



AGENDA MATERIAL

CITY COUNCIL (Public Meeting)

MEETING DATE: MONDAY, APRIL 11, 2022

LOCATION: S. H. BLAKE MEMORIAL AUDITORIUM
(Council Chambers)

TIME: 6:30 P.M.



MEETING: City Council (Public Meeting)

DATE: Monday, April 11, 2022

Reference

CCP - 5/53

OPEN SESSION in the S.H. Blake Memorial Auditorium at 6:30 p.m.

City Council (Public Meeting)

Chair: Mayor Bill Mauro

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - April 11, 2022 - City Council (Public Meeting) **(Page 6)**

WITH RESPECT to the April 11, 2022 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

PUBLIC MEETING PROCEDURES

CITY COUNCIL (PUBLIC MEETING)

Zoning By-law Amendment - 3130 Dawson Road

Report R 58/2022 (Development & Emergency Services - Planning Services) requesting a site-specific Zoning By-law amendment to define and permit an “outdoor self storage” at 3130 Dawson Road. The proposal is to allow for the construction of several “outdoor self storage” buildings on the western side of the lands to provide a service to the surrounding neighbourhood and to diversify the business activities on the lands **(Pages 7 - 15)**

The Applicant’s request conforms to the Provincial Policy Statement and the Official Plan. For these reasons, Administration supports the approval of the proposed Zoning By-law amendment.

THAT a Public Meeting having been held with respect to the application by the Granite Investments Inc., relative to CON B S PT LT 23, municipally known as 3130 Dawson Road, we recommend that the Zoning By-law 100-2010 be amended as follows:

1. That a “mini-warehouse” be defined as a building or part thereof, which is used primarily for the self storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage;

2. That a “mini-warehouse” be permitted within "NC1" – Neighbourhood Centre Zone 1 that applies to the lands; and
3. That there is no parking requirement for a "mini-warehouse".

Subject to the following condition:

That prior to the passing of the amending by-law:

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC)

And

THAT a Public Meeting having been held with respect to the application by the Granite Investments Inc., relative to CON B S P T LT 23, municipally known as 3130 Dawson Road, we recommend that the Zoning By-law be amended as follows:

1. That “outdoor self storage” be permitted within RUC – Rural Commercial Zone and RUC^{H15} – Rural Commercial Zone, subject to holding provision 15, of Zoning By-law 1/2022 that applies to the lands.

Subject to the following condition:

That prior to the passing of the amending by-law:

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC)

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification.

ALL as contained in Report R58/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

REPORTS OF MUNICIPAL OFFICERS

Draft Plan of Subdivision - 1811 Mountain Road

At the March 21, 2022 City Council (Public Meeting), Report R 38/2022 (Development & Emergency Services - Planning Services) relative to Draft Plan of Subdivision - 1811 Mountain Road, was presented. **(Pages 16 - 38)**

In accordance to Section 51(20) of the Planning Act, no decision can be made on the application for draft plan approval of this subdivision until at least 14 days have elapsed from the holding of the public meeting.

Report R 38/2022 (Development & Emergency Services - Planning Services), re-presented.

THAT a Public Meeting having been held with respect to the application by SHORE BAY ESTATES LIMITED to create sixty nine (69) lots, seven (7) blocks, and new streets, as shown on the plan in Attachment "C" to Report 38/2022 (Planning Services) on PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY, municipally known as 1811 Mountain Road (58T-00501), draft plan approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan dated November 27th, 2020 Draft Plan of Subdivision prepared by J.D. BARNES LIMITED in Attachment "C" to Report R 38/2022 (Planning Services);

AND THAT the plan of subdivision proceeds to final approval to the satisfaction of the Engineering & Operations Division, Parks & Open Spaces Section, and Planning Services Division;

That prior to the passing of the By-law for Draft Plan Approval:

1. The proposed amendments to the zoning by-law that would facilitate the proposed plan of subdivision for the subject lands, receives approval from City Council.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the by-law for draft plan approval has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification;

ALL as contained in Report 38/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

New Zoning BL 1/2022 – Additional Recommendation

Memorandum from Leslie McEachern, Director - Planning Services dated April 1, 2022, containing a recommendation relative to the above noted. **(Pages 39 - 41)**

WITH RESPECT to By-law 1-2022, a new Zoning By-law for the City of Thunder Bay, we recommend that pursuant to Section 34(10.0.0.2) of the *Planning Act*, Thunder Bay City Council will consider requests to amend its new Zoning By-law;

AND THAT in accordance with Section 34(17) of the *Planning Act*, Council considers that the changes made to the By-law after the Public Meeting held March 22, 2022 are insufficient to require any further notice;

AND THAT the necessary By-law is presented to City Council for ratification;

ALL as contained in the Memorandum dated April 1, 2022 from Director McEachern.

BY-LAWS

BL 1/2022 - New Comprehensive Zoning By-law

A By-law to repeal and replace By-law Number 100-2010 - The Zoning By-law for The Corporation of the City of Thunder Bay. **(Pages 42 - 43)**

BL 30/2022 - Zoning By-law Amendment at 1811 Mountain Road

A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1811 Mountain Road) **(Pages 44 - 50)**

BL 39/2022 - Site Plan Control Designation - 3130 Dawson Road

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (3130 Dawson Road). **(Pages 51 - 53)**

BL 40/2022 - Zoning By-law Amendment - 3130 Dawson Road

A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (3130 Dawson Road). **(Pages 54 - 58)**

BL 41/2022 - Zoning By-law Amendment - 211 Thompson Road

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay and to remove the holding provision of By-law 1/2022 pursuant to Section 36 of the Planning Act R.S.O., as amended (211 Thompson Road) **(Pages 59 - 62)**

By-law Resolution

By-law Resolution - April 11, 2022 - City Council (Public Meeting) **(Page 63)**

THAT the following By-law(s) be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to repeal and replace By-law Number 100-2010 - The Zoning By-law for The Corporation of the City of Thunder Bay.

By-law Number: BL 1/2022

2. A By-law to amend By-law Number 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1811 Mountain Road)

By-law Number: BL 30/2022

3. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act,

R.S.O. 1990, as amended (3130 Dawson Road).

By-law Number: BL 39/2022

4. A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (3130 Dawson Road).

By-law Number: BL 40/2022

5. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay and to remove the holding provision of By-law 1/2022 pursuant to Section 36 of the Planning Act R.S.O., as amended (211 Thompson Road)

By-law Number: BL 41/2022

ADJOURNMENT



MEETING DATE 04/11/2022 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda

SUMMARY

Confirmation of Agenda - April 11, 2022 - City Council (Public Meeting)

RECOMMENDATION

With respect to the April 11, 2022 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT	R 58/2022
DATE PREPARED	03/22/2022	FILE	Z-11-2021
MEETING DATE	04/11/2022 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 3130 Dawson Road		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by the Granite Investments Inc., relative to CON B S PT LT 23, municipally known as 3130 Dawson Road, we recommend that the Zoning By-law 100-2010 be amended as follows:

1. That a “mini-warehouse” be defined as a building or part thereof, which is used primarily for the self storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage;
2. That a “mini-warehouse” be permitted within "NC1" – Neighbourhood Centre Zone 1 that applies to the lands; and
3. That there is no parking requirement for a "mini-warehouse".

Subject to the following condition:

That prior to the passing of the amending by-law:

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC)

And

THAT a Public Meeting having been held with respect to the application by the Granite Investments Inc., relative to CON B S PT LT 23, municipally known as 3130 Dawson Road, we recommend that the Zoning By-law be amended as follows:

1. That “outdoor self storage” be permitted within RUC – Rural Commercial Zone and RUC^{H15} – Rural Commercial Zone, subject to holding provision 15, of Zoning By-law 1/2022 that applies to the lands.

Subject to the following condition:

That prior to the passing of the amending by-law:

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC)

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification.

ALL as contained in Report No. R58/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested a site-specific Zoning By-law amendment to define and permit an “outdoor self storage” use at 3130 Dawson Road. Approval of the amendment would allow for the construction of several “outdoor self storage” buildings on the western side of the lands, to diversify existing business activities and provide an additional service to the surrounding neighbourhood.

The proposed use conforms to the Provincial Policy Statement and the Official Plan. For these reasons, Administration supports the approval of the proposed Zoning By-law amendment.

DISCUSSION

Description of Proposal

The application proposes to define and permit a “mini-warehouse” on the lands. A “mini-warehouse” is a self-storage facility. The definition that was provided with the application to amend Zoning By-law 100-2010 was:

A building or part thereof, which is used primarily for the self storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage.

The Applicant's proposed definition is in keeping with the "outdoor self storage" definition contained in the proposed 2022 Zoning By-law (Zoning BL 1/2022). The preliminary sketch includes six storage buildings to be located along the western interior side yard.

A copy of the Applicant's sketch is attached as “Attachment B”.

Description of Subject Property and Surrounding Area

The property is located at the northwest corner of Mapleward Road and Dawson Road. The property currently accommodates a convenience store and gas station (Dawson General Store).

Surrounding land uses include a Ministry of Transportation work yard and tourist cabins to the south. There are privately owned single-detached dwellings in the surrounding rural area. A tributary of the McIntyre River runs through the western portion of the lands. A wetland complex exists to the southeast across Dawson Road.

The property is currently zoned, in the 100-2010 Zoning By-law, "NC1" – Neighbourhood Centre Zone 1, "EP" Environmental Protection Zone with the associated EO – Environmental Overlay. It is designated as Rural 1 in the Official Plan. The lands are proposed to be zoned "RUC" – Rural Commercial Zone in the draft Zoning BL1/2022. Since the new Zoning BL1/2022 is scheduled to be presented for approval on April 11, 2022, Administration is proceeding with this application as an amendment to both the current and new Zoning By-laws.

Neighbourhood Comments

A Notice of Application was mailed to property owners on December 10, 2021 outlining the nature of the proposed Zoning By-law amendment. No comments were received from the neighbourhood in response to the notice.

Agency Comments

The following agencies responded and with no objections relating to the proposed amendment:

- Parks & Open Spaces Section
- Engineering & Operations Division
- Transit
- Realty Services Division
- Red Sky Métis
- Fire Rescue

Lakehead Region Conservation Authority (LRCA) has no objections but advises that if work is to be performed within the Regulated Area that a permit from the LRCA is required.

Planning Services Division Comments

1. Provincial Policy Statement, 2020

The proposal is consistent with the Provincial Policy Statement (PPS), 2014, as it is consistent with the policies described in Sections 1.1.1, 1.3.1, and 1.7.1 and does not conflict with any other policies.

In Section 1.1.1 of the PPS, it is stated that healthy, liveable and safe communities are sustained by promoting efficient development, accommodating an appropriate range and mix of uses, including industrial and commercial, to meet long-term needs, and by promoting cost-effective

development patterns and standards to minimize land consumption and servicing costs. The proposal makes efficient use of an existing vacant portion of the property. The proposed use would compliment the current use which serves both the surrounding neighbourhood and the City as a whole. Furthermore the proposed use adds to the mixture of uses in the neighbourhood and is compatible with existing commercial uses.

Section 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Under Zoning By-law 100-2010, the proposed expansion to business, is considered a light industrial use, consistent with a warehouse. However, self-storage is a unique type of business that is compatible with commercial uses as it is small-scale and serves many individuals at once, and is considered a commercial use in Zoning BL 1/2022. Planning Services considers this an appropriate business to add to the range of economic activities and ancillary uses that may be permitted.

Finally, Section 1.7.1 of the PPS states that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness. The proposed use will provide for additional usability of the lands and promote economic prosperity.

2. Growth Plan for Northern Ontario, 2011

The proposal is consistent with the Growth Plan for Northern Ontario, as it supports and promotes healthy living by contributing to a diverse mix of land uses as well as a range and mix of employment types. The proposal does not conflict with any policy in the plan.

3. Official Plan

The proposal contributes to two general goals of the Official Plan (OP). It makes efficient use of an existing commercial property and therefore directs development in an efficient and cost-effective manner. The proposal also promotes the growth of a new business at an appropriate location.

The proposal has been evaluated using the OP's evaluation criteria for planning applications and is considered satisfactory. The existing convenience store and gas bar provides a typical rural neighbourhood scale function. The inclusion of the outdoor self storage provides for another use that may be utilized by the wider rural neighbourhood. The provision for this additional use allows for greater economic opportunities for the existing commercial use.

The subject property is designated as Rural in the OP. Major thoroughfares, such as Dawson Road, are envisioned to provide a range of convenience and service uses that are intended to serve the wider rural neighbourhood. The proposed use will provide a self-storage service on a major thoroughfare in an established rural area that serves both the surrounding neighbourhood and the City as a whole. The nature of the use as an outdoor self storage facility is such that it

provides small storage lockers to individuals, operating as a service. With this in mind, it is closer to a commercial use rather than an industrial one. Therefore, this rural commercial area is considered an appropriate location for the proposed use.

4. Zoning By-law

The subject property is currently zoned "NC1" – Rural Centre Zone 1. A limited variety of commercial uses are permitted at this location. In the draft 2022 Zoning By-law, the lands are zoned "RUC" – Rural Commercial Zone and "RUC^{H15}" – Rural Commercial Zone, and subject to holding provision 15. Holding provision 15 deals with development within the LRCA's regulated area on the eastern portion of the lands. The location of the proposed new buildings may require the holding symbol to be removed subject to LRCA review. The proposed RUC Zone provides for broader range of uses than the current NC1 Zone, however mini-warehouse is not a contemplated use that generally applies throughout the RUC zone.

The proposed amendment will add "outdoor self storage" as an additional use. The existing list of commercial uses will continue to be permitted.

There is no parking rate established in Zoning BL 1/2022 as the spaces are typically accommodated adjacent to the storage units. The Planning Services Division recommends that the no parking be required for the mini-storage use under the current Zoning by-law be included in the amending by-law.

The proposed use and site plan is consistent with all requirements of both the current Zoning By-law and Zoning BL 1/2022 and does not require any additional provisions to accommodate the proposal.

Site Plan Control

It is an objective of the Official Plan to achieve urban design objectives through the process of Site Plan Control for lands that are adjacent to higher order roads and environmental protection areas.

The Planning Services Division recommends the subject property be designated as an area of Site Plan Control (SPC). The SPC process allows Administration to consider site-specific needs and ensure that design and stormwater management best practices are implemented, details which the Zoning By-law does not specifically address.

In this case, an SPC agreement will be required to support the proposed new use. SPC will allow the City to review opportunities for stormwater management and other design elements. Furthermore, the SPC process will facilitate the review of any proposed development ensuring its compliance with Engineering and Operations Division's and the Parks & Open Space section's standards and specifications.

FINANCIAL IMPLICATION

There is an expected increase in tax revenue as the new structures are built and assessed. However, MPAC determines the property class and assessment of properties. If the property is assessed as commercial, 2021 municipal taxes on \$100,000 of commercial assessment is \$2,942.13 and total taxes including education is \$3,822.13.

All design and construction costs associated with this development will be the responsibility of the Applicant.

CONCLUSION

In conclusion, the requested Zoning By-law amendment would permit a use that is compatible with the surrounding area, is consistent with the Provincial Policy Statement, and conforms with the Official Plan. The proposal is consistent with and does not conflict with the Northern Growth Plan for Ontario. As such, Administration supports the proposed Zoning By-law amendment.

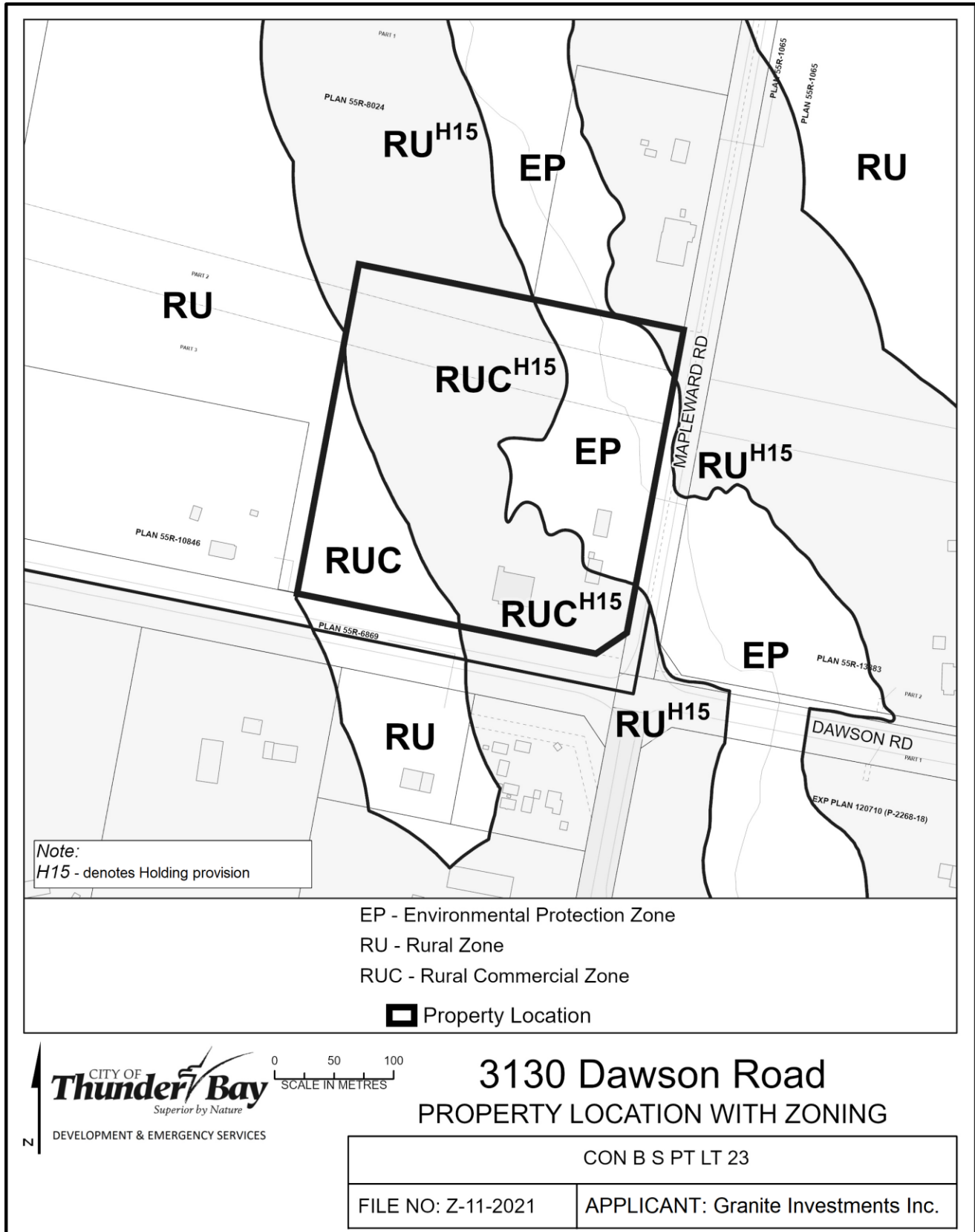
REFERENCE MATERIAL ATTACHED:

Attachment A – Property Location – Zoning BL 1/2022
Attachment B – Applicant's Sketch
Attachment C – Property Location – Zoning BL 100-2010

PREPARED BY: DECIO LOPES, RPP, SENIOR PLANNER

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Karen Lewis, General Manager – Development & Emergency Services	March 31, 2022

ATTACHMENT A – PROPERTY LOCATION



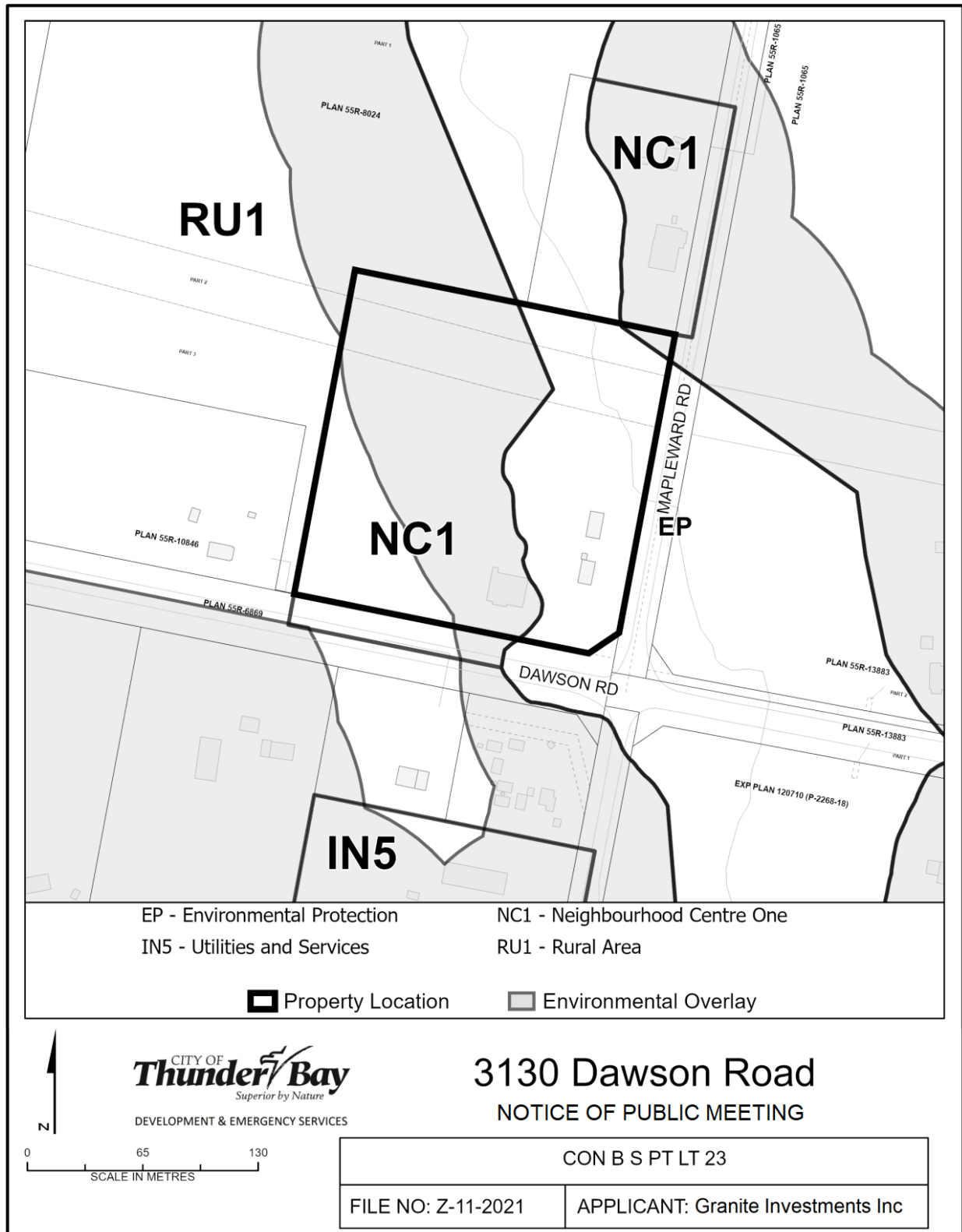
TITLE – PROPERTY LOCATION - ZBL2022			Date: APRIL 2022
PREPARED BY DL	SCALE As Noted	FILE NO. Z-11-2021	

Attachment B – Applicant's Sketch



TITLE: Applicant's Sketch			Date: APRIL 2022
PREPARED BY DL	SCALE As Noted	FILE NO. Z-11-2021	

ATTACHMENT C – PROPERTY LOCATION Current Zoning By-law



TITLE – PROPERTY LOCATION - Current Zoning By-law			Date: APRIL 2022
PREPARED BY DL	SCALE As Noted	FILE NO. Z-11-2021	

MEETING DATE 04/11/2022 (mm/dd/yyyy)

SUBJECT Draft Plan of Subdivision - 1811 Mountain Road

SUMMARY

At the March 21, 2022 City Council (Public Meeting), Report R 38/2022 (Development & Emergency Services - Planning Services) relative to Draft Plan of Subdivision - 1811 Mountain Road, was presented.

In accordance to Section 51(20) of the Planning Act, no decision can be made on the application for draft plan approval of this subdivision until at least 14 days have elapsed from the holding of the public meeting.

Report R 38/2022 (Development & Emergency Services - Planning Services), re-presented.

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by SHORE BAY ESTATES LIMITED to create sixty nine (69) lots, seven (7) blocks, and new streets, as shown on the plan in Attachment "C" to Report 38/2022 (Planning Services) on PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY, municipally known as 1811 Mountain Road (58T-00501), draft plan approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan dated November 27th, 2020 Draft Plan of Subdivision prepared by J.D. BARNES LIMITED in Attachment "C" to Report R 38/2022 (Planning Services);

AND THAT the plan of subdivision proceeds to final approval to the satisfaction of the Engineering & Operations Division, Parks & Open Spaces Section, and Planning Services Division;

That prior to the passing of the By-law for Draft Plan Approval:

1. The proposed amendments to the zoning by-law that would facilitate the proposed plan of subdivision for the subject lands, receives approval from City Council.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the by-law for draft plan approval has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification;

ALL as contained in Report 38/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

ATTACHMENTS

1. Draft Plan of Subdivision - 1811 Mountain Road - re-presented
2. Attachment A to Report R 38/2022
3. Attachment B to Report R 38/2022
4. Attachment C to Report R 38/2022
5. Attachment D to Report R 38/2022
6. Attachment E to Report R 38/2022

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 38/2022
DATE PREPARED	03/07/2021	FILE NO.	58T-00501 Z-09-2020
MEETING DATE	03/21/2021 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment and Draft Plan of Subdivision – 1811 Mountain Road (Shore Bay Estates Limited)		

RECOMMENDATION

Zoning By-law Amendment

(For consideration by Council on March 21st, 2022)

THAT a Public Meeting having been held with respect to the application by SHORE BAY ESTATES LIMITED relative to PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY, municipally known as 1811 Mountain Road, we recommend that the Zoning By-law be amended as follows:

1. That the portion of the lands shown as “PROPERTY LOCATION ONE”, be rezoned from the “R5” – Residential Future Zone to “R1” – Residential One Zone.
2. That the portion of the lands shown as “PROPERTY LOCATION TWO”, be rezoned from the “R5” – Residential Future Zone to “R1-H” – Residential One Zone – Holding.
3. That the “H” symbol be removed from the lands when the Owner demonstrates that these lots can be developed without the use of tertiary treatment systems for the individual septic systems, to the satisfaction of the City’s Engineering & Operations Division and the Thunder Bay District Health Unit.
4. That any temporary turning circle blocks be deemed to form part of the abutting lot for the purpose of calculating area, frontage, depth, coverage, and yard setbacks;
5. That the Minimum REQUIRED LOT FRONTAGE is 30.0 metres in the “R1” Zone.
6. That the Minimum REQUIRED LOT AREA is 2,100.0 square metres in the “R1” Zone.

AND THAT the necessary By-laws are presented to City Council for ratification.

ALL as contained in Report No. R 38/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

Draft Plan of Subdivision

(For consideration by Council on April 11th, 2022)

THAT a Public Meeting having been held with respect to the application by SHORE BAY ESTATES LIMITED to create sixty nine (69) lots, seven (7) blocks, and new streets, as shown on the plan in Attachment "C" to Report No. 38/2022 (Planning Services) on PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY, municipally known as 1811 Mountain Road (58T-00501), draft plan approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan dated November 27th, 2020 Draft Plan of Subdivision prepared by J.D. BARNES LIMITED in Attachment "C" to Report No. R 38/2022 (Planning Services);

AND THAT the plan of subdivision proceeds to final approval to the satisfaction of the Engineering & Operations Division, Parks & Open Spaces Section, and Planning Services Division;

That prior to the passing of the By-law for Draft Plan Approval:

1. The proposed amendments to the zoning by-law that would facilitate the proposed plan of subdivision for the subject lands, receives approval from City Council.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the by-law for draft plan approval has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification;

ALL as contained in Report No. 38/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

Applications have been received to amend the Zoning By-law and subdivide land to facilitate creation of a partially serviced residential plan of subdivision. The subject lands are approximately 54.40 hectares in size and located southeast of Highway 61 and north of Mountain Road. The plan is comprised of 69 lots for single detached dwellings, two stormwater blocks, two walkway blocks, new streets, and four open space blocks.

With regard to Section 51(20) of the Planning Act, no decision can be made on the application for draft plan approval of this subdivision until at least 14 days have elapsed from the holding of the public meeting. The recommendation for approval of the draft plan will be presented to Council for consideration on April 11th, 2022.

Planning Services is recommending approval of the proposal, since it is appropriate and will allow for infilling and minor rounding out within the Rural Settlement Area. The Applicant's request is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, and conforms to the Official Plan. For these reasons, Administration supports the approval of the proposed plan of subdivision and zoning amendment.

DISCUSSION

Description of Proposal

The Applicant proposes to develop the lands for a plan of subdivision that is serviced with municipal piped water, storm sewers, and individual private septic systems. The plan of subdivision is comprised of 69 lots for single detached dwellings, two stormwater blocks, two walkway blocks, new streets, and four open space blocks.

The plan of subdivision would be primarily accessed from Highway 61, with secondary access from Mountain Road for future stages. The Applicant has proposed that the plan of subdivision would be built in four stages as shown on Attachment "D".

The Applicant also seeks to amend the Zoning By-law to establish the necessary regulatory framework for the lands. The associated amendment to the Zoning By-law would rezone the "R5" Zone portion to the "R1" Zone and "R1-H" Zone – Holding, and reduce the minimum lot area and frontage from 10,000 m² and 60.0 m to 2,100 m² and 30.0 m to facilitate the creation of the proposed plan of subdivision.

To support the proposed development, the applicant has submitted an Environment Impact Statement (EIS) including a hydrogeological, groundwater, and natural heritage assessment. This report contains several recommendations which are reflected as conditions of approval shown on Attachment "A" of this report. The EIS concluded that the development of 69 lots would require the use of Advanced (Tertiary) Treatment Systems, in place of conventional septic systems, to comply with the Ministry of Environment, Conservation and Parks guidelines and the Ontario Drinking Water Quality Standards.

The Thunder Bay District Health Unit (TBDHU) was circulated for comment and strongly objected to the use of Advanced (Tertiary) Treatment Systems, citing past issues with homeowners in other suburban areas of the City, who were not adhering to their maintenance agreements. In response, the Applicant has provided a revised calculation which proposes to reduce the overall density of the development in order to eliminate the need for Advanced (Tertiary) Treatment Systems on all proposed lots. The revised calculation confirms that by reducing the number of lots, the total nutrient discharge would be decreased. Thus, allowing all

of the remaining lots to be developed with conventional septic systems, while still satisfying the Provincial guidelines and standards.

As a result, four lots (35, 36, 57, and 58) will be temporarily restricted from development and zoned “R1-H” – Residential One Zone – Holding, until it can be demonstrated that these lots can be developed without the use of Advanced (Tertiary) Treatment Systems. This assessment would be conducted once the subdivision has achieved full build-out and further environmental monitoring has been completed. The TBDHU has since reviewed the revised calculation and no longer objects to the proposed development on this basis.

The layout of the draft plan of subdivision is shown on Attachment “C” to this Report.

Description of Subject Property and Surrounding Area

The subject lands are approximately 54.40 hectares in size and located on the north side of Mountain Road, approximately 1.1 kilometres east of the intersection at Mountain Road and Highway 61, as shown on Attachment “B”. The subject property is currently vacant.

The western portion of the lands are generally flat and consists of open fields and forested areas. The Mosquito Creek watercourse traverses the lands south to north along the eastern boundary of the site, and lands can be characterized as consisting of steeper slopes and vegetated flood plain.

Surrounding land uses are comprised of low-density rural residential development, the South Neebing Community Centre, and the Nor’wester View School.

The subject lands are currently zoned “R1” – Residential Zone One, “R5” – Residential Future Zone, and “EP” – Environmental Protection Zone with an associated “EO” – Environmental Overlay over the Mosquito Creek watercourse. The property is designated Rural Settlement Area and Natural Heritage in the Official Plan.

Neighbourhood Comments

A Notice of Application for the proposed plan of subdivision and zoning by-law amendment was mailed to surrounding property owners on August 12th, 2020. Twenty letters and several phone calls were received from members of the public. The comments have been summarized into two main groups: i. Concerns related to Infrastructure; and, ii. Concerns related to the natural environment

i. Concerns related to infrastructure

Several residents have voiced their concerns with existing infrastructure in the surrounding neighbourhood and the increased pressure that would result from the proposed development. Residents describe Mountain road as being too narrow for the current levels of traffic and assert that the paved shoulder is in disrepair. Furthermore, because there are no sidewalks pedestrians and cyclists are forced onto the road causing safety issues. Concerns in regards to

traffic levels on Highway 61 were also noted as being high for a one-lane highway causing congestion and unsafe passage.

Concerns with increased enrolment and resultant capacity issues at the Nor'wester View School were also raised.

ii. Concerns related the natural environment

Residents raised concerns that the proposed development would be harmful to the natural environment due to increased automotive emissions, removal of greenspace for additional homes, and overland flooding, as a result of raising the water table through the use of partial services. Several residents also noted concerns in relation to the proximity of the proposed development to the Mosquito Creek watercourse.

To date, no comments have been submitted in response to the Public Meeting Notice, which was mailed March 1st, 2022.

Planning Services Division comments on Neighbourhood feedback

i. Response to concerns related to infrastructure

The City has recently completed traffic counts along Mountain Road and 15th Side Road. Evaluation of the results conclude that traffic levels are within the established limits for local roads. The majority of new vehicle traffic resulting from the proposed development would be bound for Highway 61. Other trips via Mountain Road would be negligible and would not increase traffic levels beyond the current level of acceptable levels.

As a result of a traffic study prepared by the applicant and submitted to the Ministry of Transportation, it was concluded that improvements to Hwy 61 are required. As such, any improvements required will be the responsibility of the Owner.

Neither sidewalks or cycling lanes are typically provided for in the Rural Settlement areas of the City. The 2019 Official Plan (as well as previous plans) do not require sidewalks to be constructed in these low density areas. The City's Transportation Master Plan and Active Transportation Master Plan also don't envision sidewalks or cycling lanes in this area.

The Lakehead Public School Board commented on the Notice of Application and indicated the school is not operating at full capacity, and should not be overwhelmed as a result of the approval for new lots.

ii. Response to concerns related to the natural environment

The Applicant has submitted an Environmental Impact Statement (EIS) including a hydrogeological assessment, a groundwater impact assessment, and a natural heritage assessment for the proposed development. The report concludes that the proposed development will have no negative impact on the environment.

Applicant Open House

In response to the neighbourhood concerns raised, after circulating the notice of application, the Applicant hosted an Open House to receive questions and provide further information. The event was held at the Nor'wester Hotel on August 25th, 2021, from 4:00 p.m. to 7:00 p.m.

Approximately fifty people attended. Official Plan, Zoning, and draft plan maps were available on display, as well as copies of the technical reports. The Applicant's consultant as well as staff from Stantec Consulting were available to answer questions.

The Applicant, Stefan Huzan, acting as agent for the proposal, gave a 20 minute presentation followed by answers to questions. A summary of the points made by Stefan Huzan are as follows:

- The Owner intends to proceed in stages, with the first stage including 21 lots accessed solely from Highway 61. The first stage of the plan of subdivision would have no impact on Mountain Road or 15th Side Road.
- The subject lands are currently designated for low-density residential development (and have been since the 2002 Official Plan).
- The proposed development represents infill and rounding out as set fourth in the Official Plan.
- Development standards have significantly improved over the years to ensure that the natural environment is protected, and in particular, to ensure that partially serviced development does not have a detrimental impact upon the water table, adjacent creeks, or streams.
- The Owner has been working in consultation with the Ministry of Transportation and the Lakehead Regional Conservation Authority to ensure that all necessary studies and permits are received and adhered to.

Agency Comments

In response to the Notice of the Applications for Draft Plan of Subdivision and Zoning By-law amendment, comments received from agencies including their requirements, are summarized and discussed below, together with recommendations from the Planning Services Division.

The following agencies offered no objections relating to the proposed subdivision and amendment:

- Hydro One Networks Inc.
- Ministry of Energy, Northern Development and Mines

Synergy North

Synergy North requested that the following conditions be imposed on a draft plan approval:

- Synergy North requires a 3.0 metre easement on all road fronting lots.

- Final easement requirements for all expansion facilities and connection assets to be determined and approved by Synergy North.
- Developer is required to enter into a subdivision agreement with Synergy North.

Ministry of Heritage, Sport, Tourism, and Culture Industries

There has been no correspondence received from the Ministry, however, Planning Services Division notes that the property exhibits high archaeological potential based on the Ministry's evaluation criteria. As such, a minimum Stage 1 Archaeological Assessment by a licensed archaeologist is recommended as a condition of draft plan approval to be completed prior to the subdivision agreement.

Thunder Bay District Health Unit – Sewage Systems (Land Development Program)

The Thunder Bay District Health Unit (TBDHU) did not support the previous plan of subdivision application that was submitted in the early 2000's, due to a number of concerns related to the method of servicing proposed, in particular partial servicing.

The TBDHU has since reviewed the revised reports and no longer objects to the proposed development on this basis.

Thunder Bay District Health Unit – Healthy Living

The Thunder Bay District Health Unit – Healthy Living section does not support the proposal for draft plan of subdivision for the following reasons:

- There are no trail or sidewalk connections for residents to allow for walkability or active transportation
- Distance from commercial areas has potential of food inaccessibility
- Distance from commercial areas will promote an automobile dependant lifestyle
- Infill and intensification in the urban area should be the focus for new housing

Lakehead Public Schools

Based on current information, Lakehead Public Schools anticipates that the Nor'wester View school maintains an 84% utilization capacity and that space is available for more than 60 additional students. Nor'wester View is not operating at max capacity and should not be overwhelmed with the approval of a new subdivision.

Lakehead Region Conservation Authority

The Lakehead Regional Conservation Authority (LRCA) did not support the previous plan of subdivision application due to a number of concerns related to outdated studies and missing information. The applicant has since provided additional information and updates to the required studies. LRCA does not object to the proposed development.

Enbridge Gas Inc.

It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union Gas the necessary easements and/or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Enbridge.

Engineering & Operations Division

The Engineering & Operations Division confirms the applicant has provided or obtained the following studies to their satisfaction which have outlined the overall development and servicing requirements for the development. These studies include:

1. January 2021 – Mosquito Creek Meander Belt and Erosion Hazard Assessment
2. January 2021 – Shore Bay Estates Subdivision Water Distribution Model
3. December 2020 – Environmental Impact Statement, including Hydrogeological Assessment, Groundwater Impact Assessment, and Natural Heritage Assessment.
 - a. January 2022 Memorandum updating the Hydrogeological Assessment to eliminate the need for advanced (tertiary) sewage treatment systems.
4. December 2016 – Highway 61 Residential Developments Traffic Impact Study
5. October 2014 – Stormwater Management Plan
 - a. April 2021 Memorandum updating the Stormwater Management Plan

The Engineering & Operations Division supports the approval of the proposed development in conjunction with the Draft Plan Conditions that are included within Appendix “A” of this report.

Planning Services Division Comments

- Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (GPNO) is a Provincial document that directs growth and economic development in Northern Ontario. Planning Services has determined the application does not conflict with GPNO.

- Provincial Policy Statement 2020 (PPS)

The PPS defines “*Settlement Area*” as designated urban and rural areas within municipalities where development is concentrated with a mix of land uses. New development in rural areas, are to be focused within rural settlement areas and planning authorities must ensure that the scale of development and the provision of appropriate service levels exist.

The PPS states development requiring the use of partial services in rural settlement areas may only be permitted to allow for infilling and minor rounding out of existing development. Site conditions must also be suitable for the long-term provision of such services with no “*Negative Impacts*”. The PPS defines “*Negative Impacts*” as degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. The PPS further states that “*Negative Impacts*” should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards.

The phrase “infilling and minor rounding out” is not defined in the PPS. The Planning Services Division believes that the intent of this policy is to provide opportunities for development that will finish the balance of development existing within a “*Settlement Area*”. The proposed development is located within a rural settlement area and is adjacent to an existing built up area that contains low-density residential uses. As such, the Planning Services Division is of the opinion that the proposed development is considered infilling and minor rounding out of existing development and therefore consistent with the PPS.

As required, the applicant has demonstrated that the site conditions are suitable for the long-term provision of partial services with no “*Negative Impacts*”, the applicant has submitted an Environmental Impact Statement that concludes the proposed development will have no negative impacts.

The Planning Services Division is satisfied that the development proposal is consistent with the PPS.

- Official Plan

The subject property is designated “Rural Settlement Area” on Schedule “C” of the Official Plan. Lands designated as “Rural Settlement Area” are intended to provide a low-density form of residential development appropriately served by schools, places of worship, and recreational facilities.

The proposed development would consist of single-detached dwellings at a low-density that is consistent and in keeping with the surrounding area. The subject lands are located approximately 1.1 kilometres east of the Mountain Road and Highway 61 intersection, where a recreation facility, hotel, restaurant, and gas bar are also located. Furthermore, the lands are adjacent to the Neebing Community Centre and across the road from the Nor’wester View School.

The Official Plan directs that new development in the rural settlement area shall be a minimum lot size of one hectare unless justified by a hydrogeological assessment or a study completed by a qualified professional in accordance with Provincial Guidelines. To support the reduction in lot size, the applicant has submitted an Environmental Impact Statement including a hydrogeological assessment. Administration as well as the Lakehead Regional Conservation Authority and Thunder Bay District Health Unit accepts the conclusion of the report and supports the justification for reduced lot size, as the development will have no negative impact as

defined by the PPS. Planning Services is therefore of the opinion that the development proposal is consistent with the Official Plan.

- Zoning By-law

The subject lands are currently zoned “R1” – Residential Zone One, “R5” – Residential Future Zone, and “EP” – Environmental Protection Zone with an associated “EO” – Environmental Overlay. The amendment to the Zoning By-law would rezone the “R5” Zone portion to the “R1” Zone and “R1-H” Zone – Holding, and reduce the minimum lot area and frontage from 10,000 m² and 60.0 m to 2,100 m² and 30.0 m to facilitate the creation of the proposed plan of subdivision.

Consistent with Official Plan policy, the “R1” and “R5” Zones permit the development of single detached dwellings where there is a minimum lot area and frontage of 10,000 m² and 60.0 m². Because a reduction in lot size is supported by a hydrogeological assessment and consistent with the existing built fabric of nearby subdivisions, Planning Services is of the opinion that the proposed amendment is appropriate.

The intent of the “H” – Holding symbol is to restrict development on Lots 35, 36, 57, and 58. The “H” – Holding symbol would be removed if the Owner can demonstrate that these lots can be developed without the use of tertiary sewage treatment systems, to the satisfaction of the City Engineering and Operations Division and the Thunder Bay District Health Unit.

- Draft Zoning-Bylaw

Under the draft Zoning By-law, the subject lands would be zoned “RS1” – Rural Settlement Zone and “EP” – Environment Protection with an associated “EO” – Environmental Overlay. The established criteria for the “RS1” – Rural Settlement Zone would be similar to the current zoning provisions.

New wetland mapping provided by the LRCA is expected to reduce the current “EP” Zone boundaries on the subject lands and expand the “EO” area. Development that falls within the “EO” area will require a permit from the Conservation Authority prior to construction.

Administration will be presenting the 2nd draft of the new Zoning By-law to Council on March 22nd, 2022.

FINANCIAL IMPLICATION

All of the costs associated with the proposed development will be the responsibility of the applicant. In addition, increased capital and operating costs are expected to service and maintain the development. There is no verifiable evidence that the increased assessment on the lands will defray these additional costs. Based on an assessment of \$400,000 per lot, this development would result in the receipt of municipal taxes, approximately \$400,000 annually.

Staff estimates that the proposed plan of subdivision will result in an additional 5.2 kilometers (2-lane) road and associated infrastructure (storm sewers, watermain and hydrants, street lights, street trees, etc.), up to six new stormwater management facilities, and two large diameter structural culverts. All will require maintenance at the expense of the water / sewer rate and tax base.

It is challenging to determine the actual on-going maintenance and lifecycle renewal costs of a specific development area in isolation. Based on current services levels and costs, it can be expected that the proposed subdivision would require a minimum of \$53,000 annually to be allocated from the tax base for on-going maintenance of the new roads, street lighting, stormwater management facilities and associated infrastructure. This represents approximately 13% of the expected municipal taxes projected for this subdivision. In addition, it can be expected that the proposed subdivision would require a minimum of \$23,000 to be allocated annually from the water / sewer rate, for the on-going maintenance of the water distribution and storm collection systems.

These costs do not include capital rehabilitation and future replacement costs. There would be additional costs attributable to this proposed development associated with a variety of soft services like police and fire protection, community centres and waste collection.

CONCLUSION

In conclusion, Administration recommends that the Zoning By-law be amended and that Draft Plan Approval be granted, subject to the conditions set out in Attachment "D" to this Report. The proposed development is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, conforms to the Official Plan, and represents good planning.

Background

The first draft plan of subdivision application for the subject lands was submitted in the early 2000's. To support the application, several studies were conducted and submitted to the City including the following: preliminary storm water management report, meander belt and erosion hazard assessment study, environmental impact study including natural heritage assessment and hydrogeological and groundwater studies, and a traffic impact study. Review agencies provided comments and requested additional information. The previously completed studies have all been updated and the outstanding information has been provided to the satisfaction of the City and other commenting agencies.

REFERENCE MATERIAL ATTACHED:

- Attachment A – Draft Approval Conditions for file no. 58T-00501
- Attachment B – Property Location
- Attachment C – Draft Plan of Subdivision
- Attachment D – Phasing Plan
- Attachment E – Lots under Holding provision

PREPARED BY: *Jamie Kirychuk, Planner II*

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) Karen Lewis, General Manager – Development & Emergency Services	DATE: March 11, 2022
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ATTACHMENT A - Draft Approval Conditions for File 58T-00501

DRAFT APPROVAL CONDITIONS FOR 58T-00501 apply for a period of 3 years, ending on April 11, 2025 for the plan, shown on Attachment "C" of Report R 32/2022 (Planning Services) being the draft plan prepared by J.D. BARNES LIMITED dated November 27th, 2021, which provides a total of 69 lots for single detached dwellings, two stormwater blocks, two walkway blocks, new streets, and four open space blocks.

STANDARD CONDITIONS:

1. That the proposed Zoning By-law amendment, file no. Z-09-2020, for the subject lands shall be approved by City Council.
2. That the streets shall be named to the satisfaction of the City of Thunder Bay.
3. That Blocks 70, 71, 72, 73, 74, 75, 76, and 77 be conveyed to the City of Thunder Bay.
4. That the owner shall satisfy itself that all lots conform to the requirements of By-law 100-2010, as amended.
5. Easements and Easement Agreements as may be required for utility or drainage purposes shall be granted by the appropriate Authority and that the City is to be advised in writing, by the appropriate authority, as to how this condition has been satisfied.
6. That a 0.3 metre reserve be dedicated to the City at the limits of any streets abutting neighbouring lands, and at the limit of the streets at the end of each stage of development.
7. That the owner shall enter into a general subdivision agreement satisfactory to the City of Thunder Bay to satisfy all the requirements, financial, insurance, and otherwise, concerning the dedication of lands, provision of roads, walkway, parkland, fencing, signage, street lighting, and the installation of services and drainage facilities.
8. That prior to final approval, the owner conduct an archaeological assessment to the satisfaction of the Ministry of Heritage, Sport, Tourism, and Culture Industries and that any recommendations be included in Subdivision Agreement between the City and the owner.
9. That the Owner shall provide a final servicing study prepared by a Professional Engineer, to the satisfaction of the City Engineer, and that any requirements are included in Subdivision Agreement between the City and the Owner.

ATTACHMENT A - Draft Approval Conditions for File 58T-00501

10. That the Owner shall provide a final hydrogeological and geotechnical study prepared by a Professional Engineer for the design of the subdivision, including the road system, stormwater management facilities, and individual septic systems, which shall include an appraisal of the groundwater conditions in the area with recommendations for permanent groundwater control measures, to the satisfaction of the City Engineer. This final study shall include confirmation that the Provincial Policy Statement that site conditions are suitable for the long-term provision of partial services with no *negative impacts*, to the satisfaction of the City Engineer, Planning Services Division, and the Thunder Bay District Health Unit, and that any requirements are included in Subdivision Agreement between the City and the Owner.
11. That the Owner shall prepare a final lot grading, drainage, servicing, stormwater, and erosion control plans prepared by a Professional Engineer, to the satisfaction of the City Engineer, and that any requirements are included in Subdivision Agreement between the City and the Owner.
12. That the Owner shall provide a final stormwater management report prepared by a Professional Engineer and a stormwater facility landscaping plan prepared by a Landscape Architect, addressing the stormwater management quantity and quality control requirements, to the satisfaction of the City Engineer and the Lakehead Region Conservation Authority, and that any requirements are included in Subdivision Agreement between the City and the Owner.
13. That the Owner shall provide a final flood study and hydraulic analysis, including a cut-fill analysis prepared by a Professional Engineer for any water crossings or works proposed in the flood plain, to the satisfaction of the City Engineer and the Lakehead Region Conservation Authority, and that any requirements are included in Subdivision Agreement between the City and the Owner.
14. That the Owner shall provide a final meander belt analysis and erosion hazard assessment, in conjunction with the final geotechnical design and a fluvial geomorphological assessment all to be prepared by a qualified professional, to the satisfaction of the City Engineer and the Lakehead Region Conservation Authority, and that any requirements are included in the Subdivision Agreement between the City and the Owner.
15. That the Owner shall provide a final traffic impact study, prepared by a Professional Engineer, showing the proposed street classifications within the development, the anticipated effects from the development on existing streets and highways that abut or serve the development, staging recommendations including temporary access

requirements, and recommendations for any on-site or off-site traffic related improvements to be completed, to the satisfaction of the City Engineer and the Ministry of Transportation, and that any requirements are included in the Subdivision Agreement between the City and the Owner.

16. That the Owner shall, for each stage of the development, satisfy the City Engineer that the servicing and access requirements for each proposed stage are acceptable, and that any requirements are included in the Subdivision Agreement between the City and the Owner.
17. Specifically related to lots 51 to 56, that the Owner shall demonstrate through an assessment completed by a qualified biologist, that the active broad-winged hawk nest has ceased to be used, otherwise, these lots shall not be developed and a minimum 100 m radius be protected (left undisturbed) around the nest, as long as the nest is occupied.

CONDITIONS TO BE INCLUDED IN A SUBDIVISION AGREEMENT:

18. That the Subdivision Agreement between the City and the Owner contain a provision:
 - a. For the construction of fences along all park blocks, open space, walkway blocks, and stormwater management facilities, to the satisfaction of the Parks & Open Spaces Section and the City Engineer.
 - b. Wherein the Owner agrees to provide and install street, parks, and stormwater facility signage to the satisfaction of the City Engineer and the Parks & Open Spaces Section.
 - c. Wherein the Owner agrees to provide and install a barrier and a “no trespassing” sign at the western limit of the new street abutting the private lands to advise the general public that the lands to the west are privately owned.
 - d. Wherein the Owner agrees to maintain the natural condition of Blocks 70 and 71, and to complete any additional improvements to these lands as may be required, to the satisfaction of the City Engineer, Parks & Open Spaces Section, and the Ministry of Transportation.
 - e. Wherein the Owner agrees to complete any vegetation clearing between late August and mid-April to avoid the migratory bird nesting season, due to the potential for migratory birds to establish nests in the vegetation on-site.
 - f. Wherein the Owner agrees, that for the area of the identified bat roosting habitat, vegetation removal should be avoided, however, if it cannot be avoided, the Ministry of Natural Resources and Forestry timing restrictions for clearing vegetation of May 15 to July 31 (to be confirmed with the MNRF) will be followed.

ATTACHMENT A - Draft Approval Conditions for File 58T-00501

19. That the Subdivision Agreement contain a provision wherein the Owner agrees to include in all offers of purchase and sale the following notices:
- a. For all lots, notice that the adjacent lands to the west of the subdivision are identified for future development.
 - b. For all lots, notice that homeowners should utilize water conservation features and techniques as the lands are serviced with an unlimited supply of City water that will ultimately discharge into the natural environment through their private septic systems.
 - c. For all lots, notice that these lots may be subject to higher than normal water pressures, and the dwellings on these lots shall be equipped with a pressure regulating device to maintain water pressure in the dwelling at less than 550KPa (80 psi).
 - d. For all lots, notice that there is potential for migratory birds to establish nests in the vegetation on site. Any vegetation clearing should be completed between late August and mid-April to avoid the migratory bird nesting season, however, timing restrictions should be verified with the Ministry of Natural Resources and Forestry prior to any vegetation removal.
 - e. For certain lots (to be determined as part of the detailed design for each stage), notice that raised septic beds may be required.
 - f. For certain lots (to be determined as part of the detailed design for each stage), notice that these lots are discouraged from including basements due to the presence of high groundwater and the potential for groundwater elevations to increase over time, or that the basements be constructed above an elevation to be identified by the subdivision developers' Professional Engineer.
 - g. For lots 9, 12 to 16, 33, 34, 37, 38, 48 and 49, notice that a stormwater management facility may be constructed on the adjacent lands, and these facilities will be subject to fluctuating water levels.
 - h. For lots 1 to 16, 21, 22, 29, 30, 33 to 43, 45 to 54, 56, 57, and 61 to 60, notice that a fence may be constructed along the limits of the lots abutting all park blocks, open space, walkway blocks, and stormwater management facilities.
 - i. For lots 21, 22, 29, and 30, notice that these lands abut a public walkway block.
 - j. For lots 10, 13, 35, 37, 41, 49, 57, and 62, notice that these lots may require additional slope stabilization measures or works as they encroach into the stable slope and / or 6m wide access allowance for access to the stable slope.
 - k. For lots 8 to 19, 21 to 23, 26 to 30, 32 to 54, 57, 61, and 62, notice that a permit from the Lakehead Region Conservation Authority may be required prior to the

ATTACHMENT A - Draft Approval Conditions for File 58T-00501

issuance of any building permits and prior to any modifications or grading works to the lots.

1. For lots 1 to 42, and 62 to 69, notice that a permit from the Ministry of Transportation may be required prior to the issuance of any building permits and prior to any modifications or grading works to the lots.

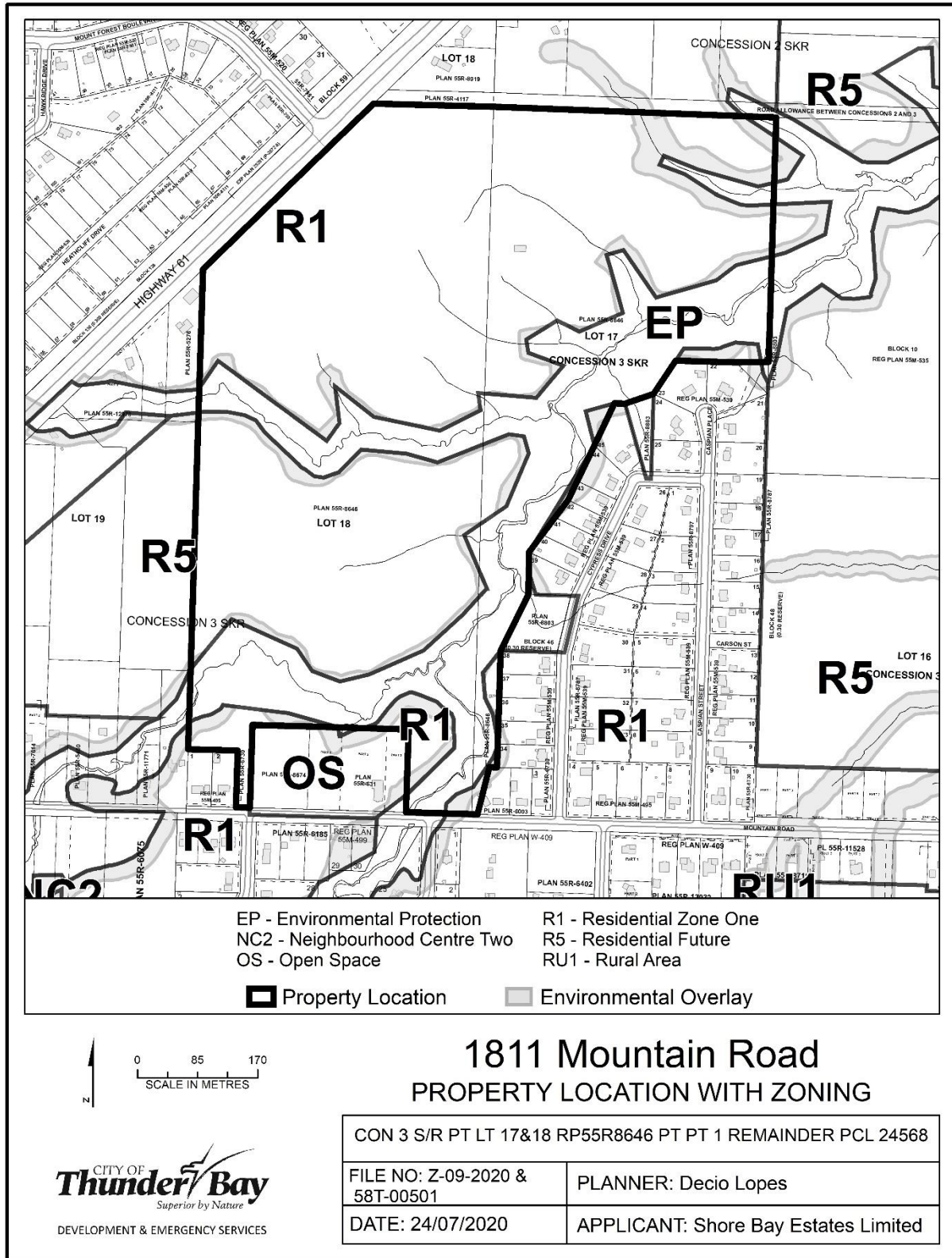
CONDITIONS TO BE COMPLETED AT REGISTRATION OF THE SUBDIVISION:

20. The Owner shall:

- a. Satisfy the City Engineer that the applicable requirements of the *Environmental Assessment Act* have been met.
- b. Satisfy the City Engineer with respect to the dedication of land for drainage and stormwater management purposes.
- c. Satisfy the City Engineer with respect to servicing the subdivision and providing all required easements for drainage, servicing, access, temporary turning circles, or otherwise, and for releasing or modifying any existing easements.

21. The agreement shall be registered against the title of the lands to which it applies.

ATTACHMENT B - Property Location



TITLE: Property Location			Date: March 2022
PREPARED BY JK	SCALE As Noted	FILE NO. Z-09-2020 / 58T-00501	

KEY PLAN SCALE 1:25,000

DRAFT PLAN OF SUBDIVISION
PART OF LOTS 17 & 18
CONCESSION 3, S.K.R.
 GEOGRAPHIC TOWNSHIP OF NEBBING
 CITY OF THUNDER BAY
 DISTRICT OF THUNDER BAY
 SCALE 1:2000

J.D. BARNES LIMITED

LAND USE

LOTS 1-48	RESIDENTIAL	21.33 +/- Ha
STREETS	OPEN SPACE	3.57 +/- Ha
BLOCKS 70, 71, 74, 75	STORM WATER MANAGEMENT	2.78 +/- Ha
BLOCKS 72 & 73	WILDERNESS	24.83 +/- Ha
BLOCKS 76 - 77		0.08 +/- Ha
TOTAL		54.28 +/- Ha

NOTES

LOT FRONTAGES SHOWN ON THE NETWORK ARE BASED ON THE CITY OF THUNDER BAY BY-LAW FRONTAGE DEFINITION USING A 10.0 METRE NETWORK.

ADDITIONAL INFORMATION

LOT FRONTAGES SHOWN ON THE NETWORK ARE BASED ON THE CITY OF THUNDER BAY BY-LAW FRONTAGE DEFINITION USING A 10.0 METRE NETWORK.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT PROPERTIES ARE ACCURATE AND CORRECTLY SHOWN.

DATE _____

OWNER'S AUTHORIZATION

I AUTHORIZE J.D. BARNES LIMITED TO PREPARE THIS DRAFT PLAN OF SUBDIVISION.

SHOREBAY ESTATES

DATE _____

ZONING: R1 - RESIDENTIAL ZONE 1
 EP - ENVIRONMENTAL PROTECTION ZONE
 R5 - FUTURE RESIDENTIAL ZONE

J.D. BARNES LIMITED

LAND INFORMATION
 1. LOTS 17 & 18
 2. CONCESSION 3, S.K.R.
 3. GEOGRAPHIC TOWNSHIP OF NEBBING
 4. CITY OF THUNDER BAY
 5. DISTRICT OF THUNDER BAY

DEVELOPER'S INFORMATION
 1. LOTS 17 & 18
 2. CONCESSION 3, S.K.R.
 3. GEOGRAPHIC TOWNSHIP OF NEBBING
 4. CITY OF THUNDER BAY
 5. DISTRICT OF THUNDER BAY

DEVELOPER'S INFORMATION
 1. LOTS 17 & 18
 2. CONCESSION 3, S.K.R.
 3. GEOGRAPHIC TOWNSHIP OF NEBBING
 4. CITY OF THUNDER BAY
 5. DISTRICT OF THUNDER BAY

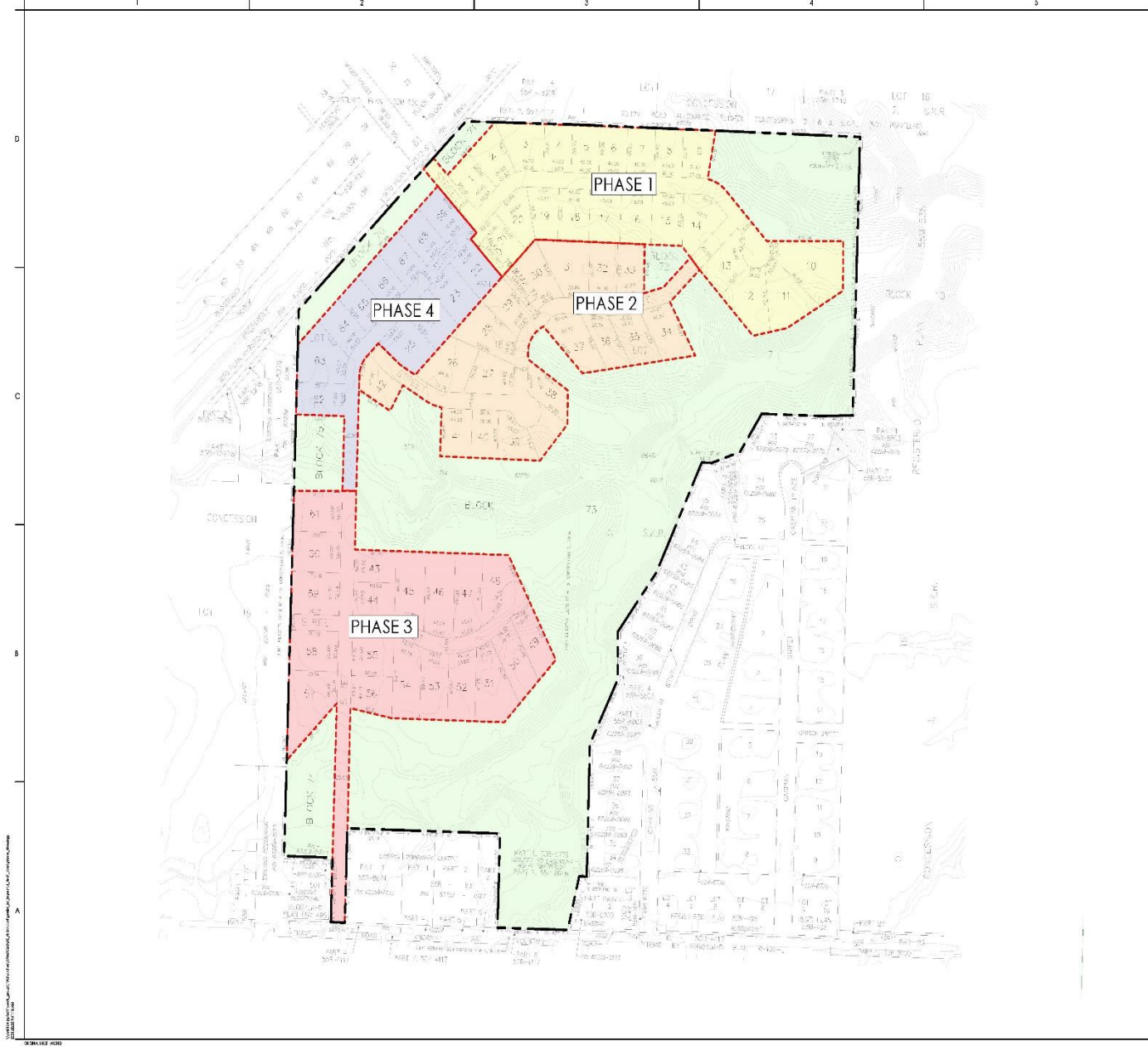
Date: March 2022

SCALE As Noted

FILE NO. Z-09-2020 / 58T-

City Council (Public Meeting) - Monday, April 11, 2022

ATTACHMENT D – Phasing Plan



Stantec Consulting Inc.
 1540 Innovation Office
 Toronto, ON M7S 1A2
 Tel: (877) 624-5646
 www.stantec.com

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 The Consultant is not responsible for any third parties' use of the information contained herein without the written consent of the Consultant.

Consultant

Notes

PHASE 1 - 21 LOTS
 PHASE 2 - 17 LOTS
 PHASE 3 - 19 LOTS
 PHASE 4 - 12 LOTS

Issued

Revised

Permit/Seal

Client/Project Logo

Client/Project
 SHOREBAY ESTATES
 MOUNTAINVIEW TERRACE SUBDIVISION
 HWY 61 AND MOUNTAIN ROAD, THUNDER BAY
 Title
 MOUNTAINVIEW TERRACE
 PHASING PLAN

Project No.
 12910263

Revision Sheet
 00 of 1

Scale
 Drawing No.
 01

TITLE: PHASING PLAN PREPARED BY JK	SCALE As Noted	Date: March 2022
		FILE NO. Z-09-2020 / 581- 00501

H – Lots subject to Holding Provision

Page 38 of 63

MEETING DATE 04/11/2022 (mm/dd/yyyy)

SUBJECT New Zoning BL 1/2022 - Resolution

SUMMARY

Memorandum from Leslie McEachern, Director – Planning Services dated April 1, 2022, containing a recommendation relative to the above noted.

RECOMMENDATION

WITH RESPECT to By-law 1-2022, a new Zoning By-law for the City of Thunder Bay, we recommend that pursuant to Section 34(10.0.0.2) of the *Planning Act*, Thunder Bay City Council will consider requests to amend its new Zoning By-law;

AND THAT in accordance with Section 34(17) of the *Planning Act*, Council considers that the changes made to the By-law after the Public Meeting held March 22, 2022 are insufficient to require any further notice;

AND THAT the necessary By-law is presented to City Council for ratification;

ALL as contained in the Memorandum dated April 1, 2022 from Director McEachern.

ATTACHMENTS

1 L McEachern memo dated April 1 2022

MEMORANDUM

TO: Krista Power, City Clerk
Office of the City Clerk

FROM: Leslie McEachern, Director
Planning Services Division

DATE: April 1, 2022

RE: City Council Meeting – April 11, 2022
New Zoning By-law 1-2022

FILE:

It is recommended that the following resolution be passed prior to the passing of By-law 1-2022, a new Zoning By-law for the City of Thunder Bay.

WITH RESPECT to By-law 1-2022, a new Zoning By-law for the City of Thunder Bay, we recommend that pursuant to Section 34(10.0.0.2) of the *Planning Act*, Thunder Bay City Council will consider requests to amend its new Zoning By-law;

AND THAT in accordance with Section 34(17) of the *Planning Act*, Council considers that the changes made to the By-law after the Public Meeting held March 22, 2022 are insufficient to require any further notice.

AND THAT the necessary By-law is presented to City Council for ratification.

ALL as contained in the Memorandum dated April 1, 2022 from Director McEachern.

Recognizing that a Zoning By-law is an important regulatory document designed to control development in the community, the *Planning Act* does not permit amendments to a new Zoning By-law for a period of two years following its approval. This restriction on amendments acknowledges that the By-law is a document that the City's residents and the development community can rely upon to make development and investment decisions. The *Planning Act* also acknowledges that there may be instances where amendments to the By-law are necessary to support a development proposal that would be of benefit to the community and provides the opportunity for Council to declare by resolution that a request to amend the By-law is permitted. The *Planning Act* outlines three different approaches to how a municipal Council may permit consideration of amendments to a newly adopted zoning by-law. It may pass a new resolution for each amendment it wishes to consider individually, a resolution allowing consideration of all amendments in a specific class, or a resolution allowing consideration of all amendments generally.

It is recommended that Council pass a resolution that would generally allow amendments to the new Zoning By-law to be considered. This will provide Council with the opportunity to consider

the merits of a proposed amendment to determine whether or not the new By-law should be amended without having to pass a new resolution allowing consideration in each instance.

Following the Public Meeting on March 22, 2022 additional feedback on the By-law was received. The following changes and editorial modifications have been made to the By-law to add clarity, improve formatting, and correct errors and omissions. The *Planning Act* provides authority for Council to decide whether further public notice of changes made after the Public Meeting is necessary and that decision is not subject to review.

All of the changes are in keeping with the original intent of the By-law, are in conformity with the Official Plan, and do not require further public notice.

Changes to Layout and Regulations:

- Schedules B and C of the By-law were re-formatted and revised to reflect consistent wording.
- In instances where site specific provisions are no longer required to facilitate the intended development, regulations were removed and the Zoning Map was updated.
- Where necessary, site specific definitions were updated to maintain consistency with the new broader definitions generally contained in the new By-law.
- A site specific provision that was inadvertently omitted was added and the Zoning Map was updated.
- The Main Street and Community Commercial Zones were modified to clarify that residential uses are permitted on any storey that is not the first storey.
- Zone Tables were updated to include provisions that apply generally to uses otherwise not listed in the Tables.
- Landscaping provisions were revised to clarify that requirements apply to lot lines abutting a street allowance.
- The Zoning that applies to the Williams Bog Provincially Significant Wetland was changed from Future Development to Environmental Protection to better reflect the importance of the wetland, and the need for a planning approval, Environmental Impact Study, and Lakehead Region Conservation Authority permit prior to any development.
- The Downtown Zone boundary was adjusted to align with a property boundary and existing land use, consistent with the current By-law.





Memorandum

Corporate By-law Number BL 1/2022

TO: Office of the City Clerk

FROM: Leslie McEachern MCIP, RPP
Development & Emergency Services - Planning Services

DATE: 03/30/2022

SUBJECT: BL 1/2022 - New Comprehensive Zoning By-law

MEETING DATE: City Council (Public Meeting) - 04/11/2022 (mm/dd/yyyy)

By-law Description: A By-law to repeal and replace By-law Number 100-2010 - The Zoning By-law for The Corporation of the City of Thunder Bay.

Authorization: Report R 43/2022 (Planning Services) - City Council (Public Meeting) – March 22, 2022

By-law Explanation: The purpose of this By-law is to pass the new City of Thunder Bay Zoning By-law and repeal By-law 100-2010.

The effect of By-law 1/2022 is to establish a regulatory framework for land use that conforms with the City of Thunder Bay Official Plan.

Schedules and Attachments: Zoning By-law and Schedules (attached separately) – Available for viewing in the Planning Services Division

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 1/2022

A By-law to repeal and replace By-law Number 100-2010 - The Zoning By-law for The Corporation of the City of Thunder Bay.

Recitals:

1. In accordance with Section 26 (1.1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended (the “Act”), a new Official Plan was adopted by The Corporation of the City of Thunder Bay on April 30th, 2018. The Official Plan was approved by the Minister of Municipal Affairs and Housing on March 11th, 2019 through Section 17 of the Act.
2. In accordance with Subsection 26 (9) of the Act, The Corporation of the City of Thunder Bay has undertaken a review of By-law 100-2010, the City of Thunder Bay comprehensive zoning by-law, to update and amend it to bring it into conformity with the Official Plan.
3. In accordance with Subsection 34 (12) of the Act, an open house was held on March 14th, 2022 and notice of a public meeting was given on March 12th, 2022 in the local daily newspaper, “The Chronicle Journal”.
4. In accordance with Subsection 34 (13) of the Act, a public meeting was held on March 22nd, 2022 at which Report No. 43/2022 (Planning Services) was considered.
5. Authority is provided in accordance with Section 34 of the Act to pass a new comprehensive zoning by-law.

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

1. THAT the Zoning By-law for The Corporation of the City of Thunder Bay consisting of Land Use Areas and Zones, Sections 1 through 17, and Schedules “A”, “B”, and “C” attached to this By-law are hereby adopted.
2. By-law 100-2010, The Zoning By-law for The Corporation of the City of Thunder Bay is repealed.

Enacted and passed this 11th day of April, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk

Memorandum

Corporate By-law Number BL 30/2022

TO: Office of the City Clerk **FILE:** Z-09-2020

FROM: Jamie Kirychuk
Development & Emergency Services - Planning Services

DATE: 03/24/2022

SUBJECT: BL 30/2022 - Zoning By-law Amendment - 1811 Mountain Road

MEETING DATE: City Council (Public Meeting) - 04/11/2022 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1811 Mountain Road)

Authorization: Report R 38/2022 (Planning Services) - City Council (Public Meeting) - March 21, 2022

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010 and 1/2022, as amended, the City of Thunder Bay Zoning By-law.

By-law 100-2010 will be amended to rezone the "R5" Zone portion to the "R1" Zone and "R1-H" Zone – Holding, and to reduce the minimum lot area and frontage from 10,000 m² and 60.0 m to 2,100 m² and 30.0 m to facilitate the creation of the proposed plan of subdivision.

By-law 1/2022 will be amended to rezone portions of the land from the "RS1" Zone to the "RS1^{H18} Zone", and to reduce the minimum lot area and frontage from 10,000 m² and 60 m to 2,100 m² and 30 m to facilitate the creation of the proposed plan of subdivision.

Schedules and Attachments:

Exhibit one & Exhibit Two to BL 30/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 30/2022

A By-law to amend By-laws 100-2010 and 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1811 Mountain Road)

Recitals

1. The Corporation of the City of Thunder Bay Zoning By-law 100-2010 was approved on October 18, 2010.
2. A new Corporation of the City of Thunder Bay Zoning By-law 1/2022 was approved on April 11, 2022.
3. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended ("the Act"), to pass a By-law to amend by-law Number 100-2010 of The Corporation of the City of Thunder Bay.
4. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 1/2022 of The Corporation of the City of Thunder Bay.
5. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on March 1st, 2022 and a public meeting was held on March 21st, 2022 which Report No. R 38/2022 (Planning Services) was considered.
6. Council may in accordance with Section 36 of the Act, in a By-law passed under Section 34 of the Act, by use of a holding symbol "H", in conjunction with any use designation, specify the use to which lands, buildings, or structures may be put at such time in the future as the holding symbol is removed by amendment to the By-law.
7. The holding provisions of the Act cannot be used unless Official Plan policies related to their use have been approved. The OFFICIAL PLAN contains policies for using holding provisions.
8. The intent of this By-law is to ensure development may proceed under either By-Law 100-2010 or By-Law 1/2022 and therefore it establishes site specific regulations that provide for the intended use under both By-law Number 100-2010 and By-law Number 1/2022.

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

1. Schedule "B" of By-law Number 100-2010 is amended by adding the following paragraph to it:

- (1) The following parcel of land within THUNDER BAY, in the District of Thunder Bay:

PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY and shown as “Property Location 1” on Exhibit One to and forming part of this Amending By-law,

is removed from the “R5” – Residential Future Zone, as show on Maps 12F and 12G of Schedule “A”, and is instead designated as part of the “R1” – Residential Zone One.

- (2) The following parcel of land (referred to in this paragraph as the ‘affected land’) within THUNDER BAY, in the District of Thunder Bay:

PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY and shown as “Property Location 1”, “Property Location 2”, and “Property Location 3” on Exhibit One to and forming part of this Amending By-law,

is subject to the following provisions:

The provisions of Section 8 and Table 8.2.1 of this BY-LAW continue to apply to the affected land. In addition to all other provisions of this BY-LAW, the affected land is subject to the following provisions:

i) REGULATIONS:

In the case of LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE for SINGLE DETACHED DWELLING the following applies:

The Minimum REQUIRED LOT FRONTAGE is 30.0 m
The Minimum REQUIRED LOT AREA is 2,100.00 m ² for each DWELLING UNIT

- (3) The following parcels of land within THUNDER BAY, in the District of Thunder Bay:

PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY and shown as “Property Location 3” on Exhibit One to and forming part of this Amending By-law,

are designated “R1-H” – Residential Zone One – Holding. No development is permitted until such time as:

- a) The Owner demonstrates that these lots can be developed without the use of tertiary treatment systems for the individual septic systems, to the satisfaction of the City's Engineering & Operations Division and the Thunder Bay District Health Unit, and
- b) The holding provision affecting these lands has been removed by By-law."

2. Schedule "A" of By-law Number 1/2022 is amended by:

- i) adding the superscript "SP86" to the "RS1" – Rural Settlement Zone label on Maps 12F and 12G that applies to the following parcel of land within THUNDER BAY, in the District of Thunder Bay:

PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY and shown as "Property Location 1" and "Property Location 2" on Exhibit Two and to and forming part of this Amending By-law.

- ii) adding the superscript "H18" to the "RS1" – Rural Settlement Zone label on Maps 12F and 12G that applies to the following parcel of land within THUNDER BAY, in the District of Thunder Bay:

PART OF LOTS 17 & 18 CONCESSION 3, S.K.R.; GEOGRAPHIC TOWNSHIP OF NEEBING; CITY OF THUNDER BAY; DISTRICT OF THUNDER BAY and shown as "Property Location 2" on Exhibit Two and to and forming part of this Amending By-law.

3. Schedule "C" of By-law Number 1/2022 is amended by adding the following paragraph to it:

"SP86: Site-specific provision no. 86

The following provisions apply to lands zoned RS1^{SP86}, as shown on Maps 12F and 12G of Schedule "A":

- a) despite the provisions Section 2.1.1, the following applies:
 - i) The minimum required lot frontage is 30.0 m.
 - ii) The minimum required lot area is 2,100.0 m²."

4. Schedule "B" of By-law Number 1-2022 is amended by adding the following paragraph to it:

"H18) Within lands zoned RS1^{SP86 H18} and shown as affected by this provision on Zoning Maps 12F and 12G of Schedule "A", no development is permitted until such time as:

a) The Owner demonstrates that these lots can be developed without the use of tertiary treatment systems for the individual septic systems, to the satisfaction of the City's Engineering & Operations Division and the Thunder Bay District Health Unit, and

b) The holding provision affecting these lands has been removed by By-law."

5. This By-law is in accordance with the OFFICIAL PLAN, as amended.

6. This By-law shall come into force and take effect upon the date it is passed, subject to the provisions of Section 34 of the Act.

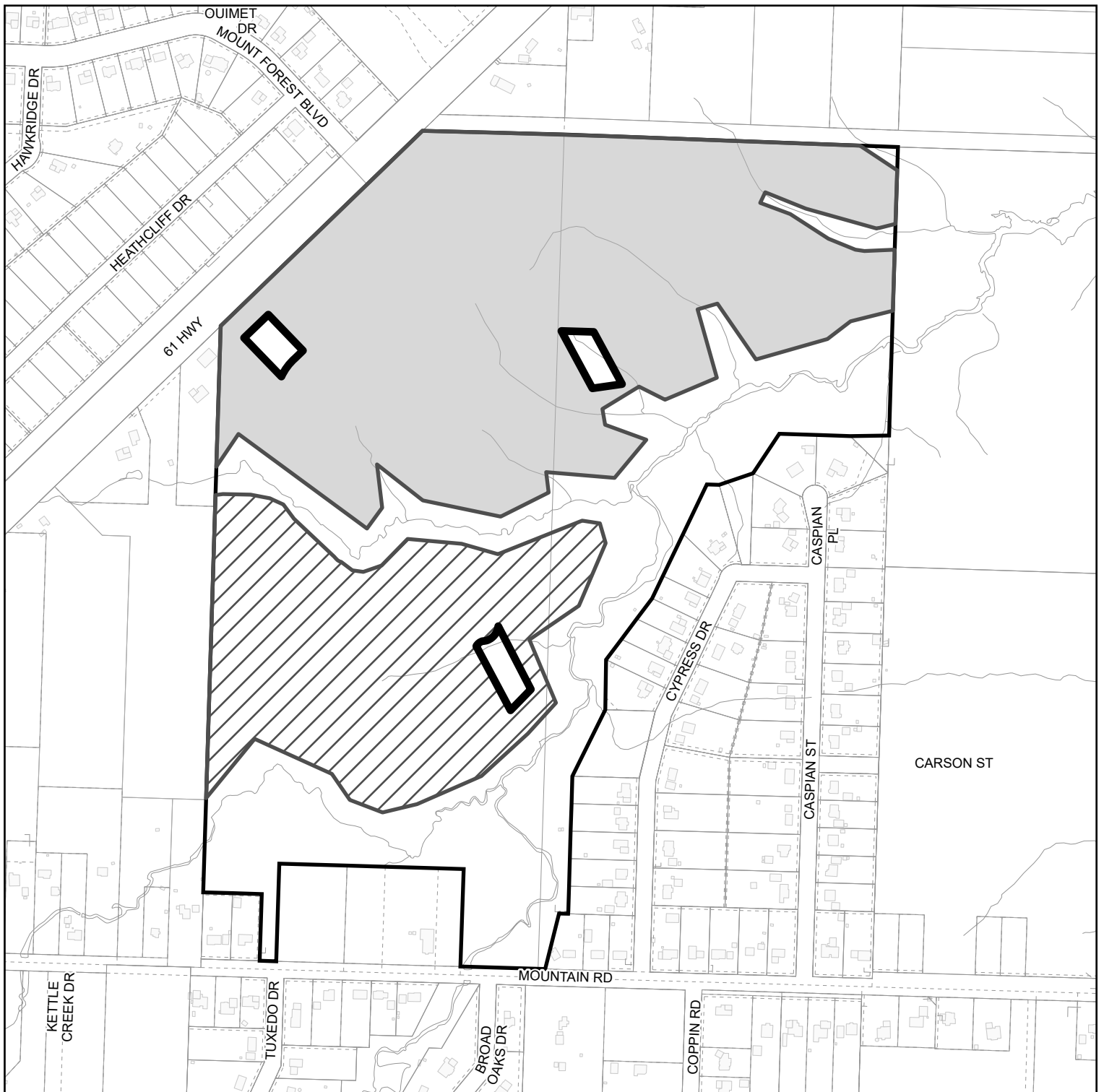
Enacted and passed this 11th day of April, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.




Bill Mauro

Mayor

Krista Power

City Clerk



-  Property Location 1
-  Property Location 2
-  Property Location 3

1811 Mountain Road

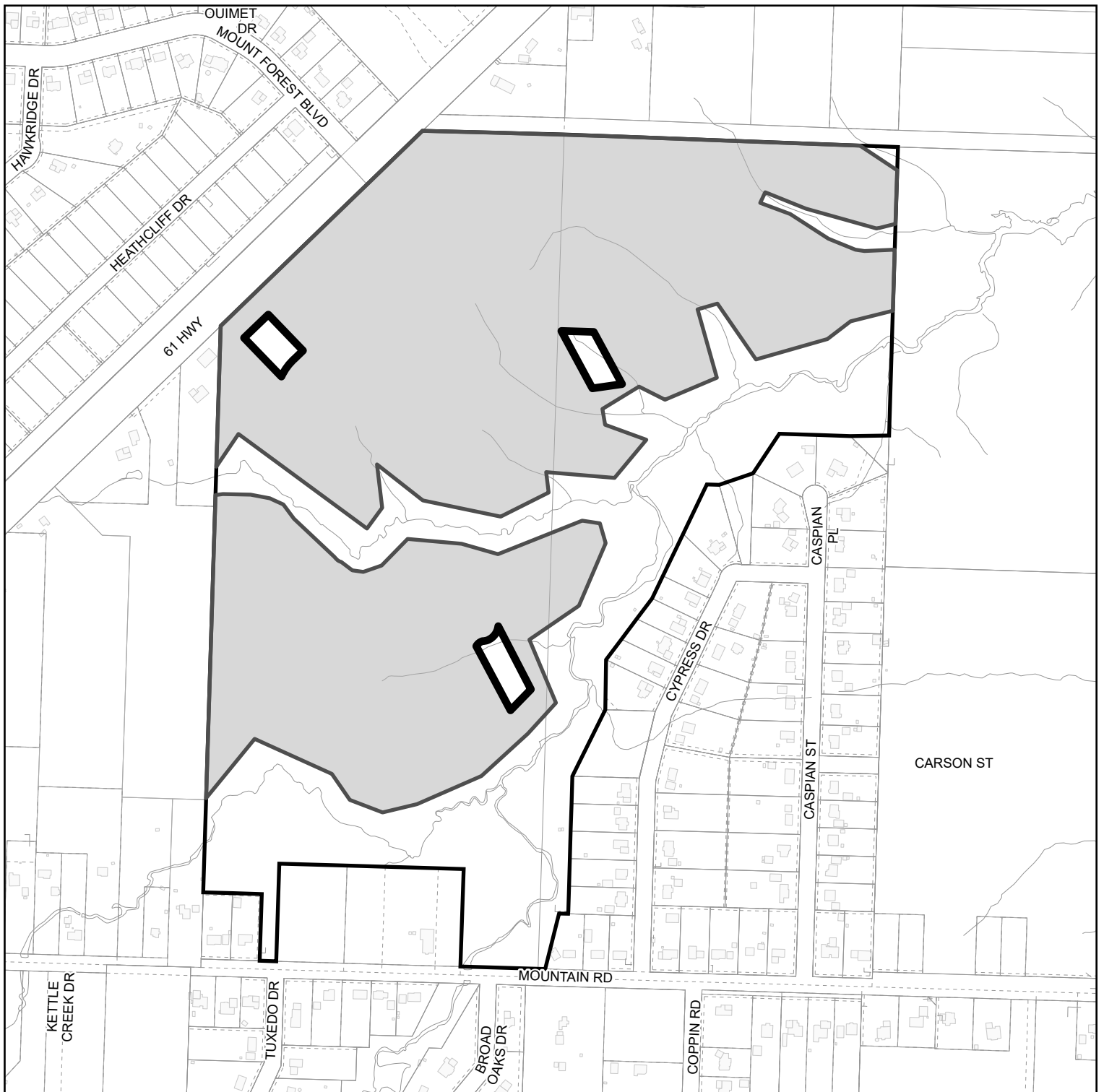
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THIS IS EXHIBIT ONE TO BY-LAW NUMBER BL 30/2022

MAYOR _____

CITY CLERK _____



- Property Location 1
- Property Location 2

1811 Mountain Road

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THIS IS EXHIBIT TWO TO BY-LAW NUMBER BL 30/2022

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 39/2022

TO: Office of the City Clerk **FILE:** Z-11-2021

FROM: Decio Lopes, RPP, Senior Planner
Development & Emergency Services - Planning Services

DATE: 03/29/2022

SUBJECT: BL 39/2022 - Site Plan Control Designation - 3130 Dawson Road

MEETING DATE: City Council (Public Meeting) - 04/11/2022 (mm/dd/yyyy)

By-law Description: A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (3130 Dawson Road).

Authorization: R 58/2022 (Planning Services) - City Council (Public Meeting) – April 11, 2022

By-law Explanation: The purpose of this By-law is to designate an area of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, as it applies to CON B S PT LT 23, municipally known as 3130 Dawson Road.

Schedules and Attachments:

EXHIBIT TO BL 39/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 39/2022

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (3130 Dawson Road).

Recitals

1. Authority is provided in accordance with Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, as amended (the "Act"), to pass a By-law designating a Site Plan Control Area.
2. Council has determined it is necessary to designate a Site Plan Area, as referenced by resolution of the City Council, dated April 11, 2022.

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

1. The lands described in section 2 of this By-law (the "Lands") are designated as a Site Plan Control Area within the meaning of Section 41 of the Act, and no person shall undertake any development on the Lands, until the Council of the Corporation has approved plans and drawings as may be required under Subsection 41(4) of the Act.

2. The Lands to which this By-law applies are more particularly described as follows, namely:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thunder Bay, in the District of Thunder Bay, and being composed of CON B S PT LT 23 and shown as "Property Location" on Exhibit One to and forming part of this By-law.

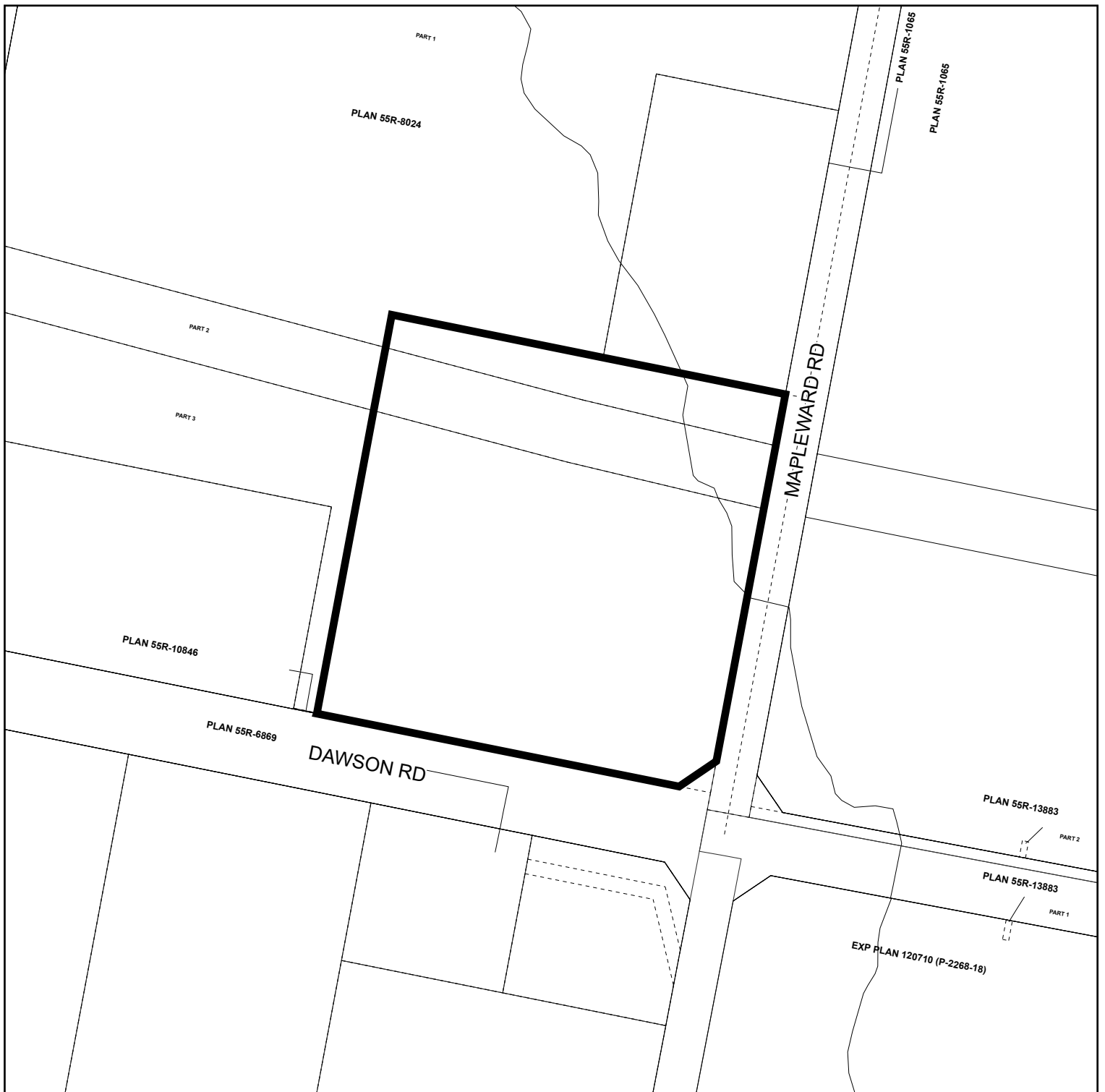
3. This By-law is in accordance with the City of Thunder Bay Official Plan, as amended.


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

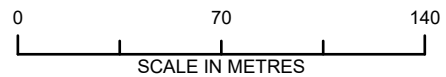
Enacted and passed this 11th day of April, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro
Mayor

Krista Power
City Clerk



Property Location 
3130 Dawson Road



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 39-2022

MAYOR _____

CITY CLERK _____

Memorandum

Corporate By-law Number BL 40/2022

TO: Office of the City Clerk **FILE:** Z-11-2022

FROM: Decio Lopes, RPP, Senior Planner
Development & Emergency Services - Planning Services

DATE: 03/29/2022

SUBJECT: BL 16/2022 - Zoning By-law Amendment - 3130 Dawson Road

MEETING DATE: City Council (Public Meeting) - 04/11/2022 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 100-2010 and By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (3130 Dawson Road).

Authorization: Report R 58/2022 (Planning Services) - City Council (Public Meeting) – April 11, 2022

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010 and By-law 1/2022, as amended, the City of Thunder Bay Zoning By-law, specifically to define and add mini-warehouse as a permitted use in the Neighbourhood Centre Zone 1 and to permit outdoor self storage in the RUC - Rural Commercial Zone.

The effect of this by-law would be to allow for the redevelopment of the lands for a mini storage use/outdoor self storage in addition to all other uses permitted

Schedules and Attachments:

Exhibits One and Two to By-law 40/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 40/2022

A By-law to amend By-law 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (3130 Dawson Road).

Recitals

1. The Corporation of the City of Thunder Bay Zoning By-law 100-2010 was approved on October 18, 2010.
2. A new Corporation of the City of Thunder Bay Zoning By-law 1/2022 was approved on April 11, 2022.
3. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 100-2010 of The Corporation of the City of Thunder Bay.
4. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 1/2022 of The Corporation of the City of Thunder Bay.
5. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on March 22, 2022, and a public meeting was held on April 11, 2022 at which Report No. R 58/2022 (Planning Services) was considered.
6. The intent of this By-law is to ensure development may proceed under either By-law 100-2010 or By-law 1/2022 and therefore it establishes site specific regulations that provide for the intended use under both By-law Number 100-2010 and By-law Number 1/2022.

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

1. Schedule "B" of By-law Number 100-2010 is amended by adding the following paragraph to it:

"195 (1) The following parcel of land (referred to in this paragraph as the "affected land") within THUNDER BAY, in the District of Thunder Bay:

CON B S PT LT 23 and shown as "Property Location" on Exhibit One to and forming part of this Amending By-law,

is subject to the following provisions:

a) Permitted USES:

In addition to the USES permitted in Section 16.1 of this BY-LAW, "mini-warehouse" as defined in paragraph "195(1)b) of this BY-LAW is a permitted USE under Section 16.1.

b) Definitions

"mini-warehouse" means a building or part thereof, which is used primarily for the self storage of household goods, wares,

merchandise, articles and the like, but does not include fuel storage.”

c) Parking

There is no required PARKING SPACES for a "mini-warehouse" as defined in paragraph "195(1)b) of this BY-LAW ”

2. Schedule “A” of By-law Number 1/2022 is amended by:

adding the superscript "SP88" to the "RUC" – Rural Commercial Zone label on Map 3E that applies to the following parcel of land within THUNDER BAY, in the District of Thunder Bay:

CON B S PT LT 23 and shown as "Property Location" on Exhibit Two to and forming part of this Amending By-law.

3. Schedule "C" of By-law Number 1/2022 is amended by adding the following paragraph to it:

"SP88: Site-specific provision no. 88

The following provision applies to lands zoned RUC^{SP88}, as shown on Map 3E of Schedule "A":

- a) In addition to the provisions of Section 1.1.2, **outdoor self storage** is a permitted use."

4. This By-law is in accordance with the OFFICIAL PLAN, as amended.

5. This By-law shall come into force and take effect upon the date it is passed, subject to the provisions of Section 34 of the Act.

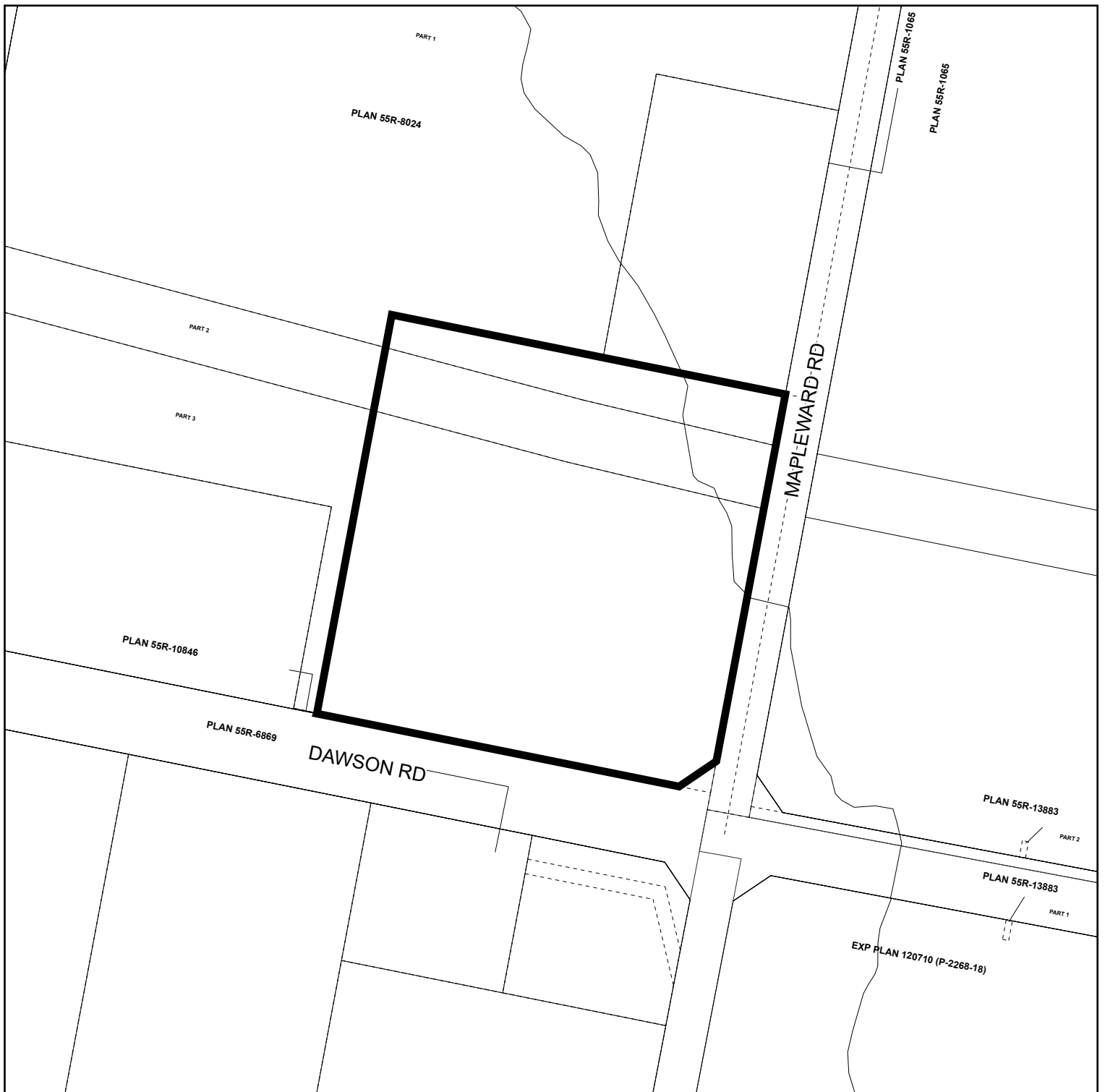
Enacted and passed this 11th day of April A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.


Bill Mauro

Mayor

Krista Power

City Clerk



Property Location 
 3130 Dawson Road

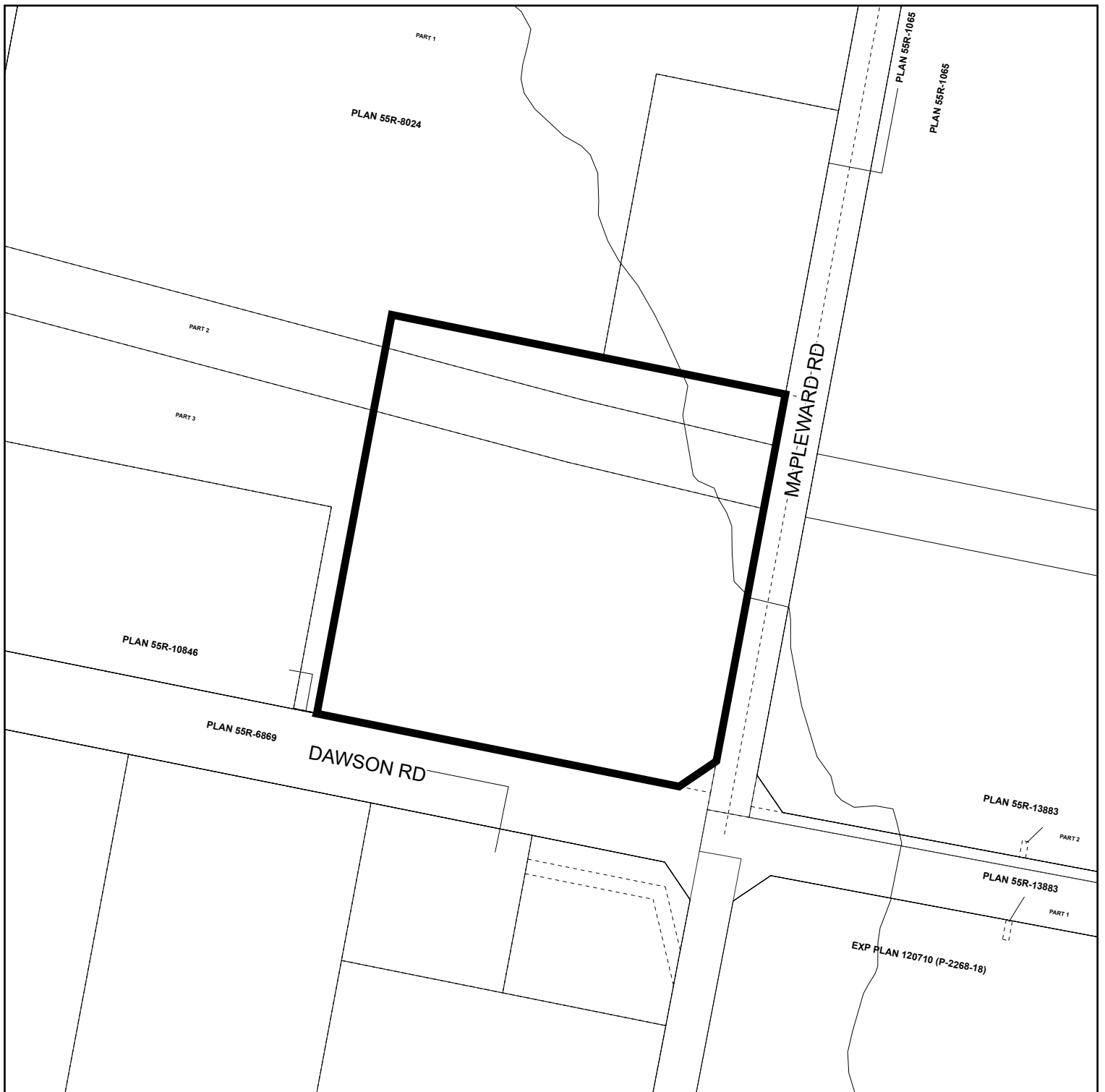
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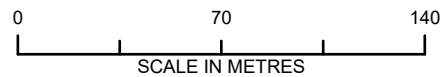
THIS IS EXHIBIT ONE TO PARAGRAPH "195"
 OF SCHEDULE "B" OF BY-LAW 100 - 2010
 AS AMENDED BY BY-LAW NUMBER 40/2022

MAYOR _____

CITY CLERK _____



Property Location 
 3130 Dawson Road



THIS IS EXHIBIT TWO TO BY-LAW NUMBER 40-2022

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 41/2022

TO: Office of the City Clerk **FILE:** Z-08-2021

FROM: Jamie Kirychuk
Development & Emergency Services - Planning Services

DATE: 03/30/2022

SUBJECT: BL 30/2022 - Zoning By-law Amendment – 211 Thompson Road

MEETING DATE: City Council (Public Meeting) - 11/04/2022 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay and Remove Holding provision of By-law 1/2022 pursuant to Section 36 of the Planning Act R.S.O., as amended (211 Thompson Road)

Authorization: Report R 17/2022 (Planning Services) - City Council (Public Meeting) – February 14th, 2022

By-law Explanation: The purpose of this By-law is to amend By-laws 100-2010 and 1/2022, as amended, the City of Thunder Bay Zoning By-law. Specifically, this By-law will amend Zoning By-law 100-2010 by rezoning a portion of the lands from the "EP" Environmental Protection Zone to the "RU1" – Rural Zone One and will amend Zoning By-law 1/2022 by removing the holding provision (H15) from the RUH15 Zone that applies to a portion of the lands.

The effect of this by-law is to develop a portion of the lands with a single detached dwelling.

The condition associated with the passing of this By-law has been fulfilled. The Applicant has entered into the required Notification Agreement.

Schedules and Attachments:

EXHIBIT ONE TO BL 41/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 41/2022

A By-law to amend By-laws 100-2010 and 1/2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (211 Thompson Road)

Recitals

1. The Corporation of the City of Thunder Bay Zoning By-law 100-2010 was approved on October 18, 2010.
2. A new Corporation of the City of Thunder Bay Zoning By-law 1/2022 was approved on April 11, 2022.
3. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 100-2010 of The Corporation of the City of Thunder Bay.
4. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 1/2022 of The Corporation of the City of Thunder Bay.
5. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on January 24th, 2022 and a public meeting was held on February 14th, 2022 at which Report No. R 17/2022 (Planning Services) was considered.
6. The intent of this By-law is to ensure development may proceed under either By-Law 100-2010 or By-Law 1-2022 and therefore it establishes site specific regulations and provides for the removal of the "H" – Holding provision from the lands shown as "Property Location 1" on Exhibit One to provide for the intended use under both By-law Number 100-2010 and By-law Number 1/2022.
7. By-law Number 1/2022 placed the lands shown as "Property Location 1" on Exhibit One to and forming part of this By-law in the RU^{H15} – Rural Zone – subject to holding provision 15.
8. Section 36 of the Planning Act, R.S.O. 1990, provides that Council may pass an amending by-law to remove the holding symbol.

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

1. Schedule "B" of By-law Number 100-2010 is amended by adding the following paragraph to it:

“196 (1) The following parcel of land within THUNDER BAY, in the District of Thunder Bay:

PART LOT 17 PLAN 501 and shown as “Property Location 1” on Exhibit One to and forming part of this Amending By-law,

is removed from the “EP” – Environmental Protection Zone, as shown on Map 5F of Schedule “A”, and is instead designated as part of the “RU1” – Rural Area Zone.”

2. Schedule “A” of By-law Number 1/2022 is amended by:

Removing the superscript "H15" from the “RU” - Rural Zone label on Map 5F that applies to the following parcel of land within THUNDER BAY, in the District of Thunder Bay:

PART LOT 17 PLAN 501 and shown as “Property Location 1” on Exhibit One to and forming part of this Amending By-law.

3. This By-law is in accordance with the OFFICIAL PLAN, as amended.

4. This By-law shall come into force and take effect upon the date it is passed, subject to the provisions of Section 34 of the Act.

Enacted and passed this 11th day of April, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk

MEETING DATE 04/11/2022 (mm/dd/yyyy)

SUBJECT By-law Resolution

SUMMARY

By-law Resolution - April 11, 2022 - City Council (Public Meeting)

RECOMMENDATION

THAT the following By-law(s) be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to repeal and replace By-law Number 100-2010 - The Zoning By-law for The Corporation of the City of Thunder Bay.

By-law Number: BL 1/2022

2. A By-law to amend By-law Number 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1811 Mountain Road)

By-law Number: BL 30/2022

3. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (3130 Dawson Road).

By-law Number: BL 39/2022

4. A By-law to amend By-law 1-2022 (The Zoning By-law) of The Corporation of the City of Thunder Bay (3130 Dawson Road).

By-law Number: BL 40/2022

5. A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (211 Thompson Road)

By-law Number: BL 41/2022