

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 14-24

BEING A BY-LAW TO: RESCIND BY-LAW NO. 80-23 APPROVING THE AUGUST 2023 VERSION OF THE SIOUX LOOKOUT COMMUNITY IMPROVEMENT PLAN; APPROVE THE MARCH 2024 VERSION OF THE SIOUX LOOKOUT COMMUNITY IMPROVEMENT PLAN; CREATE THE COMMUNITY IMPROVEMENT PLAN APPLICATION REVIEW COMMITTEE; AND ESTABLISH TERMS OF REFERENCE FOR THE COMMITTEE

WHEREAS the Official Plan for the Municipality of Sioux Lookout includes policies that outline an intent to encourage the rehabilitation and improvement of lands and buildings in the commercial areas of the community, including Hudson; and

WHEREAS the Official Plan for the Municipality of Sioux Lookout establishes that the Municipality may prepare a Community Improvement Plan (CIP) under the provisions of Section 28 of the Planning Act to provide a comprehensive and coordinated plan to encourage improvements to public and private lands; and

WHEREAS By-law No. 80-23, Being a By-law to Adopt Amendments to the Municipality of Sioux Lookout Community Improvement Plan (Version 2.0 – August 2023) in accordance with Section 28 of the Planning Act, R.S.O., 1990, as amended, was passed by the Council of The Corporation of the Municipality of Sioux Lookout on August 16, 2023, and the Plan creates several programs under the CIP for which residents can apply; and

WHEREAS, upon further review of the August 2023 Plan, the Municipality has identified several amendments it wishes to make to the Plan; and

WHEREAS the Municipality wishes to rescind approval of the August 2023 Plan and By-law No. 80-23; and

WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout (“Municipality” or “Council”) wishes to create an internal committee to process applications received for CIP programs; and

WHEREAS Council wishes to establish Terms of Reference for the Committee;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:

- A. RESCIND APPROVAL OF BY-LAW NO. 80-23 AND THE AUGUST 2023 VERSION OF THE SIOUX LOOKOUT COMMUNITY IMPROVEMENT PLAN**
1. By-law No. 80-23, and approval of the August 2023 Version of the Sioux Lookout Community Improvement Plan be and is hereby rescinded.
- B. APPROVE THE MARCH 2024 VERSION OF THE SIOUX LOOKOUT COMMUNITY IMPROVEMENT PLAN**
1. The March 2024 Version of the Sioux Lookout Community Improvement Plan, attached to this By-law as Schedule A, be approved.
- C. CREATE COMMUNITY IMPROVEMENT PLAN APPLICATION REVIEW COMMITTEE AND ESTABLISH TERMS OF REFERENCE FOR THE COMMITTEE**

1. **CREATION OF COMMITTEE**

Council hereby establishes an internal committee to be named the “Sioux Lookout Community Improvement Plan Application Review Committee” (the “Committee” or “CIPARC”) to receive, review, and make decisions or recommendations on applications submitted for CIP programs, subject to such limits and conditions as set out in the CIP, this By-law and that the Municipality considers appropriate.

2. **MANDATE OF COMMITTEE**

The mandate of the Committee shall be:

- To receive applications for CIP programs.
- To review applications for CIP programs, in whole or in part.
- To allocate funds based on Project Area priorities in accordance with the Community Improvement Plan (See Section 3 of CIP.)
- To approve or deny applications for CIP programs for applications within the Committee’s purview. (See Section 7.2 below.)
- To make recommendations to Council on CIP program applications within Council’s purview. (See Section 7.2 below.)
- To make recommendations to Council on changes to CIP programs, and the CIP, if necessary.
- To provide an annual report to Council outlining CIP program activities, grants provided, CIP Project Areas, etc., as set out in this By-law.

3. **GOVERNANCE AND GUIDANCE**

3.1 As applicable, the Committee and Committee Members shall be governed by:

- Municipal Act, 2001, as amended
- Planning Act, R.S.O. 1990, Chapter P. 13, as amended
- The Municipal Freedom of Information & Protection of Privacy Act (MFIPPA)
- The Committee’s Terms of Reference By-law
- The Municipality’s Procedure By-law, if the Committee’s Terms of Reference By-law is silent on a procedural matter.
- Other applicable Legislation

3.2 The Committee and Committee Members shall be guided by the following:

- The Municipal Official Plan
- The Community Improvement Plan (CIP)
- The Downtown Revitalization Plan
- The Municipal Strategic Plan
- Employee Conduct Policy

4. **COMMITTEE STRUCTURE, APPOINTMENTS, ADMINISTRATIVE SUPPORT, REMUNERATION AND CONDUCT**

4.1. The Committee shall consist of a minimum of four and a maximum of nine Committee Members. The Committee shall be comprised of the following:

- Manager of Development Services
- Economic Development Officer
- Treasurer
- CAO
- Any other Municipal Staff as determined by the CAO

4.2 Appointment of Committee Members

Committee Members shall:

4.2.1 be appointed by the Chief Administrative Officer (CAO) of the Municipality;

4.2.2 be eligible for reappointment by the CAO, unless they are replaced by the CAO;

4.2.3 continue to serve until they are replaced by the CAO.

4.3 When No Committee Appointed

Where a Committee has not been created or is not active for any reason, CIP program applications will be brought to Council for a decision through a Staff Report submitted by the Staff Resource or Municipal Staff member designated by the CAO.

4.4 Appointment – Non-Voting Members

The Committee may, by resolution, appoint non-voting resources to assist the Committee, including representatives of government agencies, subject matter experts and other individuals as deemed necessary by the Committee.

4.5 Sub-Committees and/or Ad-Hoc Committees

The Committee shall have the authority to create and appoint, subject to eligibility criteria established by Municipal Policy, Members to serve on standing sub-committees, or project-specific ad-hoc committees, and shall prescribe the purpose(s) of any such established sub-committees or ad-hoc committees. Such committees shall only have the power to make recommendations to the CIPARC. Sub-committee and/or ad-hoc committee members, unless already a member of the CIPARC, shall not have voting privileges on the CIPARC.

4.6 Administrative Support for the Committee – Staff Resource; Recording Secretary

4.6.1 The Manager of Development Services shall be the Staff Resource to the Committee, unless otherwise designated by the CAO. The Staff Resource shall be the sole point of contact between the Committee and Council for administrative matters, and all requests for documentation, reports, support materials, advice/information from other staff (including requests for other staff to attend a Committee Meeting) and other such support shall be funneled through the Staff Resource.

4.6.2 The Recording Secretary shall be appointed by the Staff Resource to the Committee.

4.7 Conduct

All Committee Members shall adhere to the following framework respecting conduct, as applicable to Staff:

- Adhere to Administrative Procedure No. 3-32 – Employee Conduct. (HR Policy).
- Maintain confidentiality, in accordance with Closed Meeting provisions of the Municipal Act, 2001, as amended; the applicable Procedure By-law; and the Municipal Freedom of Information & Protection of Privacy Act.

4.8 Remuneration

4.8.1 Staff Members shall serve as Committee Members without additional remuneration and shall not receive, either directly or indirectly, any pecuniary benefit from their position as such.

4.8.2 Non-voting Members and Sub-Committee or Ad-Hoc Committee Members shall serve without remuneration unless serving in a professional capacity, i.e. a consultant, etc.

4.9 Reasonable Expenses

Notwithstanding Section 4.8 herein, Committee Members shall be entitled to reimbursement for out-of-pocket expenses related to their duties as Committee Members, in accordance with applicable Municipal Policy. Approval for reimbursement of expenses shall be expressed by resolution of the Committee prior to a Committee Member incurring such expense.

5. COMMITTEE OPERATION

5.1 Officers

5.1.1 The Officers of the Committee, being a Chair and a Vice-Chair, shall be elected at its first general meeting of the Municipality's fiscal year by and from among the voting Members.

5.1.2 The Treasurer of the Municipality shall be the Treasurer for the Committee.

5.2 List of Officers to be Provided to Corporate Services Department

The Staff Resource shall provide a complete list of key positions, including contact information, to the Corporate Services Department following the first general meeting of each fiscal year.

5.3 Role of the Chair

5.3.1 The Chair shall be the Presiding Officer of the Committee and shall preside at all meetings of the Committee. In addition to the duties of the Presiding Officer as identified in the Municipality's Procedure By-law, the Chair shall:

- Sign all formal documents within their authority to do so;
- Act as official spokesperson for the Committee when reporting to Council and when communicating the activities of the Committee to other parties;
- Perform such other duties as are usually incident to the office of Chair of the Committee or are required by the Committee.

5.3.2 The role of the Chair shall be assumed by the Vice-Chair when the Chair is absent or unable to perform their duties.

5.4 Meetings

5.4.1 Meetings Not Open to the Public: As an "internal" Municipal Committee, and at which confidential personal, business and/or financial information may be discussed, CIPARC meetings shall not

be open to the public, subject to MFIPPA and Closed Meeting legislation.

5.4.2 Meeting Frequency: Committee meetings shall be held monthly, and more or less often, as required and as determined by the Committee.

5.4.3 Meeting Notice: Committee Members shall be notified of meetings as required.

5.4.4 Quorum: Quorum shall be 50%+1 of currently-appointed voting Committee Members.

5.5 Attendance and Absenteeism:

5.5.1 Committee Members shall endeavour to attend all meetings to ensure the business of the Committee moves forward in a timely fashion.

5.5.2 If a Committee Member is unable to attend, notice (“regrets”) shall be communicated to the Staff Resource no less than 24 hours prior to the meeting. The Committee shall determine, by Resolution at each meeting, whether to excuse a Committee Member’s absence.

5.5.3 If a Committee Member has three consecutive “unexcused” absences, they shall be deemed to have resigned from the Committee. The CAO will remove the Staff Member from the Committee, and appoint another Staff Member.

5.6 Agendas and Minutes

5.6.1 Agendas: Committee Meetings shall be conducted in accordance with appropriate meeting procedures and the Agenda developed for that meeting. Agendas shall be prepared by the Staff Resource and circulated to all Committee Members at least one week prior to the meeting. Agendas shall include all pertinent applications, background materials, reports, and a copy of the previous meetings’ draft Minutes for approval.

5.6.2 Minutes: All of the Committee’s meeting proceedings shall be recorded, in writing, by the Recording Secretary, and these Minutes shall be presented to the Committee at the subsequent meeting (or as soon as possible) for review and approval. Minutes will not be made public except as required under MFIPPA and Closed Meeting legislation.

5.7 Reporting to Council

The Committee shall report annually to Council, in writing, on the grant amounts awarded under the various CIP programs, the Project Areas impacted, the subject properties, and any other activities of the Committee. Such reports will be available to the public.

6. **COMMUNITY IMPROVEMENT GRANT APPLICATIONS**

6.1 Applications for CIP Programs may be submitted between January 1st and March 31st in any year and will generally be processed on a first-come, first-served basis. Decisions will be made no later than the May Council meeting.

6.1.1 Notwithstanding Section 6.1, applications for CIP Programs in 2024 may be submitted between April 1st and June 21st, 2024, and will generally

be processed on a first-come, first-served basis. Decisions will be made no later than the July Council meeting.

- 6.2 Applications received after March 31st will be processed the following year, provided Council has allocated funds for CIP programs. Applicants will be advised of the deferral.
- 6.3 Applications will not be made public except as required under the Municipal Freedom of Information & Protection of Privacy Act.

7. DECISION MAKING AND GRANT AGREEMENTS

7.1 Decision Making

- 7.1.1 All Committee decisions shall be informed by and be in accordance with Section 3 herein, "Governance and Guidance", as applicable.
- 7.1.2 The Committee will make decisions on applications received for the Municipality's CIP programs, subject to Section 7.2 herein.
- 7.1.3 Once a grant application has been approved and the Grant Agreement processed and signed by the Recipient, the Committee shall forward a By-law to Council to authorize execution of the Agreement by the Municipality.

7.2 Exceptions

- 7.2.1 When one application is for three or more programs or for a total grant amount of \$10,000 or more, Committee will review the application and provide a recommendation on disposition of the application to Council through a Staff Report submitted by the Staff Resource.
- 7.2.2 In the case of multiple applications from the same applicant within the CIP Application Intake Period, if approval of an application would activate the "exception" criteria in 7.2.1 (i.e. results in application for three or more programs or grants totalling \$10,000 or more), the Committee shall not decide on the application(s), but shall provide a recommendation to Council on disposition of the application through a Staff Report submitted by the Staff Resource.

8. FINANCIAL ARRANGEMENTS

8.1 Treasurer

The Municipal Treasurer is responsible, as specified in the Municipal Act, 2001, as amended, for handling all of the financial affairs of the Committee.

8.2 CIP Fund/Budget

8.2.1 CIP Program and CIPARC administrative funds shall come from Council's annual budget allocation for such purposes, and shall be housed within the Development Services Department budget.

8.2.1.1 The CIP Program fund shall be a maximum of \$75,000 at any given time, and shall be a combination of Council's annual budget allocation (see Section 8.2.1.2 below) and any remaining Program funds (see Section 8.2.4 below)/

8.2.1.2 Council's annual budget allocation shall be a minimum of \$25,000.

8.2.2 The Committee shall approve applications within the budget allocation provided by Council in the budget/fiscal year.

8.2.3 Once all the CIP Program funding allocation has been awarded, any additional applications received will be held for consideration in the following year, and the Applicants will be advised of such.

8.2.4 If the CIP Program is undersubscribed in any given year, any remaining funds shall be held in a reserve to be added to the CIP funds allocated in the following year, to a maximum of \$75,000.

8.3 Purchasing and Procurement By-law

The Committee shall follow the Municipality's Purchasing and Procurement By-law.

8.4 Expenditures and Purchasing Agent

Notwithstanding Section 8.3 herein, all Committee expenditures shall be approved by the Committee, by resolution, prior to making the expenditure. The Staff Resource (or other designated Municipal staff person) shall be the Purchasing Agent for the Committee. No Committee Member shall incur debt on behalf of the Committee or the Municipality.

9. **APPROVAL AND REVIEW OF TERMS OF REFERENCE; EXPIRATION OF CIP PROGRAM**

9.1 Approval

The Terms of Reference, and any requested amendments thereto, require the approval of Council.

9.2 Review

9.2.1 The Terms of Reference shall be reviewed by the Committee and Council after the Committee's first full year of operation, and annually thereafter.

9.2.2 Council or the Committee may initiate a review of the Terms of Reference at its discretion; however, the Committee shall undertake a review upon the request of Council.

9.3 Expiration of 2024 Community Improvement Plan Program

The 2024 CIP Program shall expire December 31, 2026, at which time the Plan and the Grant Programs shall be reviewed by Staff in terms of effectiveness. A report shall be provided to Council with recommendations as to continuation of the Programs and funding.

10. **RESCIND PREVIOUS BY-LAWS**

Any by-laws that establish or amend the Terms of Reference for the Committee are hereby rescinded

11. **EFFECTIVE DATE/ENACTMENT**

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS SEVENTEENTH DAY OF APRIL, 2024.



Doug Lawrance, Mayor



Brian P. MacKinnon, Municipal Clerk