

April 25, 2025

File no. Z-01-2025

Notice of Passing

City Council passed By-law 103/2025, a Zoning By-law Amendment at 1091 Central Avenue, on the 14th day of April 2025.

The decision of Council is final if a notice of appeal is not received before or on **the last day for filing a notice of appeal, May 18, 2025.**

How to appeal a decision:

An appeal to the Ontario Land Tribunal in respect to all or part of this Zoning By-law Amendment may be made by filing a notice of appeal via the [E-File Portal | Ontario Land Tribunal](https://olt.gov.on.ca/e-file-service) service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting City of Thunder Bay as the Approval Authority. No later than 4:30 p.m. on the **18th day of May 2025**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to CityClerk@thunderbay.ca.

Purpose and effect of by-law

The purpose of By-law Number 103/2025 is to amend the City of Thunder Bay Zoning By-law 1/2022, as amended, as it applies to 1091 Central Avenue. Specifically, this by-law is to permit a motor vehicle service use, and to modify regulations within the Business (BU) Zone to increase the maximum GFA for a storefront in a retail warehouse, reduce the minimum landscaping, and to increase the maximum driveway width.

The effect of the By-law is to rezone the subject lands from "BU" – Business Zone, "BU^{SP52}" – Business Zone with site specific provision 52, "BU^{SP75}" – Business Zone with site specific provision 75 to "BU^{SP110}" - Business Zone with site specific provision 110. Site Specific Provision 110 details the following:

- In addition to the uses permitted within the "BU" Zone, a **Motor Vehicle Service Use** is also permitted.
- The **maximum gross floor area (GFA)** for a storefront in a retail warehouse is 15,500m²
- A maximum **driveway** width of 9.5m is permitted

- A minimum **landscaped area** of 15% of the **lot area**, which must include a 6.0m strip along all lot lines abutting a **street allowance** or a **zone** which permits a residential **use** on the **first storey**.

This By-law applies only to the lands described in By-law Number 103/2025 and does not affect any other lands. A key map showing the location of the lands to which this By-law applies is shown on page 3 of this notice.

The subject lands are not subject to any other application under the Planning Act currently.

Additional information

This Zoning By-law Amendment was approved under Section 34 of the Planning Act, R.S.O. 1990, as amended.

All comments received were considered as part of Council's decision-making process. Council has determined that the application is consistent with all relevant planning legislation and represents good planning

The complete By-law is available for inspection at the Office of the City Clerk in City Hall during regular office hours. Please call (807) 625-2230 for more information or to make an appointment.

Right to appeal

Please note that the rights of third parties to appeal decisions to the Ontario Land Tribunal have been restricted under the Planning Act. Only the applicant, the Minister, specified persons, public bodies, and registered owners of lands to which the by-law applies and who made oral submissions at the public meeting or written submissions to the City before the by-law was passed, will be able to appeal the decision of the City of Thunder Bay to the Ontario Land Tribunal.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at the public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Questions?

If you have any questions about this notice or require accessible accommodations or materials, please contact Shannon Labelle, Acting Senior Planner, at **Shannon.labelle@thunderbay.ca**

Sincerely,

A handwritten signature in blue ink that reads "Krista Power". The signature is fluid and cursive, with the first name "Krista" and last name "Power" clearly legible.

Krista Power,
Director of Legislative Services & City Clerk

Key map of property location:

