



MEETING: Committee of the Whole

DATE: Monday, September 20, 2021

Reference No. 37/52

CLOSED SESSION via MS Teams at 5:01 p.m.

Committee of the Whole - Closed Session

Chair: Councillor Aldo Ruberto

PRESENT:

Councillor Albert Aiello
Councillor Aldo Ruberto

OFFICIALS:

Krista Power, City Clerk

ELECTRONIC PARTICIPATION:

Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Andrew Foulds
Councillor Cody Fraser
Councillor Trevor Giertuga
Councillor Brian Hamilton
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver
Councillor Peng You

OFFICIALS - ELECTRONIC PARTICIPATION:

Norm Gale, City Manager

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

Administrative Matter

City Clerk Krista Power provided an overview relative to the above noted and responded to questions.

City Manager Norm Gale responded to questions.

It was consensus of Committee that Administration proceed as directed.

City Manager Performance Review

Director - Human Resources & Corporate Safety Karie Ortgiese entered the meeting via MS Teams.

Confidential memorandum from Director - Human Resources & Corporate Safety Karie Ortgiese, dated September 13, 2021 relative to the above noted was distributed separately to Members of Council only on Thursday, September 16, 2021.

Karie Ortgiese provided an overview relative to the above noted and responded to questions.

City Manager Norm Gale provided a presentation relative to the above noted and responded to questions.

Norm Gale left the meeting.

City Clerk Krista Power responded to questions.

It was consensus of Committee that Administration proceed as directed.

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

OPEN SESSION in S.H. Blake Memorial Auditorium at 6:57 p.m.

Committee of the Whole - Planning Services Session

Chair: Councillor Aldo Ruberto

PRESENT:

Councillor Albert Aiello
Councillor Brian Hamilton
Councillor Aldo Ruberto

OFFICIALS:

Krista Power, City Clerk
Katie Piché, Council & Committee Clerk
Lori Wiitala, Council & Committee Clerk

ELECTRONIC PARTICIPATION:

Mayor Bill Mauro
Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Andrew Foulds
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver
Councillor Peng You

OFFICIALS - ELECTRONIC PARTICIPATION:

Norm Gale, City Manager
Patty Robinet, City Solicitor
Linda Evans, General Manager – Corporate Services
& Long Term Care & City Treasurer
Kerri Marshall, General Manager – Infrastructure &
Operations
Kelly Robertson, General Manager – Community
Services
Karen Lewis, General Manager – Development &
Emergency Services
Deputy Chief Andrew Dillon, Superior North EMS
Tracie Smith, Director – Strategic Initiatives &
Engagement
Doug Vincent, Manager – Licensing & Enforcement
Joel DePeuter, Manager – Realty Services
Jonathan Paske, Supervisor – Parking Authority

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - September 20, 2021 - Committee of the Whole

MOVED BY: Councillor Albert Aiello
SECONDED BY: Councillor Peng You

WITH RESPECT to the September 20, 2021 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

PRESENTATIONS

MTO Highway 61 Preliminary Design Study Arthur Street South to Loch Lomond Road

This item was withdrawn from the agenda and will be presented at the September 27, 2021 Committee of the Whole meeting.

DEPUTATIONS

Yard Maintenance By-law

Correspondence from Kyla Moore, dated August 24, 2021 requesting to appear before Committee to provide a deputation relative to the above noted.

Correspondence from Deputant Kyla Moore providing additional information relative to Yard Maintenance By-law deputation was distributed separately on Thursday, September 16, 2021.

Memorandum from Councillor Andrew Foulds – Chair – Earthcare Advisory Committee, dated September 10, 2021 relative to Yard Maintenance By-law deputation was distributed separately on Thursday, September 16, 2021.

Memorandum from Councillor Andrew Foulds, dated September 20, 2021 containing a motion relative to the above noted was distributed separately on Monday, September 20, 2021.

Deputant Kyla Moore appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

Referral Resolution - Yard Maintenance By-law

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the Deputation from Kyla Moore on September 20, 2021, we recommend that the contents of the deputation entitled “Reimagining the Yard Maintenance Bylaw: An Opportunity to Contribute Towards Sustainability Goals” be referred to Administration and be included in the Property Standards and Yard Maintenance By-law review.

CARRIED

ITEMS ARISING FROM CLOSED SESSION

City Manager Performance Review

Confidential memorandum from Director - Human Resources & Corporate Safety Karie Ortgiese, dated September 13, 2021 relative to the above noted was previously presented in Closed Session held earlier in the evening.

MOVED BY: Councillor Shelby Ch'ng

SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the confidential memorandum from Director - Human Resources & Corporate Safety Karie Ortgiese, dated September 13, 2021 we recommend that Administration proceed as directed in Closed Session.

CARRIED

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

Appeals Tribunal (Property Standards) Minutes

Minutes of Meeting 01-2021 of the City of Thunder Bay Appeals Tribunal (Property Standards) held on July 15, 2021, for information.

Heritage Advisory Committee Minutes

Minutes of Meeting 06-2021 of the Heritage Advisory Committee held on June 24, 2021, for information.

Parking Authority Board Minutes

Minutes of Meeting 07-2021 of the Parking Authority Board held on July 13, 2021 for information.

REPORTS OF MUNICIPAL OFFICERS

New Defibrillator Purchase

Report R 114/2021 (Development & Emergency Services - Superior North EMS) recommending the purchase of 50 Physio Control LifePak 15 cardiac Monitors, 24 CR2 AED's and 25 Lucas Chest Compression devices for \$1,347,398.99 inclusive of HST.

MOVED BY: Councillor Brian McKinnon
SECONDED BY: Councillor Rebecca Johnson

WITH RESPECT to Report R 114/2021 (Superior North EMS), we recommend the purchase of 50 Physio Control LifePak 15 cardiac Monitors, 24 CR2 AED's and 25 Lucas Chest Compression devices for \$1,347,398.99 inclusive of HST;

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

CARRIED

Abandoned Shopping Carts

At the March 29, 2021 Committee of the Whole meeting, a memorandum from Councillor Peng You, dated February 8, 2021 was presented. A resolution was passed directing Administration to review options available to manage the abandoned shopping carts in the City and provide Council with their recommendation on or before September 30, 2021.

Report R 121/2021 (Development & Emergency Services - Licensing & Enforcement) recommending that Administration take the necessary steps to establish a new by-law requiring owners of shopping carts to submit and adhere to a shopping cart identification and recovery plan, as outlined in this report.

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

WITH RESPECT to Report R 121/2021 (Development & Emergency Services – Licensing & Enforcement Division), we recommend that Administration take the necessary steps to bring forward a new by-law, requiring owners of shopping carts to submit and adhere to a shopping cart identification and recovery plan, for approval of City Council, as outlined in this report;

AND THAT Administration establish a schedule of fees and provisions, to support costs associated which will be included within the new by-law;

AND THAT Administration review the effectiveness of the by-law once approved in reducing issues with abandoned shopping carts, after a three-year trial period from implementation, unless Council requests such information sooner;

AND THAT Administration present the new by-law to City Council for ratification on or before November 15, 2021;

AND THAT the General Manager of Development and Emergency Services be authorized to execute any documents with respect to Abandoned Shopping Carts.

CARRIED

Review of Enforcement By-laws

The following is background information as it relates to Council direction relative to requests for information and reports from Administration with respect to the review of several enforcement by-laws such as; the Sign By-law, Proposed Nuisance By-law, Fireworks By-law and request for a by-law Against Conversion Therapy.

Sign By-law

At the July 30, 2018 City Council meeting, a resolution was passed, referring BL 69/2018, a by-law to regulate signs within the City of Thunder Bay, to Administration for further consultation with stakeholders.

Proposed Nuisance By-law

At the June 15, 2020 Committee of the Whole meeting, a memorandum from Councillor Aldo Ruberto was presented and a resolution was passed directing Administration to report back by September 28, 2020 with information, recommendations and any relevant financial impacts that relate to how a Nuisance by-law may assist with some of the concerns presented by the public. At the September 28, 2020 Committee of the Whole meeting, a memorandum from General Manager - Development & Emergency Services Mark Smith was presented deferring this item to December 14, 2020. At the December 14, 2020 Committee of the Whole meeting, a memorandum from Mark Smith, General Manager - Development & Emergency Services was presented advising that Administration will report back on or before June 28, 2021.

Fireworks By-law

At the July 20, 2020 Committee of the Whole meeting, a resolution was passed directing Administration to report back on or before November 23, 2020 with information and options on potential changes that may include decreased dates established for the setting off of fireworks; the potential of increased support from By-law enforcement to respond to noise complaints relating to fireworks and the ability for the City to enforce a decibel level for the sale of fireworks and accompanying displays. At the November 16, 2020 Committee of the Whole meeting, memorandums from Manager - Licensing & Enforcement Doug Vincent and Councillor Aldo Ruberto relative to amendments to the Firework By-law were presented referring the item back to Administration for further review and consultation and recommending that Administration report back on or before May 31, 2021. At the June 14, 2021 Committee of the Whole meeting, Report R 87/2021 - Proposed Changes to Fireworks By-law was presented recommending a comprehensive update to the City's firework by-law and that Administration report back on or before October 31, 2021.

Request for Report on By-law against Conversion Therapy

At the July 26, 2021 Committee of the Whole meeting, memorandum from Councillor Shelby Ch'ng 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 and that Administration report back on or before March 31, 2022.

At the June 28, 2021 Committee of the Whole meeting, a memorandum from Manager - Licensing & Enforcement Doug Vincent dated June 28, 2021, advising that a comprehensive, prioritized list of by-laws that are currently being reviewed for update will be presented to Committee of the Whole on September 20, 2021.

Report R 120/2021 (Development & Emergency Services - Licensing & Enforcement) recommending that Council approve the work plan and priorities for the review of enforcement by-laws as outlined in this Report.

MOVED BY: Councillor Brian Hamilton
SECONDED BY: Councillor Albert Aiello

WITH RESPECT to Report No. R 120/2021 (Development & Emergency Services – Licensing & Enforcement Division), we recommend that Council approve the work plan and priorities for the review of enforcement by-laws as outlined in this Report;

AND THAT policies, procedures and by-laws be reviewed and amended in the priority order outlined so as to streamline enforcement efforts and improve overall efficiency and effectiveness;

AND THAT the necessary by-laws outlined in this report be presented to City Council for repeal where appropriate and ratification where appropriate.

CARRIED

PETITIONS AND COMMUNICATIONS

Divestment of Parking Structures

At the February 8, 2021 Committee of the Whole meeting, a resolution was passed directing Administration to report back by June 14, 2021 on the feasibility of divesting ownership and proceeding with sale of both the Waterfront and Victoriaville Parkades.

At the June 14, 2021 Committee of the Whole meeting, a memorandum from Manager - Realty Services Joel DePeuter, dated June 2, 2021 was presented advising Committee of the Whole that the report has been postponed to the July 26, 2021 Committee of the Whole meeting.

At the July 26, 2021 Report R 94/2021 - Parking Structures was presented to Committee of the Whole for information, providing information on the feasibility to sell the VictoriaVille and Waterfront Parking Structures.

Memorandum from Councillor Aldo Ruberto, dated August 26, 2021 containing a motion relative to the above noted.

Deputation request from Chris Krumpholz, Chair – Parking Authority Board, requesting to appear before Committee to provide a deputation relative to Divestment of Parking Structures.

Memorandum from Chair - Parking Authority Board Chris Krumpholz, dated September 15, 2021 relative to Divestment of Parking Structures.

Chair - Parking Authority Board Chris Krumpholz appeared before Committee via MS Teams and responded to questions.

MOVED BY: Councillor Albert Aiello
SECONDED BY: Councillor Peng You

WITH RESPECT to the Memorandum from Councillor A. Ruberto dated August 26, 2021, we recommend that Administration proceed with the process of divesting the Victoriaville and Waterfront Parking Structures as outlined in Report 94/2021 (Development & Emergency Services – Realty Services);

AND THAT any costs associated with disposition including appraisal fees, advertising and Land Registry Fees be covered by the Land Development Fund;

AND THAT the Victoriaville structure be marketed exclusive of McKellar Mall;

AND THAT the parking structures be marketed exclusive of one another;

AND THAT Administration report to Council should approvals be required at any point in the process;

AND THAT Administration provide a status report on or before June 20, 2022;

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

Deferral Resolution - Divestment of Parking Structures

MOVED BY: Councillor Shelby Ch'ng
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report R 94/2021 and the memorandum from Councillor Aldo Ruberto, dated August 26, 2021, we recommend that the presentation of this motion be deferred until the October 18, 2021 Committee of the Whole meeting so that financial implications relative to the parkades including pre-COVID financial data and financial implications for the corporation can be presented in conjunction with this motion.

LOST

A re-vote was requested on the Deferral Resolution – Divestment of Parking Structures.

MOVED BY: Councillor Shelby Ch'ng
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report R 94/2021 and the memorandum from Councillor Aldo Ruberto, dated August 26, 2021, we recommend that the presentation of this motion be deferred until the October 18, 2021 Committee of the Whole meeting so that financial implications relative to the parkades including pre-COVID financial data and financial implications for the corporation can be presented in conjunction with this motion.

CARRIED

Provincial Site Plan Control Guide Highlights Thunder Bay

Memorandum from General Manager - Development & Emergency Services Karen Lewis dated September 20, 2021, for information.

National Day for Truth and Reconciliation - September 30, 2021

Memorandum from Manager - Indigenous Relations & Inclusion Regina Mandamin, dated September 10, 2021, containing a recommendation relative to the above noted.

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

WITH RESPECT to the Memorandum from Regina Mandamin, Manager – Indigenous Relations & Inclusion dated September 10, 2021, we recommend that the City of Thunder Bay acknowledge the commitment to recognizing September 30th, as the National Day for Truth and Reconciliation (Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities and recognizing that all Canadians have a role to play in the reconciliation process;

AND THAT the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action be further acknowledged in addition to the Truth and Reconciliation Commission's final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND THAT this support is in response to Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND THAT the Inter-Governmental Affairs Committee be tasked with further advocacy to the Provincial Government in support of the recognition of September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day);

AND THAT a copy of this resolution be sent to the following:

- Premier Doug Ford
- Minister of Indigenous Affairs, Greg Rickford
- Chief Peter Collins (Fort William First Nation)
- Grand Chief Derek Fox (Nishnawbe Aski Nation)
- Regional Deputy Grand Chief Melvin Hardy (Anishinabek Nation)
- President Kevin Muloin, Thunder Bay Metis Council, (Metis Nation of Ontario)
- Donelda DeLaRonde, Executive Director (Red Sky Metis Independent Nation)
- Association of Municipalities of Ontario (AMO)
- Northern Ontario Municipalities Association (NOMA)
- Federation of Canadian Municipalities (FCM)

AND all Accord Coalition Members including:

- Lakehead University
- Confederation College
- Lakehead Public Schools
- Thunder Bay District Catholic School Board
- Thunder Bay Regional Health Sciences Centre
- St. Joseph's Care Group
- Matawa
- Thunder Bay Police Service and
- Thunder Bay Public Library;

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

CARRIED

OUTSTANDING ITEMS

Outstanding List for Planning Services as of September 7, 2021

Memorandum from City Clerk Krista Power, dated September 7, 2021 providing the Planning Services Outstanding Items List, for information.

Revised Memorandum from City Clerk Krista Power, dated September 16, 2021 providing an updated Planning Services Outstanding Items List, for information.

NEW BUSINESS

Establishment of Closed Session – September 27, 2021

The following resolution will be presented to Committee of the Whole for consideration:

MOVED BY: Councillor Kristen Oliver
SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 27, 2021 at 5:30 p.m. in order to receive information relative to a proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

AND THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, September 21, 2021 at 5:00 p.m. in order to receive information relative to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and labour relations and employee negotiations.

CARRIED

ADJOURNMENT

The meeting adjourned at 10:00 p.m.