



**MEETING:** City Council (Public Meeting)

**DATE:** Monday, August 26, 2019

*Reference No. CCP - 9/50*

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**OPEN SESSION in the S.H. Blake Memorial Auditorium at 6:33 p.m.**

City Council (Public Meeting)

Chair: Mayor B. Mauro

**PRESENT:**

Mayor B. Mauro  
Councillor A. Aiello  
Councillor A. Foulds  
Councillor C. Fraser  
Councillor B. Hamilton  
Councillor K. Oliver  
Councillor A. Ruberto  
Councillor Peng You

**OFFICIALS:**

Ms. K. Power, City Clerk  
Ms. K. Marshall, Acting City Manager  
Ms. P. Robinet, City Solicitor  
Ms. L. Evans, General Manager – Corporate Services  
& Long Term Care  
Ms. K. Robertson, General Manager – Community  
Services  
Mr. M. Smith, General Manager – Development &  
Emergency Services  
Ms. L. McEachern, Director – Planning Services  
Ms. L. Taylor, Solicitor – Legal Services  
Ms. K. Dixon, Director – Engineering Division  
Mr. D. Lopes, Senior Planner – Planning Services  
Mr. D. Binch, Traffic Technologist – Engineering  
Division  
Ms. K. Piche, Committee Coordinator

***DISCLOSURES OF INTEREST***

***CONFIRMATION OF AGENDA***

Confirmation of Agenda - August 26, 2019 - City Council (Public Meeting)

The Clerk advised that by-laws BL 85/2019 and BL 86/2019 were withdrawn from the agenda and will be presented at a later date.

MOVED BY: Councillor Kristen Oliver  
SECONDED BY: Councillor Albert Aiello

With respect to the August 26, 2019 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

### ***PUBLIC MEETING PROCEDURES***

Public Meeting procedures were read to Members of Council and those in attendance.

### ***CITY COUNCIL (PUBLIC MEETING)***

#### **Zoning By-law Amendment - 420 Sixth Street (Snigha Pervin) (Planning Services)**

Report No. R 126/2019 (Development and Emergency Services - Planning Services) presenting an application requesting that a site-specific Zoning By-law amendment to add a four (4) unit apartment dwelling as a permitted use, amending the access regulations, and amending the lot frontage and yard requirements as they apply to 420 Sixth Avenue. The effect of this amendment would be to allow the Applicant to construct a four (4) unit apartment dwelling. It would also allow the Applicant to utilize the adjacent laneway for access to the rear parking area.

The Applicant's request is consistent with the Provincial Policy Statement and the 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.

Ms. L. McEachern, Director – Planning Services provided a PowerPoint presentation relative to the above noted report and responded to questions.

The Chair asked whether the applicant was in attendance and wished to be heard.

Mr. T. Rizzuto, Stantec, appeared on behalf of the applicant and responded to questions.

The Chair asked if there were any supporters to the application who wished to be heard. There was no response.

The Chair asked if there were any objectors to the application who wished to be heard.

Mr. B. Sweeney appeared before Council and responded to questions.

The Chair asked Members of Council if they wished to ask any further questions of the applicant.

MOVED BY: Councillor Albert Aiello  
SECONDED BY: Councillor Cody Fraser

THAT a Public Meeting having been held with respect to the application by Snigdha Pervin , relative to PLAN 8 BLK 7 LOT 35 TO 36, municipally known as 420 Sixth Avenue, we recommend that the Zoning By-law be amended as follows:

- THAT a PARKING LOT be permitted to connect directly to a LANE without the requirement for a DRIVEWAY or PARKING AISLE,
- THAT an APARTMENT DWELLING containing a maximum of 4 DWELLING UNITS be added as a permitted USE on an INTERIOR LOT in the "R2" – RESIDENTIAL ZONE TWO ZONE,
- THAT the minimum required FRONTAGE for an APARTMENT DWELLING is 15.2m,
- AND THAT the minimum required INTERIOR SIDE YARD for an APARTMENT DWELLING is 1.5m,

Subject to the following conditions:

1. THAT the subject property be designated as an area of Site Plan Control;
2. AND THAT the Applicant obtains a Licence Agreement for access from the lane;

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

ALL as contained in Report No. R 126/2019 (Development & Emergency Services - Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

**Zoning By-law Amendment - 1510 Victoria Avenue (Cash Property Inc.) (Planning Services)**

Report No. R 127/2019 (Development and Emergency Services - Planning Services) presenting an application requesting a site-specific Zoning By-law amendment to add a five (5) unit apartment dwelling as a permitted use in the existing building, establishing a reduced parking rate, allow access from the lane, and amending the lot frontage and area requirements as they apply to 1510 Victoria Avenue East. The effect of this amendment would be to allow the Applicant to convert the existing residential building into a five unit apartment dwelling. It would also allow the Applicant to utilize the adjacent lane for access to the rear parking area.

The Amendment is required because the legal status, as it relates to the number of dwelling units in the building, is unclear. This Amendment will bring the property into conformity with the regulations of The Zoning By-law and allow the Applicant to intensify the use of property with the benefit of a Building Permit.

The Applicant's request is consistent with the Provincial Policy Statement and the 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.

Ms. L. McEachern, Director – Planning Services provided a PowerPoint presentation relative to the above noted report and responded to questions.

The Chair asked whether the applicant was in attendance and wished to be heard.

Mr. T. Rizzuto, Stantec, appeared on behalf of the applicant and responded to questions.

The Chair asked if there were any supporters to the application who wished to be heard. There was no response.

The Chair asked if there were any objectors to the application who wished to be heard. There was no response.

MOVED BY: Councillor Cody Fraser  
SECONDED BY: Councillor Peng You

THAT a Public Meeting having been held with respect to the application by Cash Property Inc. relative to Registered Plan M31 Lots 283 and 284, Parcel 32 City of Fort William Freehold, municipally known as 1510 Victoria Avenue East, we recommend that the Zoning By-law be amended as follows:

- THAT an APARTMENT DWELLING containing a maximum of 4 DWELLING UNITS be added as a permitted USE on an INTERIOR LOT in the "R2" – RESIDENTIAL ZONE TWO ZONE,
- THAT an APARTMENT DWELLING containing a maximum of 5 DWELLING UNITS be added as a permitted USE in the existing BUILDING,
- THAT the required number of parking spaces be 1.0 per DWELLING UNIT for an APARTMENT DWELLING,
- THAT a PARKING LOT be permitted to connect directly to a LANE without the requirement for a DRIVEWAY or PARKING AISLE,
- THAT the minimum required LOT FRONTAGE for an APARTMENT DWELLING is 15.2m,
- THAT the minimum required LOT AREA for an APARTMENT DWELLING is 535m<sup>2</sup>,
- AND THAT the BUILDING existing on the 26th of August, 2019, be permitted to remain in its present location.

Subject to the following conditions:

1. THAT the subject property be designated as an area of Site Plan Control,
2. THAT the Applicant sign an Undertaking to Comply to provide landscaping and orderly parking,
3. THAT the Applicant pay for the City to plant two street trees along Victoria Avenue East in accordance with the City's Tree Planting Standards and Specifications,
4. AND THAT the Applicant obtain a License Agreement for access from the lane.

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 are presented to City Council for ratification.

ALL as contained in Report No. R 127/2019 (Development & Emergency Services - Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

### **Zoning By-law - General Amendment - Rural Lot Sizes**

Report No. R 131/2019 (Development & Emergency Services - Planning Services) recommending a general amendment to the Zoning By-law to bring the lot frontage and area requirements in the rural areas of City into conformity with the New Official Plan. City Council adopted the new Official Plan on April 30, 2018 and the Minister of Municipal Affairs and Housing approved the Plan, with modifications, on March 11, 2019. The new Official Plan updates policies dealing with development outside of the urban services area.

Administration supports the proposed Zoning By-law amendment as the lot sizes beyond the urban services area is appropriate and desirable. This is consistent with the policies of the Provincial Policy Statement and the new Official Plan.

Mr. D. Lopes, Senior Planner - Planning Services provided a PowerPoint presentation relative to the above noted report and responded to questions.

The Chair asked if there were any supporters to the application who wished to be heard. There was no response.

The Chair asked if there were any objectors to the application who wished to be heard. There was no response.

MOVED BY: Councillor Albert Aiello  
SECONDED BY: Councillor Peng You

THAT a Public Meeting having been held with respect to the application made on behalf of the City of Thunder Bay, relative to all rural lands within the City's boundaries, we recommend that the Zoning By-law be amended as follows:

1. That the definition of "UNDERSIZED LOT" be amended by replacing "January 1, 2011" with "September 30, 2020" for lots created by Consent and "August 26, 2019" for lots that received draft plan approval of a subdivision;
2. Reduce the Minimum REQUIRED LOT FRONTAGE in the "RU1" – Rural Area Zone for "All permitted USES unless otherwise specified" to 60.0m;
3. Reduce the Minimum REQUIRED LOT in the "RU1" – Rural Area Zone for "RCF1, RCF2, and SINGLE DETACHED DWELLING without a PERSONAL FARM" to 10,000m<sup>2</sup>;
4. Increase the Minimum REQUIRED LOT FRONTAGE in the "R1" – Residential Zone One, "R5" – Residential Future Zone, "NC2" – Neighbourhood Centre Zone Two, "C3" – Highway Commercial Zone, "IN2" – Medium Industrial Zone, "IN3" – Heavy Industrial Zone, and "MI" – Major Institutional Zone for "LOTS with MUNICIPAL WATER SERVICES and without MUNICIPAL SEWAGE SERVICES" to 60.0m;
5. Increase the Minimum REQUIRED LOT in the "R1" – Residential Zone One, "R5" – Residential Future Zone, "NC2" – Neighbourhood Centre Zone Two, "C3" – Highway Commercial Zone, "IN2" – Medium Industrial Zone, "IN3" – Heavy Industrial Zone, and "MI" – Major Institutional Zone for "LOTS with MUNICIPAL WATER SERVICES and without MUNICIPAL SEWAGE SERVICES" to 10,000m<sup>2</sup>;
6. Increase the Minimum REQUIRED LOT FRONTAGE in "R4" – Residential Prefabricated Dwelling Zone for a "Prefabricated Dwelling Park" to 60.0m;
7. Increase the Minimum REQUIRED LOT in the "R4" – Residential Prefabricated Dwelling Zone for a "Prefabricated Dwelling Park" to 10,000m<sup>2</sup>;
8. Reduce the Minimum REQUIRED LOT FRONTAGE in the "NC1" – Neighbourhood Centre Zone One for "All permitted USES unless otherwise specified" to 60.0m; and
9. Reduce the Minimum REQUIRED LOT in the "NC1" – Neighbourhood Centre Zone One for "RCF1, RCF2, PARK and SINGLE DETACHED DWELLING" to 10,000m<sup>2</sup>;

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

ALL as contained in Report No. R 131/2019 (Development & Emergency Services - Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

**BY-LAWS**

**BL 84/2019 - General Zoning By-law Amendment - City Wide - Rural Lot Sizes**

A By-law to amend By-law 100-2010, as amended (The Zoning By-law), of The Corporation of the City of Thunder Bay (City Wide), to amend the rural lot size requirements.

**BL 87/2019 - Site Plan Designation - 1510 Victoria Avenue East (Planning Services)**

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1510 Victoria Avenue East)

**BL 88/2019 - Site Plan Designation - 420 Sixth Street (Planning Services)**

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (420 Sixth Avenue)

**By-law Resolution**

By-law Resolution - August 26, 2019

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Aldo Ruberto

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 amend By-law 100-2010, as amended (The Zoning By-law), of The Corporation of the City of Thunder Bay (City Wide), to amend the rural lot size requirements.

By-law Number: BL 84/2019

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. (1510 Victoria Avenue East)

By-law Number: BL 87/2019

3. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (420 Sixth Avenue)

By-law Number: BL 88/2019

CARRIED

***ADJOURNMENT***

The meeting adjourned at 6:59 p.m.

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Mayor

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City Clerk