrative Support Staff. Most services are available to clients free of charge

- *LGBTQ Health:* Services are provided to clients registered with NWCHC and those seeking specialized services for transgendered care. They offer primary health care; counselling and support groups (peer support) for individuals, their partners, and family members; education and information; sexual health and screening; medical support during transition for transgender clients; access to Telemedicine for long-distance appointments.

- *Gender Journeys: Gender Adventures Youth Summer Day Camp* - free 6-day program for gender creative youth 14-17 years old. *Gender Journeys Adult Group* - Free 8-session group for adult (18+) trans-gender and questioning people. These groups explore gender identity and expression and will provide reliable, up to date information on these topics. Designed to create a space to foster community support and connection.
- *Trans Peer Support Group*: Informal, discussion-based drop-in program to connect and socialize in a space where everyone can be their authentic self.

**Rainbow Health Ontario (“RHO”)** - RHO creates opportunities for the healthcare system to better serve 2SLGBTIQ+ communities. RHO offers training for healthcare providers across the province to feel more clinically and culturally competent in caring for their 2SLGBTIQ+ service users. Organizations across Ontario can access RHO’s online learning platform to register for a learning account and access on-demand and scheduled courses. A certificate of completion is provided for each course.

### **Call, Text, Online Support Options**

- [Conversion Therapy Dropout Network](#) - Created by conversion therapy survivors, its mission is to bridge the gap between survivors of conversion therapy and provide a support network to those harmed by the practice.
- [CT Survivors](#) - Comprised of conversion therapy survivors who have joined together for healing and fellowship, with a mission to promote safe spaces for all conversion therapy survivors by providing forums for open and vulnerable sharing.
- [CT Survivors Connect](#) - Canadian based, survivor developed support group/service for conversion therapy survivors. Primarily based in Kingston Ontario, where known CT practices have occurred. Virtually being able to service people from Kingston, and from across the province and even the country for survivors to find support, and to support each other.
- [LGBT National Help Centre](#) - non-profit organization that provides peer-support, community connections and resource information to people with questions regarding sexual orientation and/or gender identity. National Hotline: 888-843-4564
  - [LGBT National Youth Talkline](#) – Providing young people confidential peer-support, information, local resources and more, for callers through age 25. Talkline 800-246-7743
  - [LGBT National Senior Hotline](#) – Providing senior callers, ages 50 and above confidential peer-support, information, local resources and more. Talkline: 888-235-7243

- [Trans Lifeline](#) – Grassroots hotline and non-profit organization offering direct emotional and financial support to trans people in crisis – for the trans community, by the trans community. In Canada: 877 330-6366
- [The Trevor Project](#) – Supporting transgender and non-binary youth with call, text or chat options.
- [LGBT Youthline](#) - A queer, trans, two-spirit\* youth-led organization that affirms and supports the experiences of youth (29 and under) across Ontario through peer support, referrals, training, and resources through call, text or chat options.

### **Community Youth & Cultural Funding**

The Community, Youth & Cultural Funding Program (CYCFP) provides municipal funding every year to non-profit organizations in the social service, youth, and cultural sectors, as well as to individual artists undertaking projects in the community. These grants benefit the community and help to leverage other provincial and national funding sources. The Funding Program has three categories:

- Project Grants: One-time, short-term funding for special activities, training and development, or seed funding for new organizations. Next intake is October 2022.
- Operational Grants: Funding for organizations that have an ongoing presence in Thunder Bay and a track record of providing quality programs or services. Deadline for applying for 2023 funding is June 24, 2022.
- Sustaining Grants: Provided to organizations that the City has deemed as being integral to its identity. These grants are operational and are often renewed from year to year, provided that the organization meets the criteria. These organizations fill a void for services or programming in the city and positively affect quality of life. Deadline for applying for 2023 funding is June 24, 2022.

Eligible organizations interested in developing more specific and targeted initiatives to support victims and survivors of conversion practices or increased support for 2SLGBTQIA+ individuals should be encouraged to apply to CYCFP through one of the grant streams.

Additionally, on May 16, 2022, Council will consider recommended changes to the City's Community Partnership Fund Policy to support the development of capital projects that respond to priorities as identified in the Community Safety & Well-Being Plan and the Corporate Strategic Plan as noted above.

### **Human Resources Supports Available for City Employees**

**City Employee and Family Assistance Program ("EFAP")** - City employee's and their family members have access to a confidential EFAP operated by LifeWorks. The program provides access to counselling with a professional best suited to assisting with their presenting issue.

Although Lifeworks does not have dedicated conversion therapy support, it has a diverse complement of professionals and makes efforts to meet the needs of 2SLGBTIQ+ individuals.

If a longer-term or more specialized support is needed, the LifeWorks team can suggest an appropriate specialist or service that is best suited to the needs of the individual. Any support outside the LifeWorks program is at the user's expense.

**Training** - The Human Resources & Corporate Safety Division currently provides training for all employees on Diversity & Inclusion, and Gender & Sexual Diversity. Pride training is also offered, which provides employees with a greater understanding of the 2SLGBTIQ+ community and informative ways to support employees. The 2SLGBTIQ+ community is also part of the Corporation's Employment Outreach & Retention Plan, which includes initiatives that focus on educating all City employees on the importance of equity, diversity, and inclusion.

Mandatory courses for employees include: Gender and Sexual Diversity Training, Diversity and Inclusion Training. Additional resource courses for employees, include: Pride Training.

It should also be noted that, pursuant to a Rainbow Collective deputation to COW, on June 28, 2021, Council directed Administration to review and determine the feasibility of introducing: implementing the use of pronouns for Members of Council and staff, through email signatures and name tags, and the use of expanded gender marker selection on all community engagements, surveys, and forms, among other things. Administration reported back to Council, on October 18, 2021, via a memorandum from the City Manager, where this work was undertaken. Please refer to Memorandum from City Manager Gale entitled "Rainbow Collective Deputation, Committee of the Whole – October 25, 2021", dated October 18, 2021 for further details.

### **Engagement with Stakeholders**

Administration sought out input from the Chair of Rainbow Collective of Thunder Bay with respect to including relevant information on services and supports for victims and survivors of conversion practices, and more broadly for the 2SLGBTQIA+ community as part of this Report. Administration also made contact with Thunder Bay Counselling, Children's Centre Thunder Bay, and Canadian Mental Health Association to explore any specific supports they may provide to victims and survivors and to confirm services they do offer that may meet the needs of individuals impacted by conversion practices. Further, it was discussed to maintain connection with Rainbow Collective of Thunder Bay, and other external stakeholders to better understand the implementation of Bill C4 with respect to identifying gaps in preventing businesses/organizations from conducting conversion practices in Thunder Bay, and to provide through the application process for organizations who may wish to seek funding through CYCFP or through the Community Partnership Fund to fill the void in specific services and/or educational awareness initiatives.

## **FINANCIAL IMPLICATION**

There are no financial implications associated with this Report.

## **CONCLUSION**

Recent amendments to the *Criminal Code* by Bill C-4 have made conversion therapy illegal in Canada. As a result, there is no clear role for municipal involvement. While there is no regulatory or enforcement role for the municipality, the City can support community organizations who are interested in addressing gaps in education and awareness, and dedicated support services to victims and survivors of conversion practices through continued collaboration and through its various funding programs.

## **BACKGROUND**

City Council has passed a resolution that denounced conversion therapy and resolved that the City support and advocate in favour of Bill C-6. Further, through resolution, the COW acknowledged that the practice is better addressed at the federal level through criminal law. The resolution is as follows:

*“WITH RESPECT to the Memorandum from Councillor S. Ch’ng dated July 13, 2021 relative to a ban on Conversion Therapy (also known as Reparative Therapy, Reintegrative Therapy, or Sexual Orientation and Gender Identity Change Efforts is any form of treatment, including individual talk therapy, behavioural or aversion therapy, group therapy treatments, spiritual prayer, exorcism, and/or medical or drug induced treatments) which attempt to actively change someone’s sexual orientation, gender identity, or gender expression, we recommend that conversion therapy be denounced as a harmful and unethical practice by major medical and human rights organizations including Canadian Psychological Association, Canadian Psychiatric Association, and Canadian Association of Social Workers and denounce the practice of conversion therapy as a dangerous and harmful practice that perpetuates myths and stereotypes about sexual orientation and gender identity;*

*AND THAT the City of Thunder Bay support and advocate in favour of Bill C-6, An Act to Amend the Criminal Code (Conversion Therapy) which proposes five conversion therapy-related offences, including:*

- (a) causing a person to undergo conversion therapy against the person’s will;*
- (b) causing a child to undergo conversion therapy;*
- (c) doing anything for the purpose of removing a child from Canada with the intention that the child undergo conversion therapy outside Canada;*
- (d) advertising an offer to provide conversion therapy; and*
- (e) receiving a financial or other material benefit from the provision of conversion therapy.*

*AND THAT the City of Thunder Bay acknowledge that any municipal prohibition on or regulation of conversion therapy may face legislative and jurisdictional challenges, and as conversion therapy is often practiced in secret outside of formal business settings and*



*deemed that regulation of this practice is better addressed at the federal level where it can be criminalized;*

*AND THAT Administration be directed to report on options available to prohibit the practice and advertising of conversion therapy in the City of Thunder Bay, through Planning, Development, Business Licensing and human resources support available for city employees along with engagement with local agencies such as Canadian Mental Health, Thunder Pride, Rainbow Collective, Children's Centre Thunder Bay and any other relevant stakeholders;*

*AND THAT Administration report back on or before March 31, 2022;*

*AND THAT notice of this resolution be shared with the Prime Minister of Canada, the Minister of Justice and the Attorney General, the Minister of Diversity and Inclusion and Youth, MP Patty Hajdu, MP Michael Gravelle, MPP Marcus Powlowski, MPP Judith Monteith Farrell to express support for Bill C-6, An Act to Amend the Criminal Code (Conversion Therapy);*

*AND THAT any necessary by-laws be presented for ratification”*

#### **Bill C-4 Background**

##### ***BILL C-6 (PREVIOUS PROPOSED LEGISLATION)***

**320.101** In sections 320.102 to 320.105, ***conversion therapy*** means a practice, treatment or service designed to change a person's sexual orientation to heterosexual, to change a person's gender identity or gender expression to cisgender or to repress or reduce non-heterosexual attraction or sexual behaviour or non-cisgender gender expression. For greater certainty, this definition does not include a practice, treatment or service that relates to the exploration and development of an integrated personal identity without favouring any particular sexual orientation, gender identity or gender expression.

##### ***BILL C-4 (2022 AMENDMENT TO THE CRIMINAL CODE)***

**320.101** In sections 320.102 to 320.104, conversion therapy means a practice, treatment or service designed to

- (a) change a person's sexual orientation to heterosexual;
- (b) change a person's gender identity to cisgender;
- (c) change a person's gender expression so that it conforms to the sex assigned to the person at birth;
- (d) repress or reduce non-heterosexual attraction or sexual behaviour;
- (e) repress a person's non-cisgender gender identity; or
- (f) repress or reduce a person's gender expression that does not conform to the sex assigned to the person at birth.

For greater certainty, this definition does not include a practice, treatment or service that relates to the exploration or development of an integrated personal identity — such as a practice, treatment or service that relates to a person's gender transition — and that is not based on an assumption that a particular sexual orientation, gender identity or gender expression is to be preferred over another.

## **BILL C-4 - CONVERSION THERAPY OFFENCES**

Bill C-4 as described in the Statutes of Canada summary:

This enactment amends the *Criminal Code* to, among other things, create the following offences:

- (a) causing another person to undergo conversion therapy;
- (b) doing anything for the purpose of removing a child from Canada with the intention that the child undergo conversion therapy outside Canada;
- (c) promoting or advertising conversion therapy; and
- (d) receiving a financial or other material benefit from the provision of conversion therapy.

These offences more specifically are:

### *Conversion Therapy*

320.102 Everyone who knowingly causes another person to undergo conversion therapy — including by providing conversion therapy to that other person — is

- (a) guilty of an indictable offence and liable to imprisonment for a term of not more than five years; or
- (b) guilty of an offence punishable on summary conviction.

### *Promoting or Advertising (Conversion Therapy)*

320.103 Everyone who knowingly promotes or advertises conversion therapy is

- (a) guilty of an indictable offence and liable to imprisonment for a term of not more than two years; or
- (b) guilty of an offence punishable on summary conviction.

### *Material Benefit (Conversion Therapy)*

320.104 Everyone who receives a financial or other material benefit, knowing that it is obtained or derived directly or indirectly from the provision of conversion therapy, is

- (a) guilty of an indictable offence and liable to imprisonment for a term of not more than two years; or
- (b) guilty of an offence punishable on summary conviction.

## **Other Criminal Code Considerations**

Additionally, and as discussed earlier, these new conversion therapy offences will be subject to separate but related criminal offences, such as: conspiring, counselling or attempting to commit a

conversion therapy related offence; aiding or abetting any person in committing a conversion therapy offence; or being an accessory after the fact to a conversion therapy offence.

***REFERENCE MATERIAL ATTACHED***

*N/A*

***PREPARED BY: David Scherbarth, IPC Student, City Solicitor & Corporate Counsel***

THIS REPORT SIGNED AND VERIFIED BY: Patty Robinet, City Solicitor	DATE: April 13, 2022
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***MEETING DATE***      04/25/2022 (mm/dd/yyyy)

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***SUBJECT***              Outstanding List for Administrative Services as of April 11, 2022

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***SUMMARY***

Memorandum from City Clerk Krista Power, dated April 11, 2022 providing the Administrative Services Outstanding Items List, for information.

***ATTACHMENTS***

1. Memo - K. Power - Outstanding List - Administrative Services - April 11, 2022

# Memorandum

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

**TO:** Mayor & Council

**FROM:** Krista Power, City Clerk

**DATE:** April 11, 2022

**SUBJECT:** Outstanding List for Administrative Services as of April 11, 2022  
Committee of the Whole – April 25, 2022

The following items are on the outstanding list for Administrative Services:

Reference Number	Department/Division	Outstanding Item Subject	Resolution Report Back Date – (on or before)	Revised Report Back Date – (on or before)
2009-028-ADM	Corporate Services & Long Term Care / Financial Services	Landfill Gas Generation Project	Apr-12	May-16-2022
2018-009-ADM	City Manager's Office / Corporate Strategic Services	Clean, Green and Beautiful Policy Review	No date included in resolution	Jun-27-2022
2020-049-ADM	City Manager's Office / Office of the City Clerk	Committee Meals	Report back when 75% of Committees are meeting in person	
2021-104-ADM	City Manager's Office / Human Resources & Corporate Safety	Work Life Initiatives - Policy	Jun-27-2022	Aug-22-2022