



MEETING: City Council (Public Meeting)

DATE: Monday, September 17, 2018

Reference No. CCP - 11/49

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

City Council (Public Meeting)

Chair: Mayor K. Hobbs

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - September 17, 2018 - City Council (Public Meeting)

With respect to the September 17, 2018 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)

REPORTS OF MUNICIPAL OFFICERS

Zoning By-law Amendment - 1460 Dawson Road (St Joseph s Foundation of Thunder Bay)

Report No. R 126/2018 (Development Emergency Services - Planning Services) presenting an application seeking to amend the Zoning By-law to permit the conversion of the Thunder Bay Inn, located at 1460 Dawson Road, to a “Transitional Recovery Housing and Education Facility.” This is to be defined specifically as a Residential Care Facility that will provide 24-hour supervised accommodation, educational support, and counselling for up to 30 persons, typically for 6 to 9 months.

Residential Care Facilities are permitted where residential uses are. Residential uses are permitted in the rural area, but they are limited. However, the intent of this facility is to provide support programming that is targeted to the gaining of life skills, problem resolution, stress management, relapse prevention, and recreation for a temporary period. Due to the specific direction of this facility, the large rural lot is well suited to the proposed use. Additionally, the hotel building is well suited to the proposed use and will require relatively minor renovations.

The Applicant's request is supported by the Provincial Policy Statement's objective to promote a healthy, safe, supportive and socially inclusive community and to promote sustainability and resilient development through the re-purposing of existing buildings. It is consistent with the policies of the both the adopted 2018 Official Plan and the current 2002 Official Plan. The use is considered appropriate for its location and is compatible with surrounding uses. Administration supports the approval of the proposed Zoning By-law amendment.

THAT a Public Meeting having been held with respect to the application by St. Joseph's Foundation of Thunder Bay, relative to Mining Location R2, West Part, MR251, we recommend that the Zoning By-law be amended as follows:

1. That "Transitional Recovery Housing and Education Facility" is defined as a RESIDENTIAL CARE FACILITY for the 24 hour supervised accommodation, educational support, and counselling of up to 30 persons at any one time where such on-site support programming is targeted to the acquisition of life skills, problem resolution, stress management, relapse prevention, and recreation; typically for a six to nine month duration.
2. That "Transitional Recovery Housing and Education Facility" be added as a permitted use in the "C3" – Highway Commercial ZONE within the existing main building at this location.

Subject to the following condition:

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

1. The Applicant files a Record of Site Condition, pursuant to the Environmental Protection Act s. 168 and Ontario Regulation 153/04, for the subject property confirming the site conditions are appropriate for the proposed use.
2. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) 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-law is presented to City Council for ratification.

ALL as contained in Report No. R 126/2018 (Planning Services) as submitted by the Development Emergency Services Department.

Draft Plan of Subdivision - 2160 West Arthur Street

At the August 27, 2018, City Council (Public Meeting), Report No. R 105/2018 (Development Emergency Services - Planning Services) relative to Draft Plan of Subdivision - 2160 West Arthur Street, 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. The recommendation for approval of the draft plan as contained in the Report will be presented to Council for consideration on September 17, 2018.

Report No. R 105/2018 (Development Emergency Services - Planning Services) re-presented.

THAT a Public Meeting having been held with respect to the application by Copper Crescent Holdings Limited, to create 9 lots for single detached dwellings on Concession 3 NKR, Part of Lot 21, 2160 West Arthur Street (58T-18501), Draft Plan Approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan to Report No. R 105/2018 (Planning Services) as shown in Attachment "C";

AND THAT the Plan of Subdivision proceeds to Registration to the satisfaction of Administration;

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

ALL as contained in Report No. R 105/2018 (Planning Services), as submitted by the Development Emergency Services Department.

Draft Plan of Condominium - 1698251 Ontario Inc. - 1226 Dawson Road

Report No. R 127/2018 (Development Emergency Services - Planning Services) presenting an application to reconsider draft plan approval of a plan of condominium comprised of a 24 unit residential building at 1226 Dawson Road.

THAT with respect to Report No. R127/2018 (Planning Services), we recommend that the application by 1698251 Ontario Limited, for a plan of condominium for the creation of 24 dwelling units on a portion of Part of Mining Location, 1226 Dawson Road, be given draft plan approval for a period of 3 years, ending on September 17, 2021, subject to the conditions outlined in Attachment "B" to this Report;

AND THAT any necessary by-laws be presented to City Council for ratification;

ALL as contained in Report No. R127/2018 (Planning Services), as submitted by the Development Emergency Services Department.

Zoning By-law Amendment - 1125 Golf Links Road (1902130 Ontario Ltd.)

Report No. R 128/2018 (Development Emergency Services - Planning Services) presenting an application seeking to rezone the lands to the "IN6" – Prestige Industrial Zone and amend the permitted uses and regulations of the Zoning By-law in order to permit the development of the lands at 1125 Golf Links Road with a four storey hotel, conversion of the existing house to an office, and to establish development parameters to guide compliance with the Official Plan and Urban Design Guidelines.

The Planning Services Division is of the opinion that the proposed uses are appropriate, given the proposed development parameters, at this location, and would be compatible with the surrounding business park area.

Administration is recommending support of the proposed amendment. The proposal is consistent with the Provincial Policy Statement, Official Plan criteria and is compatible with the surrounding land uses.

THAT a Public Meeting having been held with respect to the application from 1902130 Ontario Ltd. (R. Zanette), to amend the Zoning By-law as it applies to Registered Plan 760, north part of Lot 19, we recommend the Zoning By-law be amended as follows:

1. That the subject lands, shown as "Property Location 1 and 2" on Attachment "A" be rezoned from the "FD" – Future Development Zone the "IN6" – Prestige Industrial Zone;
2. Add "Office" as a permitted use, within the existing building, in the "IN6" – Prestige Industrial Zone;
3. Add "Hotel" as a permitted use in the "IN6" – Prestige Industrial Zone on "Property Location 2";
4. Establish a maximum rear yard of 12 metres;
5. Amend the minimum required landscaped open space to be 15% of the lot area which includes landscaped open space in the form of a 3.0 m wide strip along all lot lines.

Subject to the following conditions:

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

1. The subject property, as shown on Attachment "A" as "Property Location 1 and 2", is designated as an area of Site Plan Control; and
2. The applicant shall submit the appropriate building permit applications to decommission the single detached dwelling, to the satisfaction of the Building Services Division.

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. R128/2018 (Planning Services), as submitted by the Development Emergency Services Department.

Zoning By-law Amendment - 1457 John Street Road (John and Beverly McCrae)

Report No. R 129/2018 (Development Emergency Services - Planning Services) presenting an application requesting to amend the Zoning By-law to change applicable zoning to "MU2" – Mixed Use Zone Two from "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368 Zoning By-law 177-193, and to amend the regulations of the "MU2" – Zone as they apply to the Subject Lands on the south side of John Street Road between Moore Avenue and Woodcrest Road. The Applicant is proposing to construct a total of three new buildings on the site: one townhouse dwelling and two apartment dwellings. The single detached dwelling unit that already exists will remain in place, bringing the total number of dwelling units on the site to a maximum of 17.

Administration finds the Applicant's proposal to be consistent with the Provincial Policy Statement, 2014, in keeping with the goals and objectives of the Official Plan, is consistent with the intent of the Holding provisions, and supports the City's policies that encourage residential intensification and multiple housing forms in areas with municipal services.

THAT a Public Meeting having been held with respect to the application by relative to Registered Plan 371, Part Lot 8, Reference Plan 55R8515 Part 14, 15 & 20, municipally known as 1457 John Street Road, we recommend that the Zoning By-law be amended as follows:

1. THAT the Zoning By-law 100-2010 be amended to change the applicable zoning to "MU2" – Mixed Use Zone Two from the "R1" – Residential Zone One and the "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368' Zoning By-law 177-1983.

The following amendments apply to the regulations of the "MU2" – Mixed Use Zone Two Zone as it applies to the Subject Lands

2. THAT Section 14.1(b) and 14.1(c) do not apply;
3. THAT the number of main uses per site be increased to 3 from 1;
4. THAT the number of main buildings per site be increased to 6 from 1;

5. THAT the maximum number of dwelling units per apartment dwelling and townhouse dwelling be 6;
6. THAT the total number of dwelling units on the site be limited to 17;
7. THAT the minimum required lot frontage for a an apartment dwelling and/or a townhouse dwelling be 20 metres;
8. AND THAT the existing single detached dwelling be recognized as a permitted use.

THAT prior to the passing of the amending By-law

1. The Subject Lands be designated as an area of Site Plan Control.

ALL as contained in Report No. R 129/2018 (Planning Services) as submitted by the Development Emergency Services Department.

BY-LAWS

BL 87/2018 - Site Plan Control Designation - 1460 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. (1460 Dawson Road)

BL 90/2018 - Site Plan Designation - 1457 John Street 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. (1457 John Street Road)

BL 91/2018 - Zoning By-law Amendment - 1457 John Street Road

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1457 John Street Road)

BL 92/2018 - Site Plan Control Designation - 1125 Golf Links 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. (1125 Golf Links Road)

BL 93/2018 - Zoning By-law Amendment - 1125 Golf Links Road

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1125 Golf Links Road)

By-law Resolution

By-law Resolution - September 17, 2018

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 designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1460 Dawson Road)

By-law Number: BL 87/2018

2. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (1457 John Street Road)

By-law Number: BL 90/2018

3. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1457 John Street Road)

By-law Number: BL 91/2018

4. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1125 Golf Links Road)

By-law Number: BL 92/2018

5. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1125 Golf Links Road)

By-law Number: BL 93/2018

ADJOURNMENT

MEETING DATE 09/17/2018 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda

SUMMARY

Confirmation of Agenda - September 17, 2018 - City Council (Public Meeting)

RECOMMENDATION

With respect to the September 17, 2018 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

DEPARTMENT/ DIVISION	Development Emergency Services - Planning Services	REPORT NO.	R 126/2018
DATE PREPARED	22/08/2018	FILE NO.	Z-17-2018
MEETING DATE	9/17/2018 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 1460 Dawson Road (St Joseph's Foundation of Thunder Bay)		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by St. Joseph's Foundation of Thunder Bay, relative to Mining Location R2, West Part, MR251, we recommend that the Zoning By-law be amended as follows:

1. That "Transitional Recovery Housing and Education Facility" is defined as a RESIDENTIAL CARE FACILITY for the 24 hour supervised accommodation, educational support, and counselling of up to 30 persons at any one time where such on-site support programming is targeted to the acquisition of life skills, problem resolution, stress management, relapse prevention, and recreation; typically for a six to nine month duration.
2. That "Transitional Recovery Housing and Education Facility" be added as a permitted use in the "C3" – Highway Commercial ZONE within the existing main building at this location.

Subject to the following condition:

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

1. The Applicant files a Record of Site Condition, pursuant to the Environmental Protection Act s. 168 and Ontario Regulation 153/04, for the subject property confirming the site conditions are appropriate for the proposed use.
2. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) 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-law is presented to City Council for ratification.

ALL as contained in Report No. R 126/2018 (Planning Services) as submitted by the Development Emergency Services Department.

EXECUTIVE SUMMARY

This application seeks to amend the Zoning By-law to permit the conversion of the Thunder Bay Inn, located at 1460 Dawson Road, to a “Transitional Recovery Housing and Education Facility.” This is to be defined specifically as a Residential Care Facility that will provide 24-hour supervised accommodation, educational support, and counselling for up to 30 persons, typically for 6 to 9 months.

Residential Care Facilities are permitted where residential uses are. Residential uses are permitted in the rural area, but they are limited. However, the intent of this facility is to provide support programming that is targeted to the gaining of life skills, problem resolution, stress management, relapse prevention, and recreation for a temporary period. Due to the specific direction of this facility, the large rural lot is well suited to the proposed use. Additionally, the hotel building is well suited to the proposed use and will require relatively minor renovations.

The Applicant’s request is supported by the Provincial Policy Statement’s objective to promote a healthy, safe, supportive and socially inclusive community and to promote sustainability and resilient development through the re-purposing of existing buildings. It is consistent with the policies of the both the adopted 2018 Official Plan and the current 2002 Official Plan. The use is considered appropriate for its location and is compatible with surrounding uses. Administration supports the approval of the proposed Zoning By-law amendment.

DISCUSSION

Description of Proposal

The Applicant intends to convert the former Thunder Bay Inn to a “Transitional Recovery Housing and Education Facility” operated by the St. Joseph’s Foundation with a capacity of up to 30 clients. The proposed Zoning By-law amendment would define a Transitional Recovery Housing and Education Facility as:

As a Residential Care Facility for the 24 hour supervised accommodation, educational support, and counselling of up to 30 persons at any one time where such on-site support programming is targeted to the acquisition of life skills, problem resolution, stress management, relapse prevention, and recreation; typically for a six to nine month duration.

This definition distinguishes this use from other Residential Care Facilities and specifies its temporary and transitional nature. The proposed amendment would add a Transitional Recovery Housing and Education Facility as a permitted use in the existing main building at this location.

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

Description of Subject Property and Surrounding Area

The subject property is located on the north side of Dawson Road, east of Hazelwood Drive. It is located less than one kilometre away from the Urban Settlement Area and is considered to be rural in nature. The property is not along a transit route and is located on a major highway. It is an approximately 5 minute drive away from a variety of amenities at County Fair Plaza.

The property is large and is mostly landscaped open space. Currently existing on the property is an operating 17-unit hotel, and behind it, an accessory storage building. The surrounding area is represented by a mixture of commercial, industrial, and low-density residential uses. The property is directly adjacent to a single-detached dwelling to the east and a hotel to the west.

The area is designated as "Rural Residential" in the 2002 Official Plan and "Rural 2" in the 2018 Official Plan. The property is zoned "C3" – Highway Commercial Zone, while surrounding properties are mainly zoned "RU2" – Rural Residential Zone.

Neighbourhood Comments

A Notice of Application was mailed to area residents on July 4, 2018 outlining the nature of the proposed Zoning By-law amendment. Eight residents offered objections and seven residents expressed concerns.

The following reasons were commonly provided in objection letters:

- Loss of property value and/or loss of business
- Increase in neighbourhood crime
- Interruptions from increased medical responses (i.e. sirens and lights) and facility's security protocols
- Lack of client safety due to high traffic on Dawson Road

Both objectors and concerned residents wanted more information about the facility's protocols (i.e. security protocols and type of supervision) and the characteristics of the proposed clients (i.e. age group, gender, and need for facility).

As the Zoning By-law regulates land use and not people, matters relating to the clients and staff of the facility were not considered in providing a recommendation to City Council. However, the neighbourhood questions and concerns were provided to the Applicant for their information and consideration. Planning Services suggested that the Applicant contact these neighbouring property owners to provide additional information and to see if any concerns could be resolved.

The Applicant provided responses in writing to concerned property owners, providing additional information about the facility. Additionally, the Applicant has given notice for an Open House scheduled for the evening of September 13th, 2018.

Agency Comments

The following agencies offered no concerns or objections relating to the proposed amendment:

- Engineering and Operations
- Ministry of Transportation
- Thunder Bay District Health Unit
- Community Economic Development Commission
- Lakehead Region Conservation Authority
- Building Services

Building Services also noted that through the required building permit process, a review of the septic and/or water service may be required to confirm that existing services are suitable for the proposed use or if upgrades are required.

Planning Services Division Comments

- *Provincial Policy Statement, 2014*

The Provincial Policy Statement (PPS) promotes the development of healthy, liveable and safe communities by accommodating a range and mix of residential, employment, and institutional uses. This proposal would provide a residential use where short-term care can be provided, thus contributing to this desired range and mix of uses.

The PPS also requires Planning Authorities to provide for all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements. This type of facility fills a specific need for individuals who require temporary assistance through on-site counselling and education programs.

The proposal also promotes sustainability and resilient development through the re-purposing of an existing building, where a range of services are already in place. Therefore, the proposal is consistent with the PPS.

- *Growth Plan for Northern Ontario, 2011*

The Growth Plan for Northern Ontario recognizes health care as an existing and emerging priority economic sector, which the Province will focus on developing. The Plan also seeks to improve access to health care services for Northern Ontario residents by supporting and strengthening health care planning and delivery approaches. Having Residential Care Facilities throughout the city promotes access.

- *Environmental Protection Act*

Section 168.3.1 of the Environmental Protection Act requires the filing of a Record of Site Condition (RSC) if a more sensitive land use is to be developed. The proposed change in use

from commercial to residential is prohibited without filing an RSC. Therefore, an RSC must be filed, indicating that the lands are suitable for the proposed use, prior to passing the amending by-law.

- *2002 Official Plan and 2018 Official Plan*

In both the current 2002 and the adopted 2018 Official Plans, Residential Care Facilities are considered residential uses and are to be supported wherever residential uses are permitted. The subject property is located within the “Rural Residential” designation in the current 2002 Official Plan and the “Rural 2” designation in the adopted 2018 Official Plan. Both designations are generally intended for agriculture and resource-related commercial and industrial activities. However, provided that rural character is preserved and large parcels are maintained for future resource-based uses, residential uses are also permitted in these designations. As such, the proposal is consistent with both the Official Plans.

The 2002 Official Plan also states that where a Residential Care Facility is located within a residential designation, the facility shall be of a size and character which is similar to, or compatible with the existing area. The size of the subject lot is in keeping with the rural character of the area. However, the surrounding character in the neighbourhood is mainly low-density residential and is zoned “RU2” – Rural Residential. The “RU2” zone permits Residential Care Facilities for 4-6 people. The proposed facility will house up to 30 people at a time. Therefore, the facility is not of a similar size or character. However, the proposed facility’s built form already exists and will not need any external changes. The existing hotel is substantial in size and would be appropriate for a facility with more people than what is permitted in the surrounding neighbourhood. Provided that the private servicing will meet the needs of the facility, Planning Services is of the opinion that the proposed facility is of a size and character that is compatible with the existing area.

As stated previously, Residential Care Facilities are encouraged to develop wherever residential uses are permitted. This represents development which promotes social interaction, rather than isolation. The surrounding built-form and lot sizes represent primarily low-density residential uses. Locating a Residential Care Facility within an existing neighbourhood of residents is in line with 2018 Official Plan’s guiding principle “Healthy, Safe and Inclusive”. This principle means the City will foster a safe, socially inclusive, and supportive community that enhances the physical, social, cultural, and psychological well-being of community members.

This is also to ensure that the individuals who require supportive housing are afforded the same access to city infrastructure and facilities such as parks, sidewalks, libraries, etc. It is noted that the subject property is not within the Urban Settlement Area, where the majority of residential development is to be directed. The proposed facility will be located in a rural area and can expect both the upsides and downsides of a rural area (e.g. more natural open space but no sidewalks). Still, the property is only very short distance to the Urban Settlement Area and the amenities near County Fair Plaza (less than one kilometre). This facility is a specific type of Residential Care Facility. It is a short term residence for individuals who intend to care for themselves in the future but first require counselling and education to do so. The proposed facility is targeted to the gaining of life skills, problem resolution, stress management, relapse prevention, and recreation. Due to the specific direction of this facility, the large rural lot is well suited to the proposed use.

The re-use of the existing building is more environmentally efficient as well as more cost-effective for the city. A new building will not need to be built and new services will not need to be extended. The existing hotel use provides a built form that will require only minor alterations. Therefore, the proposal represents efficient and cost-effective development.

- *Zoning By-law*

The subject property is currently zoned “C3” – Highway Commercial Zone in recognition of the existing hotel use.

The Applicant is now proposing a residential use in the existing hotel building. This is consistent with both 2002 and 2018 Official Plan designations and the surrounding properties, but is not currently permitted in the “C3” Zone. The Applicant has applied to add the specified use to the existing commercial zone. The commercial use will be discontinued, however should the Applicant sell the property in the future, the “C3” Zone will permit a hotel use to be re-established. This is logical as the built form of the building will continue to be well-suited to hotel use and is located on a highway.

The surrounding neighbourhood is generally zoned as “RU2” – Rural Residential Zone. A Residential Care Facility One (RCF1) is a permitted use within the “RU2” zone. However, an RCF1, as previously stated, permits only 4-6 people to live there at one time. The size of the existing building can reasonably accommodate a much larger group. A Residential Care Facility Three (RCF3) permits 10 or more people and is a suitable use for the 17 unit hotel building.

The Applicant is proposing a specific definition which limits the number of residents using the facility and describes the nature of the facility in greater detail. Planning Services is of the opinion that the proposed definition is appropriate and supports the addition of a “Transitional Recovery Housing and Education Facility” as a permitted use within the existing building. The property is large and contains a significant portion of landscaped open space well-suited to the recreation mentioned in the definition. Additionally, the existing hotel offers a built form well suited to the proposed use and would require minimal alterations. The parking rate for a Residential Care Facility is one space per five beds. The property already exceeds the required six spaces.

Site Plan Control

Through the circulation of the proposal, Engineering and Operations support Planning Services’ request that the subject property is designated as an area of Site Plan Control (SPC). This is particularly important as this property is along a major Arterial Road. However, as no exterior construction is necessary, a SPC agreement will not be required to support the proposed change in use.

If any major exterior changes are required in the future, a SPC agreement with the City will be required. This will facilitate the review of any proposed development ensuring its compliance with Engineering and Operations Division’s standards and the City’s Urban Design Guidelines.

FINANCIAL IMPLICATIONS

There are no financial implications for the City of Thunder Bay, as all costs associated with this development will be borne by the Applicant.

CONCLUSION

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

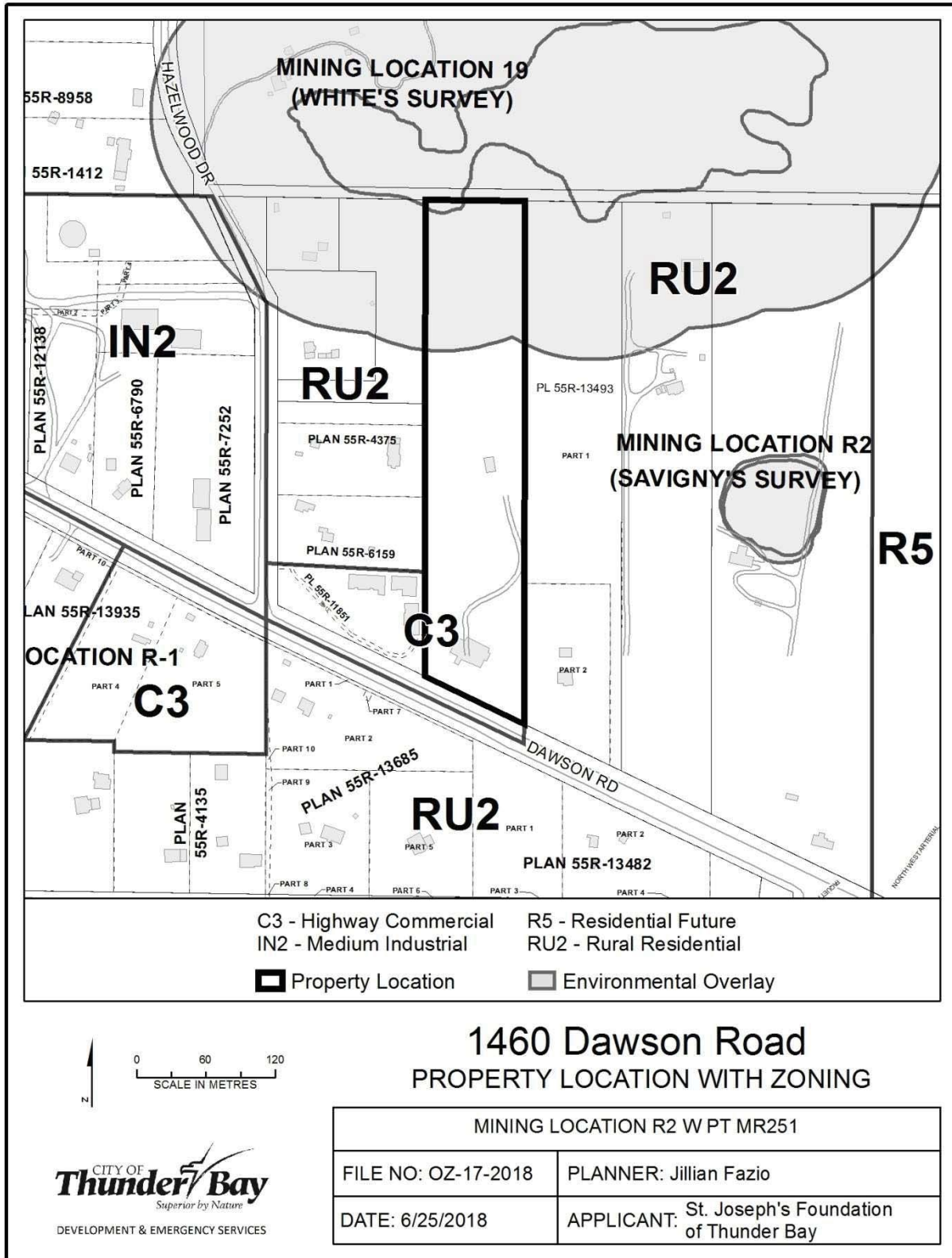
REFERENCE MATERIAL ATTACHED

Attachment A – Property Location
Attachment B – Applicant's Sketch

PREPARED BY: Jillian Fazio, Planner II

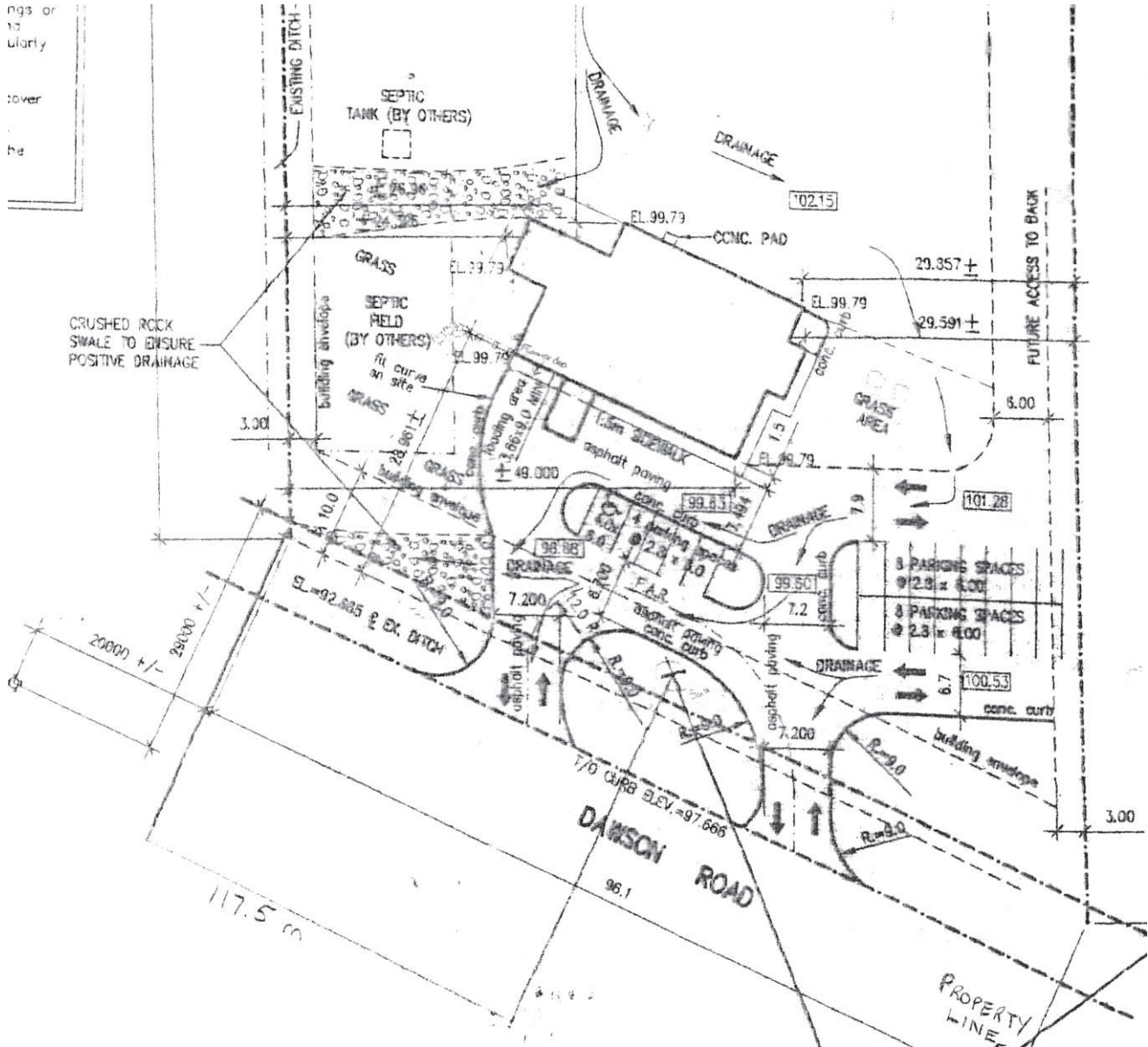
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) Mark J. Smith GM Development Emergency Services Department	DATE: September 7, 2018
--	--------------------------------

ATTACHMENT A - Property Location



TITLE: Property Location		Date: September 2018	
PREPARED BY JF	SCALE As Noted	FILE NO. Z-17-2018	

ATTACHMENT B - Applicant's Sketch



TITLE: Applicant's Sketch			Date: September 2018
PREPARED BY JF	SCALE As Noted	FILE NO. Z-17-2018	

MEETING DATE 09/17/2018 (mm/dd/yyyy)

SUBJECT Draft Plan of Subdivision - 2160 West Arthur Street

SUMMARY

At the August 27, 2018, City Council (Public Meeting), Report No. R 105/2018 (Development Emergency Services - Planning Services) relative to Draft Plan of Subdivision - 2160 West Arthur Street, 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. The recommendation for approval of the draft plan as contained in the Report will be presented to Council for consideration on September 17, 2018.

Report No. R 105/2018 (Development Emergency Services - Planning Services) re-presented.

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Copper Crescent Holdings Limited, to create 9 lots for single detached dwellings on Concession 3 NKR, Part of Lot 21, 2160 West Arthur Street (58T-18501), Draft Plan Approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan to Report No. R 105/2018 (Planning Services) as shown in Attachment "C" ;

AND THAT the Plan of Subdivision proceeds to Registration to the satisfaction of Administration;

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

ALL as contained in Report No. R 105/2018 (Planning Services), as submitted by the Development Emergency Services Department.

ATTACHMENTS

1. Report No. R 105/2018 Draft Plan of Subdivision - 2160 West Arthur Street

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 105/2018
---------------------------------	---	-------------------	------------

DATE PREPARED	07/10/2018	FILE NO.	58T-18501
----------------------	------------	-----------------	-----------

MEETING DATE	08/27/2018 (mm/dd/yyyy)
---------------------	-------------------------

SUBJECT	Draft Plan of Subdivision - 2160 West Arthur Street
----------------	---

RECOMMENDATION

Draft Plan of Subdivision

(For consideration by Council on September 17, 2018)

THAT a Public Meeting having been held with respect to the application by Copper Crescent Holdings Limited, to create 9 lots for single detached dwellings on Concession 3 NKR, Part of Lot 21, 2160 West Arthur Street (58T-18501), Draft Plan Approval is hereby issued for a period of 3 years, subject to the conditions outlined in Attachment "A" and on the plan to Report No. R 105/2018 (Planning Services) as shown in Attachment "C" ;

AND THAT the Plan of Subdivision proceeds to Registration to the satisfaction of Administration;

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

ALL as contained in Report No. R 105/2018 (Planning Services), as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The applicant, Copper Crescent Holdings Limited, has applied for Draft Plan Approval for a residential Plan of Subdivision on a 3.1 hectare property located on the west side of 20th Side Road, north of Laccwood Drive and represents development of a portion of the back lands as contemplated in the Fairview Community Plan. The proposed plan is comprised of 9 lots for single detached dwellings, one block for stormwater management/parkland, and 1 new street. The subdivision is to be serviced by municipal piped water and individual private septic systems.

As stated in 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 September 17, 2018.

Administration is recommending that this application be approved.

DISCUSSION

Description of Proposal

The applicant proposes to develop a plan of subdivision that is serviced with municipal piped water, storm sewers, and private septic systems. The proposed plan of subdivision is comprised of 9 lots for single detached dwellings, one block for stormwater management/parkland, and one new street. The property is currently zoned "R1-H" – Residential Zone One – Holding. The removal of the Holding Symbol would occur once a Subdivision Agreement has been executed.

The layout of the Draft Plan of Subdivision is shown on Attachment "B" to this Report.

Description of Subject Property

The vacant subject property is 3.1 hectares in area and is located on the west side of 20TH Side Road, north of Lacewood Drive.

Surrounding lands have been developed at a suburban scale by plans of subdivision to the south and other nearby lands by consent. The property is identified in the Fairview Community Plan for development by plan of subdivision.

Consultation

Notice of Application was sent to area residents, departments, and agencies on January 18, 2018 and Notice of Public Meeting was provided on August 2, 2018.

Neighbourhood Comments

Two letters of concern were received. The concerns submitted are as follows:

- Increased drainage problems with the additional proposed development
- Existing ditches are poorly maintained and full of water
- The existing water table is high and there are concerns that additional development will further increase the water table and further exasperate the roadway damage during freeze/thaw cycles.

Administration Responses to public comments:

Planning and Engineering staff agree that an unlimited water supply with private septic systems will contribute to a higher water table in the area when home owners use city supplied water in the same fashion as within the fully serviced urban setting.

The preliminary hydrogeological report indicated that groundwater levels may rise over time; therefore, a permanent, maintainable groundwater control system will be required. In addition to the standard drainage system within the road allowance, the study included the recommendation for a sub-surface perforated drain and surface drainage system along the rear property lines between the existing and proposed developments to address this concern.

Planning and Engineering staff note that the road construction in the proposed subdivision will be to a standard similar to the urban serviced area; that is curb and gutter with a storm sewer system, and stormwater management facilities instead of the open ditches that were permitted and built in the current surrounding subdivision. Furthermore, as the construction standards are higher today for suburban development than what they were decades ago, this subdivision would have to be designed so that the drainage does not impact the existing development.

Planning and Engineering staff also recommend that the Subdivision Agreement include appropriate notification to future homeowners advising that overuse of city water can affect the local level of ground water. References to best practises would also be included, such as discouraging the use of in-ground sprinkler systems. As the Subdivision Agreement is registered on Title, these notices would be passed on to future owners and purchasers.

Agency Comments

The following civic departments and outside agencies reviewed the proposed Plan of Subdivision and offered no comments or objections, although some may have requested standard conditions including easement and facility requirements:

- Hydro One Networks Inc.
- Reality Services
- Ministry of Transportation
- Lakehead District School Board
- Lakehead Region Conservation Authority
- Canada Post
- Tbaytel
- Thunder Bay Police Service
- Thunder Bay Hydro
- Union Gas

Those agencies that provided comment are discussed below.

- EarthCare

The EarthCare Sustainability Plan does not prohibit this subdivision application; however this development is contrary to EarthCare's objective which encourages growth in a manner that optimizes the use of existing infrastructure and public services, reduces the need to construct new infrastructure or extend public services.

The Sustainability Plan also encourages infill, intensification, and redevelopment of existing built areas (over greenfield development).

- Parks & Open Spaces Section

Through the approval of the subdivision the Parks & Open Spaces Section will require the dedication of land for parkland in addition to Block 10 that is identified for stormwater management/parkland.

The Applicant has also been provided with information on a number of items with regards to tree plantings, tree retention, and storm water management that will be contained in the Subdivision Agreement.

- Thunder Bay District Health Unit (TBDHU) – Healthy Living

TBDHU opposes the subdivision for the following reasons:

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

The Planning Services Division notes that residential development beyond the urban area provides a component of the overall housing needs of the community. The Planning Services Division concurs with the statements provided by the TBDHU, however, this type of development remains in demand by the housing market and is supported by Official Plan Policies.

- Ministry of Tourism, Culture and Sport

There has been no correspondence received from the Ministry of Tourism, Culture and Sport, however the Planning Services Division notes that the property exhibits low archaeological potential based on the Ministry's evaluation criteria. As such, no archaeological assessment is recommended. However, the Planning Services Division

further recommends a standard condition that would require the developer to stop operations and contact the Police, the Ministry of Tourism, Culture and Sport, and the Registrar of Cemeteries should any cultural heritage artifacts and/or human remains be discovered during construction.

Engineering & Operations Division

Engineering confirms the applicant has provided a preliminary servicing design and stormwater management report, a preliminary water distribution model, and a preliminary hydrogeological report, which have outlined the overall development and servicing requirements for the development. Based on this information, the Engineering & Operations Division has no objection to the Draft Plan of Subdivision; provided the Draft Plan conditions listed in Attachment "A" are imposed:

Planning Division Comments

- Provincial Policy Statement 2014 (PPS)

The PPS defines "*Settlement Area*" as:

"Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated."

Policy 1.6.6.5 of the PPS states:

"*Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*."

The term "negative impacts" in the PPS: means:

- a) "in regard to policy 1.6.6.4 and 1.6.6.5, 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. 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 concentrated development. 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. Furthermore, in the recently adopted Official Plan, the lands form part of a Rural Settlement Area where such development will be permitted.

The Planning Services Division is of the opinion that the proposed Draft Plan of Subdivision is considered infilling and minor rounding out of existing development and therefore consistent with the PPS.

In terms of demonstrating that the site conditions are suitable for the long-term provision of such services with no *negative impacts*, the Planning Services Division recommends that prior to entering into a Subdivision Agreement the Final Hydrogeological Study clearly address the PPS requirement as to whether site conditions are suitable for the long-term provision of partial services with no *negative impacts* as contemplated in the PPS.

The Planning Services Division is satisfied that the subject proposal is consistent with the PPS provided the requirement noted in the preceding paragraph is satisfied.

- Growth Plan for Northern Ontario, 2011

The proposed Draft Plan of Subdivision does not conflict with the Growth Plan for Northern Ontario.

- City of Thunder Bay Official Plan 2002

The subject property is designated "Suburban Residential Stage 2" on Schedule "C" of the Official Plan. Lands designated as "Suburban Residential" are intended to provide a low-density form of residential development as an alternative living environment to urban settings. Lands designated "Suburban Residential Stage 2" are lands where development will occur once lands with "Stage 1" are built out. As nearby lands in this area have been largely built out, development of "Stage 2" Lands may proceed.

Given the amount of natural vegetation within the lands, Planning Services recommends that prior to entering into a Subdivision Agreement that a Tree Inventory and Retention Plan be submitted prior to any earth works or vegetation removal.

An abandoned Canadian Pacific Railway right of way exists on proposed Lots 4, 5, and 6 and Block 10. Given the history of past use, in accordance with Official Plan Policies and Provincial Regulations, the Planning Services Division recommends that a Record of Site Condition be completed prior to the entering of a Subdivision Agreement confirming that site conditions are appropriate for residential development.

The Planning Services Division concludes that the application conforms to the 2002 Official Plan.

- City of Thunder Bay Official Plan 2018

On April 30th, a new Official Plan for the City of Thunder Bay was adopted and has been submitted to the Province for approval. The subject property is located within the Rural Settlement Area where residential development on partial services may proceed by plan of subdivision. The Planning Services Division concludes that the application conforms to the 2018 Official Plan.

- Zoning By-law

The property is zoned "R1-H" – Residential Zone One - Holding and the proposed plan does not require any amendments to the Zoning By-law. Where municipal water is the only service available, the "R1" Zone permits single detached dwellings on lots with a minimum lot area of 2,100 square metres and minimum lot frontage of 30.0 metres. The proposed plan complies with these minimum requirements. Prior to registration, confirmation from the Land Surveyor that all lots conform to the Zoning By-law will be required. The Holding Symbol may be removed once a Subdivision Agreement has been executed.

- Draft Plan

The Planning Services Division, Engineering & Operations Division, and Parks & Open Spaces Section are all satisfied with the Draft Plan will provide road connection to existing and future development.

As with all recent subdivisions, Planning Services staff recommends that Draft Plan Approval be subject to a 3 year lapsing provision to ensure that the plan is developed within a reasonable time frame and in accordance with current requirements.

The conditions associated with Draft Plan Approval are detailed in Attachment A. Once the necessary studies and requirements have been complete, the owner and the City will enter into a Subdivision Agreement.

Planning Act Requirements;

As stated in 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 after the

holding of the public meeting. Council must close the public meeting and consider the recommendation on the subdivision application at the next appropriate Council meeting after 14 days which would be September 17, 2018.

FINANCIAL IMPLICATIONS

All of the costs associated with the proposed development will be borne by 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 \$390,000 per lot, this development would result in municipal taxes of approximately \$54,000 annually.

The City of Thunder Bay has a significant capital infrastructure gap that will continue to grow as new facilities are added to the inventory. For example, in 2018 roads renewal was underfunded by approximately \$5 million and there was a \$3 million shortfall in stormwater funding needed to maintain our existing infrastructure. Over the last 3 years less than 1% of the City's overall operating budget was spent maintaining roads, water, and sanitary and storm sewers.

Staff estimates that the proposed plan of subdivision will result in an additional 250 metres of traveled road (road allowance of 0.18 hectares), 5 new street lights, and 0.3 hectares of storm water management lands / open space to the City's infrastructure. All will require maintenance at the expense of the tax base.

It is challenging to determine the actual on-going maintenance and lifecycle renewal costs of a specific development area in isolation. Generally, the City spends an average of approximately \$7,800 per kilometre on summer and winter road maintenance and stormwater operations. Based on current service levels and costs it can be expected that the proposed subdivision would require a minimum of \$2,750 annually to be allocated for on-going maintenance of the new roads, street lighting and stormwater management. This represents over 5% of the expected municipal taxes projected for this subdivision. This does not include capital rehabilitation costs and additional stormwater management maintenance needs as identified in the stormwater management plan. 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

It is concluded that the application for Draft Plan Approval represents good planning and should be approved, subject to the conditions set out in ATTACHMENT "A" to this Report. The Draft Plan of Subdivision conforms to the Official Plan, is consistent with the Provincial Policy Statement, and Growth Plan for Northern Ontario, and complies with minimum zoning requirements.

REFERENCE MATERIAL ATTACHED

Attachment A - Draft Approval Conditions for File 58T-18501
Attachment B - Plan showing Proposed Draft Plan of Subdivision
Attachment C – Property Location
Attachment D – Fairview Community Plan – Development Scheme

PREPARED BY: Decio Lopes, MCIP, RPP., Senior Planner

THIS REPORT SIGNED AND VERIFIED BY:
(NAME OF GENERAL MANAGER)

DATE:

August 17, 2018

Mark Smith GM – Development & Emergency Services

ATTACHMENT A - Draft Approval Conditions for File 58T-18501

DRAFT APPROVAL CONDITIONS FOR 58T-18501 apply for a period of 3 years, ending on September 17, 2021 for the plan, as redlined, shown on Attachment "C" of Report R105/2018 (Planning Services), which shows a total of 9 lots for single detached dwellings, one street, and one block for storm water management and parkland.:

STANDARD CONDITIONS:

1. That the streets be shown and dedicated as a public highway on the final plan.
2. That the streets be named to the satisfaction of the City of Thunder Bay.
3. That the owner retains an Ontario Land Surveyor's Certificate confirming that all lots conform to the requirements of By-law 100-2010, as amended.
4. That the owner enter into a Subdivision Agreement satisfactory to the City of Thunder Bay to satisfy all the requirements, financial and otherwise, concerning the provision of roads, installation of services and drainage.
5. That the owner satisfies the Parks & Open Spaces Section with respect to parkland dedication.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

CONDITIONS TO BE COMPLETED PRIOR TO A SUBDIVISION AGREEMENT:

7. That to prior to any earth works or vegetation removal, the owner shall submit a tree inventory and retention plan and that any recommendations are included in Subdivision Agreement between the City and the owner.
8. 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.
9. That the Owner shall provide a final hydrogeological and geotechnical Study prepared by a Professional Engineer for the design of the road system and septic systems, and shall include an appraisal on groundwater conditions in the area with recommendations for permanent groundwater control measures, to the satisfaction of the City Engineer. This updated Study shall include addressing 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 the City is to be advised in writing, by the Thunder Bay District Health Unit how this

ATTACHMENT A - Draft Approval Conditions for File 58T-18501

condition has been met, and that any requirements are included in Subdivision Agreement between the City and the owner.

10. That the Owner shall prepare a final lot grading and drainage plan to the satisfaction of the City Engineer, and that any requirements are included in Subdivision Agreement between the City and the owner
11. That the Owner shall provide a satisfactory final stormwater management report, erosion control plan, and an assessment on the existing cross-culvert under 20th Side Road (immediately downstream of the lands), prepared by a Professional Engineer, confirming the stormwater management quantity and quality control requirements, and identifying any off-site drainage improvements to be completed by the owner, 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.
12. That the Owner shall provide confirmation of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition for the lands.

CONDITIONS TO BE INCLUDED IN A SUBDIVISION AGREEMENT:

13. 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 postal services is via community mailboxes.
 - (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 the septic system design must include an advanced nitrate treatment system capable of removing a minimum of 50 to 65% of nitrogen compounds from the effluent.
 - (d) For all lots, 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 raised septic beds may be required.
14. That the Subdivision Agreement between the City and the Owner contain a provision:
 - (i) wherein the Owner agrees to stop all work and notify the Ministry of Tourism, Culture and Sport in the event that cultural heritage features are uncovered during construction;

ATTACHMENT A - Draft Approval Conditions for File 58T-18501

(ii) wherein the Owner agrees to stop all work and notify the Police, Ministry of Tourism, Culture and Sport, and the Registrar of Cemeteries - Ministry of Government and Consumer Services in the event human remains are uncovered during construction;

(iii) for the construction of fences along all park blocks, walkway blocks, and stormwater management facilities, if required, to the satisfaction of the Parks & Open Spaces Section and the City Engineer; and

(iv) to contain any recommendations in the updated Hydrogeological Study be incorporated into the Subdivision Agreement.

CONDITIONS TO BE COMPLETED PRIOR TO THE REGISTRATION OF THE SUBDIVISION:

15. The Subdivision Agreement be registered against the title of the lands to which it applies.

16. The owner shall:

(i) enter into an agreement with Thunder Bay Hydro Electricity Distribution Inc. for the costs of supplying electricity service to the development and that the City is to be advised in writing, by Thunder Bay Hydro Electricity Distribution Inc. how this condition has been met.

(ii) enter into an agreement with Thunder Bay Telephone for the provision of telephone service to the development and that the City is to be advised in writing, by Thunder Bay Telephone how this condition has been met.

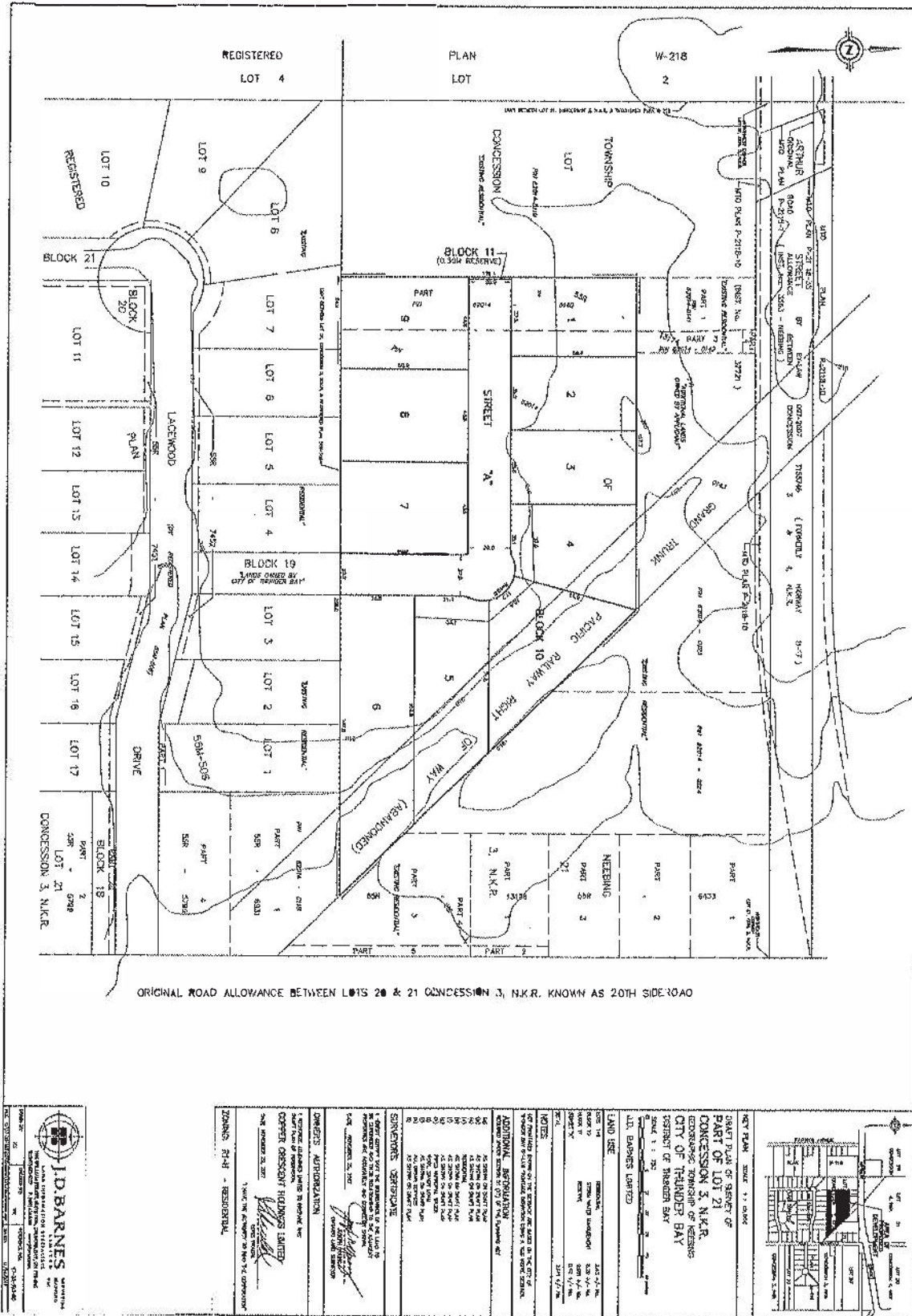
(iii) enter into an agreement with Union Gas Limited for the provision of natural gas service to the development and that the City is to be advised in writing, by Union Gas Limited how this condition has been met.

(iv) shall satisfy the City Engineer that the applicable requirements of the *Environmental Assessment Act* have been met.

(v) satisfy the City Engineer with respect to the dedication of land for drainage and stormwater management purposes.

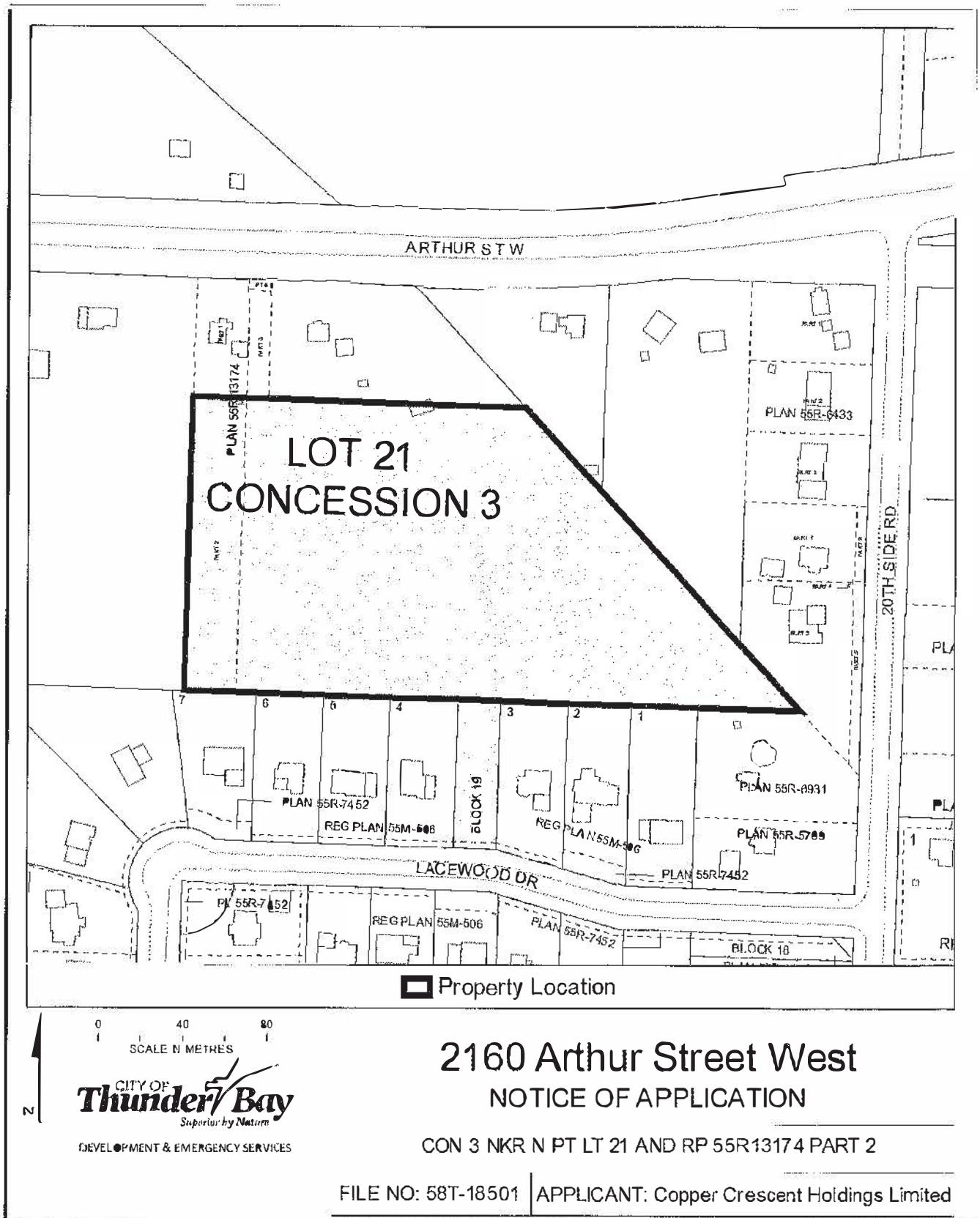
(vi) satisfy the City Engineer with respect to servicing the subdivision and providing all required easements and for releasing or modifying any existing easements.

ATTACHMENT B - Plan showing Proposed Draft Plan of Subdivision



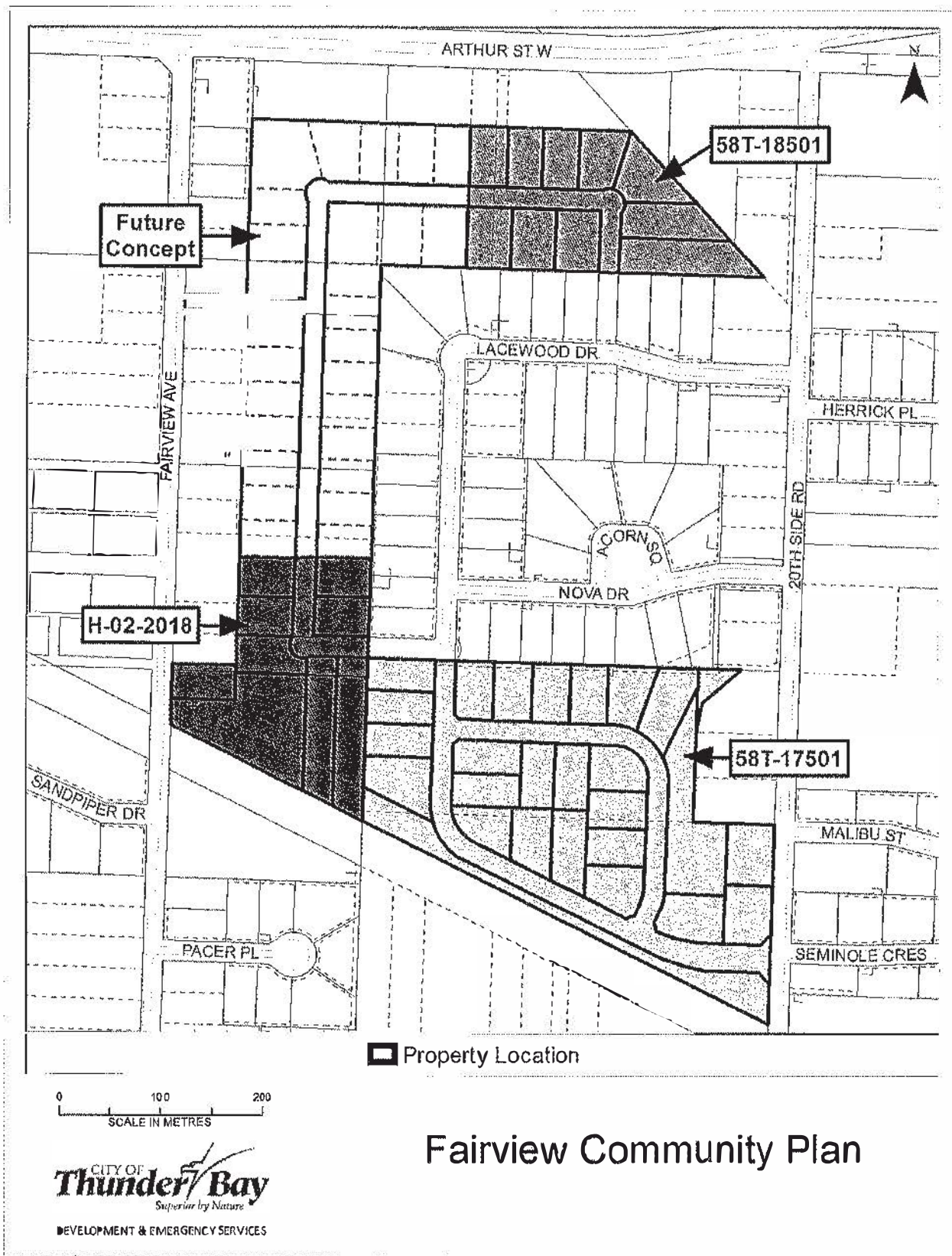
TITLE: <i>Applicant's Subdivision Plan</i>		Date: AUGUST/2017
PREPARED BY DL	SCALE As Noted	FILE NO. 58T-18501

ATTACHMENT C- Property Location



TITLE: Property Location	SCALE: As Noted	FILE NO: 58T-18501	Date: AUGUST/2018
PREPARED BY: DL			

ATTACHMENT D – Fairview Community Plan – Development Scheme



TITLE: Fairview Community Plan – Development Scheme

PREPARED BY DL

SCALE As Noted

FILE NO. 58T-18501

Date: AUGUST/2018

DEPARTMENT/ DIVISION	Development Emergency Services - Planning Services	REPORT NO.	R 127/2018
DATE PREPARED	08/22/2018	FILE NO.	58CDM-13501
MEETING DATE	09/17/2018 (mm/dd/yyyy)		
SUBJECT	Draft Plan of Condominium - 1698251 Ontario Inc. - 1226 Dawson Road		

RECOMMENDATION

THAT with respect to Report No. R127/2018 (Planning Services), we recommend that the application by 1698251 Ontario Limited, for a plan of condominium for the creation of 24 dwelling units on a portion of Part of Mining Location, 1226 Dawson Road, be given draft plan approval for a period of 3 years, ending on September 17, 2021, subject to the conditions outlined in Attachment "B" to this Report;

AND THAT any necessary by-laws be presented to City Council for ratification;

ALL as contained in Report No. R127/2018 (Planning Services), as submitted by the Development Emergency Services Department.

EXECUTIVE SUMMARY

This is an application to reconsider Draft Plan Approval of a Plan of Condominium comprised of a 24 unit residential building at 1226 Dawson Road. The condominium received Draft Approval in 2014, however the approval lapsed before all of the conditions were completed. The building is nearing occupancy and the registration of the condominium is imminent.

The re-issuance of draft approval is an administrative exercise that will allow the plan to proceed to final registration.

Administration is of the position that draft plan approval should be re-issued to permit the registration of a plan of condominium.

DISCUSSION

The original Report 254/2014 (Planning Services) is attached for reference.

When Council issued Draft Approval in 2014, a 3 year lapsing provision was imposed to encourage the timely completion of this development project. Given a combination of circumstances beyond the direct control of the developer, the project has not advanced as quickly

as anticipated; however it is nearing completion. The majority of the conditions were completed to the satisfaction of the various internal and external departments and agencies within the 3 year time frame. At present, the only remaining condition is the submission of the parkland fee.

Because the Draft Approval lapsed, an extension to the Draft Approval is not possible. It is necessary to re-issue Draft Approval to the plan for it to proceed to registration.

Section 51(32) of Planning Act allows Council to set a time period, being not less than 3 years, for draft approval to lapse should the plan not proceed to final approval. The Planning Act also permits an extension of the time period by Council prior to the approval lapsing. The time frame is intended to require plans to proceed from the draft approved stage to final approval in a reasonable manner.

It is therefore recommended that a period of 3 years from the time that Council re-issues Draft Plan Approval apply for the proposed plan of condominium.

The condominium conforms to the Official Plan and Zoning By-law in all respects. The subject property has been designated an area of site plan control and a Site Plan Control Agreement was registered.

FINANCIAL IMPLICATIONS

All costs associated with the proposal will be borne by the developer.

CONCLUSION

It is concluded that the proposed plan of condominium should be given draft plan approval, subject to the conditions set out in Appendix "B" to Report 254/2014 (Planning Services)

REFERENCE MATERIAL ATTACHED

Attachment "A" Report 254/2014 (Planning Services)
Attachment "B" Draft Plan Approval Conditions for File 58CDM-13501

PREPARED BY: Decio Lopes, MCIP, RPP., Senior Planner

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith GM Development & Emergency Services	September 6, 2018

DEPARTMENT/ DIVISION	Development Emergency Services - Planning Services	REPORT NO.	R 254/2014
DATE PREPARED	10/24/2014	FILE NO.	58CDM-13501
MEETING DATE	12/15/2014 (mm/dd/yyyy)		
SUBJECT	Draft Plan of Condominium - 1698251 Ontario Inc. - 1226 Dawson Road		

RECOMMENDATION

With respect to Report No. R254/2014 (Planning), we recommend that the application by 1698251 Ontario Limited, for a plan of condominium for the creation of 24 dwelling units on a portion of Part of Mining Location, 1226 Dawson Road, be given draft plan approval for a period of 3 years, ending on January 13, 2017, subject to the conditions outlined in Appendix "B" to this Report;

AND THAT any necessary by-laws be presented to City Council for ratification;

ALL as contained in Report No. R254/2014 (Planning), as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

This is an application to consider draft plan approval of a plan of condominium comprised of a 24 unit residential building at 1226 Dawson Road. The condominium application would allow the proposed building, which has yet to be constructed, to be used as a condominium.

There have been no concerns expressed by the various commenting agencies and Administration is of the position that draft plan approval should be issued to permit the registration of a plan of condominium.

DISCUSSION

Description of Proposal

The owner, 1698251 Ontario Limited, has applied to the City of Thunder Bay for approval of a Plan of Condominium prior to construction for a proposed 5 storey building which will create 24 residential dwelling units, 16 underground parking spaces and 23 outside parking spaces. The site is serviced with a piped municipal water supply and sanitary sewer.

Description of Subject Property

The subject property is located on the northeast side of Dawson Road between Sherwood Avenue and Toivo Street. The property contains a single detached dwelling, a commercial building, and 2 smaller accessory buildings with the remainder of the property being vacant.

Surrounding land uses include Amco Machine Inc., a Mac's variety store and fuel bar, and Napa Auto Parts store immediately to the southeast, and institutional, commercial and residential generally to the southeast. Residential uses, primarily in the form of single detached dwellings, are located to the northeast and northwest. A 35-unit apartment dwelling under condominium tenure is located across Dawson Road from the subject property.

Planning Division and Agency Comments

The proposed condominium plan was circulated to the required agencies. The comments received and agency requirements are summarized in Appendix "A" to this Report.

The following civic departments and outside agencies reviewed the proposed plan and offered no objections:

- Lakehead District School Board
- Bell Canada
- Planning Services Division – Mapping Section
- Ministry of Transportation
- Thunder Bay Police
- HydroOne
- Thunder Bay Catholic District School Board

Union Gas has advised that the owner obtain the necessary easements and/or agreements for the provision of gas services for this project, in a form satisfactory to Union Gas Limited as a condition of final approval. As this will be a condition of the Site Plan Control Agreement, the Planning Services Division recommends that this condition be imposed should for any unforeseen circumstances that the it is not addressed in the Site Plan Control Agreement.

Canada Post advises that the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications and requests that they be advised of the address and when construction is to begin.

The Engineering Division reviewed the proposal and is satisfied that all of the engineering issues can be addressed in the Site Plan Control Agreement. The Engineering Division requires that the owner enter into a Condominium Agreement with the City to ensure that any uncompleted requirements of the Site Plan Control Agreement are secured through a Performance Guarantee. The Engineering Division requires that the applicable requirements of the *Environmental Assessment Act* have to be met; this is normally a condition of draft plan approval.

The Building Services Division has reviewed the proposal and notes that the plan is not clear on details of the parking space dimensions, the building height, and location of the loading space. Furthermore, the interior layout of the building indicates Units 1, 2, 3, and 4 on Levels 1-4 are accessed by a dead end corridor and per the Ontario Building Code; a dead end corridor in a

residential occupancy cannot exceed 6 metres in length. In addition, The Building Code requires a fire hydrant is required within 45 metres of the building's fire department connection. As these are elements of the Site Plan Control Agreement and Building Permit processes, they can be addressed through those processes.

The subject property has been designated an area of site plan control and a Site Plan Control Agreement is under negotiation. The Agreement must be executed and registered prior to the issuance of a Building Permit.

Furthermore, Section 51(32) of Planning Act allows Council to set a time period, being not less than 3 years, for draft approval to lapse should the plan not proceed to final approval. The Planning Act also permits an extension of the time period by Council prior to the approval lapsing. The time frame is intended to require plans to proceed from the draft approved stage to final approval in a reasonable manner. It is therefore recommended that a period of 3 years from the time that Council issues Draft Plan Approval apply for the proposed plan of condominium.

The condominium conforms to the Official Plan and Zoning By-law in all respects.

Provincial Policy Statement

City Council must have regard for the Provincial Policy Statement when considering the approval of plans of condominium. It is suggested that this application is consistent with the Provincial Policy Statement as the proposal fits into the City's servicing plan and no upgrades to existing infrastructure would be required to service the development.

The Planning Division and the other commenting agencies are satisfied with the condominium proposal, subject to the conditions set out in Appendix "B" to this Report and recommends that Draft Plan of Condominium be granted.

FINANCIAL IMPLICATIONS

All costs associated with the proposal will be borne by the developer.

CONCLUSION

It is concluded that the proposed plan of condominium should be given draft plan approval, subject to the conditions set out in Appendix "B" to this Report.

BACKGROUND

The subject lands were previously operated as Swans' Nursery and Greenhouse, which consisted of a residence for the owner, nursery, greenhouse, and landscaping business with a retail component and flower shop in the existing commercial building. The landscaping business closed and the greenhouse was demolished in 1996. Since that time, the existing buildings have been vacant and there has been no interest in the redevelopment of the property for commercial uses.

Amendments to the Official Plan, Dawson Heights Community Plan, and the Zoning By-law were completed over a year ago to facilitate this proposal.

REFERENCE MATERIAL ATTACHED

Attachment "A" Property Location

Attachment "B" Draft Plan of Condominium

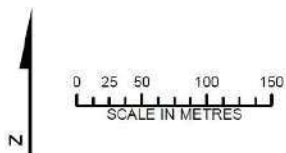
Attachment "C" Appendix "A" – Summary of Comments Received in Response to
Circulation of Draft Plan

Attachment "D" Appendix "B" – Draft Plan Approval Conditions for File 58CDM-13501

PREPARED BY: Decio Lopes, MCIP, RPP., Senior Planner

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) MARK J. SMITH MA.MCIP.RPP. GM DEVELOPMENT EMERGENCY SERVICES	DATE: December 4, 2014
--	-------------------------------

Attachment A - Property Location



CITY OF
Thunder Bay
Superior by Nature
**DEVELOPMENT &
EMERGENCY SERVICES**

1226 Dawson Rd

LEGAL: ML R3 PT N OF DAWSON RD INCL R/W	
FILE NO: 58CDM-13501	PLANNER: DECIO LOPES
DATE: December 2014	APPLICANT: 1698251 ONTARIO INC.



ATTACHMENT C

Appendix "A" - Summary of Comments Received in Response to Circulation of Draft Plan

1. Parks Division – The payment of a 5% cash-in-lieu of parkland fee will be required.
2. Engineering Division – The Engineering Division notes that the City is in negotiation with the applicant for a Site Plan Control Agreement which deals with engineering issues. However, prior to final approval, the Engineering Division will require that any uncompleted works contained within the Site Plan Control Agreement be secured by means of performance guarantees. As such, the Engineering Division will require the owner to enter into a Condominium Agreement which shall contain performance guarantee and liability insurance provisions and financially secure any uncompleted requirements of the Site Plan Control Agreement.
3. Union Gas Limited's requests that as a condition of final approval that the owner/developer provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

ATTACHMENT D

Appendix "B" - Draft Plan Approval Conditions for File 58CDM-13501

1. That this approval applies to the draft plan prepared by J.D. Barnes Limited, dated September 3, 2014, which shows a 4 level (3 storey), 24 unit residential condominium.
2. That prior to final approval, the owner shall enter into a Condominium/Notification Agreement, satisfactory to the City of Thunder Bay, which shall contain performance guarantee and liability insurance provisions and financially secure any uncompleted requirements of the Site Plan Control Agreement.
3. The Condominium/Notification Agreement shall be registered against the title of the lands to which they apply.
4. Such easements as may be required for utility, fire access or drainage purposes shall be granted to the appropriate authority.

ATTACHMENT B

Draft Plan Approval Conditions for File 58CDM-13501

1. That this approval applies to the draft plan prepared by J.D. Barnes Limited, dated September 3, 2014, which shows a 4 level (3 storey), 24 unit residential condominium.
2. That prior to final approval, the owner shall enter into a Condominium/Notification Agreement, satisfactory to the City of Thunder Bay, which shall contain performance guarantee and liability insurance provisions and financially secure any uncompleted requirements of the Site Plan Control Agreement.
3. The Condominium/Notification Agreement shall be registered against the title of the lands to which they apply.
4. Such easements as may be required for utility, fire access or drainage purposes shall be granted to the appropriate authority.

DEPARTMENT/ DIVISION	Development Services - Planning	Emergency Services	REPORT NO.	R 128/2018
DATE PREPARED	08/22/2018		FILE NO.	OZ-06-2016
MEETING DATE	09/17/2018 (mm/dd/yyyy)			
SUBJECT	Zoning By-law Amendment - 1125 Golf Links Road			

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application from 1902130 Ontario Ltd. (R. Zanette), to amend the Zoning By-law as it applies to Registered Plan 760, north part of Lot 19, we recommend the Zoning By-law be amended as follows:

1. That the subject lands, shown as "Property Location 1 and 2" on Attachment "A" be rezoned from the "FD" – Future Development Zone the "IN6" – Prestige Industrial Zone;
2. Add "Office" as a permitted use, within the existing building, in the "IN6" – Prestige Industrial Zone;
3. Add "Hotel" as a permitted use in the "IN6" – Prestige Industrial Zone on "Property Location 2";
4. Establish a maximum rear yard of 12 metres;
5. Amend the minimum required landscaped open space to be 15% of the lot area which includes landscaped open space in the form of a 3.0 m wide strip along all lot lines.

Subject to the following conditions:

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

1. The subject property, as shown on Attachment "A" as "Property Location 1 and 2" , is designated as an area of Site Plan Control; and
2. The applicant shall submit the appropriate building permit applications to decommission the single detached dwelling, to the satisfaction of the Building Services Division.

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. R128/2018 (Planning Services), as submitted by the Development Emergency Services Department.

LINK TO STRATEGIC PLAN

Goal 7: Clean and beautiful streets and spaces – states the importance of design guidelines to improve the quality of the built environment. The recommended amendments and the application of the City's Urban Design Guidelines will aid in achieving this goal.

EXECUTIVE SUMMARY

This application seeks to rezone the lands to the "IN6" – Prestige Industrial Zone and amend the permitted uses and regulations of the Zoning By-law in order to permit the development of the lands at 1125 Golf Links Road with a four storey hotel, conversion of the existing house to an office, and to establish development parameters to guide compliance with the Official Plan and Urban Design Guidelines.

The Planning Services Division is of the opinion that the proposed uses are appropriate, given the proposed development parameters at this location, and would be compatible with the surrounding business park area.

Administration is recommending support of the proposed amendment. The proposal is consistent with the Provincial Policy Statement, both the 2002 and 2018 Official Plans and is compatible with the surrounding land uses.

DISCUSSION

Description of Proposal

The lands contain a single detached dwelling constructed in 1948. The Applicant wishes to amend the Zoning By-law to permit a hotel, office, and light manufacturing on the lands. The dwelling would be converted into an office use.

Description of Subject Property and surrounding area

These lands are located near the southwest corner of Oliver Road and Golf Links Road. The Ontario Hydro Transmission Right of Way lies between the property and Golf Links Road. A newly constructed active transportation trail meanders through the Hydro Corridor. The property's lot frontage is on Burwood Road as the Hydro Right of Way separates the property from Golf Links Road.

The property has 68.6 metres of rear lot line adjacent to the Hydro Corridor that abuts Golf Links Road, 186 metres of lot depth, and approximately 13,175m² of area. To the immediate north is a restaurant, pet store, and vacant food store, to the east is a golf course with a six storey apartment under construction.

Applicant's Justification

The applicant is seeking to amend the Zoning By-law for this property because it has good connections to the rest of the City and is of sufficient size for the proposed hotel use. In addition, the western portion of the lands allows for a wholly contained light industrial use.

The Applicant views the hotel use as a complimentary use in the area given the established commercial uses nearby. Furthermore, the office and hotel uses are supported by the recently adopted Official Plan where office and hotel uses are contemplated within the Business Area Land Use Designation. The manufacturing use that is proposed is permitted within the existing Business Park designation and the Zoning By-law's "IN6" Zone. Its location on the portion of the property adjacent to Burwood Road is in keeping with the guidance that directs prominent buildings and uses towards the main thoroughfares and more industrial uses towards the interior of the designation.

The Applicant is of the opinion that these uses will serve as an investment catalyst for the Business Park designation.

Neighbourhood Comments

The Notice of Application was provided on June 15, 2018. There were no submissions from nearby property owners.

Agency Comments

The Ministry of Transportation, Thunder Bay District Health Unit – Healthy Living, Building Services Division, and Lakehead Region Conservation Authority have all indicated no objection to this application.

Engineering Division Comments

The Engineering Division recommends that the lands be designated for Site Plan Control. The Engineering Division notes that Corporate Policy 11-03-01 – Access to Existing Expressway or New Arterial Roads – prohibits direct access from all lands abutting existing arterial roads where access to the land is available from other roads. In this case, Golf Links Road is a Major Arterial Roadway and the property also has access to Burwood Road. The Corporate Policy prohibits access to Golf Links Road. The Applicant may consider such an access; however the Applicant would have to request permission from Council which would require a traffic impact study that includes sight-line assessments.

A list of standard Site Plan Control requirements has been provided to the Applicant and will be reviewed as part of that process. The features include submission and review of: lot grading and drainage plan, stormwater management plan and design brief, site servicing plan, erosion and sediment control plan, sanitary sewer and water connections, and potential offsite improvements.

Planning Review

- **Provincial Policy Statement 2014 (PPS)**

The amendment does not conflict with the Employment Areas policies of the PPS in this area that is designated in the Official Plan for business and economic activities.

- **Northern Growth Plan**

The amendment does not conflict with the Northern Growth Plan.

- **Official Plan 2002**

The lands are designated as Business Park in the Official Plan. The Official Plan states that permitted uses within the "Business Park" designation may include a limited range of industrial uses. The operations of permitted industrial uses should be conducted substantially within enclosed buildings. In addition, a range of commercial, community, recreational, and service uses may be permitted.

Developments favoured within the "Business Park" designation will be those that possess the following attributes:

- a) involve significant capital investment;
- b) optimize the use of the site;
- c) possess considerable architectural and design merit;
- d) result in a net increase in employment within the City;
- e) bring a new type of industry to the City or assist in the diversification of the local economy;
- f) support the expansion and growth of existing business;
- g) involve one of the target sector activities or provide a service to other firms within the industrial park; and,
- h) act as a catalyst for the development of the industrial park.

Developments within the "Business Park" designation will be subject to site development and landscaping guidelines, building design guidelines and will generally be made subject to Site Plan Control.

The bulk and scale of buildings, and the extent to which their orientation, form, and siting contribute to the efficient functioning and aesthetics of the Business park will be carefully examined.

The Official Plan policies do not clearly provide for hotel uses in the Business Park designation; however Commercial and Service uses that generally do meet the design criteria, would be permitted in highly visible locations within this designation. A multi-storey hotel located towards Golf Links Road would satisfy the policies.

The intent of the Official Plan is to have attractive, aesthetically pleasing development of high quality design and landscaping on sites that are highly visible. Given the location of the subject property adjacent to Golf Links Road and its proximity to Highway 11/17 and the Thunder Bay Regional Health Sciences Centre, the appeal for the contemplated hotel use is acknowledged; however, it is important that the principles of the Business Park designation be upheld when considering a land use change. These principles are also reflected in the City's Urban Design Guidelines.

Typically, hotels can provide for the higher standard of building and site design expected at this location as exemplified with some recent hotel developments throughout the City. These developments have demonstrated a higher regard to aesthetics and mass of the building. This form of development can be considered typical of that envisioned for Business Park areas where buildings are sited closer to the street side of lots with rear parking areas framed by landscaping.

The Planning Services Division believes that the requested Zoning Amendment to add a hotel use is consistent with the Official Plan's intent and vision for the Business Park Designation.

- **Official Plan 2018**

The lands are designated as Business Area in the recently adopted Official Plan. The intent of this designation is to provide opportunities for a limited range of light industrial activities, office buildings, and hotels that are all subject to a high standard of design.

The operations of permitted industrial uses should be conducted within enclosed buildings. The types of industrial uses encouraged include secondary processing, pollution abatement controls/procedures, mining services, metal product fabricating, consumer electronics, plastics fabricating, printing, and regional warehousing.

Particular emphasis will be placed on landscaped open space requirements within this designation, particularly along street lines, and only visitor parking shall be permitted in the front yard or exterior side yard. When reviewing development proposals, the architectural design, scale and massing of buildings, and the extent to which their orientation, form, and siting contribute to the efficient functioning and aesthetics of the business area will be carefully examined. Service facilities shall be located in the rear yard or shall be fully screened from street view, and no outdoor storage shall be permitted.

The Planning Services Division believes that the requested Zoning Amendment to add office and hotel uses is consistent with the adopted Official Plan's intent and vision for the Business Area Designation.

- **Zoning By-law**

As noted, the applicant proposes to rezone the lands to the "IN6" – Prestige Industrial Zone and add "hotel" and "office" as permitted uses in the "IN6" Zone. To provide certainty that the hotel will be located on the portion of the property near Golf Links Road, the Planning Services Division recommends that the hotel use be permitted only on the portion of the lands shown as Property Location 2 on Attachment "B", which is 100 metres deep from the rear lot line (lot line abutting the Hydro Right of Way).

In order to locate the hotel building near Golf Links Road, it is proposed that a maximum rear yard of 12.0 metres be established in addition to the required minimum rear yard of 6.0 metres of the "IN6" Zone. The maximum rear yard will allow landscaping along the property lines with walkways and adequate maneuvering room around the building. Furthermore, the massing of this building will be closer to Golf Links Road in keeping with the Urban Design Guidelines for major roadways.

The "IN6" Zone requires 15% of the Lot area to be landscaped. That requirement includes landscaping in the form of a 6.0 metre wide strip along all lot lines abutting a residential zone and a 3.0 metre strip along all lines abutting a street. In the case of this property, the only required strip would be a 3.0 metre wide strip along the Burwood Road lot line. To aid in achieving the goals of creating an aesthetically pleasing streetscape it is proposed that a 3.0 metre wide strip along all lot lines be required. These strips do not equate to the minimum 15% landscaped open space requirement and additional on-site landscaping will be required to meet that minimum. Such landscaping can also form part of storm water management features.

Conversion of the house into an office would allow for the continued use of a structurally sound building on the lands. Given that the existing dwelling is to be converted for an office use, it is recommended that the Applicant apply to the Building Services Division for a Building Permit to decommission the dwelling prior to the passing of the amending By-law.

- **Site Plan Control (SPC)**

The Planning Services Division recommends that prior to the passing of the proposed Zoning By-law amendment, the lands be designated as an area of SPC to ensure the functional and orderly development of the site. This is consistent with the policies of the Official Plan and with the City's practice of applying SPC to lands on highly visible thoroughfares.

Designating the property as an area of SPC will facilitate the review of the proposed development ensuring its compliance with Engineering and Operations Division's standards and the City's Urban Design Guidelines. A Site Plan Control Agreement will be required prior to any development on the lands. Through this process, building architecture, the location of landscaping (beyond the landscape strip requirements), pedestrian movement, stormwater management, parking layout, lighting, circulation and access will all be addressed.

FINANCIAL IMPLICATIONS

There are no financial implications for the City of Thunder Bay. All costs will be borne by the Applicant.

CONCLUSION

It is concluded that the requested Zoning By-law Amendment is appropriate and consistent with the Provincial Policy Statement which promotes the development of a wide array of urban uses. The proposed amendments will ensure compliance with the general intent and purpose of the policies relative to the Business Park Area and the development, with the proposed development parameters, is considered a compatible use in this location and should be approved.

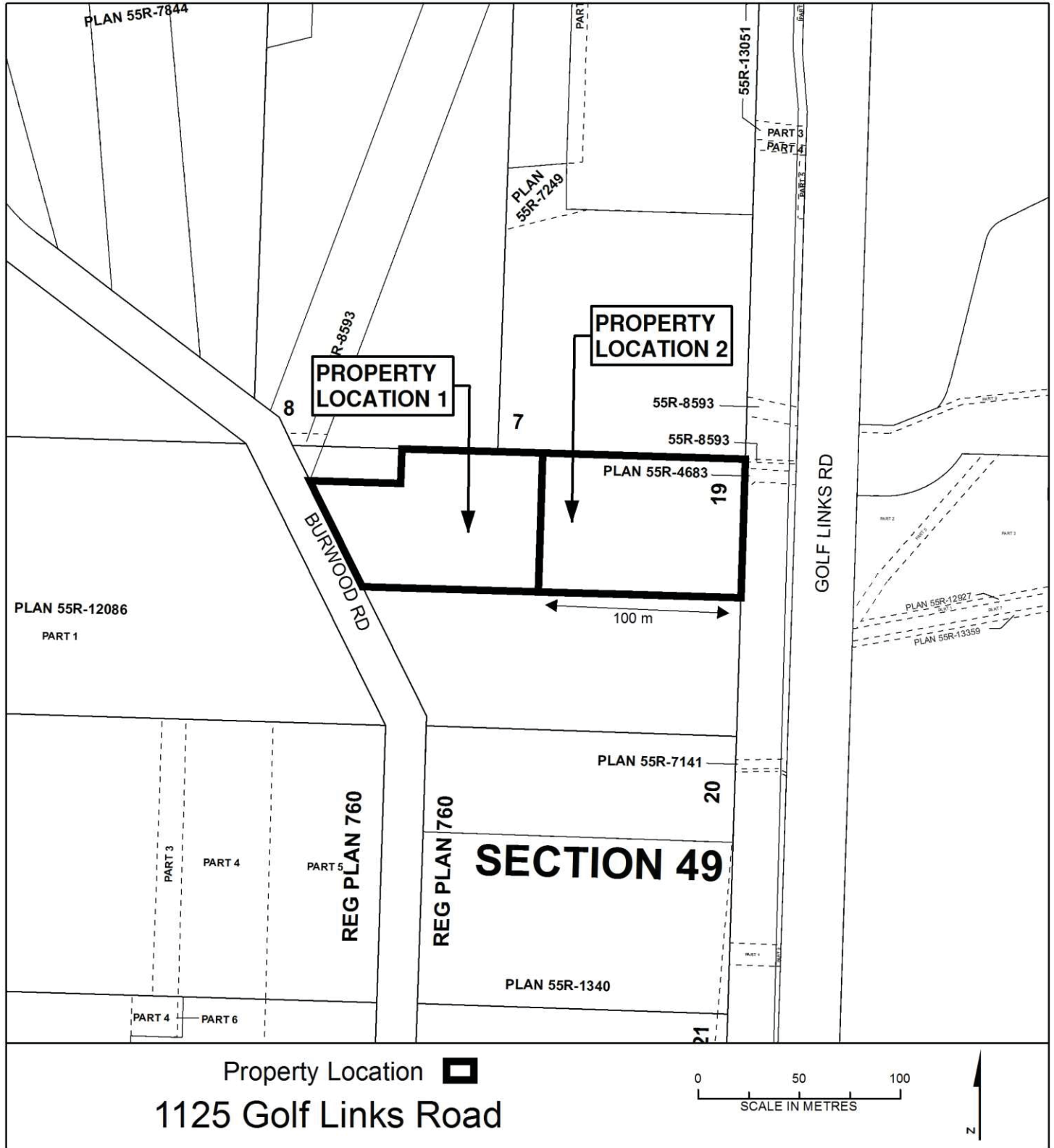
REFERENCE MATERIAL ATTACHED

Attachment A – Property Location
Attachment B – Applicant's initial site plan

PREPARED BY: Decio Lopes, MCIP, RPP., Senior Planner

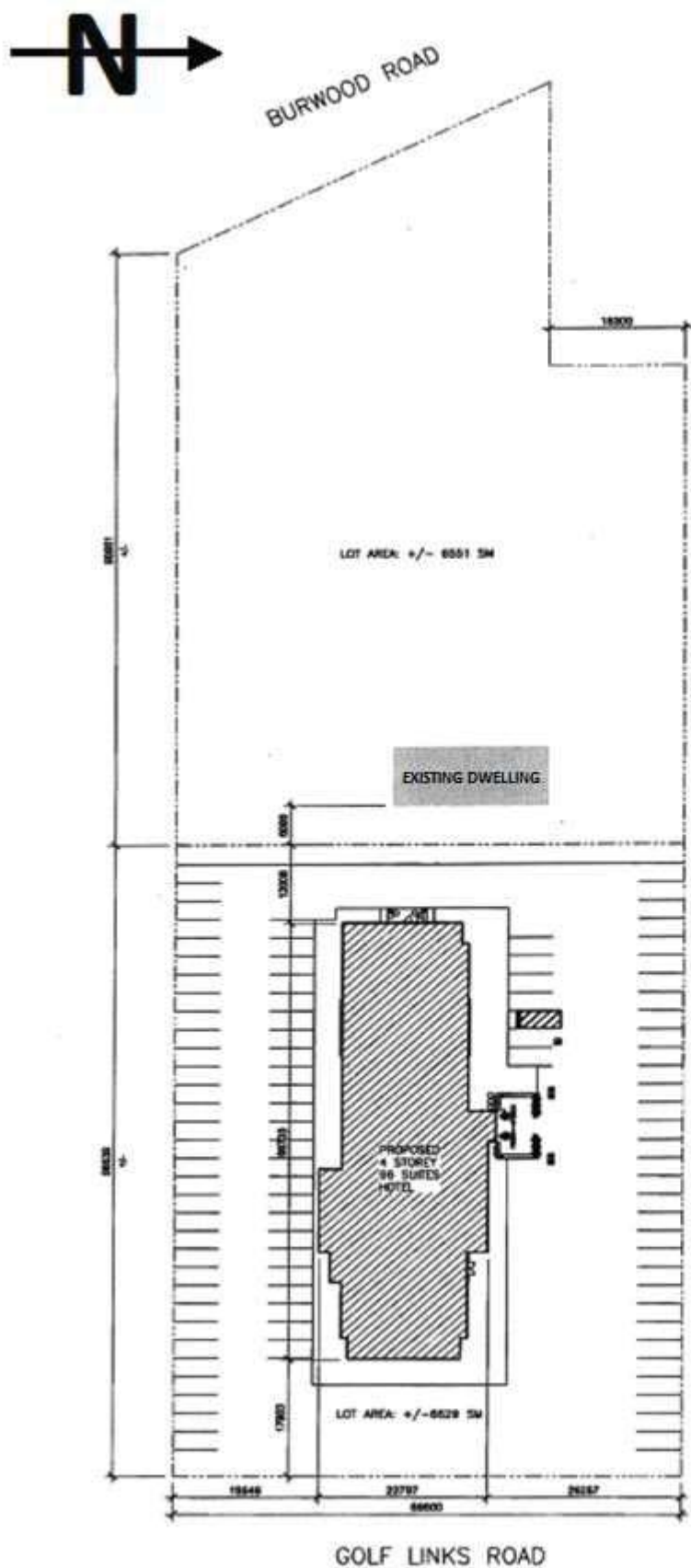
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith GM Development & Emergency Services	September 6, 2018

ATTACHMENT A – PROPERTY LOCATION



TITLE: Property Location			Date: SEPTEMBER/2017
PREPARED BY DL	SCALE As Noted	FILE NO. Z-15-2018	

ATTACHMENT B – Applicant s Site Plan



TITLE: Applicant s Site Plan		Date: SEPTEMBER/2018	
PREPARED BY DL	SCALE As Noted	FILE NO. Z-15-2018	

DEPARTMENT/ DIVISION	Development Emergency Services - Planning Services	REPORT NO.	R 129/2018
DATE PREPARED	08/23/2018	FILE NO.	Z-13-2018
MEETING DATE	9/17/2018 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 1457 John Street Road (John and Beverly McCrae)		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by relative to Registered Plan 371, Part Lot 8, Reference Plan 55R8515 Part 14, 15 & 20, municipally known as 1457 John Street Road, we recommend that the Zoning By-law be amended as follows:

1. THAT the Zoning By-law 100-2010 be amended to change the applicable zoning to "MU2" – Mixed Use Zone Two from the "R1" – Residential Zone One and the "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368' Zoning By-law 177-1983.

The following amendments apply to the regulations of the "MU2" – Mixed Use Zone Two Zone as it applies to the Subject Lands

2. THAT Section 14.1(b) and 14.1(c) do not apply;
3. THAT the number of main uses per site be increased to 3 from 1;
4. THAT the number of main buildings per site be increased to 6 from 1;
5. THAT the maximum number of dwelling units per apartment dwelling and townhouse dwelling be 6;
6. THAT the total number of dwelling units on the site be limited to 17;
7. THAT the minimum required lot frontage for a an apartment dwelling and/or a townhouse dwelling be 20 metres;
8. AND THAT the existing single detached dwelling be recognized as a permitted use.

THAT prior to the passing of the amending By-law

1. The Subject Lands be designated as an area of Site Plan Control.

ALL as contained in Report No. R 129/2018 (Planning Services) as submitted by the Development Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested to amend the Zoning By-law to change the applicable zoning to "MU2" – Mixed Use Zone Two from the "R1" – Residential Zone one and the "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368' of Zoning By-law 177-1983, and to amend the regulations of the "MU2" – Zone as they apply to the Subject Lands on the south side of John Street Road between Moore Avenue and Woodcrest Road. The Applicant is proposing to construct a combination of apartment and townhouse buildings on the site. The single detached dwelling unit that already exists will remain in place. The total number of dwelling units permitted on the site will be a maximum of 17.

Administration finds the Applicant's proposal to be consistent with the Provincial Policy Statement, 2014, in keeping with the goals and objectives of the Official Plan, is consistent with the intent of the Holding provisions, and supports the City's policies that encourage residential intensification and multiple housing forms in areas with municipal services.

DISCUSSION

Description of Proposal

The Applicant has requested a site specific Zoning By-law amendment to change the applicable zoning to "MU2" – Mixed Use Zone Two from the "R1" – Residential Zone One and the "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368' of By-law 177-1983, to permit the construction of a combination of new buildings comprised of townhouse dwellings and apartment dwellings. The total number of dwelling units on the site would be 17. Furthermore, in order to accommodate the proposed dwellings, Administration recommends the following amendments to the zoning as it applies to the Subject Lands:

1. Section 14.1(b) and 14.1(c) do not apply;
2. The number of main uses per site be increased to 3 from 1;
3. The number of main buildings per site be increased to 6 from 1;
4. The maximum number of dwelling units per apartment dwelling and townhouse dwelling be 6;
5. The total number of dwelling units on the site be limited to 17;
6. The minimum required lot frontage for an apartment dwelling and/or a townhouse dwelling be 20 metres;
7. And the existing single detached dwelling be recognized as a permitted use.

The site is currently zoned "R1" – Residential Zone One and "R2-H" – Residential One and Two Unit Zone – Holding under Surviving Paragraph 368' of By-law 177-1983. The Holding symbol prevents the Applicant from building on the site without a Plan of Subdivision with services.

Description of Subject Property and Surrounding Area

The subject property is approximately 10,600m² with a predominantly rectangular shape. It is currently occupied by a single detached dwelling, and the rest of the lot is vegetated. There are three occupied lots along John Street Road that are in front of the site that were developed by consent. These lots are zoned "R1" – Residential Zone One. The lands to the east are also zoned under Surviving Paragraph 368'. The lands to the west are zoned "R1" – Residential Zone 1, and "R3-H" – Residential Zone Three – Holding. All three parcels are zoned "EP" – Environmental Protection along McVicar Creek. The north side of John Street Road is zoned "R3", with the majority of lots occupied by single detached dwellings. Across John Street Road, the west side of Moore Avenue aligns with the east lot line of the Subject Lands.

Agency Comments

The Ministry of Transportation and Fire Prevention and Rescue responded with no objections. The Lakehead Region Conservation Authority (LRCA) responded with comments that a portion of the Subject Lands are affected by their policies, therefore development in these lands will require a permit from the Conservation Authority.

The Engineering and Operations Division responded with no objections on the condition of the Subject Lands being designated as an area of Site Plan Control. They identified a number of requirements to be addressed through the Site Plan Control Agreement process, including:

- a lot grading plan and stormwater management plan,
- a site servicing plan detailing how municipal services and utilities will be provided,
- a traffic opinion letter reviewing the existing and proposed traffic volumes, access points, and recommendations for off-site improvements, if any, and
- an erosion and sediment control plan.

The Applicant has been made aware of these requirements.

Neighbourhood Comments

Eight letters of concern/objection were received in response to the Notice of Application circulation.

A number of residents were concerned that the driveway would not align with Moore Avenue, which would inhibit development of the parcels to the east of the Subject Lands. There were concerns that the driveway connection would cause traffic concerns with the intersection being offset.

There are concerns that the increase in residents will cause the intersection at Valley Street and John Street Road to become congested. The intersection does not have a traffic light to control traffic flow.

Concerns were raised regarding the weak water pressure in the area, and that adding more dwelling units in the area will exacerbate the issue.

Residents were concerned about the quantity and quality of the stormwater flowing into McVicar Creek. Residents have identified flooding concerns that may be exacerbated through an increase of impermeable surfaces along the river banks.

Some nearby residents are still operating on a well and septic system, and they have raised concerns that their systems may be compromised following the development of this site. Neighbouring residents explained that due to the elevation change, their lots are not able to discharge into the sanitary sewers underneath John Street Road without private pumping facilities.

Finally, a number of neighbours requested that Applicants work to preserve as many of the mature trees on the site as possible.

Planning Response to Neighbourhood Comments

The Engineering and Operations Division identified a number of plans to address the majority of the issues identified by residents as requirements through the Site Plan Control process including traffic congestion, site servicing and water pressure, stormwater management and flooding, and impacts on neighbouring septic systems.

Mercedes Drive is identified in the Official Plan 2018 as eventually connecting up to Moore Avenue. This connection can be maintained by having the Applicants protect a 3m strip clear of any buildings at the east of the site. In the future when a private plan of subdivision is developed, the purchase of this 3 meter strip may be negotiated for use in those plans. When Mercedes is developed, the driveway may be reconfigured to connect to this road instead of John Street Road, which would mitigate the issue of having a driveway adjacent to an intersection. This issue has been discussed with the Applicants.

The issue with the sanitary sewers can be resolved through engineering solutions available through the Site Plan Control process.

Planning Services Division Comments

- *Growth Plan for Northern Ontario*

The proposed development does not conflict with any section of the Growth Plan for Northern Ontario.

- *Provincial Policy Statement, 2014*

The proposal is supported by the Provincial Policy Statement (PPS), 2014, as it encourages residential infill and intensification in built up areas where services exist to support the proposed development. The PPS also calls for a range and mix of housing types and densities required to meet projected requirements of current and future residents. Following the successful completion

of the identified plans and studies, and subsequent mitigating measures (if necessary) through the Site Plan Control process, the proposal will not conflict with any section of the PPS.

- *Official Plan 2002*

The Subject Lands are designated “Urban Residential” in the 2002 Official Plan (2002 OP). Where possible, the 2002 OP states that intensification and infill in diverse residential forms shall be supported to meet the objectives of efficiency and cost-effectiveness, as well as the provision of choice in housing form. Council will also require that more than 25% of housing in the “Urban Residential” designation be in multiple forms, recognizing that those types are most likely to be affordable.

The lower half of the site is designated “Natural Corridor”, which is an environmentally protected area. It is Council’s objective to preserve and enhance the natural environment, preserve and enhance fish and wildlife habitat, as well as flora environs, and reduce the potential public costs or risk to City residents by directing development away from areas where there is a risk to public health and safety or property damage. The Natural Corridor designation is applied to rivers, streams, and adjacent lands throughout the City. It is recognized that these features, when maintained in a healthy natural state, perform important ecological functions. Inappropriate development within these areas, in addition to impeding these ecological functions and undermining recreational values, exposes people and property to risks associated with flooding and erosion.

Development within the “Natural Corridor” on land outside the flood plain may be appropriate, subject to the following considerations:

- a) Potential flooding and erosion hazards must be safely addressed;
- b) Development and site alteration must be completed in accordance with established standards and procedures with respect to the provision of flood proofing and protection works;
- c) Safe access to the site must be available during times of flooding, erosion, and other emergencies;
- d) Existing hazards must not be aggravated and new hazards must not be created by the proposed development or site alteration; and
- e) No significant adverse environmental impacts shall result from the proposed development or site alteration.

The risk of flooding and erosion is assessed and managed by the Lakehead Region Conservation Authority (LRCA), and the Applicants will require a permit to develop within their control boundaries. It is not within the mandate of the LRCA to preserve ecological health and function of the natural environment. The City therefore takes a more active role in the quality of the natural environments found throughout the city limits. In order to protect these natural areas, the City may, where appropriate, apply Site Plan Control to proposals adjacent to watercourses, which is recommended in this case.

An Environmental Impact Study may be required through the Site Plan Control process. This will depend on the proximity of the development to the watercourse.

- *Official Plan 2018*

The Official Plan 2018 (2018 OP) is founded upon a number of guiding principles. The first that applies to this proposal is Environmental Sustainability. This states that the City is committed to maintaining a healthy ecological relationship between human activity and the environmental resources upon which it depends. Protecting and enhancing the natural environment through wise management and efficient land use patterns will promote environmental sustainability. Another guiding principle is Responsible Growth Management. Growth will be managed to achieve efficient, cost effective development that responds to current and future community needs. Furthermore, growth that supports energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation will be encouraged. Responsible Growth Management can be realized through sustainable land use and development patterns that stimulate economic growth, protect the environment, resources, and public health. These guiding principles shape the policies of the 2018 OP and act as the basis for the review of the proposal against these policies.

The General Goals of the Plan that are advanced by the proposal are:

- Promoting a pattern of land use, and the provision of services and facilities that will enhance the health, safety, and well-being of all present and future residents.

This goal is advanced by developing housing in a form that is conducive to a diverse population, including those downsizing from their homes, or who seek a less labour intensive living arrangement, and residents from lower, medium, or fixed income brackets. Multiple housing forms are an integral part of the inventory required to support an aging and diverse population.

- Directing development so that it occurs in an efficient and cost-effective manner.

Efficiency in development is advanced when existing services and infrastructure can serve a greater population without increasing costs. Development is considered efficient when it does not consume large amounts of serviced land.

- Create a physical environment that encourages social interaction, promotes social capital, enhances culture, and sustains the well-being of all residents;

A form of development that encourages residents to meet their neighbours, explore their neighbourhoods, and live communally is supported by the Official Plan.

- Maximize the opportunities for choice in employment, housing, recreation, and overall lifestyle for all City residents while emphasizing the need for compact, mixed-land use patterns, and providing people with the opportunity to live close to where they work, learn, shop, and play;

This type of development offers a form of lifestyle that is not offered by a single and semi-detached dwelling. This involves living in close proximity with others in smaller units, and where minimal upkeep is required by residents. This type of lifestyle often appeals to an aging population.

The proposed development aligns with a number of the General Goals of the 2018 OP, and does not conflict with any others.

Half of the property that faces McVicar Creek is designated Natural Corridor. Natural Corridors are recognized as integral components of the natural hydrological system and shall, as much as possible, be retained in their natural state. Floodplains, steep slopes, areas where erosion or instability represent constraints to development, and other areas within the jurisdiction of the LRCA are subject to the Natural Corridor designation. Where development or site alteration is proposed in, or adjacent to, a Natural Corridor area, development proponents may be required to submit an Environmental Impact Study (EIS). The Applicants may be required to submit an EIS as part of the Site Plan Control process depending on the proximity of development plans to the watercourse. In addition to any requirements of the EIS, the following must be addressed when considering development or site alteration within a Natural Corridor area:

- Potential flooding and erosion hazards;
- Development and site alteration must be completed in accordance with established standards and procedures with respect to the provision of flood proofing and protection works;
- Access to the site must be available during times of flooding, erosion, and other emergencies in accordance with Ministry of Natural Resources and Forestry Guidelines, and the City's Engineering Development Standards and Technical Guidelines;
- Existing hazards must not be aggravated and new hazards must not be created by the proposed development or site alteration; and,
- No significant adverse environmental impacts shall result from the proposed development or site alteration.

The Subject Lands are within the Urban Settlement Area. The Urban Settlement Area is where the majority of growth is directed. The Subject Lands are further designated "Residential". The general objectives of the Residential policies that apply to this site are:

- Provide for the creation of safe, livable, attractive, and healthy neighbourhoods;
- Promote a range and variety of dwelling unit types and an appropriate mix of densities that will facilitate a supply of housing that is accessible, affordable, accommodating to a mix of demographic and income groups, and is appropriate to the needs of the community;
- Encourage the provision of ownership and rental housing forms and densities that are affordable for lower to moderate income households; and

- Direct the expansion of residential development into the existing residential area;

The development of innovative housing forms that are designed to accommodate changing lifestyles through flexible room sizes, adaptable forms, expandable floor spaces, and versatile living arrangements shall be encouraged. This proposal is certainly different than the typical single and semi-detached form that is pervasive in this neighbourhood, but it is this difference that is supported by Administration. As the population ages, many residents will successfully age in place. However, many residents will seek a living arrangement that offers more freedom and less responsibility in the maintenance of their home and property. Rental properties, especially those with direct connection to the ground or street are popular with this demographic. The 2018 OP recognizes and reflects this changing demographic.

The 2018 OP identifies the eventual development of Mercedes Drive in Official Plan Figure 7: Road Classification. Recognizing this part of the Plan, it is important that this proposal does not impede the feasibility or efficacy of the extension. To account for this, Administration is recommending the Applicant be required to reserve a 3 metre strip along the eastern part of the property for a potential right-of-way dedication. Any site adjustments to ensure the viability of this requirement can be made through Site Plan Control.

- *Zoning By-law*

The site is currently zoned "R1" – Residential Zone One and "R2 – H" Residential One and Two Unit Zone - Holding under Surviving Paragraph '368 of Zoning By-law 177-1983. The Holding symbol is in place to restrict development to a Plan of Subdivision with full urban services. The intent of this is to efficiently and effectively develop the backlands of the properties in the vicinity collectively. These properties are contained within the Urban Boundary and are intended to be developed with an urban scale of density. Administration is recommending the Holding symbol be removed as this proposal will effectively develop this parcel.

The "MU2" – Mixed Use Zone Two is applied to sites that are suited for a wide range of housing forms. On occasion, Administration recommends adding uses to the list of permitted uses. This was considered by the Applicant, but it was decided through discussions with Administration that a rezoning would better suit this proposal as the "MU2" – Zone contains regulations for both an Apartment Dwelling and Townhouse Dwelling. There are non-residential uses permitted in the MU2 Zone when the lots are on a street classified as an arterial or higher. John Street Road is a collector, which is higher than an arterial. However, it is not intended for this site to develop with non-commercial uses, so Section 14.1(b) and (c) of By-law 100-2010 will not apply to this site as per this amending By-law.

The number of main uses is recommended to be 3 as there would be a single detached dwelling, an apartment dwelling, and a townhouse dwelling all contained on the same property under unity of ownership. Legal Services, Planning Services, and the Applicant have discussed the potential for condominium conversion in the future if this is desired, and this is not impeded by this proposal.

The number of main buildings on the site is proposed at 6, as there would be a combination of apartment dwellings, townhouse dwellings, and a single detached dwelling with a maximum of 6 buildings on the site. As per the above paragraph, this would not impede future plans for condominium ownership if desired.

The frontage for this property is 20.55 m, whereas an apartment dwelling requires 22.0m of frontage, and a 4-unit townhouse dwelling would require 27 m. The intent of the frontage requirements is to reflect the spatial requirements for access, side yards, and unit arrangement. As the frontage for this property is only used for access to the larger portion of the site, the reduction in the minimum frontage required is recommended. The site is large enough to accommodate access to each individual building with adequate space for yards and amenities.

Site Plan Control

Administration is recommending the Subject Lands be designated as an area of Site Plan Control, and that an Agreement between the City and the property owner is signed before a building permit is issued. Issues related to vehicle access, stormwater management, erosion control, site servicing, building location, landscaping, 3 m strip protection, and traffic impact will be managed through the Site Plan Control process. The Applicants may be required to submit an Environmental Impact Study depending on the proximity of the proposed development to the watercourse.

FINANCIAL IMPLICATION

It is anticipated that there will be an increase in tax revenue from the proposed development to the amount of \$1467 per \$100,000 of increased value. There are no financial implications for the City of Thunder Bay. All costs associated with the development are born by the Applicant.

CONCLUSION

It is concluded that the amendment to the Zoning By-law is consistent with the Provincial Policy Statement, 2014, conforms to the objectives and policies of the Growth Plan for Northern Ontario, the Official Plan, 2002, and the Official Plan, 2018 as adopted, meets the intent of the Holding provisions, would facilitate appropriate development in an area with full urban services, and is considered housing development in diverse forms, and as such, Administration is recommending approval of the proposed amendment.

REFERENCE MATERIAL ATTACHED

Attachment A – Property Location with Zoning
Attachment B – Applicant's Sketch

PREPARED BY: Grant Mason, Planner II

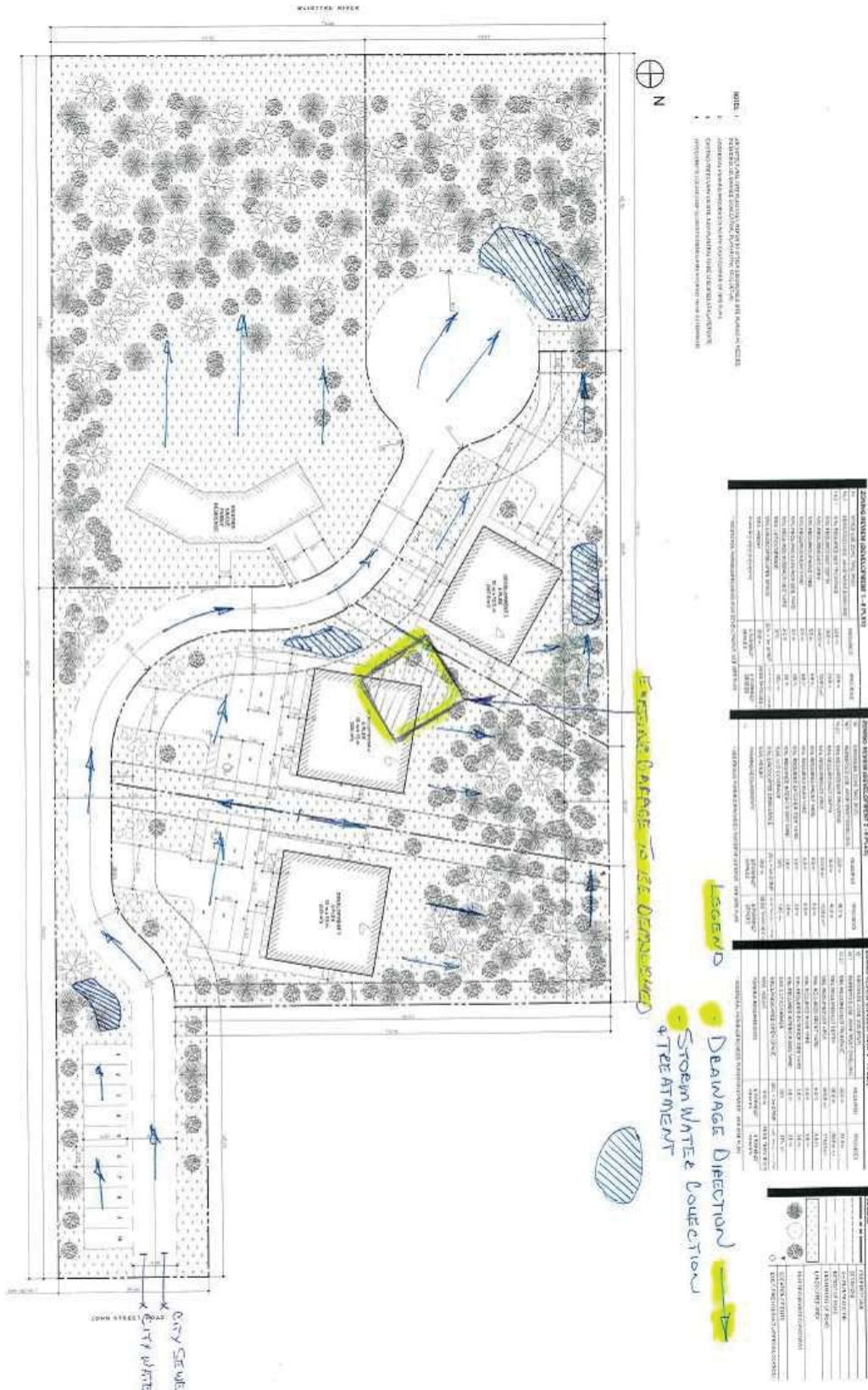
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) Mark J. Smith GM Development Emergency Services Department	DATE: September 7, 2018
--	--------------------------------

ATTACHMENT A - Property Location



TITLE: Property Location			Date: September 2018
PREPARED BY GM	SCALE As Noted	FILE NO. Z-13-2018	

ATTACHMENT B - Applicant's Sketch





Memorandum

Corporate By-law Number BL 87/2018

TO: Office of the City Clerk **FILE:** Z-17-2018

FROM: Jillian Fazio
Development Emergency Services - Planning Services

DATE: 22/08/2018

SUBJECT: BL 87/2018 - Site Plan Control Designation - 1460 Dawson Road

MEETING DATE: City Council (Public Meeting) - 9/17/2018 (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. (1460 Dawson Road)

Authorization: Report R 126/2018 (Planning Services) - City Council (Public Meeting) – September 17, 2018

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 Mining Location R2, West Part, MR251, municipally known as 1460 Dawson Road.

Schedules and Attachments:

Exhibit One to BL 87/2018

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 87/2018

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1460 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 September 17, 2018.

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 Mining Location R2, West Part, MR251, shown as "Property Location" on Exhibit One to and forming part of this Amending 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 17th day of September, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

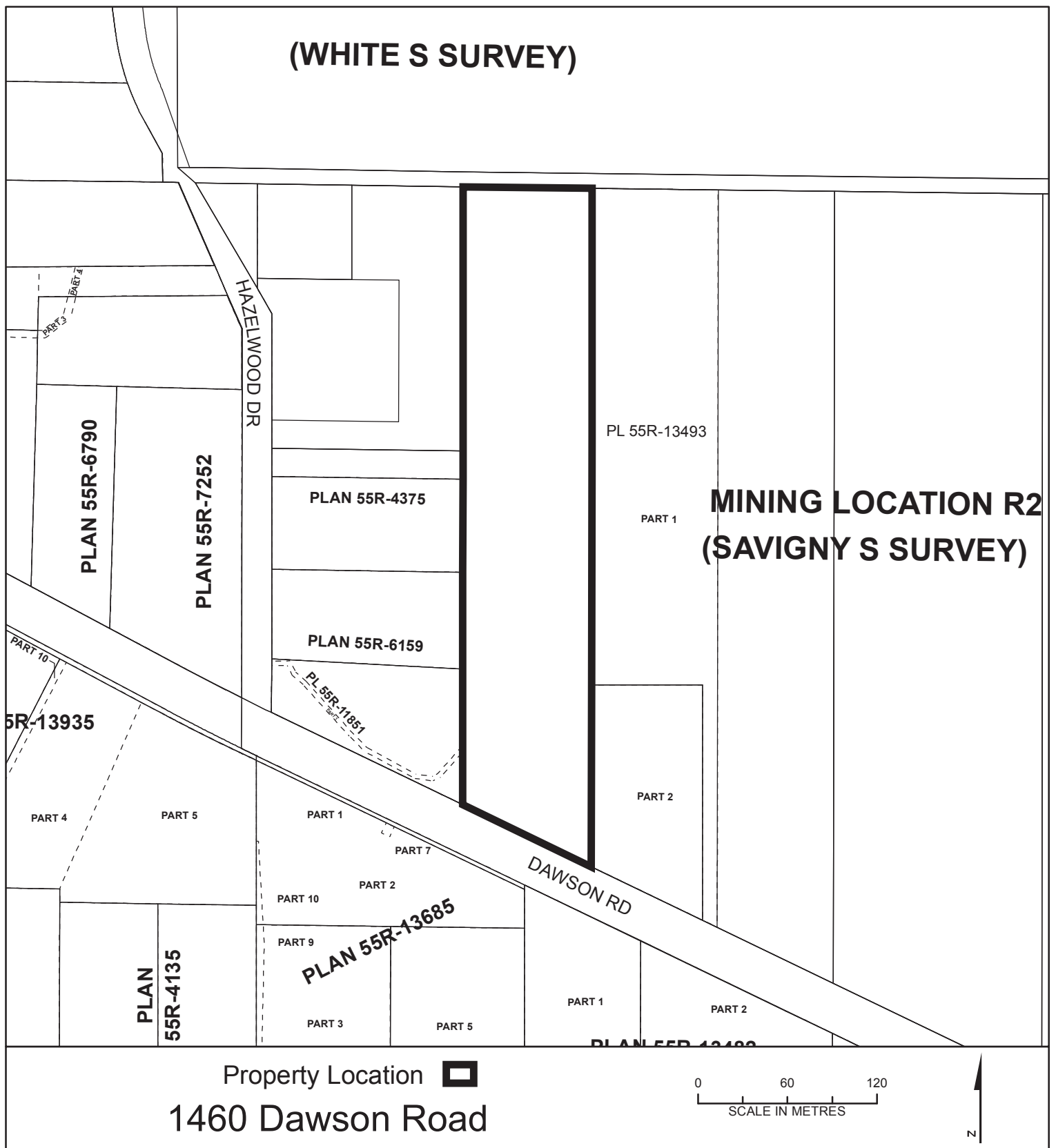
Keith Hobbs


Mayor

Krista Power

Deputy City Clerk

(WHITE S SURVEY)



Property Location 
1460 Dawson Road

0 60 120
SCALE IN METRES



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 87/2018

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 90/2018

TO: Office of the City Clerk **FILE:** Z-13-2018

FROM: Grant Mason
Development Emergency Services - Planning Services

DATE: 29/08/2018

SUBJECT: BL 90/2018 - Site Plan Designation - 1457 John Street Road

MEETING DATE: City Council (Public Meeting) - 9/17/2018 (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. (1457 John Street Road)

Authorization: Report R 129/2018 (Planning Services) - City Council (Public Meeting) – September 17th, 2018

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 of Part of Lot 8 on Registered Plan 371, being PARTS 14, 15 & 20 on Plan 55R8515, municipally known as 1457 John Street Road.

Schedules and Attachments:

Exhibit One to BL 90/2018

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 90/2018

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (1457 John Street 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 September 17th, 2018.

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 Part of Lot 8 on Registered Plan 371, being PARTS 14, 15 & 20 on Plan 55R8515, and shown as "Property Location" on Exhibit One to and forming part of this Amending 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.

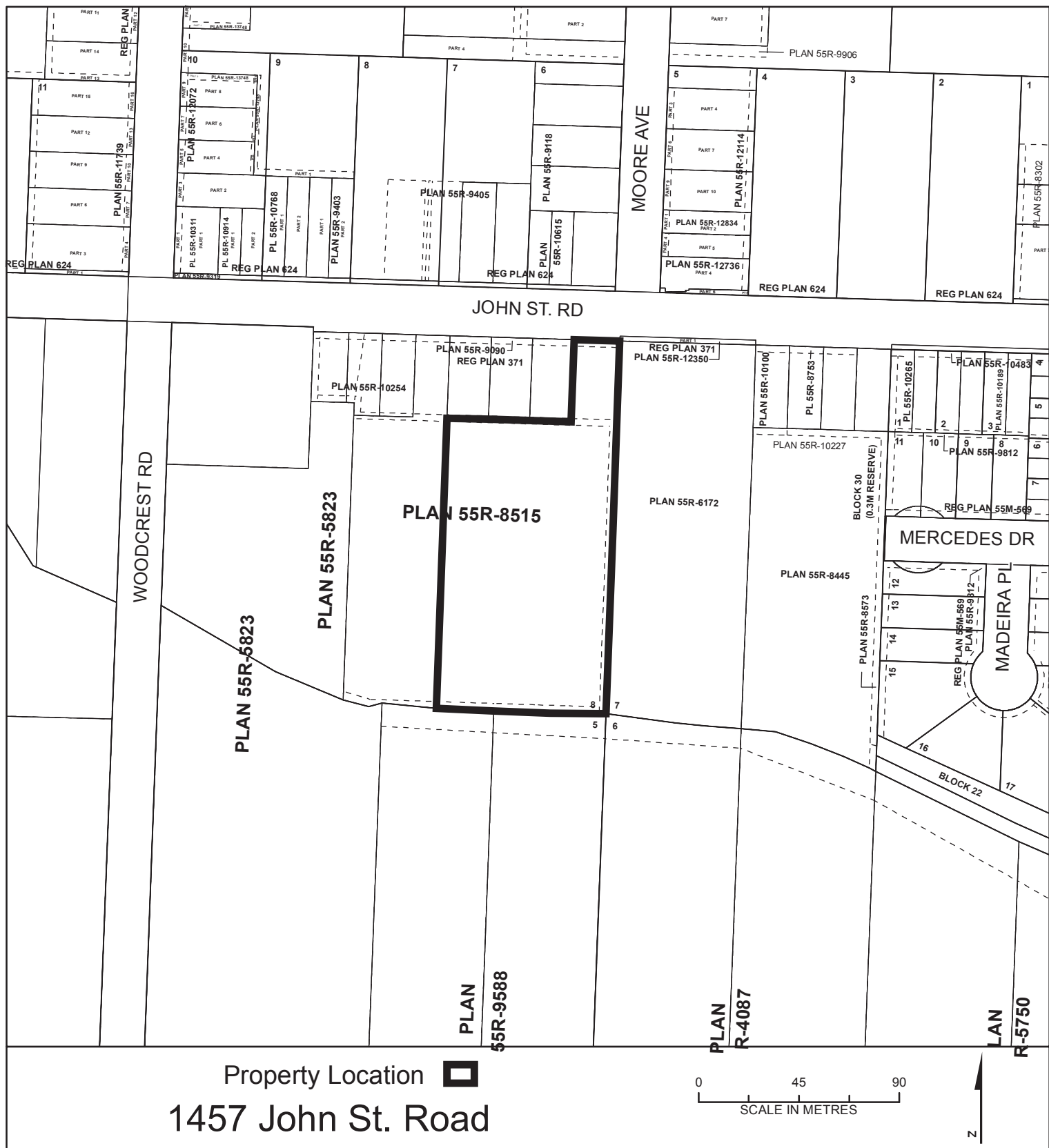
Enacted and passed this 17th day of September, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith Hobbs

Mayor

Krista Power

Deputy City Clerk



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 90/2018

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 91/2018

TO: Office of the City Clerk **FILE:** Z-13-2018

FROM: Grant Mason
Development Emergency Services - Planning Services

DATE: 30/08/2018

SUBJECT: BL 91/2018 - Zoning By-law Amendment - 1457 John Street Road

MEETING DATE: City Council (Public Meeting) - 9/17/2018 (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 (1457 John Street Road)

Authorization: R 129/2018 (Planning Services) - City Council (Public Meeting) – September 17, 2018

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010, as amended, the City of Thunder Bay Zoning By-law to rezone the subject lands to the “MU2” – Mixed Use Zone Two and amend the associated regulations.

The effect of this amendment would permit the construction of a townhouse dwelling and two apartment dwellings and establish related development parameters.

Schedules and Attachments:

Exhibit One to BL 91/2018

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 91/2018

A By-law to amend By-law 100-2010 (The Zoning By-law) of
The Corporation of the City of Thunder Bay (1457 John Street
Road)

Recitals

1. 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,
2. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on the 27th day of August, 2018, and a public meeting was held on the 17th day of September, 2018 at which Report No. 129/2018 (Planning Services) was considered.

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

1. Schedule "B" is amended by adding the following paragraph to it:

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

A Portion of Part Lot 8 on Registered Plan 371, being all of PART 14 and a Portion of PART 20 on Plan 55R8515, and shown as "Property Location 1" on Exhibit One and portions of the abutting STREET ALLOWANCES to and forming part of this Amending By-law,

is removed from the "R1" – Residential ZONE One as shown on Map 5L of Schedule "A", and is instead designated as part of the "MU2" – Mixed Use ZONE Two.

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

A Portion of Part Lot 8 on Registered Plan 371, being a Portion of PART 15 and a Portion of PART 20 on Plan 55R8515, and shown as "Property Location 2" on Exhibit One and portions of the abutting STREET ALLOWANCES to and forming part of this Amending By-law,

is removed from the "R3-H" – Residential ZONE Three – Holding, as shown on Map 5L of Schedule "A", and is instead designated as part of the "MU2" – Mixed Use ZONE Two.

- (3) Despite the provisions of Sections 2.1.1(a), 14.1, 14.2.2, 14.2.3, and Tables 2.1.1 and 14.2.1 of this BY-LAW, and in addition to all other provisions of this BY-LAW, the "affected land", shown as "Property

Location 1" and "Property Location 2" on Exhibit One, is subject to the following provisions:

a) Survival of Certain Provisions

The provisions of Paragraph "368" of Schedule "B" to By-law 177-1983, as amended do not apply.

b) Permitted USES:

i) Sections 14.1(b) and 14.1(c) do not apply.

ii) The SINGLE DETACHED DWELLING existing on the 17th day of September, 2018 is a permitted use.

c) MAIN USES:

The maximum number of MAIN USES is 3 in a combination of an APARTMENT DWELLING and/or a TOWNHOUSE DWELLING and a SINGLE DETACHED DWELLING existing on the 17th day of September, 2018.

d) MAIN BUILDINGS

The maximum number of MAIN BUILDINGS is 6 in a combination of APARTMENT DWELLINGS, TOWNHOUSE DWELLINGS, and a SINGLE DETACHED DWELLING existing on the 17th day of September, 2018.

e) Number of DWELLING UNITS per APARTMENT DWELLING

The maximum number of DWELLING UNITS per APARTMENT DWELLING is 6.

f) Number of DWELLING UNITS per TOWNHOUSE DWELLING

The maximum number of DWELLING UNITS per TOWNHOUSE DWELLING is 6.

g) Number of DWELLING UNITS

The maximum number of DWELLING UNITS is 17.

h) REGULATIONS:

i) The Minimum REQUIRED LOT FRONTAGE is 20 metres for all uses listed in Section 14.1(a) as amended by Paragraph "151(3)b)" to this BY-LAW."

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

3. 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.

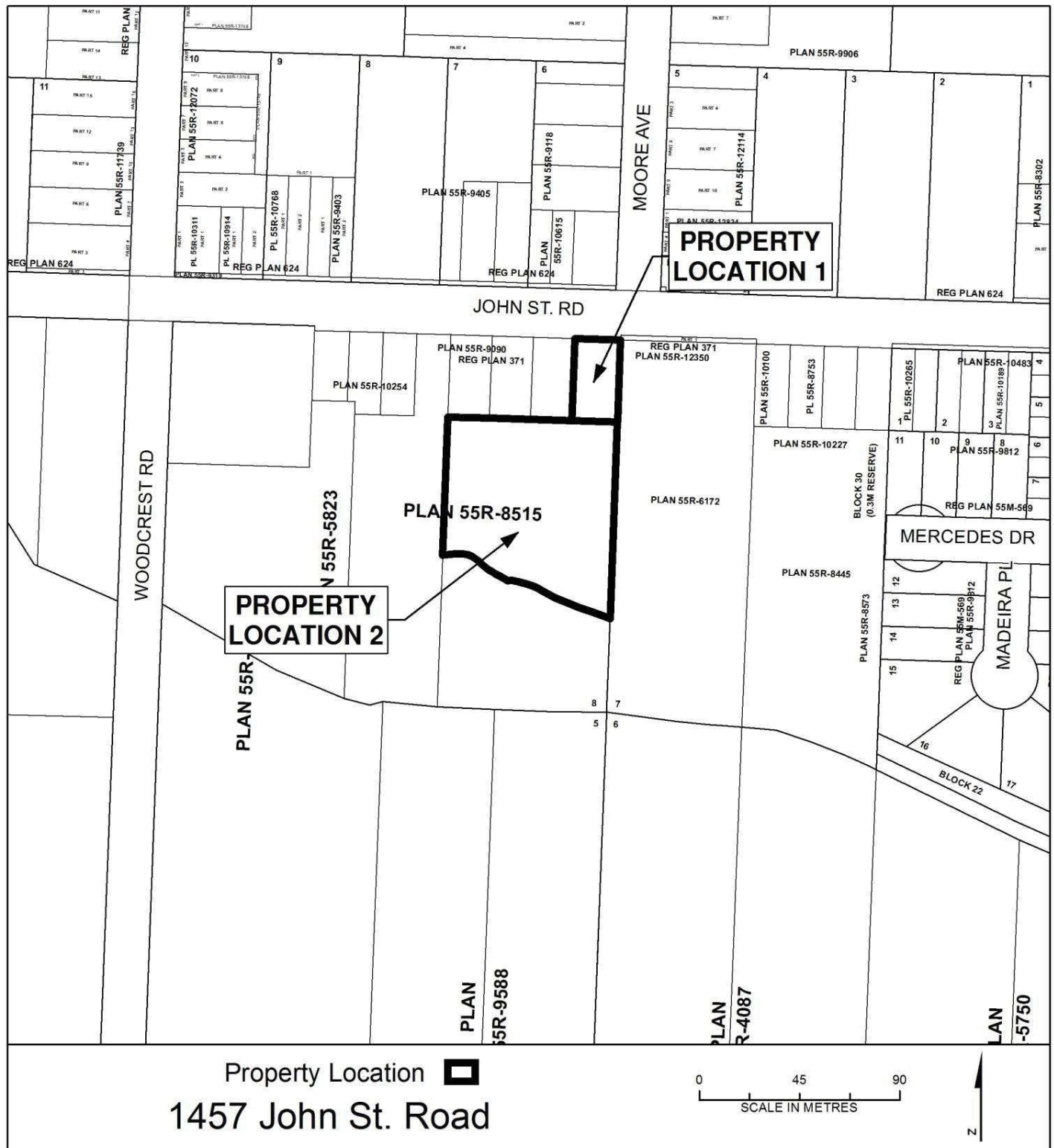
Enacted and passed this 17th day of September, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith Hobbs

Mayor

Krista Power

Deputy City Clerk



THIS IS EXHIBIT TWO TO PARAGRAPH _____
 OF SCHEDULE "B" OF BY-LAW 100 - 2010
 AS AMENDED BY BY-LAW NUMBER _____

MAYOR _____
 CITY CLERK _____



Memorandum

Corporate By-law Number BL 92/2018

TO: Office of the City Clerk **FILE:** Z-15-2018

FROM: Decio Lopes
Development Emergency Services - Planning Services

DATE: 08/30/2018

SUBJECT: BL 92/2018 - Site Plan Control Designation - 1125 Golf Links Road

MEETING DATE: City Council (Public Meeting) - 09/17/2018 (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. (1125 Golf Links Road)

Authorization: R 128/2018 (Planning Services) - City Council (Public Meeting) – September 17, 2018

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 Registered Plan 760, north part of Lot 19, municipally known as 1125 Golf Links Road.

Schedules and Attachments:

Exhibit One to BL 92/2018

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 92/2018

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1125 Golf Links 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 September 17, 2018.

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 Registered Plan 760, north part of Lot 19, 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.

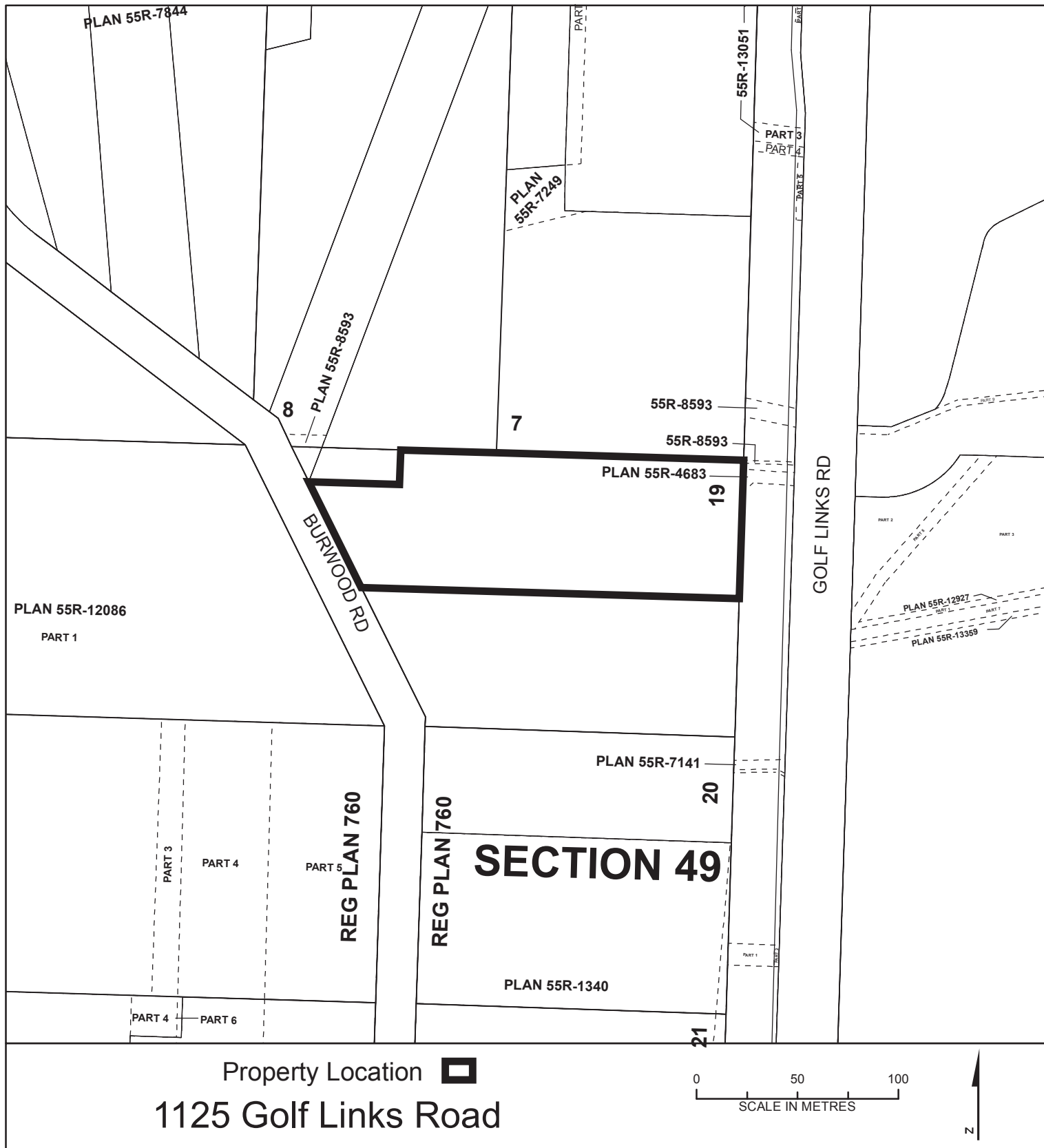
Enacted and passed this 17th day of September, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith Hobbs

Mayor

Krista Power

Deputy City Clerk



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 92/2018

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 93/2018

TO: Office of the City Clerk **FILE:** Z-15-2018

FROM: Decio Lopes
Development Emergency Services - Planning Services

DATE: 08/30/2018

SUBJECT: BL 93/2018 - Zoning By-law Amendment - 1125 Golf Links Road

MEETING DATE: City Council (Public Meeting) - 09/17/2018 (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 (1125 Golf Links Road)

Authorization: Report R 128/2018 (Planning Services) - City Council (Public Meeting) – September 17, 2018

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010, as amended, the City of Thunder Bay Zoning By-law as it applies to Registered Plan 760, north part of Lot 19 (1125 Golf Links Road) to rezone the lands from the "FD" – Future Development Zone to the "IN6" – Prestige Industrial Zone, add a hotel and office as permitted uses on the lands, amend the landscaping requirements, and establish associated development parameters.

The effect of this Amendment would be to allow the conversion of the existing dwelling to an office and for the construction of a four storey 96 suite hotel and a light manufacturing use.

Schedules and Attachments:

Exhibit to By-law BL 93/2018

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 93/2018

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1125 Golf Links Road)

Recitals

1. 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.
2. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on August 28, 2018, and a public meeting was held on September 17, 2018 at which Report No. R 128/2018 (Planning Services) was considered.

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

1. Schedule "B" is amended by adding the following paragraph to it:

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

Registered Plan 760, north part of Lot 19, and shown as "Property Location 1" and "Property Location 2" on Exhibit One and portions of the abutting STREET ALLOWANCES to and forming part of this Amending By-law,

is removed from the "FD" – Future Development ZONE, as shown on Map 7L of Schedule "A", and is instead designated as part of the "IN6" – Prestige Industrial ZONE.

(2) The provisions of Section 31.1a) and Table 31.2.1 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:

a) Permitted USES:

i) In addition to the USES permitted in Section 31.1a) of this BY-LAW, a hotel is a permitted USE under Section 31.1a) on "Property Location 2".

ii) In addition to the USES permitted in Section 31.1a) of this BY-LAW, an OFFICE is a permitted USE within the BUILDING existing on September 17, 2018.

b) REGULATIONS:

- i) The Maximum REQUIRED REAR YARD is 12.0 m
- ii) The minimum REQUIRED LANDSCAPED OPEN SPACE is 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES.

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

3. 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.

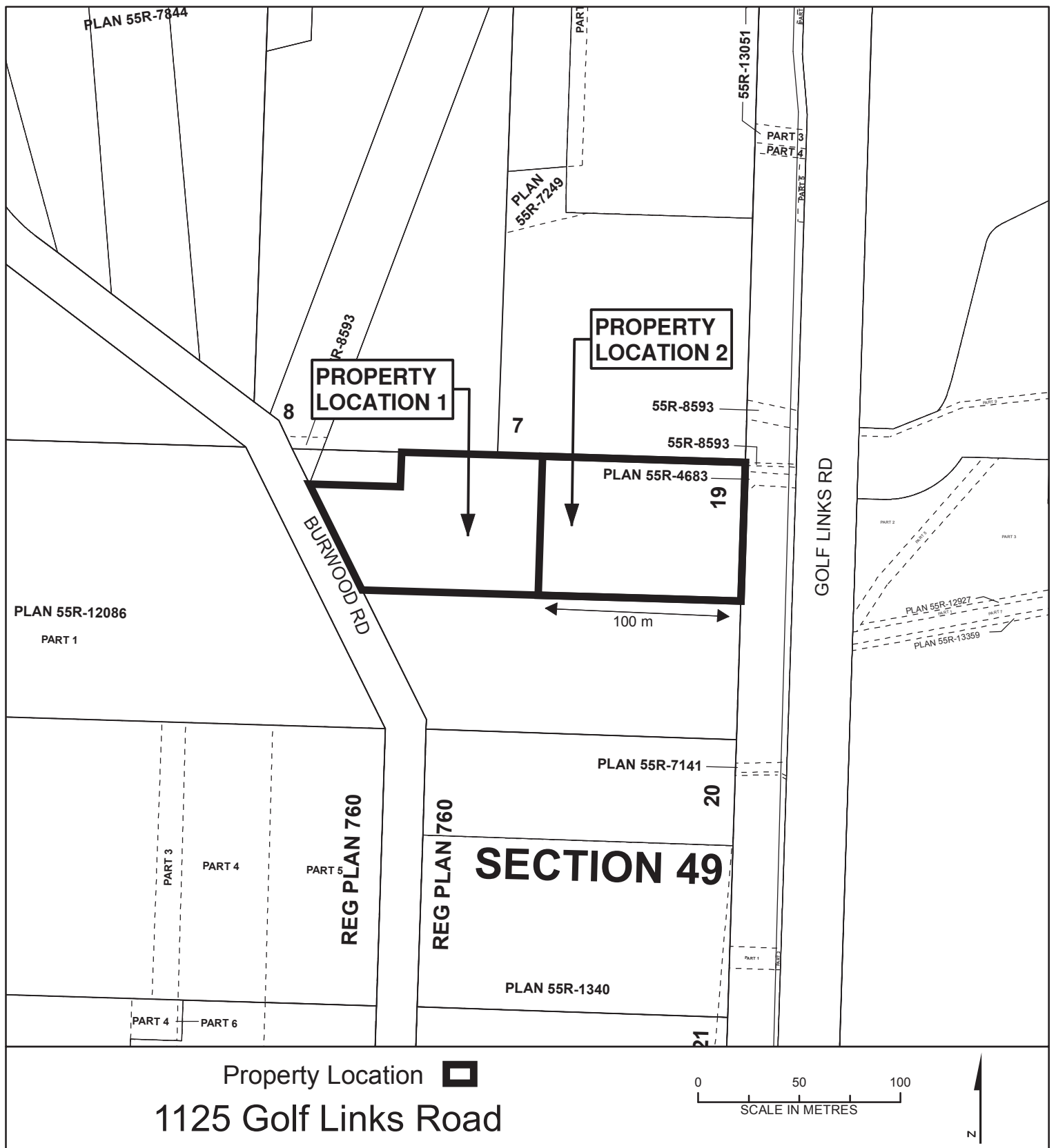
Enacted and passed this 17th day of September, A.D. 2018 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Keith Hobbs

Mayor

Krista Power

Deputy City Clerk



THIS IS EXHIBIT ONE TO PARAGRAPH "152"
 OF SCHEDULE "B" OF BY-LAW 100 - 2010
 AS AMENDED BY BY-LAW NUMBER 93/2018

MAYOR _____

CITY CLERK _____

MEETING DATE 09/17/2018 (mm/dd/yyyy)

SUBJECT By-law Resolution

SUMMARY

By-law Resolution - September 17, 2018

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 designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1460 Dawson Road)

By-law Number: BL 87/2018

2. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act R.S.O. 1990, as amended. (1457 John Street Road)

By-law Number: BL 90/2018

3. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1457 John Street Road)

By-law Number: BL 91/2018

4. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1125 Golf Links Road)

By-law Number: BL 92/2018

5. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1125 Golf Links Road)

By-law Number: BL 93/2018