



# **AGENDA MATERIAL**

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

**MEETING DATE:** MONDAY, FEBRUARY 10, 2020

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

**TIME:** 6:30 P.M.



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

**DATE:** February 10, 2020

*Reference No.* CCP - 3/51

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

City Council (Public Meeting)

Chair: Mayor B. Mauro

***DISCLOSURES OF INTEREST***

***CONFIRMATION OF AGENDA***

Confirmation of Agenda - February 10, 2020 - City Council (Public Meeting) **(Page 5)**

With respect to the February 10, 2020 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

***PUBLIC MEETING PROCEDURES***

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

**Zoning By-law Amendment - 740/760 Arthur Street West (2381062 Ontario Inc.)**

Report No. R 16/2020 (Development & Emergency Services) containing an application requesting a site-specific Zoning By-law Amendment to permit the construction of a new hotel at a higher density than what is currently permitted. The subject property includes the existing Hampton Inn site, along with the vacant adjacent parcel to the east. The Application includes a reduction in the required parking spaces to 134 from 217, a reduction in the parking aisle width to 6.0m from 6.7m, an increase in maximum height to 21.7m from 12.0m, a reduction in the rear yard to 0.0m from 6.0m, and a reduction in the width of the landscaped strip along Arthur Street to 2.2m from 3.0m. The Applicant proposes to construct a second hotel on the site. **(Pages 6 – 22)**

This proposal was scheduled for a Public Meeting on September 23rd, 2019, and the associated Report was included in the Meeting Agenda and made available to the public. However, at the end of day on September 23rd, 2019, Planning Services received notice from the MTO that they requested the deferral of the decision until land sales and transfers involved with this proposal could be finalized. This caused the last-minute withdrawal of the Application. The associated land sales and agreements have now been completed to a satisfactory position. The project, largely

physically unchanged, is being presented for consideration.

This proposal represents a form of intensification and infill on a site with full urban services. The parking reduction is supported by a study completed by an Engineer and submitted with the Application, and is also proposed to be supplemented by the additional parking area at 790 Arthur Street as described in Z-13-2019.

The Applicant's request is consistent with the Provincial Policy Statement, 2014 and the Official Plan, and is considered appropriate for its location and is compatible with surrounding uses. Administration recommends the approval of the proposed Zoning By-law Amendment.

THAT a Public Meeting having been held with respect to the application by Mario Figliomeni relative to Registered Plan M79, Part Block B, Part 4, Parcel 25315, Reference Plan 55R-9374 Part 1, and Registered Plan M79, Part Block B, FWR 172 Part 5, Reference Plan 55R-13868, municipally known as 740/760 Arthur Street West, we recommend that the Zoning By-law be amended as follows:

THAT the required number of PARKING SPACES be established at 0.57 PARKING SPACES for every hotel room suite plus the number determined by the ASSEMBLY RATE for the dining or banquet facilities, lounges, RESTAURANTS and meeting rooms,

THAT the minimum PARKING AISLE width of PARKING SPACE for an angle over 80° up to and including 90° be reduced to 6.0m from 6.7m,

THAT the minimum REQUIRED REAR YARD be reduced to 0.0m from 6.0m,

THAT the maximum HEIGHT be increased to 21.7m from 12.0m,

THAT the proposed BUILDING be contained wholly on Registered Plan M79 Part Block B, Part 4, Parcel 25315, Reference Plan 55R-9374, municipally known as 740 Arthur Street,

AND THAT the minimum LANDSCAPED OPEN SPACE in the form of a 3.0m wide strip along the LOT line abutting Arthur Street West be reduced to 2.2m.

Subject to the following conditions:

1. The Applicant enter into a License Agreement for the development and maintenance of 20 parking spaces as demonstrated in **Attachment C** to the satisfaction of Realty Services, and Engineering and Operations.
2. The 323.7m<sup>2</sup> parcel known as Registered Plan WM-49, Part of Curry Street, being described as Part 1 on Reference Plan 55R-14633 to be acquired from the City of Thunder Bay and the 965m<sup>2</sup> parcel, described as Registered Plan M-79, Part of Block B, being described as Parts 2, 4 and 5 on Reference Plan 55R-12832, to be acquired from the Ministry of Transportation, be designated as areas of Site Plan Control.

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 16/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

**Zoning By-law Amendment - 790 Arthur Street West (2699988 Ontario Inc.)**

Report No. R 17/2020 (Development & Emergency Services) containing an application requesting a site-specific Zoning By-law Amendment to add Parking Lot as a permitted use in order to use the subject property as a standalone parking lot. The Applicant has indicated their intent to use the parking lot to provide additional parking spaces to supplement the existing and proposed Hampton Inn Hotels at 740/760 Arthur Street West. Administration does not object to the proposed Amendment as the subject property is currently vacant. The site was previously a fuel bar, which suggests probable soil contamination. The use as a Parking Lot would not require a Record of Site Condition as it is not associated with a sensitive use. **(Pages 23 – 29)**

THAT a Public Meeting having been held with respect to the application by 2699988 Ontario Inc. relative to Registered Plan M79, Block A, municipally known as 790 Arthur Street West, we recommend that the Zoning By-law be amended as follows:

THAT a PARKING LOT be added as a permitted use.

Subject to the following condition:

THAT the subject property be designated as an area of Site Plan Control.

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. 17/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

***BY-LAWS***

***ADJOURNMENT***



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**MEETING DATE**     10/02/2020 (mm/dd/yyyy)

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**SUBJECT**             Confirmation of Agenda

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***SUMMARY***

Confirmation of Agenda - February 10, 2020 - City Council (Public Meeting)

***RECOMMENDATION***

With respect to the February 10, 2020 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Development & Emergency Services - Planning Services	<b>REPORT NO.</b>	R 16/2020
<b>DATE PREPARED</b>	01/21/2020 (mm/dd/yyyy)	<b>FILE NO.</b>	Z-04-2019
<b>MEETING DATE</b>	02/10/2020 (mm/dd/yyyy)		
<b>SUBJECT</b>	Zoning By-law Amendment - 740/760 Arthur Street West (2381062 Ontario Inc.)		

## RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Mario Figliomeni relative to Registered Plan M79, Part Block B, Part 4, Parcel 25315, Reference Plan 55R-9374 Part 1, and Registered Plan M79, Part Block B, FWR 172 Part 5, Reference Plan 55R-13868, municipally known as 740/760 Arthur Street West, we recommend that the Zoning By-law be amended as follows:

THAT the required number of PARKING SPACES be established at 0.57 PARKING SPACES for every hotel room suite plus the number determined by the ASSEMBLY RATE for the dining or banquet facilities, lounges, RESTAURANTS and meeting rooms,

THAT the minimum PARKING AISLE width of PARKING SPACE for an angle over 80° up to and including 90° be reduced to 6.0m from 6.7m,

THAT the minimum REQUIRED REAR YARD be reduced to 0.0m from 6.0m,

THAT the maximum HEIGHT be increased to 21.7m from 12.0m,

THAT the proposed BUILDING be contained wholly on Registered Plan M79 Part Block B, Part 4, Parcel 25315, Reference Plan 55R-9374, municipally known as 740 Arthur Street,

AND THAT the minimum LANDSCAPED OPEN SPACE in the form of a 3.0m wide strip along the LOT line abutting Arthur Street West be reduced to 2.2m.

Subject to the following conditions:

1. The Applicant enter into a License Agreement for the development and maintenance of 20 parking spaces as demonstrated in **Attachment C** to the satisfaction of Realty Services, and Engineering and Operations.

2. The 323.7m<sup>2</sup> parcel known as Registered Plan WM-49, Part of Curry Street, being described as Part 1 on Reference Plan 55R-14633 to be acquired from the City of Thunder Bay and the 965m<sup>2</sup> parcel, described as Registered Plan M-79, Part of Block B, being described as Parts 2, 4 and 5 on Reference Plan 55R-12832, to be acquired from the Ministry of Transportation, be designated as areas of Site Plan Control.

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 16/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

### ***EXECUTIVE SUMMARY***

The Applicant has requested a site-specific Zoning By-law Amendment to permit the construction of a new hotel building at a higher density than what is currently permitted. The subject property includes the existing Hampton Inn site, along with the vacant adjacent parcel to the east. The Application includes a reduction in the required parking spaces to 134 from 217, a reduction in the parking aisle width to 6.0m from 6.7m, an increase in maximum height to 21.7m from 12.0m, a reduction in the rear yard to 0.0m from 6.0m, and a reduction in the width of the landscaped strip along Arthur Street to 2.2m from 3.0m.

This proposal was scheduled for a Public Meeting on September 23<sup>rd</sup>, 2019, and the associated Report was included in the Meeting Agenda and made available to the public. However, at the end of day on September 23<sup>rd</sup>, 2019, Planning Services received notice from the Ministry of Transportation Ontario (MTO) requesting deferral of the decision until land sales and transfers involved with this proposal could be finalized. This caused the last-minute withdrawal of the Application. The associated land sales and agreements have now been completed to a satisfactory position. The project, largely physically unchanged, is now being presented for consideration.

This proposal represents a form of intensification and infill on a site with full urban services. The parking reduction is supported by a study completed by an Engineer and submitted with the Application, and is also proposed to be supplemented by the additional parking area at 790 Arthur Street as described in Report No. 17/2020.

The Applicant's request is consistent with the Provincial Policy Statement, 2014 and the Official Plan, and is considered appropriate for its location and is compatible with surrounding uses. Administration recommends the approval of the proposed Zoning By-law Amendment.

## ***DISCUSSION***

### **Description of Proposal**

The Applicant has applied for a site specific Zoning By-law Amendment to allow for the construction of a 6-storey hotel with 90 rooms. The proposed hotel would be adjacent to the existing Hampton Inn. The two hotels would have shared access and parking. The total number of rooms between the two hotels would be 194.

A number of site specific amendments are proposed to facilitate the construction of the new hotel. These include a reduction in the rear yard to 0.0m from 6.0m, a reduction in the width of the landscape strip along Arthur Street West to 2.2 from 3.0m, an increase in the maximum height to 21.7m from 12.0m, a reduction in the parking aisle width to 6.0m from 6.7m, a reduction in the parking rate to 0.57 spaces per suite plus the assembly rate for other common areas, from 1.0 space per suite plus the assembly rate for other common areas.

The property at 790 Arthur Street West is also owned by the Applicant, and is proposed to be used as a parking lot under application Z-13-2019. This lot would be used to provide additional parking if required. The Applicant envisions using this lot for trailer vehicles which occupy multiple spaces.

To facilitate the development of the subject lands, a portion of the adjacent Curry Street road allowance will be extended to provide access to the site. The costs associated with the extension will be paid by the Applicant and the construction details are outlined in a Development Agreement. In addition, a 323.7 m<sup>2</sup> parcel that currently forms part of the unopened Curry Street road allowance has been sold to the Applicant to enlarge the size of the area to be developed (See **Attachment D**). The Applicant has also acquired a 965m<sup>2</sup> parcel from the MTO, described as Registered Plan M-79, Part of Block B, being described as Parts 2, 4 and 5 on Reference Plan 55R-12832, to be included in the development through the Site Plan Control Agreement (See **Attachment D**). Space for 20 parking spaces along the opened part of Curry Street will be leased to the Applicant (**See Attachment C**).

A copy of the Applicant's site plan is attached as "**Attachment B**" for your information.

### Description of Subject Property and Surrounding Area

The subject property is located on the south side of Arthur Street West between Valhalla Inn Road and Highway 61. The subject property is zoned "C3-N" – Highway Commercial Zone – Noise, and is designated Service Commercial in the Official Plan. The Hampton Inn Hotel exists on the west portion of the site. The "C3-N" – Zone covers all of the lands between Highway 61 and Willard Avenue. The two residential neighbourhoods located to the north and west of the site are predominantly zoned "R1" – Residential Zone One.

A 965m<sup>2</sup> parcel of land immediately east of the subject lands is being transferred from the Ministry of Transportation to the Applicant and will form part of the development site. This land will not be subject to the amending By-law, but will be included in the Site Plan Agreement. Beyond that parcel is the Enbridge Gas facility. The adjacent property to the south is occupied by the Valhalla Inn, and further south is the Thunder Bay International Airport lands. Lands to the west are occupied by a parking area and tennis courts owned by the Valhalla Inn. Beyond Valhalla Inn Road is a residential neighbourhood comprised of predominantly single detached homes. Across Arthur Street to the north is the Confederation Drive residential neighbourhood.

The subject property is an interior lot with an irregular shape. It has an average depth of 62m, a width of 133m, and an area of approximately 8,550m<sup>2</sup>.

There is a stop for the 4 Neebing and 14 Arthur bus lines on Arthur Street along the frontage of the subject property. This property is well served by food and retail stores due to its proximity to Arthur Street Marketplace. There is a motor vehicle rental establishment at the southwest corner of Valhalla Inn Road and Arthur Street West.

### Notice of Application and Site Plan Revision

A Notice of Application was sent to property owners and Agencies on April 15<sup>th</sup>, 2019. A number of Agencies responded with comments indicating that they opposed the Application. Specifically, this related to MTO highway setback requirements, and access to the Enbridge facility. Based on this feedback, Planning Services, Realty Services, and Engineering and Operations worked with the Applicant to revise the plan. Changes to the site plan included shifting the building away from the intersection of Highway 61 and Arthur Street West, reducing the building footprint, increasing the proposed height, and reconfiguring access routes through and around the subject property. When it was determined that the revised plan satisfied the concerned Agencies, a second Notice of Application was circulated on June 25<sup>th</sup>, 2019 to all Agencies, and to neighbours who had commented on the original Notice of Application. This second Notice included changes to the original amendments sought. All neighbours received a copy of the updated site plan and requested amendments as part of the Notice of Public Meeting

which was sent on August 29<sup>th</sup>, 2019. On January 20<sup>th</sup>, 2020, a second Notice of Public Meeting was sent advising of the February 10<sup>th</sup>, 2020 Public Meeting.

### Neighbourhood Comments and Planning Response

Two letters of concern were received from neighbourhood residents in response to the April 15<sup>th</sup> circulation.

The first letter expressed concern about the hotels being sold independently from one another. As the site is being developed in a coordinated fashion, the sale of the hotels independently would require a planning approval. Through the required planning process, there would be public consultation and the parking arrangement and site plan details would be evaluated.

The letter continues with concerns that the parking reduction will likely result in hotel guests consuming on-street parking in the nearby residential neighbourhoods where there are no sidewalks.

The letter further discusses anticipated traffic impacts in the area that would be compounded by future phases of Parkdale, and inquires whether the City requires large developments to submit traffic impact studies as part of their applications. Administration did receive a traffic impact study as part of this Application which confirmed that the level of service for all intersections would continue to operate within Council approved limits.

The letter also states that there is traffic congestion when large events finish at the Valhalla Inn, and requests the City work to address this issue. This matter has been referred to Engineering and Operations and they have not identified the need for any infrastructure improvements related to the congestion.

The letter raises concerns with how this development will impact the future viability of the Arthur/Highway 61 intersection. This is a matter that Administration, the Applicant and MTO have worked collaboratively to remedy. MTO and Engineering and Operations have no concerns with the proposal as presented in the amended site plan that is attached to this Report as **Attachment B**.

The author then states concerns for the impact on the surrounding neighbourhood from noise resulting from the orientation of this building to the Airport. They state the orientation may reflect noise from the runway northward into the Confederation Drive neighbourhood. They also question whether the orientation of the building will funnel blowing snow onto Arthur Street, reducing visibility and impacting safety. Acoustic and wind studies have not been submitted with this Application. Administration has not requested these studies. Prevailing winds for Thunder

Bay are from the north and west, especially in winter months. To mitigate wind and noise, landscaping features will be provided through the SPC agreement.

The letter identifies concerns with the previously proposed front yard setback reduction. The letter states the City should not be approving any front yard setback reductions as this could preclude road widening for future bike lanes along Arthur Street. The amended Application does not include a request for a reduction to the front yard setback.

The author concludes with conditional support for the proposal, imploring the City to explore and mitigate the issues presented in the letter.

The second letter took issue with the parking reduction. The letter states that they observe guests of the existing hotel parking on the gravel area where the second hotel is proposed, indicating that there is already a parking deficit for the existing building. They state the addition of a second building will lead to guests parking on neighbouring lots not owned the Applicant. A Parking Study completed in support of the application indicates that there will be sufficient on-site parking to accommodate both hotels. Application Z-13-2019 proposes to add a parking lot at 790 Arthur Street West. This lot can be used to provide parking for the two hotel buildings if necessary.

### Agency Comments

Initially, the MTO responded with no objection to the revised Application. However, immediately before the Public Meeting on September 23<sup>rd</sup>, 2019, the MTO informed Planning Services that their concerns involving access to the Enbridge site had not been fully satisfied, and they were withdrawing their support for the proposal. This resulted in the immediate withdrawal of the Application and deferral until further notice. Since that time, the Applicant, Realty, Engineering, and the MTO have been working closely to resolve matters. This has included the signing of the Development Agreement to extend Curry Street, and the signing of the three Purchase and Sale Agreements involving Realty, the Applicant, and the MTO. The MTO provided comment on January 20<sup>th</sup>, 2020 that they no longer had any objection to the proposal. The Applicant will be required to obtain a permit from MTO prior to any development approvals. This is in addition to Municipal permit requirements.

NAV Canada, the Agency that owns and operates Canada's civil air navigation service, provided a comment indicating they had no objection to the proposed development, provided the Applicant adhere to development parameters relating to the crane location, swing radius, building height, and building location.

Comments were received from Fire Prevention and Investigation and the Lakehead Region Conservation Authority indicating they had no objection to the proposal.

Comments were received from Engineering and Operations indicating they do not object to the proposed development, however they identified a number of conditions to be satisfied. These include the completion of the purchase of City lands along the unopened portion of Curry Street, a License Agreement for 20 parking spaces and proposed improvements along the open portion of Curry Street, including winter maintenance and liability insurance, and a Development Agreement for the construction of the Curry Street extension (The Purchase and Sale Agreement and Development Agreement have already been completed). They note that the Traffic Impact and Parking Study and Transportation Demand Management Plan submitted with the Application are satisfactory and indicate that the municipal road network will maintain adequate Levels of Service with the proposed development. Engineering and Operations will be involved during the Site Plan Control (SPC) application process to review and comment on associated site plan details. Engineering comments relating to the parking reduction are discussed in the Parking Reduction section of this Report.

Comments from the Building Services Division were received in response to the initial circulation indicating a Building Permit will be required for the proposed works, and that a land-use permit from MTO will be required prior to the issuance of a municipal Building Permit. They had no further comments on the amended circulation.

The Parks and Open Spaces Section responded with no opposition to the proposal. They added that an updated SPC Agreement with the City will be required, which will include an updated landscape plan which may include offsite works. They note that a thorough review of the site details has not been completed, but that this will be completed through the SPC application process.

Enbridge responded noting they do not have any opposition to the proposal, provided the development adhere to certain parameters for the portion of Curry Street being purchased by the Applicant. These include obtaining written permission from Enbridge for any works across the pipeline right-of-way, and the prohibition of buildings, swimming pools, and the deposition of flammable material, solid or liquid spoil, refuse, waste, or effluent on the pipeline right-of-way. These factors will be considered through the SPC process, and Enbridge will be circulated for further comment through the SPC process. An easement is required along Curry Street for the protection of the pipeline asset. This easement has been processed by Realty with completion on the date of the land sale closure.

## Planning Services Division Comments

- Provincial Policy Statement, 2014

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The proposal is supported by the Provincial Policy Statement (PPS), 2014, as it encourages infill and intensification in built up areas where services exist to support the proposed development. This type of development aligns with cost effective development patterns and standards which minimizes land consumption and servicing costs. Enbridge and NAV Canada have cleared the proposal, with conditions relating to the location of the building, height and radius of cranes, and access through the site. These are either included in to the amending By-law, will be considered in the SPC Agreement, or will be controlled through the Building Permit. This proposal is therefore consistent with the public infrastructure section of the PPS, 2014. The subject property is located away from hazard lands, and the use is not considered to be sensitive. The proposal is consistent with, and does not conflict with any part of, the PPS, 2014.

- Growth Plan for Northern Ontario, 2011

The Growth Plan for Northern Ontario (GPNO) is a Provincial document that directs growth and economic development in Northern Ontario. This application is consistent with the GPNO. The GPNO calls for higher density development in the identified major cities, which includes Thunder Bay. This type of intensification makes efficient use of existing infrastructure, which is one of the stated purposes of the GPNO. This proposal supports the tourism industry, one of the existing and emerging priority economic sectors in Northern Ontario. Business and industry workers frequently enter the Thunder Bay region through the International Airport, and this hotel supports that mode of entry and the economic development of the region as a whole. Thunder Bay is identified as an economic hub of Northern Ontario. Many residents of the surrounding region rely on Thunder Bay for services and other matters. Hotels support the region by supporting the overnight carrying capacity of the economic hub for visitors. There are no negative implications for the natural environment as a result of this proposed development. The proposal is consistent with, and does not conflict with any part of, the GPNO.

- Municipal Policy and Regulatory Framework

The proposed Hotel is a permitted use in the Service Commercial Designation and the Highway Commercial Zone. Therefore, the appropriateness of the site for this type of use is not in question. Rather, the Amendment is to allow for a development arrangement that is at a higher density than what is envisioned by the Zoning By-law. The Official Plan and Zoning By-law are

therefore evaluated with the understanding that the use is already permitted at the subject property.

- Official Plan

The Official Plan (OP, the Plan) is founded on a number of guiding principles. This proposal aligns with two of these guiding principles:

**Responsible Growth Management:** Growth will be managed to achieve efficient, cost effective development that responds to current and future needs. This proposal fits with this principle as it is proposed on land that has full municipal services but is currently vacant.

**Accessible and Active:** The City will work to serve the transportation needs of all residents and visitors of all ages and abilities. The City will strive to provide a variety of transportation choices with priority given to walking, cycling, and transit. This proposal is located in area where other commercial areas can be reached on foot, and there is a bus stop directly in front of the subject property. The proposal does not conflict with any of the guiding principles of the Plan.

The OP has been developed using four overarching approaches which are applied to focus the document on the pillars of sustainability. These approaches are Environmental Sustainability, Climate Adaptation, Economic, and Healthy and Safe Communities. These approaches inform the direction of the policies contained in the Plan. Proposals are evaluated for their connections to these approaches. This proposal limits the impact on the natural environment by developing in an area that is not connected or proximal to natural areas. Climate adaptation is factored in by ensuring stormwater is managed on site and there is no increase to the rate of outflow following development. Economic vitality is supported by developing a fully serviced commercial property that is currently vacant. This will increase the City's tax base, provide jobs, and introduce a number of overnight and short stay guests to the city and region. Finally, this proposal is located in an area where recreational facilities, trails, and food stores are in close proximity, providing guest with healthy choices during their stay.

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

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

This goal is advanced by developing a high-density use on a site with full urban services. It is also in close proximity to other commercial areas that serve the future overnight guests. This reduces potential vehicle miles traveled compared to hotels that are more isolated. It is cost effective by infilling and intensifying an existing site.

- Promote the growth of emerging economic sectors, new businesses and employment opportunities at appropriate locations, and encourage the strengthening of existing business functions

This proposal will create space for overnight guests involved in the tourism, industry, and business sectors of the City. It is an expansion of a commercial facility which will provide jobs to local residents. It is an appropriate location for intensification as it is close to the airport, major thoroughfares and transit.

Part 4 of the Plan speaks to development constraint hazards. The subject property is located within the Noise Restricted Area associated with the airport lands. The OP states that lands within this area shall be developed in accordance with the policies of this section, and those of the specific land use designation. All new buildings associated with a sensitive land use within the Noise Restricted Area shall comply with the Acoustic Design Criteria established by Canada Mortgage and Housing Corporation and the Indoor Noise Guidelines established by the Ministry of Environment, Conservation, and Parks (MOECP). As a Hotel is not considered a sensitive use, no additional design considerations are required.

Part 6 of the Plan establishes general objectives and policies relating to public infrastructure. It is an objective to promote a land use and development pattern that maximizes the use and efficiency of public infrastructure. This proposal seeks to develop a high-density building on a site that is fully serviced and vacant. This avoids undue pressure for the expansion of these services, and the eventual cost that comes with long term maintenance.

The subject property is contained within the Urban Settlement Area, and is designated Service Commercial. One of the objectives of the Commercial Areas section is to promote concentrated commercial development. This proposal achieves this objective by developing a higher-density development through intensification and infill. The Service Commercial Designation is intended to accommodate a range of commercial and service-based uses. The proposed Amendment is not seeking to add a permitted use or rezone, the requested Amendments relate to the intensity of the development in relation to the site and surroundings. The hotel use fits with the intent of the Official Plan for this site.

- *Zoning By-law*

The subject property and surrounding properties to the south are zoned "C3-N" – Highway Commercial Zone – Noise. A hotel is a permitted use in this zone. As such, the Application only involves amendments to the general and zone specific regulations of the Zoning By-law. The –N suffix is to indicate the proximity to a noise generating facility; in this case the airport and adjacent highway.

The amendment to reduce the width of a parking aisle for a parking space with an angle of over 80° up to and including 90° to 6.0m from 6.7m, is necessary to conserve space through the site.

The intent of the 6.7m width is to accommodate vehicle reversal in and out of spaces. The reduced aisle is not proposed to be utilized throughout the site, rather in two locations: between the proposed buildings and to the north of the proposed building. All other aisles are to maintain the 6.7m width. These two locations are acceptable for the reduction. The aisle between the buildings only provides access to 4 parking spaces, with a curb and walkway behind the aisle. The location to the north of the proposed building has landscaping and a walkway behind the aisle. In both cases, the risk of collision with another vehicle or building is minimal as there is adequate space to reverse and pass other vehicles. Engineering and Operations have no objection to this arrangement.

The Application includes a reduction in the required rear yard to 0.0m from 6.0m. The site plan demonstrates that this amendment is necessary for the proposed building to conform to the MTO setback from their planned right-of-way interchange. This setback is demonstrated on **Attachment B**. Also, following the acquisition of land from the City at the south of the site, the proposed building will predominantly conform to the 6.0m setback requirement. However, there will remain a location where the proposed building will touch the rear lot line. **Attachment B** shows the lower-left corner of the building coming into contact with the lot line before the lot line jogs further south. The only place where the rear yard setback would be 0.0m is at the southwest corner of the proposed building adjacent to the Curry Street cul-de-sac. As there are no adjacent uses the setback will have no negative impacts.

The Applicant is proposing to increase the maximum permitted height to 21.7m from 12.0m. This complies with the ratio established by the Urban Design Guidelines. The existing building on the site is five storeys, whereas the new building would be six. The new building will be oriented towards the south of the site in order to comply with the 14.0m MTO setback along Arthur Street West, further providing separation from the residential properties to the north of Arthur Street. The closest residential dwelling to the proposed building is approximately 80m away. The building is proposed with its longest dimensions following a north-south orientation. This will allow views to be maintained to some degree through the site from the North. Administration supports the proposed height increase as it allows the site to be developed in a more efficient and cost effective manner.

The final amendment contained in this Application is the reduction of the minimum landscaped strip along Arthur Street to 2.2m from 3.0m. Administration does not object to this amendment as the 15% landscape open space requirement is still in place. This landscaping will be detailed through the Site Plan Control process.

### Parking Reduction

It is a requirement of the Official Plan that new developments shall provide an adequate supply of off-street parking to meet anticipated demand. A Traffic Impact and Parking Study and Transportation Demand Management Plan completed by an Engineer was submitted as part of this Application. This study provided support for the project, indicating that 134 spaces would be sufficient to provide adequate parking to both hotels. This study was completed by observing the number of spaces occupied at the existing hotel site throughout three separate evenings when the hotel was operating at 100% room capacity. The study indicates a rate of .57 spaces per hotel room suite, plus the assembly rate for public areas would be sufficient, which is reflected in the amending By-law.

As the parking study indicated that 134 spaces would be adequate to support the two buildings, was completed by an Engineer, and no flaws in the study design were identified by Administration, we accept the findings and recommend the parking reduction be approved.

Notwithstanding the results of the Parking Study, the Applicant intends to lease a portion of the Curry Street road allowance to provide an additional 20 parking spaces. The leasing of these spaces is a condition of the amending By-law.

The property at 790 Arthur Street West is currently subject to a Zoning By-law Amendment application, Z-13-2019, proposing to add a Parking Lot as a permitted use. This Amendment would allow the Applicant to provide additional parking to the hotels, and allow for large and trailer vehicles to park as well if required.

### Site Plan Control

The property is already subject to Site Plan Control (SPC), and the existing SPC Agreement for the existing Hotel will need to be amended to include the new building and parking. The SPC process will facilitate the review of the proposed development, ensuring its compliance with Engineering and Operations Division's standards, and Parks and Open Space's practices regarding landscaping. The SPC Agreement will include the additional parcels of land conveyed to the Applicant from the City of Thunder Bay and the Ministry of Transportation. A By-law to designate these additional two parcels as areas of SPC is a condition of the amending By-law.

### ***FINANCIAL IMPLICATION***

It is anticipated that there will be an increase in assessment value. All development costs are to be borne by the Applicant, including works on City property. The City will incur ongoing maintenance costs for the portion of Curry Street to be opened as part of this development proposal.

## ***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 current Provincial Policy Statement and the Official Plan. Additionally, the proposal is consistent with the Growth Plan for Northern Ontario. As such, Administration supports the proposed Zoning By-law Amendment.

## ***REFERENCE MATERIAL ATTACHED:***

ATTACHMENT A - PROPERTY LOCATION WITH ZONING

ATTACHMENT B - APPLICANT'S SITE PLAN

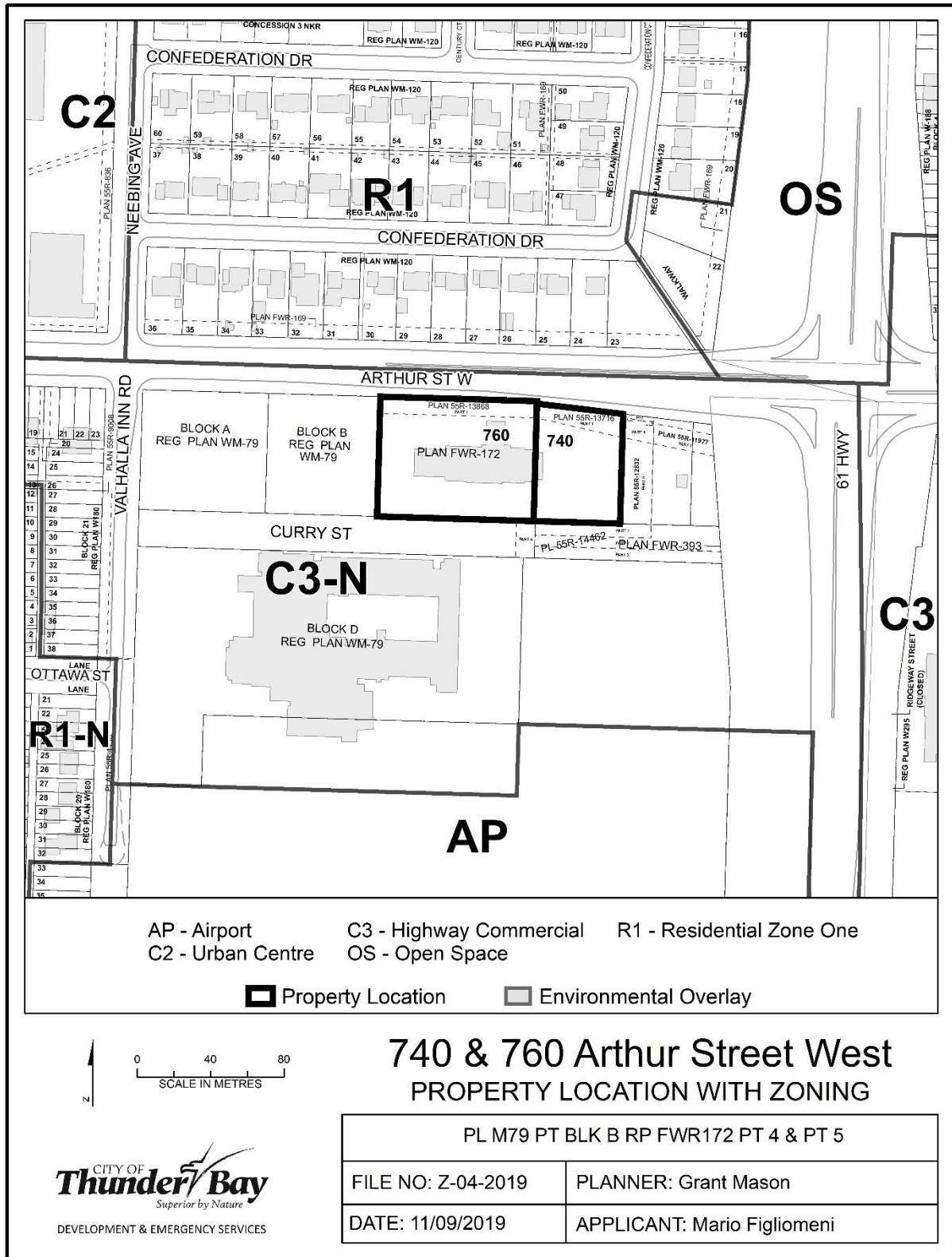
ATTACHMENT C - SPACES TO BE LEASED ALONG CURRY STREET

ATTACHMENT D - LANDS TRANSFERRED TO APPLICANT

## ***PREPARED BY: GRANT MASON, M.PL.***

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)  Mr. Mark J. Smith, General Manager – Development & Emergency Services	DATE:  February 4, 2020
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# ATTACHMENT A – Property Location with Zoning



TITLE: <b>Property Location with Zoning</b>		Date: <b>February 10<sup>th</sup>, 2020</b>	
PREPARED BY <b>GM</b>	SCALE <b>As Noted</b>	FILE NO. <b>Z-04-2019</b>	

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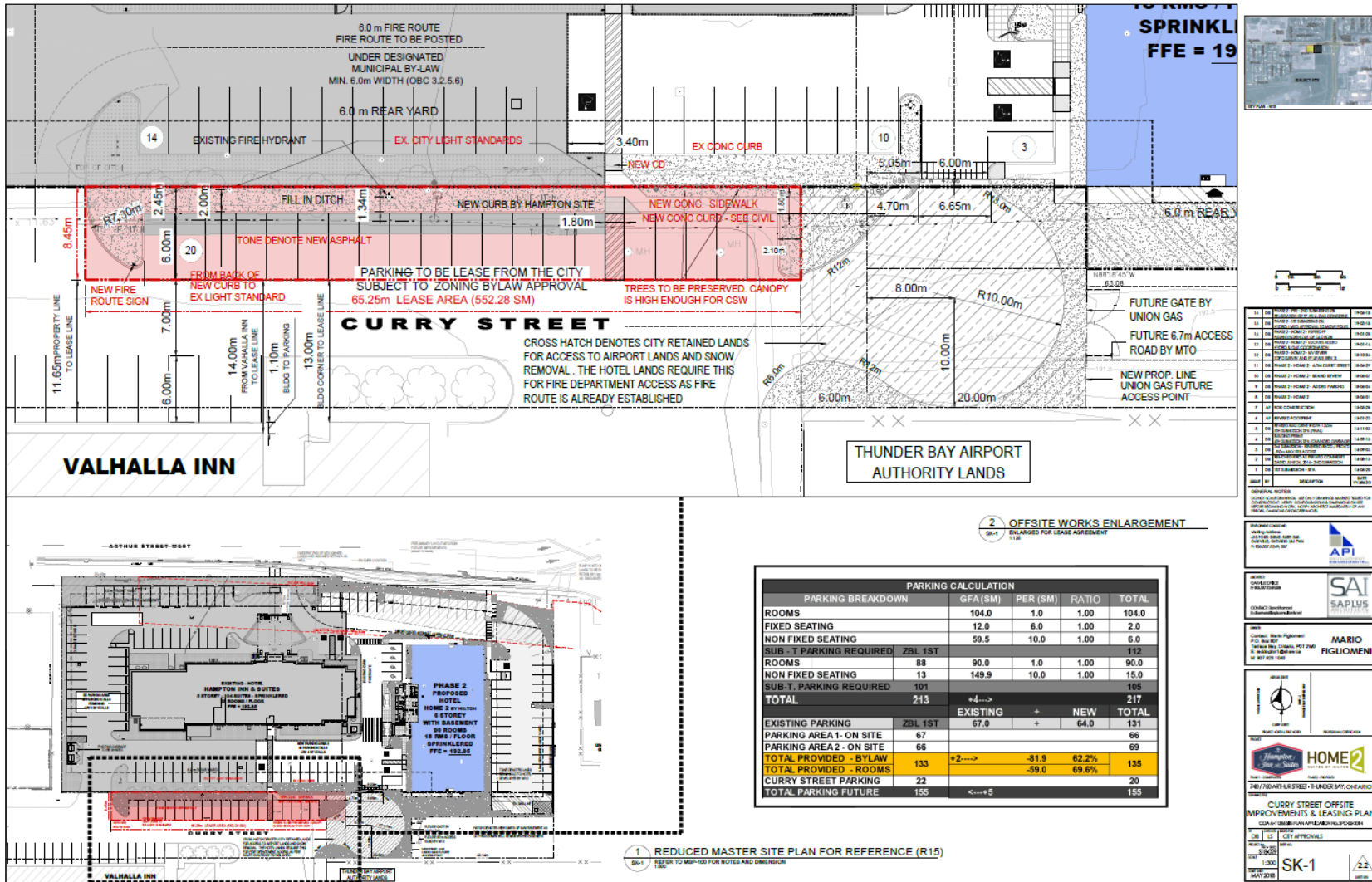
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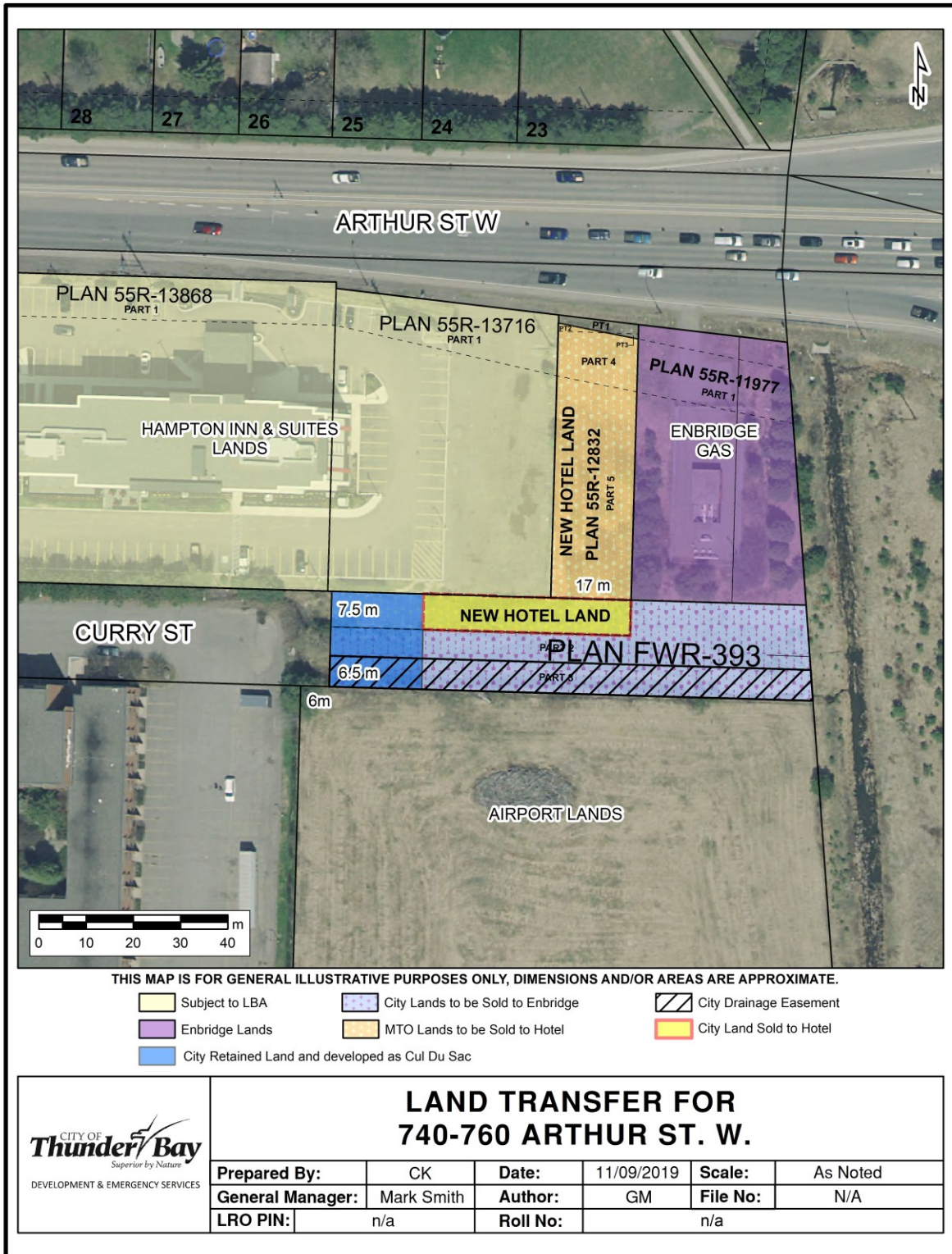
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# ATTACHMENT D – Lands Transferred to Applicant



FILE: \\DAWSON\MAPS\022\_AERIAL PHOTOGRAPHY DIGITAL MAPPING RELATED DATASETS\PLANNING\PROPERTY LOCATION\2019\Z\_04\_2019\_ARTHUR\_740\_760\PART\_OF\_CURRY\_ST\_LANDTRANSFER.MXD

TITLE: <b>Lands to be Transferred to Applicant</b>			Date: <b>February 10<sup>th</sup>, 2020</b>
PREPARED BY <b>GM</b>	SCALE <b>As Noted</b>	FILE NO. <b>Z-04-2019</b>	

# Corporate Report

<b>DEPARTMENT/ DIVISION</b>	Development & Emergency Services - Planning Services	<b>REPORT NO.</b>	R 17/2020
<b>DATE PREPARED</b>	01/21/2020 (mm/dd/yyyy)	<b>FILE NO.</b>	Z-13-2019
<b>MEETING DATE</b>	02/10/2020 (mm/dd/yyyy)		
<b>SUBJECT</b>	Zoning By-law Amendment - 790 Arthur Street West (2699988 Ontario Inc.)		

## **RECOMMENDATION**

THAT a Public Meeting having been held with respect to the application by 2699988 Ontario Inc. relative to Registered Plan M79, Block A, municipally known as 790 Arthur Street West, we recommend that the Zoning By-law be amended as follows:

THAT a PARKING LOT be added as a permitted use.

Subject to the following condition:

THAT the subject property be designated as an area of Site Plan Control.

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. 17/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

## **EXECUTIVE SUMMARY**

The Applicant has requested a site-specific Zoning By-law Amendment to add Parking Lot as a permitted use in order to use the subject property as a standalone parking lot. The Applicant has indicated their intent to use the parking lot to provide additional parking spaces to supplement the existing and proposed Hampton Inn Hotels at 740/760 Arthur Street West. Administration does not object to the proposed Amendment as the subject property is currently vacant. The site

was previously a fuel bar, which suggests probable soil contamination. The use as a Parking Lot would not require a Record of Site Condition as it is not associated with a sensitive use.

## ***DISCUSSION***

### Description of Proposal

The Applicant has applied for a site specific Zoning By-law Amendment to allow for the subject property to be used as standalone parking lot with the intent of providing additional parking area to the existing and proposed hotel buildings at 740/760 Arthur Street West. The proposed and existing hotels would have a combined total number of 194 rooms. The proposal at 740/760 includes a reduction in the parking rate that is supported by a parking study, however this amendment would allow for additional parking to be provided, particularly to accommodate larger vehicles and trailers.

A copy of the Applicant's site plan is attached as "**Attachment B**" for your information.

### Description of Subject Property and Surrounding Area

The subject property is located on the southeast corner of Arthur Street West and Valhalla Inn Road. The subject property is zoned "C3-N" – Highway Commercial Zone – Noise, and is designated Service Commercial in the Official Plan. The "C3-N" – Zone covers all of the lands between Highway 61 and Willard Avenue to the west.

The site is currently vacant, but was previously the site of a fuel bar. It is likely that soil contamination is present as a result. Therefore, many potential uses would require a Record of Site Condition (RSC), and remediation efforts may be costly. The proposed use would not require a RSC as it would not be associated with a sensitive use.

There is a parking lot and tennis courts owned by the Valhalla Inn to the east. A car rental facility is to the west. There is a residential neighbourhood to the north. The adjacent property to the south is occupied by the Valhalla Inn, and further south is the Thunder Bay International Airport lands.

The subject property is a corner lot with 68m of frontage and 65m of depth. It is approximately 4,480m<sup>2</sup>.

There is a stop for the 4 Neebing and 14 Arthur bus lines on Arthur Street along the frontage of the subject property. This property is well served by food and retail stores due to its proximity to Arthur Street Marketplace. There is a motor vehicle rental establishment at the southwest corner of Valhalla Inn Road and Arthur Street West.

### Neighbourhood and Agency Comments and Planning Response

A Notice of Application was circulated on September 24<sup>th</sup>, 2019. No neighbourhood comments were received.

Comments were received from the Lakehead Region Conservation Authority (LRCA) indicating they had no concerns or objections to the proposal.

Transport Canada responded that they do not determine whether a property is subject to, or complies with Airport Zoning Regulations enacted pursuant to the *Aeronautics Act*. They recommend obtaining a survey to determine whether the height of the proposed structure conforms to height limits established by the Zoning Regulations. As there is no building construction proposed as part of this Amendment, there are no height concerns.

Engineering and Operations, and the Parks and Open Spaces Section indicated no objection to the proposal, however it is recommended that the site be designated as an area of Site Plan Control.

### Planning Services Division Comments

#### 1. Provincial Policy Statement, 2014

The proposal does not advance any of the objectives of the Provincial Policy Statement, 2014 (PPS) overall, but it does not conflict with the PPS either. The use of a standalone parking lot is not an efficient use of land, and the use supports the travel mode choice of personal vehicles exclusively. Parking areas generate little value overall from an economic standpoint despite consuming large amounts of land, however, this property is currently vacant, so the use as a parking lot is a minor improvement. More importantly, this proposal does not conflict with the PPS as the subject property is not locked into this use forever. The future development of the subject property to a higher and better use is not precluded. Therefore, despite this proposal adding little economic, social, health, and/or environmental value, there is no loss of value, and the potential for greater value in the future is not impeded.

#### 2. Growth Plan for Northern Ontario, 2011

The Growth Plan for Northern Ontario (GPNO) is a Provincial document that directs growth and economic development in Northern Ontario. This application does not conflict with the GPNO. The GPNO calls for higher density development in the identified major cities, which includes Thunder Bay. This type of development supports the traveling population along the Highway 11/17 Corridor by providing additional space for parking in proximity to the highway and the commercial section of Arthur Street West. This is particularly supportive of large trailer vehicles which require larger spaces to park. It is therefore supportive of the transportation corridor across Ontario.

## 1. Official Plan

The proposal does not advance any of the goals of the Official Plan (OP), specifically those relating to environmental sustainability, complete and compact communities, efficient and cost effective development, healthy built environments, and climate resilience and adaptation. Supporting the use of personal vehicles does nothing to reduce greenhouse gases and conserve energy. However, there are modest economic benefits to the use of parking in the location due to the proximity of the Provincial Highway, hotels, and the commercial area. Also as mentioned earlier, the use of this property as a parking lot allows for flexibility as a future development site. In time, underutilized pieces of this site could be developed, similar to how the pad sites at 1185/1195 Arthur Street West (Movati/Scotiabank) have been constructed. In summary, while this development does not advance the goals and objectives of the OP, it does not preclude positive growth in the future.

The proposed development could advance some of the goals of the plan relating to the quality of the natural environment and attractiveness of the physical environment by incorporating a thoughtful and well designed landscape plan along the Arthur Street West frontage of the site. There exists a fairly dense screen of deciduous and coniferous trees and shrubs along the frontage of the neighbouring property to the east, and there would be value in continuing this screen to Valhalla Inn Road. This will be sought through Site Plan Control along the 3.0m required landscape strip.

The subject property is designated Service Commercial in the Official Plan. Properties in this designation are intended to accommodate a range of commercial and service-based uses many of which require both a storefront and warehousing or workshop, and are generally not well suited to the other commercial areas. The City's Service Commercial corridors provide important links between commercial areas, as well as services to the travelling public and commuters. The objectives and policies of this section do not take any position regarding the use and supply of parking, however it can be assumed that the intent of serving the traveling public relates to motor vehicles from the highway corridors.

### 1. Zoning By-law

The subject property and surrounding properties to the south are zoned "C3-N" – Highway Commercial Zone – Noise. The –N suffix is to indicate the proximity to a noise generating facility; in this case the airport and adjacent highway. Development of sensitive uses in the Noise Zone is subject to mitigative construction techniques, however a parking lot is not a sensitive use.

The proposed Amendment is to add Parking Lot as a permitted use. Parking lots are permitted in many commercial zones including the "C1" – Urban Village Zone, "C2" – Urban Centre Zone, "C4" – Arterial Commercial Zone, and "C5" – Central Business District Zone. The commercial area across Arthur Street West is zoned "C2" – Urban Centre Zone and would permit a parking lot. The "C3" – Zone is applied to some of the highway intersections where commercial uses are appropriate. The "C3" – Zone is intended to serve the traveling public; parking lots serve the local public. However, in this circumstance, the parking lot is intended to support the hotel

business at 740/760 Arthur Street West, which serves the traveling public. Therefore, this parking lot meets the intent of the "C3" – Highway Commercial Zone.

### Site Plan Control

Administration recommends the property be designated as an area of Site Plan Control. This will allow for any stormwater management, landscaping, and arrangement to be completed in a thoughtful manner with natural screening being an objective. As this is a prominent corner lot with development potential, it is beneficial to have the site designated under Site Plan Control to ensure future development is mindful of its surroundings, has adequate access, site servicing, etc. Any related off-site works associated can be carried out through a Site Plan Agreement.

### ***FINANCIAL IMPLICATION***

It is anticipated that there will be a minor increase in assessment value. All development costs are to be borne by the Applicant, including any required works on City property.

### ***CONCLUSION***

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

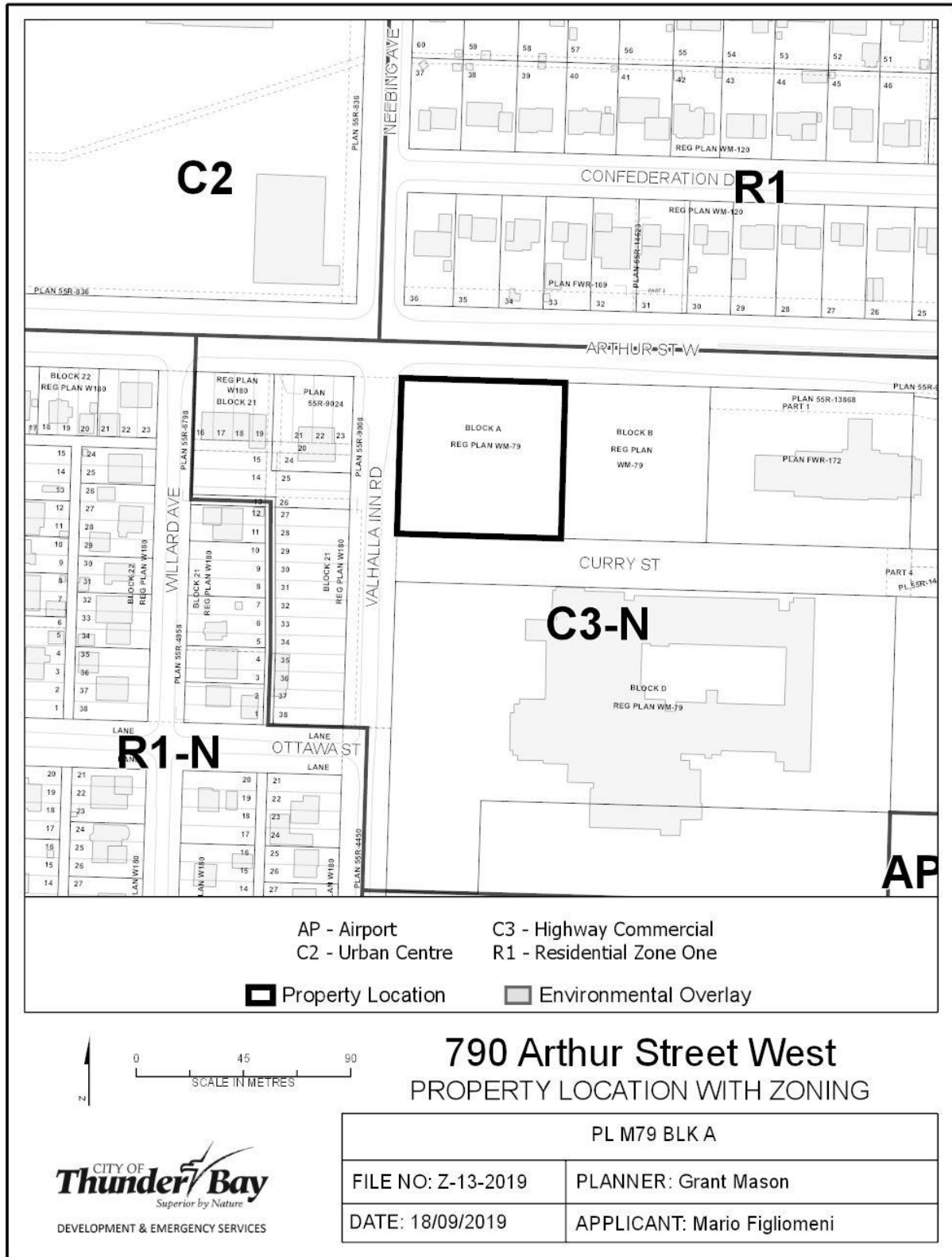
### ***REFERENCE MATERIAL ATTACHED:***

ATTACHMENT A - PROPERTY LOCATION WITH ZONING  
ATTACHMENT B - APPLICANT'S SKETCH

***PREPARED BY: GRANT MASON, M.PL.***

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)  Mr. Mark J. Smith, General Manager – Development & Emergency Services	DATE:  February 4, 2020
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# ATTACHMENT A – Property Location with Zoning



TITLE: <b>Property Location with Zoning</b>			Date: <b>February 10th, 2020</b>
PREPARED BY <b>GM</b>	SCALE <b>As Noted</b>	FILE NO. <b>Z-13-2019</b>	

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