



Memorandum

Corporate By-law Number: 211-2025-Infrastructure & Operations-Engineering

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

FROM: Kayla Dixon, Commissioner
Infrastructure & Operations

DATE: June 3, 2025

SUBJECT: By-law 211-2025 – Designated Truck Route

MEETING DATE: City Council - June 23, 2025

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

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

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER 211-2025

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 that corresponds with that number, and not to this By-law.
 - b) "Conduct of Business" means the delivering or receiving goods, wares, merchandise or materials and where a Driver has multiple scheduled deliveries and/or pick-ups all within the limits of the City of Thunder Bay, the term shall expressly include all such deliveries/pick-ups.
 - c) "Corporation" means The Corporation of the City of Thunder Bay. Where the context allows, the term includes its officers and employees.

- d) “Designated Truck Route” means the highway and/or series of highways designated by this By-Law and more particularly described in Schedule “A”.
 - e) “Driver” means the person operating the Vehicle and includes the owner(s), lessee, or renter as the case may be.
 - f) “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.
 - g) “Municipal Law Enforcement Officer” means a person appointed by the Corporation to enforce its by-laws.
 - h) “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.
 - i) “*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.
 - j) “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.
 - k) “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 as more particularly described in Schedule “A” and/or on a provincial highway.

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 their duties;
 - 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 within the limits of the City of Thunder Bay or in proceeding to or from a garage or other premises within the limits of the City of Thunder Bay for fuel or repair of such Vehicle and provided that
 - (i) such deviation shall be made at a point from the Designated Truck Route 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 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 is only accessible by highways that do not form part of the Designated Truck Route;
 - 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 Driver shall operate 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 Driver shall, between the hours of 6 p.m. and 7 a.m. the following day, operate 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. **Administrative Penalties (AMP):** In the event the Corporation adopts an AMP System By-law this By-law may be enforced via the issuance of a penalty notice in accordance with the AMP System By-law.
12. **Offences:** 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 no person shall be convicted of an offence for which a penalty notice has been issued.
13. **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.
14. **General:** Upon the coming into force of this By-Law, By-Law 87-2007 is repealed.
15. **Effect:** This By-law comes into force and takes effect on October 1, 2025.
16. **Repeal Not to Effect Ongoing Proceedings:** Despite sections 14 and 15 of this By-law, after the passage of this By-law, By-law 87-2007 shall remain in effect solely for the purposes of concluding any legal and/or court processes that commenced under its provisions that had not been concluded upon enactment of this By-law.

Enacted and passed this 23rd day of June, A.D. 2025 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Ken Boshcoff

Mayor

Krista Power

City Clerk