



Memorandum

Corporate By-law Number: 96-2024 – Infrastructure, Development & Operations – Development Services

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

FROM: Kerri Marshall, General Manager
Infrastructure, Development & Operations

DATE PREPARED: March 20, 2024

SUBJECT: By-law 96-2024 - A by-law to amend By-law 004-2005 being a by-law to delegate Council’s authority to acquire and dispose of land in certain circumstances, in the City of Thunder Bay, in the District of Thunder Bay.

MEETING DATE: City Council - March 25, 2024

By-law Description: A By-law to amend By-law 4-2005, being a By-law to delegate Council’s authority to acquire and dispose of land in certain circumstances, in the City of Thunder Bay, in the District of Thunder Bay with respect to Section 1.01 (Definitions), Subsections 2.02(b) and (c) (Criteria for Section 2.01), Section 2.08 (Land and Easement Acquisitions), and Section 2.09 (Criteria for Section 2.08).

Authorization: Report 64-2024 (Infrastructure, Development & Operations – Development Services) – Committee of the Whole – March 11, 2024.

By-law Explanation: A By-law to amend By-law 4-2005, being a By-law to delegate Council’s authority to acquire and dispose of land in certain circumstances, in the City of Thunder Bay, in the District of Thunder Bay with respect to Section 1.01 (Definitions), Subsections 2.02(b) and (c) (Criteria for Section 2.01), Section 2.08 (Land and Easement Acquisitions), and Section 2.09 (Criteria for Section 2.08). This By-law update authorizes the General Manager - Infrastructure, Development & Operations, or designate, to dispose of surplus land up to a fair market value of \$200,000 and to purchase lands at a value of up to \$200,000, without prior budget approval, using Housing Accelerator Funds or the Land Development Fund. Additionally, this By-law updates the definition of “Manager” to reflect a title change to the position due to recent reorganizational changes and to permit them to delegate their authorities to a designate.

Schedules and Attachments:
Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY BY-LAW NUMBER 96-2024

A By-law to amend By-law 4-2005, being a being a By-law to delegate Council's authority to acquire and dispose of land in certain circumstances, in the City of Thunder Bay, in the District of Thunder Bay with respect to Section 1.01 (Definitions), Subsections 2.02(b) and (c) (Criteria for Section 2.01), Section 2.08 (Land and Easement Acquisitions), and Section 2.09 (Criteria for Section 2.08).

Recitals

1. By-law Number 4-2005 was enacted and passed on January 31, 2005 to authorize the delegation of Council's authority to acquire and dispose of lands in certain circumstances, in the City of Thunder Bay, in the District of Thunder Bay.
2. By-law Number 137-2006 was enacted and passed on November 27, 2006, amending certain sections of By-law Number 4-2005.
3. City Council approved the recommendations of Report 064-2024 (Infrastructure, Development & Operations - Development Services) authorizing the General Manager - Infrastructure, Development & Operations, or designate, to dispose of surplus land up to a fair market value of \$200,000 and to purchase strategic lands at a value of up to \$200,000, without prior budget approval, using Housing Accelerator Funds or the Land Development Fund.
4. It is considered necessary and expedient to amend the City's Delegation By-law Number 004-2005, as amended, as set out in this further amending by-law.

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

1. That Section 1.01 (Definitions) is hereby amended by adding, directly after Subsection 1.01(c), the following:

(c.1) "Housing Accelerator Fund" or "HAF" means the Twenty Million Seven Hundred Thousand (\$20,700,000.00) Dollars granted to the City from Canada Mortgage and Housing Corporation (CMHC), pursuant to the housing accelerator fund and contribution agreement signed by the City on February 5, 2024.

2. That Section 1.01 (Definitions) is hereby amended by adding, directly after this new Subsection 1.01(c.1), the following:

(c.2) “Land Development Fund” means the source of funding for the Realty Services Division’s capital projects and the City’s property development, as funded by monies from the sale or lease of City-owned property, including administration and user fees, as well as other supplementary funding from time to time from other sources.

3. That Section 1.01 (Definitions) is hereby amended by deleting subsection 1.01(d) in its entirety and replacing it with the following:

(d) “Manager” means the General Manager of Infrastructure, Development & Operations Department, or his or her designate.

4. That Section 2.02 (Criteria for Section 2.01) is hereby amended by deleting subsection 2.02(b) in its entirety and replacing it with the following:

(b) With respect to a sale of land, the appraised value of the land is less than Two Hundred Thousand (\$200,000.00) Dollars;

5. That Section 2.08 (Land and Easement Acquisitions) is hereby amended by deleting this section in its entirety and replacing it with the following:

2.08 Land and Easement Acquisitions: The Manager is granted the authority to purchase or otherwise acquire land or easement interests at nominal value or at fair market value up to a maximum of Two Hundred Thousand (\$200,000.00) Dollars, and to execute all documentation to facilitate those land or easement acquisitions. Where consideration is to be paid for the land or easement interest, the Manager is granted the authority to purchase or otherwise acquire land or easement interests in accordance with the criteria set out in Section 2.09, and to execute all documentation to facilitate those land or easement acquisitions. The terms and conditions of any documents executed under the authority of this Section 2.08 must be to the complete satisfaction of Administration and the City Solicitor.

6. That Section 2.09 (Criteria for Section 2.08) is hereby amended by deleting this section its entirety and replacing it with the following:

2.09 Criteria for Section 2.08: The Manager is authorized to purchase or acquire land interests for more than nominal value, pursuant to Section 2.08, with or without an approved budget for that acquisition. Where there is no approved budget for the acquisition, the Manager shall ensure that the acquisition can be funded by Housing Accelerator Fund or the Land Development Fund.

7. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 25th day of March, A.D. 2024 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Ken Boshcoff

Mayor

Dana Earle

Deputy City Clerk