

Appendix B. Existing Municipal Tools

Existing Enforcement Tools

The City has two existing tools regarding the standards and control of vacant buildings: the Municipal Standards for Property By-law (BL 95/2022), and the Vacant Building Security By-law (BL 96/2022). The Municipal Enforcement Services (MES) section is responsible for administering and enforcing both By-laws. The Building Services section currently maintains the list of vacant buildings identified by complaint and conducts semi-annual inspections of known buildings under BL 96/2022. This list is distributed to MES and Fire Services semi-annually to support further inspections.

Except in extreme cases of building deterioration (i.e. large fire, obvious unsafe conditions), property standards are typically inspected upon complaint. With complaint-based enforcement, deficiencies related to Property Standards at vacant buildings and overall building condition may deteriorate further before action is taken.

These by-laws allow the City to:

- Require that all property within the City of Thunder Bay is maintained and repaired to the standards outlined in BL 95/2022 and BL 96/2022.
- Enter and inspect properties, at reasonable times, to require compliance.
- Issue Defect Notices, Orders, and penalties, and carry out remediation efforts if required for compliance and safety.
- Establish a Vacant Building Registry and require owners to register properties that are vacant for ninety (90) days or longer.
- Charge fees for registration of a Vacant Building and any subsequent inspections of Vacant Buildings or Unoccupied Buildings.

Stantec Consulting Ltd. was retained to complete an existing policy review, comparator analysis, and gap analysis. A review of five comparator municipalities (St. Catharines, London, Sudbury, Saint John, and Sault Ste. Marie) was conducted to examine the strategies employed by other municipalities of similar size and objectives. Thunder Bay is in line with comparators for standards within the respective By-laws, and consistent with identified best practices.

Existing Financial Tools

In addition to the authority given in BL 96/2022, the Municipal Act, Building Code Act, and Fire Protection and Prevention Act contain provisions for cost recovery.

- ***Municipal Act, 2001.*** Under Section 446, costs of municipal work at the owner's expense can be added to the tax roll and collected like property taxes. Under Section 398, fees and charges imposed by a municipality on a person are considered a debt and may be added to the tax roll and collected like property taxes. In the event of nonpayment, the City can register a non-priority lien on title and collect as a lienholder. However, if the property goes into tax sale, these **costs are not recoverable** through the tax sale process.
- ***Building Code Act, 1992.*** Under Section 15, costs of municipal work due to an Unsafe Building Order or Emergency Orders (immediate danger) can be added to the tax roll and collected like property taxes. If the costs are confirmed by a judge, they are given priority lien status. If a property goes into tax sale, these **costs are recoverable** if the property sells. If the property moves through the tax sale process and does not sell and the City takes ownership, the cost is written off.
- ***Fire Protection and Prevention Act, 1997.*** Under Section 38, certain costs related to immediate threat to life (Section 15), Order to Close Premises (Section 31) or Inspection Orders (Section 21 & 33) can be added to the tax roll with priority lien status. If a property goes into tax sale, these **costs are recoverable** if the property sells. If the property moves through the tax sale process and does not sell and the City takes ownership, the cost is written off.

Other Existing Tools

Community Improvement Plans

The City has adopted three Community Improvement Plans (CIPs) with various incentives to encourage revitalization and redevelopment of lands and building within the City being the Growth Community Improvement Plan (2025), the Housing Community Improvement Plan (2024) and Strategic Core Area Community Plan (revised 2024).

The following existing grants impact vacant or underutilized buildings:

- **Tax Grant Rebate:** Provides tax increment grants to property owners who rehabilitate their downtown properties to an extent that results in a property value increase.
- **Construction Assistance Grant:** Provides funding to property owners who undertake revitalization programs in a one-time grant.
- **Commercial Conversion Grant – Main Floor:** Encourages redevelopment of existing main floors space to a commercial use and could be used to provide financial support to rehabilitate vacant commercial properties into viable commercial units for prospective tenants.

- **Residential/Office Conversion – 2nd Floor:** Encourages property owners to create new second storey or higher residential units and could be used to provide financial support to rehabilitate vacant units into viable residential/office uses for prospective tenants.
- **Multi-Unit Residential Grant:** Provides financial incentives to those who wish to construct multi-unit residential buildings at maximum density.
- **Housing Rehabilitation and Conversion Grant:** For the rehabilitation of existing residential units to meet the Ontario Building Code, or the conversion of a commercial/mixed-use building space into diverse residential units.
- **Brownfield Rehabilitation Grant:** Provides financial incentives to undertake environmental studies on brownfield sites within the City to allow additional lands to become available for employment development.

Property Acquisition

If a vacant and dilapidated building has progressed through the tax sale process and was not successfully sold, the City can choose to vest the property and remediate for future use or sale. This process takes a minimum of four years (from the first year of tax arrears) and is guided by the Tax Sale Vesting Policy.

The City can also choose to purchase a vacant and dilapidated property and remediate for future use or sale. This is guided by the Real Property – Administration, Acquisition, Development and Disposal suite of policies.