



MEETING: City Council

DATE: Monday, April 29, 2019

Reference No. CC - 16/50

OPEN SESSION

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

City Council

Chair: Mayor B. Mauro

OPENING CEREMONIES

Prayer or One Minute of Silence

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - April 29, 2019 - City Council

With respect to the April 29, 2019 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

MINUTES OF PREVIOUS MEETINGS

City Council Minutes

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

1. The Thunder Bay City Council held on April 8, 2019.
2. The Thunder Bay City Council (Public Meeting) held on April 15, 2019. (Distributed Separately)

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

1. The Thunder Bay City Council meeting held on April 8, 2019;
2. The Thunder Bay City Council (Public Meeting) held on April 15, 2019.

REPORTS OF COMMITTEES

Committee of the Whole Minutes

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

1. April 8, 2019 Committee of the Whole.
2. April 15, 2019 Committee of the Whole. (Distributed Separately)

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

1. April 8, 2019 Committee of the Whole;
2. April 15, 2019 Committee of the Whole.

BY-LAWS

BL 43/2019 - Holding Symbol Removal (193 Bruce Street)

A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (193 -189 Bruce Street)

BL 35/2019 - Designated Truck Route

A by-law to establish a Designated Truck Route through the City of Thunder Bay

By-law Resolution

By-law Resolution - April 29, 2019

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

1. A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (193 -189 Bruce Street)

By-law Number: BL 43/2019

2. A by-law to establish a Designated Truck Route through the City of Thunder Bay

By-law Number: BL 35/2019

NEW BUSINESS

NOTICE OF MOTION

CONFIRMING BY-LAW

BL 48/2019 - Confirming By-law April 29, 2019

A By-law to confirm the proceedings of a meeting of Council, this 29th day of April, 2019.

Confirming By-law Resolution - April 29, 2019 - City Council

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

1. A By-law to confirm the proceedings of a meeting of Council, this 29th day of April, 2019

By-law Number: BL 48/2019

ADJOURNMENT

MEETING DATE 04/29/2019 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda

SUMMARY

Confirmation of Agenda - April 29, 2019 - City Council

RECOMMENDATION

With respect to the April 29, 2019 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

MEETING DATE 04/29/2019 (mm/dd/yyyy)

SUBJECT City Council Minutes

SUMMARY

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

1. The Thunder Bay City Council held on April 8, 2019.
2. The Thunder Bay City Council (Public Meeting) held on April 15, 2019. (Distributed Separately)

RECOMMENDATION

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

1. The Thunder Bay City Council meeting held on April 8, 2019;
2. The Thunder Bay City Council (Public Meeting) held on April 15, 2019.

ATTACHMENTS

1. City Council - April 8, 2019 minutes



MEETING: City Council

DATE: Monday, April 08, 2019

Reference No. CC 12/50

OPEN SESSION in the S.H. Blake Memorial Auditorium at 8:22 p.m.

City Council
Chair: Mayor Bill Mauro

OPENING CEREMONIES

One Minute of Silence

DISCLOSURES OF INTEREST

Aside from those disclosures already recorded in the previous minutes as presented here, no additional disclosures of interest were announced.

CONFIRMATION OF AGENDA

Confirmation of Agenda - April 8, 2019 - City Council

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

With respect to the April 8, 2019 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

MINUTES OF PREVIOUS MEETINGS

City Council Minutes

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

1. The Thunder Bay City Council held on March 25, 2019 was distributed separately on April 4, 2019.

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

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

1. The Thunder Bay City Council held on March 25, 2019

CARRIED

REPORTS OF COMMITTEES

Committee of the Whole Minutes - April 1, 2019

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

1. Committee of the Whole, Monday, April 1, 2019 was distributed separately on Thursday, April 4, 2019.

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

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

1. Committee of the Whole, Monday, April 1, 2019

CARRIED

Committee of the Whole Minutes - March 25, 2019

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

1. Committee of the Whole, Monday, March 25, 2019 was distributed separately on Thursday, April 4, 2019.

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

THAT the Minutes of the following Committee of the Whole meetings, to be adopted:

1. Committee of the Whole, Monday, March 25, 2019

CARRIED

Ward Meeting Minutes

The Minutes of the following Ward Meetings to be received:

1. Meeting No. 01-2019 of the Northwood Ward held on January 9, 2019;
2. Meeting No. 01-2019 of the McIntyre Ward held on February 20, 2019.

MOVED BY: Councillor Aldo Ruberto
SECONDED BY: Councillor Brian Hamilton

THAT the Minutes of the following Ward Meetings be received:

1. Meeting No. 01-2019 of the Northwood Ward held on January 9, 2019;
2. Meeting No. 01-2019 of the McIntyre Ward held on February 20, 2019.

CARRIED

REPORTS OF MUNICIPAL OFFICERS

Board Appointments - Victoriaville Board of Management, Victoria Avenue BIA

Confidential Memorandum dated March 27, 2019 from Mr. John Hannam, City Clerk, relative to the above noted was distributed separately to City Council and EMT only.

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

MOVED BY: Councillor Kristen Oliver
SECONDED BY: Councillor Aldo Ruberto

WITH respect to the Victoriaville Board of Management, and the Victoria Avenue BIA we recommend that the following persons be appointed to the following Authorities, Boards, Commissions and Committees, as identified in the Report:

Victoriaville Board of Management

- (1) One Member of Council to serve for a four year term expiring November 30, 2022, or as soon after as a replacement has been appointed:

1. Councillor Mark Bentz

Victoria Avenue BIA

- (5) Five Members to serve for four year terms expiring November 30, 2022, or as soon after as a

replacement has been appointed:

1. Mr. B. Schroeder
2. Mr. J. Hupka
3. Ms. K. Kirkup
4. Mr. B. Scollie
5. Ms. B. Hunsberger

CARRIED

BY-LAWS

BL 29/2019 - A By-law to amend 225-1998 with respect to Ward and Town Hall Meetings.

A By-law to amend By-law 225-1998 with respect to Ward and Town Hall Meeting and to amend Chapter 11, titled Meetings - Information Exchange with Residents.

BL 32/2019 Site Plan Designation - 387 Cuyler Street

A Bylaw to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1900, as amended. (387 Cuyler Street)

BL 33/2019 - Site Plan Designation - 58 Walkover Street

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (58 Walkover Street)

BL 36/2019 - A By-law to amend By-law 203-1996 being a By-law to adopt a Corporate Policy Manual.

A By-law to amend By-law 203-1996, being a By-law to adopt the Corporate Policy Manual for The Corporation of the City of Thunder Bay with respect to Tangible Capital Asset - Corporate Policy No. 05-01-15, Occupational Health, Safety and Wellness - Corporate Policy No. 06-01-16, Council Vacancy/Leaves of Absence - Corporate Policy No. 08-01-03, Code of Conduct for Members of Council - Corporate Policy No. 08-01-05, Strategic Asset Management - Corporate Policy No. 11-02-08 and School Zone Safety (Crossing Guards) - Corporate Policy No. 11-03-06.

By-law Resolution

By-law Resolution - April 8, 2019

MOVED BY: Councillor Peng You
SECONDED BY: Councillor Andrew Foulds

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

1. A By-law to amend By-law Number 225 - 1998 with respect to Ward and Town Hall Meetings.

By-law Number: BL 29/2019

2. A Bylaw to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (387 Cuyler Street)

By-law Number: BL 32/2019

3. A By-law to designate areas of Ste. Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (58 Walkover Street)

By-law Number: BL 33/2019

4. A By-law to amend By-law 203-1996, being a By-law to adopt the Corporate Policy Manual for The Corporation of the City of Thunder Bay with respect to Tangible Capital Asset - Corporate Policy No. 05-01-15, Occupational Health, Safety and Wellness - Corporate Policy No. 06-01-16, Council Vacancy/Leaves of Absence - Corporate Policy No. 08-01-03, Code of Conduct for Members of Council - Corporate Policy No. 08-01-05, Strategic Asset Management - Corporate Policy No. 11-02-08 and School Zone Safety (Crossing Guards) - Corporate Policy No. 11-03-06.

By-law Number: BL 36/2019

CARRIED

CONFIRMING BY-LAW

BL 34/2019 - Confirming By-law - April 8, 2019

A By-law to confirm the proceedings of a meeting of Council, this 8th day of April, 2019.

Confirming By-law Resolution - April 8, 2019 - City Council

MOVED BY: Councillor Brian Hamilton
SECONDED BY: Councillor Trevor Giertuga

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

1. A By-law to confirm the proceedings of a meeting of Council, this 8th day of April, 2019

By-law Number: BL 34/2019

CARRIED

ADJOURNMENT

The meeting adjourned at 8:26 p.m.

Mayor

City Clerk

MEETING DATE 04/29/2019 (mm/dd/yyyy)

SUBJECT Committee of the Whole Minutes

SUMMARY

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

1. April 8, 2019 Committee of the Whole.
2. April 15, 2019 Committee of the Whole. (Distributed Separately)

RECOMMENDATION

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

1. April 8, 2019 Committee of the Whole;
2. April 15, 2019 Committee of the Whole.

ATTACHMENTS

1. Committee of the Whole Minutes - April 8, 2019



MEETING: Committee of the Whole

DATE: Monday, April 08, 2019

Reference No. COW 25/50

OPEN SESSION in the McNaughton Room at 5:49 p.m.

Committee of the Whole - Special Session

Chair: Councillor Trevor Giertuga

PRESENT:

Mayor B. Mauro
Councillor A. Aiello
Councillor M. Bentz
Councillor S. Ch'ng
Councillor A. Foulds
Councillor C. Fraser
Councillor T. Giertuga
Councillor B. Hamilton
Councillor R. Johnson
Councillor B. McKinnon
Councillor K. Oliver
Councillor A. Ruberto
Councillor Peng You

OFFICIALS:

Mr. J. Hannam, City Clerk
Ms. K. Marshall, Acting City Manager
Mr. S. Tim, Deputy City Solicitor
Ms. L. Evans, General Manager – Corporate Services
& Long Term Care
Ms. K. Robertson, General Manager – Community
Services
Mr. M. Smith, General Manager – Development &
Emergency Services

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

Establishment of Closed Session - April 8, 2019

Confidential memorandum from Mr. J. Hannam, City Clerk dated April 1, 2019 relative to the establishment of a Committee of the Whole - Closed Session meeting on April 8 2019, distributed separately on Monday, April 1, 2019 to Members of City Council and EMT only.

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

THAT a Committee of the Whole – Closed Session meeting be established for Monday, April 8, 2019 at 6:00 p.m. in order to receive information relative to Personal Matters about an identifiable individual, including municipal or local board employees.

CARRIED

CLOSED SESSION in the McNaughton Room at 5:50 p.m.

Committee of the Whole - Closed Session
Chair: Councillor Trevor Giertuga

PRESENT:

Mayor B. Mauro
Councillor A. Aiello
Councillor M. Bentz
Councillor S. Ch'ng
Councillor C. Fraser
Councillor T. Giertuga
Councillor B. Hamilton
Councillor R. Johnson
Councillor B. McKinnon
Councillor K. Oliver
Councillor A. Ruberto
Councillor Peng You

OFFICIALS:

Mr. J. Hannam, City Clerk
Ms. K. Power, Deputy City Clerk
Mr. S. Tim, Deputy City Solicitor
Ms. L. Evans, General Manager – Corporate Services
& Long Term Care

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

Board Appointments

Confidential memorandum from Mr. J. Hannam, City Clerk, dated March 27, 2019 relative to the above noted.

Mr. J. Hannam, City Clerk provided an overview relative to the above noted and responded to questions.

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

Community Centres Governance and Operations Review

Confidential Memorandum dated April 4, 2019 from Mr. P. Burke, Supervisor - Sports & Community Development relative to the above noted was distributed separately on April 5, 2019 to City Council and EMT only, for information.

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

Committee of the Whole - Community Services Session
Chair: Councillor Shelby Ch'ng

DISCLOSURES OF INTEREST

Councillor Mark Bentz disclosed an interest relative to the Draft Shareholder Declaration - Thunder Bay Hydro Corporation, as he is a member on the Board of Directors for Synergy North Corp., Thunder Bay Hydro Corp.

CONFIRMATION OF AGENDA

Confirmation of Agenda - April 8, 2019 - Committee of the Whole

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Councillor Brian Hamilton

With respect to the April 8, 2019 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

PRESENTATIONS

Official Recognition - Citizens of Exceptional Achievement

Memorandum from Ms. K. Power, Deputy City Clerk, dated March 20, 2019 relative to presentation of Monthly Achievement Awards.

Ms. L. Turpin, Official Recognition Committee, appeared before Committee and read the biography of the recipients of the Exceptional Achievement Awards.

Councillor Peng You presented an award to the Thunder Bay Kings AAA Midget Team for their winning of the Dixon Cup in the North American Prospect League U18 Championship held on February 17, 2019.

It was the consensus of the Committee to move Reports of Committees forward in the Agenda.

REPORTS OF COMMITTEES

Thunder Bay District Health Unit - Board of Health Minutes

Minutes of Thunder Bay District Health Unit - Board of Health Meetings, held on February 13, 2019 for information.

Sister Cities Advisory Committee Minutes

Minutes of Meeting No. 02-2019 of the Sister Cities Advisory Committee held on February 6, 2019, for information.

Accessibility Advisory Committee Minutes

Minutes of Meetings No. 02-2019, of the Accessibility Advisory Committee held on February 14, 2019, for information.

The District of Thunder Bay Social Services Administration Board Minutes

Minutes of Meetings No. 02/2019 and No. 03/2019 (Closed) held on February 20, 2019, No. 04/2019 and No. 05/2019 (Closed) held on February 21, 2019 of The District of Thunder Bay Social Services Administration Board, for information.

DEPUTATIONS

Annual Poverty Reduction Report

At the November 25, 2013 Committee of the Whole meeting a resolution was passed relative to Report No. 2013.162 (Corporate Communications & Strategic Initiatives) - Poverty Reduction Strategy, requesting that the Lakehead Social Planning Council and the community-based Community Action Strategy to Reduce Poverty-Implementation Panel report back annually on progress in implementing the Community Action Strategy to Reduce Poverty.

Letter from Ms. M. Klassen, Director - Lakehead Social Planning Council, dated March 11, 2019 requesting to provide a presentation relative to the 2018 Annual Poverty Reduction Report.

Ms. M. Klassen, Director of Services and Ms. B. Kryswaty, Social Researcher/Planner - Lakehead Social Planning Council appeared before Committee.

Utilizing a PowerPoint Presentation entitled "Poverty Reduction Strategy Report Annual Report 2018" Ms. M. Klassen and Ms. B. Kryswaty provided an overview relative to the above noted and responded to questions.

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Councillor Kristen Oliver

With respect to the April 8, 2019 Lakehead Social Planning Councils Poverty Reduction Strategy Report – Annual Report 2018 we recommend that the report be referred to administration for more information.

CARRIED

Blacksheep Mountain Bike Club Deputation

Letter from Mr. S. Haslam, Secretary - Blacksheep Mountain Bike Club, dated April 1, 2019 requesting an opportunity to appear before City Council to make a deputation relative to the Trowbridge Forest Master Plan, multi-use trail network was distributed separately, Thursday, April 4, 2019.

Mr. M. Maranzan, Past President and Ms. N. Friday, Vice President - Blacksheep Mountain Bike Club appeared before Committee.

Utilizing a PowerPoint Presentation entitled "Blacksheep Mountain Bike Club - City Council Deputation" Mr. M. Maranzan and Ms. N. Friday provided an overview relative to the above noted and responded to questions.

REPORTS OF MUNICIPAL OFFICERS

Community Centres Governance and Operations Review Update

Report No. R 43/2019 (Community Services - Recreation & Culture) The purpose of this report is to provide information regarding the Governance and Operations Review of the City's community centres being undertaken by the Recreation & Culture Division as recommended in the Recreation & Facilities Master Plan. The report includes a summary of research gathered to date, findings, and planned next steps.

Community Services Capital Projects

Report 45/2019 (Community Services - Central Support Services) recommending the receipt and expenditure of the noted funds that were secured after approval of the 2018 budget.

MOVED BY: Councillor Cody Fraser
SECONDED BY: Councillor Andrew Foulds

With respect to Report 45/2019 (Community Services, Central Support Services) , we recommend that City Council acknowledge the receipt and expenditure of the following funds that were secured after approval of the 2018 budget: Federation of Canadian Municipalities Municipal Asset Management Program (MAMP) funding for Asset Management Software, up to \$50,000 of eligible costs ; Thunder Bay District Social Services Administration Board funding of \$2,500 and

fundraising donations of \$3,850 to support the construction of a shade structure at the Grace Remus day care Centre;

AND THAT Appropriation Change Order Nos. 38 and 39, 2018 as attached to this report be approved;

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

CARRIED

Board Appointments - Victoriaville Board of Management, Victoria Avenue BIA

Confidential Memorandum dated March 27, 2019 from Mr. John Hannam, City Clerk, relative to the above noted was distributed separately to City Council and EMT only.

Pending the passage of the resolution at the Committee of the Whole meeting, the resolution will be presented for ratification at the City Council meeting to be held later in the evening and will require a two-thirds vote.

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

WITH respect to the Victoriaville Board of Management, and the Victoria Avenue BIA we recommend that the following persons be appointed to the following Authorities, Boards, Commissions and Committees, as identified in the Report:

Victoriaville Board of Management

(1) One Member of Council to serve for a four year term expiring November 30, 2022, or as soon after as a replacement has been appointed:

1. Councillor Mark Bentz

Victoria Avenue BIA

(5) Five Members to serve for four year terms expiring November 30, 2022, or as soon after as a replacement has been appointed:

1. Mr. B. Schroeder
2. Mr. J. Hupka
3. Ms. K. Kirkup
4. Mr. W. Scollie
5. Ms. B. Hunsberger

CARRIED

PETITIONS AND COMMUNICATIONS

Bombardier Transportation Plant

Letter from Mayor Bill Mauro dated March 5, 2019, to The Honourable Doug Ford, Premiere of Ontario, relative to the above noted.

Draft Shareholder Declaration - Thunder Bay Hydro Corporation

Letter from Mr. R. Mace, President & CEO - Thunder Bay Hydro Corporation, dated February 26, 2019 and Draft Shareholder Declaration dated January 1, 2019 relative to the above noted, for Council's consideration.

Document entitled "Thunder Bay Hydro Shareholder Declaration - Final" dated January 1, 2019 distributed separately on Monday, April 8, 2019.

Mr. R. Mace, President & CEO - Thunder Bay Hydro Corporation, Synergy North Corp. and Mr. G. Armstrong, Chair - Thunder Bay Hydro Corp., Synergy North Corp. appeared before Committee and provided an overview relative to the above noted.

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

With respect to the letter from Mr. R. Mace, CEO – Thunder Bay Hydro, dated February 26, 2019, we recommend that City Council in its capacity as representative of the Corporation of the City of Thunder Bay, that being the sole Shareholder of Thunder Bay Hydro Corporation approves the Thunder Bay Hydro Shareholder Declaration, dated January 2019.

CARRIED

NEW BUSINESS

ReGen Med – Extension of Loan Agreement

Memorandum from Councillor B. McKinnon dated March 29, 2019 relative to the above noted was distributed separately, Thursday, April 4, 2019.

MOVED BY: Councillor Brian McKinnon
SECONDED BY: Councillor Mark Bentz

With regard to the request for extension of repayment by Lake Superior Regenerative Medicine Inc., we recommend that the repayment process begin as of April 1, 2021;

AND THAT the contract be adjusted to reflect the change in the repayment schedule;

AND THAT the Mayor and the City Clerk be authorized to execute that change;

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

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Albert Aiello

With respect to ReGen Med - Extension of Loan Agreement, as presented at the April 8, 2019 Committee of the Whole meeting, we recommend that the matter be referred back to Administration to provide additional information.

CARRIED

Establishment of Closed Session – April 15, 2019

Confidential memorandum from Ms. K. Power, Deputy City Clerk dated April 8, 2019 relative to the establishment of a Committee of the Whole - Closed Session meeting on April 15, 2019, distributed separately on Monday, April 8, 2019 to Members of City Council and EMT only.

MOVED BY: Councillor Cody Fraser
SECONDED BY: Councillor Andrew Foulds

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, April 15, 2019 at 4:30 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 information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:21 p.m.



Memorandum

Corporate By-law Number BL 43/2019

TO: Office of the City Clerk **FILE:** H-01-2019

FROM: Grant Mason
Development & Emergency Services - Planning Services

DATE: 03/27/2019

SUBJECT: BL 43/2019 - Holding Symbol Removal (193 Bruce Street)

MEETING DATE: 04/29/2019 - (mm/dd/yyyy)

By-law Description: A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (193 -189 Bruce)

Authorization: R 94/2018 (Planning Services) - City Council (Public Meeting) - July 30th, 2018, and By-law 64-2018

By-law Explanation: The purpose of this By-law is amend By-law 100-2010, the City of Thunder Bay Zoning By-law, as it applies to Registered Plan M18, Lot 150, 152, & 154, Part Hanley Street, Part Windsor Street and Reference Plan 55R9677 Part 2 Parcel 25406 Thunder Bay Freehold (189 and 193 Bruce) to remove the "H" - Holding Symbol from the property.

The land is currently zoned "R2-H" - Residential Zone Two - Holding. Removing the holding symbol (H) from the "R2-H" Zone, as it applies to these lands, will allow the development of a 4-unit apartment dwelling inside the existing building as per By-law 64-2018, and the construction of a single detached and semi detached dwelling on the vacant parcels adjacent to the existing building.

Schedules and Attachments:

EXHIBIT ONE TO BY-LAW BL 43/2019

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 43/2019

A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (193 -189 Bruce Street)

Recitals

1. By-law Number 64/2018, being a By-law to amend By-law Number 100-2010 of The Corporation of the City of Thunder Bay, was enacted on the 30th day of July, 2018.
2. That By-law placed the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law in the "R2-H" - Residential Zone Two – Holding.
3. That By-law included the following condition for the removal of the holding symbol:

The Planning Services Division has received a Record of Site Condition in accordance with the Ministry of Environment and Energy Guidelines for Contaminated Sites in Ontario that demonstrates that the site is suitable for residential use.

4. The Planning Services Division received and acknowledged a Record of Site Condition on the 25th day of March, 2019 for the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law.
5. Section 36 of the Planning Act, R.S.O. 1990, provides that Council may pass an amending by-law to remove the holding symbol.

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

1. By-law 100-2010 is amended by removing the "H" – Holding Symbol from the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law, from the lands as they are shown on Map 5P to By-law 100-2010.
2. This By-law is in accordance with the City of Thunder Bay Official Plan, as amended.
3. This By-law shall come into force and effect on the date it is passed.

Enacted and passed this 29th day of April, A.D. 2019 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

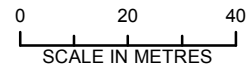
John S. Hannam

City Clerk



Property Location 

189-193 Bruce Street



THIS IS EXHIBIT ONE TO BY-LAW NUMBER _____

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 35/2019

TO: Office of the City Clerk **FILE: 400.047**

FROM: Ryan Love
Infrastructure & Operations - Engineering & Operations

DATE: 3/20/2019

SUBJECT: Designated Truck Route

MEETING DATE: City Council - 4/29/2019 (mm/dd/yyyy)

By-law Description: A By-law to establish a Designated Truck Route through the City of Thunder Bay

Authorization: Report No. R 130/2018 (Engineering) – Committee of the Whole – October 15, 2018 and March 4, 2019.

By-law Explanation: The purpose of this By-law is to establish a Designated Truck Route through the City of Thunder Bay

Schedules and Attachments:

Schedule “A” – Designated Truck Routes
Schedule “B” – 15,000kg Weight Restricted Streets
Schedule “C” – 28,000kg Weight Restricted Streets
Schedule “D” – 15,000kg Weight Restricted Streets Time Limit
Designated Truck Route Map
Load Restricted Streets Map

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 35/2019

A By-law to establish a Designated Truck Route through the
City of Thunder Bay

Recitals

1. Section 35 of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended authorizes municipalities to remove or restrict the common law right of passage by the public over a highway.
2. Regulating weight limits on highways is a practical and expedient way to maintain the City's investment in highway infrastructure.
3. Designating certain highways as truck routes limits truck traffic in residential areas, which increases safety and reduces negative impacts for residents.

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

1. **Definitions:** Wherever a term set out below appears in the text of this By-law with its initial letters capitalized, the term is intended to have the meaning set out for it in this Section 1.01. Wherever a term below appears in the text of this By-law in regular case, it is intended to have the meaning ordinarily attributed to it in the English language.
 - a) "By-law" means this By-law, including its recitals and schedules, which form integral parts of it. Where the term "by-law" is capitalized but followed by a number, the term refers to the by-law of the Corporation which corresponds with that number, and not to this By-law.
 - b) "Corporation" means The Corporation of the City of Thunder Bay. Where the context allows, the term includes its officers and employees.
 - c) "Designated Truck Route" means the highway and/or series of highways designated by this By-Law and more particularly described in Schedule "A".
 - d) "Municipal Act, 2001" means the *Municipal Act, 2001* S.O. 2001 c.25 as amended, the main statute governing the creation, administration and government of municipalities in the Canadian province of Ontario, other than the City of Toronto.

- e) “Municipal Law Enforcement Officer” means a person appointed by the Corporation to enforce its by-laws.
 - f) “Registered Gross Weight” means the weight for which a permit has been issued under the *Highway Traffic Act*, R.S.O. 1990 c. H8 as amended, based upon the weight of the Vehicle, or combination of Vehicles and load. The Registered Gross Weight applies for the purposes of this By-law, regardless of the actual loaded weight.
 - g) “*Provincial Offences Act*” R.S.O. 1990 c. P33 as amended means a provincial statute that sets out procedures for the prosecution of offences under other provincial statutes and regulations and municipal by-laws.
 - h) “Vehicle” includes: a motor vehicle, trailer, traction engine, farm tractor, road-building machine, any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.
 - i) “Weight Restricted Highway” means any highway upon which the Corporation has enacted a weight restriction as more particularly described in Schedule “B” and “C” and includes any highway upon which the Corporation has enacted a time specific weight restriction as more particularly described in Schedule “D”.
2. **Designated Truck Route:** Every driver of a Vehicle having a Registered Gross Weight of fifteen thousand (15,000 kg) kilograms or greater shall drive on the Designated Truck Route and/or on a provincial highway as more particularly described in Schedule “A”.
3. **Exemptions:** Section 2 of this By-Law does not apply to:
- a) Vehicles operated by or on behalf of the Corporation, where the vehicles are actively engaged in highway maintenance, including the carriage and application of abrasives or chemicals to the highway, or removal of snow from highways;
 - b) emergency vehicles;
 - c) Vehicles transporting waste;
 - d) public utility vehicles in the course of their duties;
 - e) passenger buses;

- f) Vehicles delivering or receiving goods, wares, merchandise or materials or in proceeding to or from a garage or other premises for fuel or repair of such Vehicle and provided that
 - (i) such deviation shall be made at a point from one of the Designated Truck Routes nearest by road to where the delivery, and/or service is performed, and
 - (ii) on completion of the conduct of business such vehicle shall return by the shortest route by distance to the nearest Designated Truck Route;
 - g) Vehicles travelling to the residence or business premises of the owner or operator of the Vehicle where the business premises or residence abut a highway to which no Designated Truck Route is available;
 - h) Detours as a result of an emergency response; or
 - i) Approved detours by the Corporation as a result of construction activities or a special event.
4. **Weight Restricted Highways:** Notwithstanding Section 3 no person shall drive a Vehicle on any Weight Restricted Highway where that Vehicle has a Registered Gross Weight greater than the amount set out in Schedule “B” and “C” for the corresponding highway.
5. **Time Specific Weight Restrictions:** Notwithstanding Section 3 no person shall between the hours of 6 p.m. and 7 a.m. the following day drive a Vehicle on any Weight Restricted Highway where that Vehicle has a Registered Gross Weight greater than the amount set out in Schedule “D” for the corresponding highway.
6. **Exemptions:** Sections 4 and 5 of this By-Law do not apply to:
- a) Vehicles while engaged in the construction or maintenance of a Weight Restricted Highway;
 - b) emergency vehicles while in the course of responding to an emergency situation or while in the course of an emergency measures training exercise;
 - c) passenger buses;
 - d) Vehicles transporting waste;

- e) public utility vehicles in the course of their duties;
 - f) Vehicles effecting deliveries to and from premises where no alternative route is available within the limits of the City of Thunder Bay except by traveling on a Weight Restricted Highway;
 - g) Vehicles traveling to the residence or business premises of the owner or operator of the Vehicle where no alternative route is available within the limits of the City of Thunder Bay except by traveling on a Weight Restricted Highway;
 - h) Any Vehicle operating solely within the intersection of any Weight Restricted Highway and any other highway;
 - i) Detours as a result of an emergency response; or
 - j) Approved detours by the Corporation as a result of construction activities or a special event.
7. **Burden of Proving Exemption:** The burden of proving that an exemption prescribed by this By-Law operates in favour of the defendant is on the defendant, and the prosecutor is not required, except by way of rebuttal, to prove the exemption does not operate in favour of the defendant, whether or not it is set out in the information.
 8. **Enforcement:** This By-law may be enforced by Municipal Law Enforcement Officers and police officers.
 9. **Severability:** Should a court of competent jurisdiction declare a part or the whole of any provision of this By-law to be invalid or of no force or effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms and to the extent possible under the law.
 10. **Priority:** Where a vehicle having a Registered Gross Weight greater than 15,000kg is also classified as a Dangerous Goods Carrier within the meaning of By-Law 201-1997, as amended, the driver of such a vehicle shall first comply with all applicable provisions of that by-law and, to the extent there is no conflict, shall then comply with the provisions of this By-Law.
 11. **Penalties:** Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act* but the minimum fine shall not be less than \$50.

12. **Additional Penalty:** Upon conviction, in addition to any other penalty imposed by this By-Law, the court in which the conviction has been entered and any court of competent jurisdiction may make an Order prohibiting the continuation or repetition of the offence by any person convicted.
13. **General:** Upon the coming into force of this By-Law, By-Law 87-2007 are repealed.
14. **Effect:** This By-law comes into force and takes effect upon the date of the issue of an order by the Regional Senior Justice establishing the set fines for this By-law.

Enacted and passed this 29th day of April, A.D. 2019 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

John S. Hannam

City Clerk

Schedule 'A'		
Designated Truck Routes		
Highway	From	To
Harbour Expressway	Fort William Road	Highway 11/17
Main Street	Fort William Road	106th Street
106th Street	West Limit	108th Avenue

Schedule 'B'		
15,000 kg Weight Restricted Highways		
Highway	From	To
Algonquin Avenue	Red River Road	John Street
Balmoral Avenue	John Street	Oliver Road
Broadway Avenue	Highway 61	25th Side Road
Brodie Street	Northern Avenue	Williams Street
Donald Street	Waterloo Street	Tarbutt Street
Durban Street	May Street	Mckellar Street
Fassina Street	Dawson Road	Valley Street
Forest Street	Balmoral Avenue	Vickers Street
Franklin Street	Cumming Street	Walsh Street
Gorevale Road	Dog Lake Road	Hilldale Road
Hazelwood Drive	Dawson Road	Gorevale Road
High Street	River Street	Oliver Road
James Street	Walsh Street	Frederica Street
John Street	High Street	Junot Avenue
Lancaster Drive	Onion Lake Road	Balsam Street
Lisgar Street	Memorial Avenue	Spofford Street
Masters Street	Dawson Road	Valley Street
Mckellar Street	Northern Avenue	Williams Street
Melbourne Road	Dog Lake Road	Hilldale Road
Mountdale Avenue	Arthur Street	Victoria Avenue
Picadilly Street	Dawson Road	Valley Street
Rankin Street	Waterloo Street	Tarbutt Street
Red River Road	Highway 11/17	Cumberland Street
Regina Street	Dawson Road	Valley Street
Rosslyn Road	25th Side Road	320 metres West of 15th Side Road
Sherwood Drive	Dawson Road	Valley Street
Sills Street	Waterloo Street	Tarbutt Street
Skyline Avenue	Dawson Road	Valley Street
Spofford Street	Ontario Street	Fort William Road
Strand Avenue	Dawson Road	Valley Street
Street	Spofford Street	First Avenue
Syndicate Avenue	Northern Avenue	Williams Street
Toivo Street	Dawson Road	Valley Street
Victoria Avenue	James Street	Mountdale Avenue
Walsh Street	Syndicate Avenue	James Street

[illegible]

Schedule 'C'

28,000 kg Weight Restricted Highways

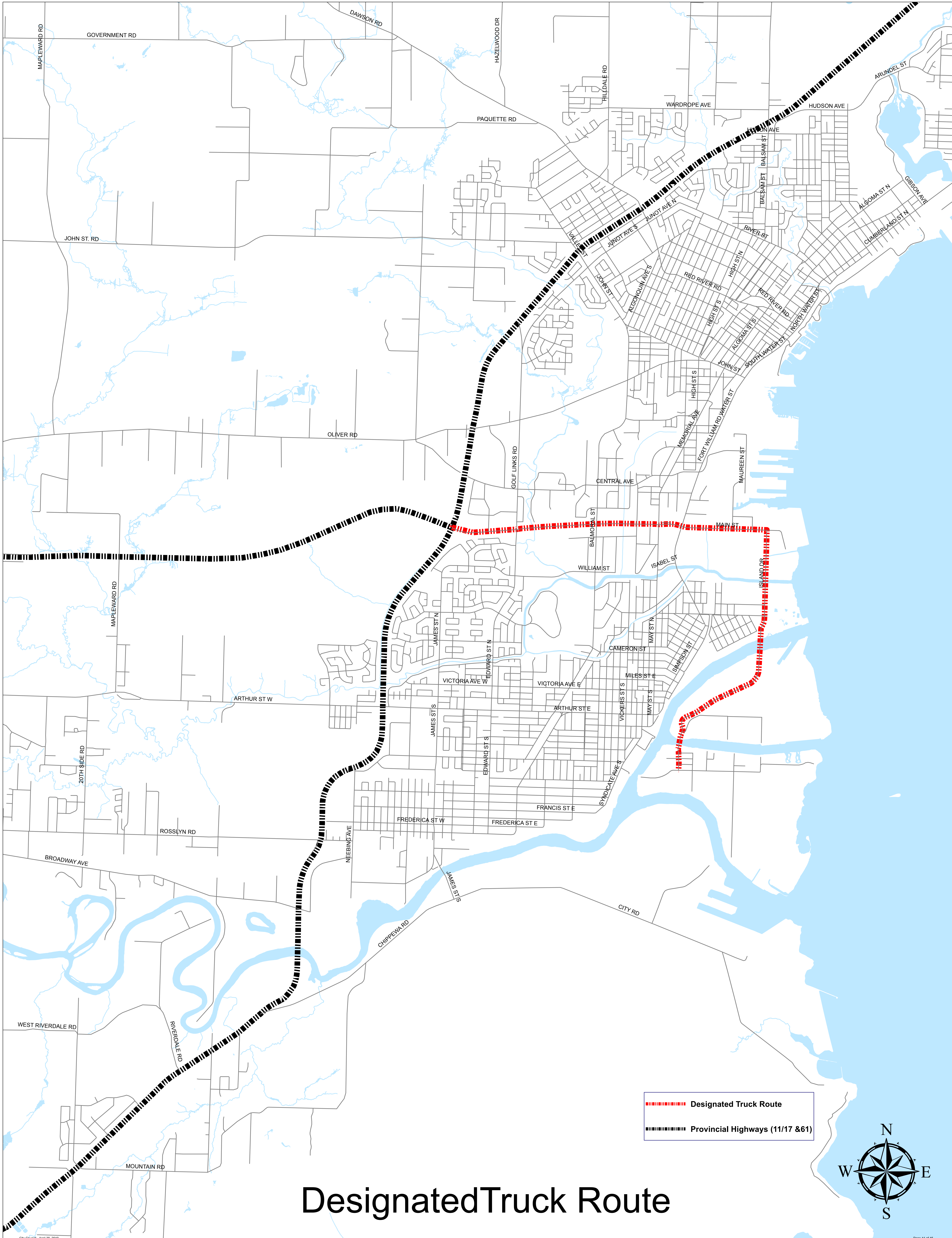
[illegible]

[illegible]

Schedule 'D'

15,000 kg Weight Restricted Highways 6 p.m. - 7 a.m.
--

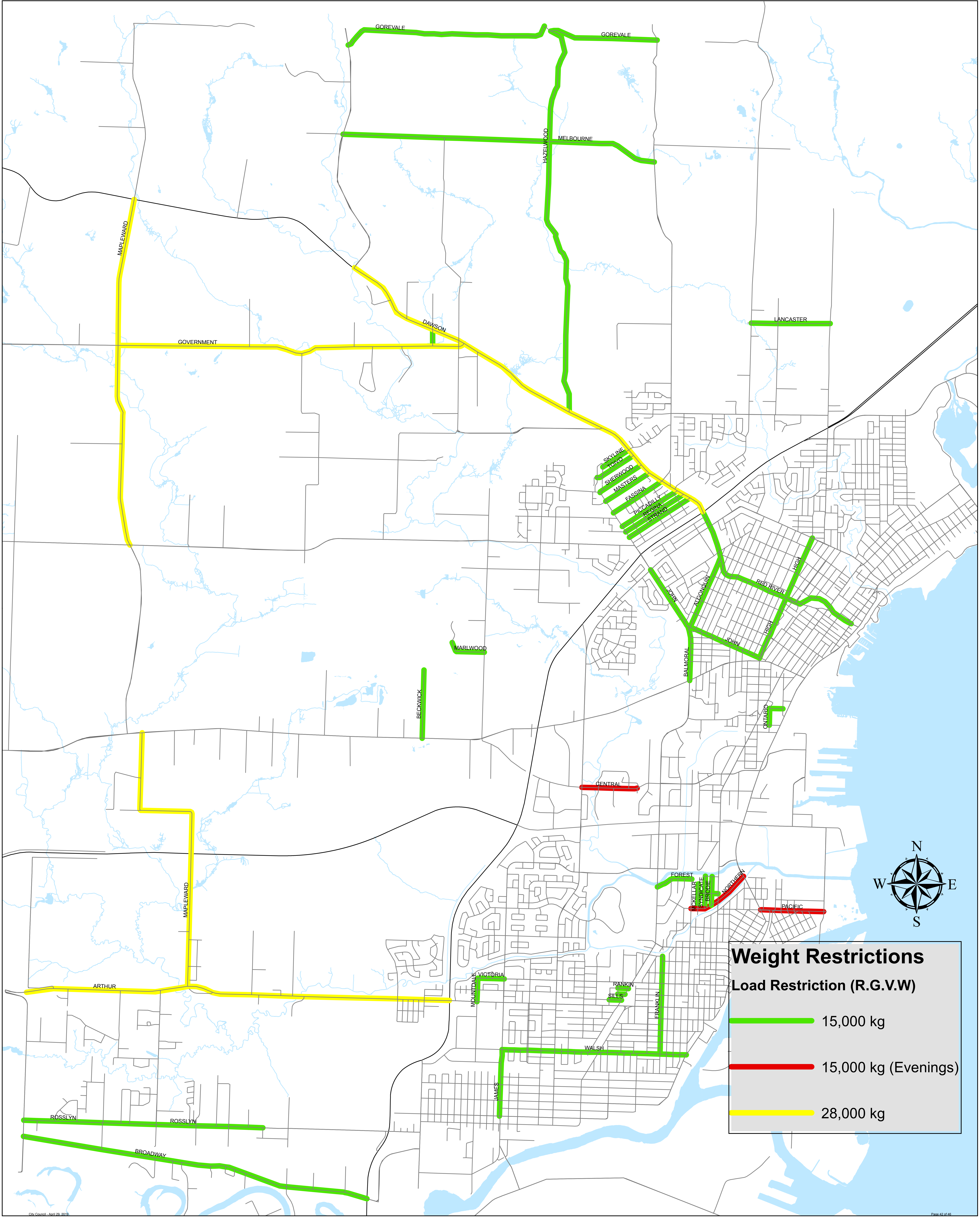
[illegible]



Designated Truck Route



Load Restricted Streets



Weight Restrictions

Load Restriction (R.G.V.W)

- 15,000 kg
- 15,000 kg (Evenings)
- 28,000 kg

MEETING DATE 04/29/2019 (mm/dd/yyyy)

SUBJECT By-law Resolution

SUMMARY

By-law Resolution - April 29, 2019

RECOMMENDATION

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

1. A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (193 -189 Bruce Street)

By-law Number: BL 43/2019

2. A by-law to establish a Designated Truck Route through the City of Thunder Bay

By-law Number: BL 35/2019

Memorandum

Corporate By-law Number BL 48/2019

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

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

DATE: 04/11/2019

SUBJECT: BL 48/2019 - Confirming By-law April 29, 2019

MEETING DATE: City Council - 04/29/2019 (mm/dd/yyyy)

By-law Description: A By-law to confirm the proceedings of a meeting of Council, this 29th day of April, 2019.

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

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

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 48/2019

A By-law to confirm the proceedings of a meeting of Council,
this 29th day of April, 2019.

Recitals

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

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

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

29th day of April, 2019 OPEN SESSION, CITY COUNCIL MEETING

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

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

Enacted and passed this 29th day of April, A.D. 2019 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

John S. Hannam

City Clerk

MEETING DATE 04/29/2019 (mm/dd/yyyy)

SUBJECT Confirming By-law Resolution - April 29, 2019 - City Council

SUMMARY

Confirming By-law Resolution - April 29, 2019 - City Council

RECOMMENDATION

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

1. A By-law to confirm the proceedings of a meeting of Council, this 29th day of April, 2019

By-law Number: BL 48/2019