



AGENDA MATERIAL

CITY COUNCIL (PUBLIC MEETING)

MEETING DATE: MONDAY, FEBRUARY 14, 2022

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

TIME: 6:30 P.M.



MEETING: City Council (Public Meeting)

DATE: Monday, February 14, 2022

Reference No. CCP - 3/53

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

City Council (Public Meeting)

Chair: Mayor Bill Mauro

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - February 14, 2022 - City Council (Public Meeting)

WITH RESPECT to the February 14, 2022 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed. **(Page 8)**

PUBLIC MEETING PROCEDURES

CITY COUNCIL (PUBLIC MEETING)

Zoning By-law Amendment - 1101 Syndicate Ave S (Pages 9 - 18)

Report R 12/2022 (Development & Emergency Services - Planning Services) The applicant has requested a site-specific Zoning By-law amendment to permit a self storage facility with a self-serve auto repair shop at 1101 Syndicate Avenue South. Several additional development parameters have been proposed in response to neighbourhood comments and discussions with City staff.

The proposal is considered appropriate as it will provide for an intervening land use between the existing heavy industrial uses, such as the railway corridors, and the residential uses along Mary Street. The Applicant's request is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario and conforms to the Official Plan. For these reasons, Administration supports the approval of the Zoning By-law amendment.

THAT a Public Meeting having been held with respect to the application by R.R. Albertson Ltd., relative to TOWN PLOT LOT 4 LESS 10 FT FOR LANE MARY ST S/S, municipally known as 1101 Syndicate Avenue South, we recommend that the Zoning By-law be amended as follows:

1. Define MINI-STORAGE as a BUILDING or part thereof, which is used primarily for the self storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage.
2. Define SELF-SERVE AUTO REPAIR SHOP as a MOTOR VEHICLE SERVICE STATION which is available for use or rental by individuals.
3. Permit MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP at this location.
4. In the case of MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP, apply the following modifications to the regulations:
 1. Apply the building Envelope REGULATIONS under column “USES permitted in Sections 14.1(b) and 14.1(c)” in Table 14.2.1
 2. Increase the minimum required EXTERIOR SIDE YARD for a BUILDING used as a SELF-SERVE AUTO REPAIR SHOP from 7.5m to 20m.
 3. Reduce the minimum required LANDSCAPED OPEN SPACE to a 3.0m strip along all STREET LINES only.
 4. Permit up to two MAIN USES on a LOT
 5. Require a 1.6m high PRIVACY SCREEN along all LOT LINES abutting a RESIDENTIAL ZONE
 6. Require a 1.2m high PRIVACY SCREEN along the EXTERIOR SIDE LOT LINE between the REAR LOT LINE and the FRONT YARD south of the required LANDSCAPED OPEN SPACE strip.
 7. Establish that a DRIVEWAY is not permitted on Mary Street
 8. Reduce minimum required PARKING SPACES to four (4) PARKING SPACES.

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

ALL as contained in Report R 12/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

Official Plan Amendment - 2129 Arthur St E (Pages 19 - 27)

Report R 14/2022 (Development & Emergency Services - Planning Services) The Applicant is seeking approval to create a site-specific policy to permit a dental clinic in the Residential designation. The proposed amendment would establish a new Official Plan policy to support the Applicant's goal of establishing a Neighbourhood Dental Clinic within the existing house on this property. The previous Zoning By-law amendment (Report No. 153/2021) was refused by City Council and subsequently appealed by the Applicant. The applicant has chosen to pursue the appeal of the Zoning By-law Amendment as well as consideration for the proposed Official Plan Amendment simultaneously. The Ontario Land Tribunal (OLT) is currently reviewing the appeal.

The proposed Official Plan amendment is not considered good planning as the site is located mid-block in a residential area and is not ideal for new commercial uses. For these reasons, Administration does not support the approval of the proposed amendment.

THAT a Public Meeting having been held with respect to the application by Al-Obaidi Holdings

Inc., relative to Lots 1 & 2, Registered Plan WM-63, municipally known as 2129 Arthur Street East, we recommend:

1. THAT no change be made to the Official Plan.

ALL as contained in the Report R 14/2022 (Planning Services), as submitted by the Development and Emergency Services Department.

Zoning By-law Amendment - 211 Thompson Road (Pages 28 - 35)

Report R 17/2022 (Development & Emergency Services - Planning Services) The Applicant has requested a site-specific Zoning By-law amendment to rezone a portion of the subject property from the “EP” – Environmental Protection Zone to the “RU1” – Rural Area Zone. The proposal seeks to allow for the development of a new single detached dwelling, detached garage, and swimming pool on the subject lands.

The proposal to accommodate a single dwelling, associated garage, and swimming pool is reasonable and in keeping with the intent of the Official Plan and Zoning By-law. The proposed use is compatible with the existing character of the area and is not expected to result in any negative impacts to the wetland or adjacent neighbours. Therefore the application is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario. For these reasons, Administration recommends approval of the proposed Zoning By-law Amendment.

THAT a Public Meeting having been held with respect to the application by Vincenzo Talarico and Joseph Talarico relative to Plan 501 Lot 17, municipally known as 211 Thompson Road, we recommend that the Zoning By-law be amended as follows:

1. That a portion of the lands described herein and shown on Attachment “C” be rezoned from the “EP” – Environmental Protection Zone to the “RU1” – Rural Area Zone.

Subject to the following conditions:

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

1. That the Applicant has entered into a Notification Agreement with the City of Thunder Bay to acknowledge and agree that the existing natural vegetation and soils outside of the established developable area will be maintained and kept in their natural state.

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 R 17/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

Official Plan and Zoning By-law Amendments - 1900 108th Avenue (Pages 36 - 44)

Report R 18/2022 (Development & Emergency Services - Planning Services) This application is to amend the Official Plan to designate the subject land from "Industrial - Utilities and Services" to "Industrial – Heavy Industrial"; to rezone from "IN5"– Utilities and Services Zone to "IN3"– Heavy Industrial Zone; to define and add "Industrial-Scale Computing" on the lands.

The subject property is designated as "Industrial – Utilities" and zoned as "IN5"– Utilities and Services Zone. The site is located on the southern portion of Mission Island. The site is the former Ontario Power Generation (OPG) electrical generator that is currently being demolished by applicant.

The Planning Division is recommending support for the proposed amendments. The Planning Division believes that the proposed development would add to the industrial land supply and is supported by the Provincial Policy Statement, Mining Readiness Strategy, and the Employment Lands Strategy.

Official Plan Amendment

THAT a Public Meeting having been held with respect to the application from 1857060 Ontario Limited, to amend the Official Plan as it applies to CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, 1900 108th Avenue as shown as "Property Location" on Attachment "A" to Report R18/2022 (Planning Services), we recommend:

1. The lands be deleted from the "Utilities" designation as shown on Schedule "E" of the Official Plan and instead be designated "Heavy Industrial";

AND THAT the necessary by-law be presented to City Council for ratification;

ALL as contained in Report R18/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

Zoning By-law Amendment

THAT a Public Meeting having been held with respect to the application from 1857060 Ontario Limited, to amend the Zoning By-law as it applies to CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, 1900 108th Avenue as shown as "Property Location" on Attachment "B" to Report R18/2022 (Planning Services), we recommend:

1. That the lands be rezoned from the "IN5" – Utilities and Services Zone to the "IN3" – Heavy Industrial Zone;
2. Define "Industrial-Scale Computing" to mean "the use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres"; and
3. Add "Industrial-Scale Computing" as a permitted use on the lands.

Subject to the following conditions:

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

1. City Council approve the associated Official Plan Amendment; and
2. The subject property be designated as an area of Site Plan Control;

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

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. If the applicant does not fulfill the conditions of the approval within the year, the file shall be considered closed and a new application required;

ALL as contained in Report R18/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

BY-LAWS

BL 12/2022 - Zoning By-law Amendment - 1101 Syndicate Ave S

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1101 Syndicate Avenue South) **(Pages 45 - 48)**

BL 14/2022 Official Plan Amendment - 1900 108th Avenue

A By-law to adopt Amendment No. 5 to the City of Thunder Bay Official Plan (1900 108th Avenue) **(Pages 49 - 57)**

BL 15/2022 - Site Plan Designation - 1900 108th Avenue

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (1900 108th Avenue) **(Pages 58 - 60)**

BL 16/2022 - Zoning By-law Amendment - 1900 108th Avenue

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1900 108th Avenue). **(Pages 61 - 64)**

BL 18/2022 - Site Plan Control Designation - 901 Memorial Avenue

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (901 Memorial Avenue). **(Pages 65 - 68)**

BL 21/2022 - Site Plan Control Designation - 70 Court Street North

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (70 Court Street North) **(Pages 69 - 72)**

BL 23/2022 - Site Plan Control Designation - 29 & 41 Royston Court

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (29 & 41 Royston Court) **(Pages 73- 75)**

By-law Resolution - City Council (Public Meeting) - February 14, 2022 (Pages 76- 77)

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 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1101 Syndicate Avenue South)

By-law Number: BL 12/2022
2. A By-law to adopt Amendment No. 5 to the City of Thunder Bay Official Plan (1900 108th Avenue).

By-law Number: BL 14/2022
3. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (1900 108th Avenue).

By-law Number: BL 15/2022
4. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1900 108th Avenue).

By-law Number: BL 16/2022
5. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (901 Memorial Avenue).

By-law Number: BL 18/2022
6. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (70 Court Street North).

By-law Number: 21/2022
7. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (29 & 41 Royston Court).

By-law Number: 23/2022

ADJOURNMENT



MEETING DATE 02/14/2022 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda - February 14, 2022 - City Council (Public Meeting)

SUMMARY

Confirmation of Agenda - February 14, 2022 - City Council (Public Meeting)

RECOMMENDATION

WITH RESPECT to the February 14, 2022 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 12/2022
DATE PREPARED	01/24/2022	FILE NO.	Z-10-2021
MEETING DATE	02/14/2022 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 1101 Syndicate Ave S		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by R.R. Albertson Ltd., relative to TOWN PLOT LOT 4 LESS 10 FT FOR LANE MARY ST S/S, municipally known as 1101 Syndicate Avenue South, we recommend that the Zoning By-law be amended as follows:

1. Define MINI-STORAGE as a BUILDING or part thereof, which is used primarily for the self storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage.
2. Define SELF-SERVE AUTO REPAIR SHOP as a MOTOR VEHICLE SERVICE STATION which is available for use or rental by individuals.
3. Permit MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP at this location.
4. In the case of MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP, apply the following modifications to the regulations:
 - a. Apply the building Envelope REGULATIONS under column "USES permitted in Sections 14.1(b) and 14.1(c)" in Table 14.2.1
 - b. Increase the minimum required EXTERIOR SIDE YARD for a BUILDING used as a SELF-SERVE AUTO REPAIR SHOP from 7.5m to 20m.
 - c. Reduce the minimum required LANDSCAPED OPEN SPACE to a 3.0m strip along all STREET LINES only.
 - d. Permit up to two MAIN USES on a LOT
 - e. Require a 1.6m high PRIVACY SCREEN along all LOT LINES abutting a RESIDENTIAL ZONE
 - f. Require a 1.2m high PRIVACY SCREEN along the EXTERIOR SIDE LOT LINE between the REAR LOT LINE and the FRONT YARD south of the required LANDSCAPED OPEN SPACE strip.
 - g. Establish that a DRIVEWAY is not permitted on Mary Street
 - h. Reduce minimum required PARKING SPACES to four (4) PARKING SPACES.

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

ALL as contained in Report R 12/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The applicant has requested a site-specific Zoning By-law amendment to permit a self storage facility with a self-serve auto repair shop at 1101 Syndicate Avenue South. Several additional development parameters have been proposed in response to neighbourhood comments and discussions with City staff.

The proposal is considered appropriate as it will provide for an intervening land use between the existing heavy industrial uses, such as the railway corridors, and the residential uses along Mary Street. The Applicant's request is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario and conforms to the Official Plan. For these reasons, Administration supports the approval of the Zoning By-law amendment.

DISCUSSION

Description of Proposal

The applicant is proposing to construct a self storage facility and a self-serve auto repair shop. The proposed Zoning By-law Amendment application would define and permit two additional land uses on the subject property. The proposed land uses and their definitions are as follows:

- “Mini-storage” is a building or part thereof, which is used primarily for the self-storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage.
- “Self-serve auto repair shop” is a motor vehicle service station which is available for use or rental by individuals.

The proposed amendment would also apply building regulations consistent with other non-residential uses permitted in the “MU2” Zone and several other site-specific development parameters. These development parameters have been proposed in response to neighbourhood comments and discussions with City staff.

The proposed development parameters include:

- Increasing the minimum required exterior side yard for a self-serve auto repair shop from 7.5m to 20m.
- Reducing the minimum required landscaped open space to a 3.0m strip along all street lines only.
- Permitting up to two (2) main uses
- Requiring a 1.6m high privacy screen along the lot line abutting a residential zone

- Requiring a 1.2m high privacy screen along the landscaped strip next to Mary Street
- Prohibiting a driveway off of Mary Street
- Reducing the minimum required parking spaces to four (4) parking spaces.

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 1101 Syndicate Avenue South, on the southwest corner of Mary Street and Syndicate Avenue, as shown on "Attachment A"

The property is currently vacant land with approximately 50.0 metres of lot frontage along Syndicate Avenue. The property was previously used as a dry cleaning plant (Dresswell), but this building was demolished in 2009. The property is zoned "MU2" – Mixed Use Zone Two and is designated as Residential.

There are low density residential uses to the north and west of the property along Mary Street. There is a motor vehicle service station to the south of the property and several rail corridors to the east of the property.

Neighbourhood Comments

A Notice of Application describing the proposed amendment was mailed to surrounding property owners on November 12, 2021. Planning Services received four (4) letters from property owners expressing their concerns about the proposal. Concerns included the following:

- security and safety
- noise and disruption
- property maintenance and appearance of the site
- impacts to surrounding property values

The security and safety of the property can be difficult to influence through zoning. However, Crime Prevention through Environmental Design (CPTED) principles can be encouraged during the Site Plan Approval process to encourage good visibility throughout the site.

Self-storage facilities are relatively passive uses and are not expected to create disruptive levels of noise or traffic. Activity within the self-serve auto shop is expected to create some noise during operating hours. Relocating the building towards the existing motor vehicle service station on Syndicate should help to alleviate this concern.

The site will be subject to the Property Standards By-Law and outdoor storage will continue to be prohibited by the Zoning By-law. The appearance of the site can be reviewed in greater detail during the Site Plan Approval process.

Planning Services has no quantifiable information related to the impact that the proposed use would have on adjacent residential property values.

Three of the four letters provided site design suggestions that would alleviate some or all of their concerns. These included the following:

- That no access be provided to the site from Mary St
- That the self-serve auto shop be located on the south side of the lot towards the lane.
- That a privacy fence be constructed along Mary St
- That lighting and surveillance cameras be installed

With the exception of surveillance cameras all of these design suggestions have been included in the Applicant's modified request. The addition of security lighting and/or fencing will be considered during the Site Plan Approval process.

Agency Comments

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

- Engineering & Operations Division
- Parks & Open Spaces Section
- Fire Prevention and Rescue Service
- Building Services Division
- Realty Services Division
- Synergy North
- Ministry of Transportation

Planning Services Division Comments

- *Provincial Policy Statement, 2020*

The proposal is consistent with the Provincial Policy Statement (PPS), 2020, as it allows for an intervening land use between a major facility (railways) and sensitive uses (houses).

The PPS states that healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns. In the PPS, "major facilities" are facilities which may require separation from sensitive land uses. Sensitive land uses should be planned to ensure they are appropriately buffered and/or separated from major facilities to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Planning Services has reviewed the Province's D-6 Guidelines "Compatibility between Industrial Facilities" which is intended to be applied in the land use planning process to prevent or minimize future land use problems caused by the encroachment of sensitive land uses and industrial land uses on one another. The guidelines identify three classes of industrial uses based on their potential for adverse impacts and recommend different separation distances for each class.

The adjacent railways would be considered a Class III Industrial Use due to noise, vibration, and appearance. This is a historical use and is located closer to residential uses than what is recommended by current D-6 Guidelines. As such, efforts to create a transitional buffer between the heavy industrial use and the sensitive residential uses should be promoted. The proposed self storage facility and self serve auto repair shop are not considered sensitive uses and they are not major facilities which create adverse effects. As such, they make a suitable buffer between sensitive residential uses and heavy industrial uses.

- *Growth Plan for Northern Ontario, 2011*

The proposal does not conflict with or significantly support any policy in the Growth Plan for Northern Ontario.

- *Official Plan*

The subject property is currently designated Residential. Non-residential uses, such as the uses proposed, are not typically permitted in this designation. However, Planning Services is of the opinion that the development conforms to the Official Plan (OP) as the site is in close proximity to the Heavy Industrial designation and an existing major facility (railway lines) and is therefore less suitable for a residential use.

Where existing non-residential uses within the Residential designation cannot be reasonably converted to a residential use, continued commercial use may be permitted. Where necessary, amendments to the Zoning By-law to permit the continued commercial use of an existing building may be considered without an Official Plan Amendment. While the previous dry cleaning plant building was demolished in 2009 and the site has since been vacant, the location near heavy industry makes the site difficult to convert to a residential use, and therefore the continued use of this property for commercial use is appropriate.

The subject lands are adjacent to residential uses, however they are also across Syndicate Avenue from a heavy industrial area. Similar to the PPS, the OP contains policies which require that major facilities and sensitive land uses are, to the fullest extent practical, appropriately designed, buffered and/or separated from each other so as to prevent adverse effects from odour, noise and other contaminants. The proposed use is not considered a major facility, however, the adjacent railway lines are. The close proximity to the railway lines make the subject lands unsuitable for residential development. The proposed non-residential uses would be a suitable transition between the adjacent residential uses and the heavy industrial area.

The proposal also supports the creation of a positive climate for business to develop a diversified, growing economy which is a general objective of the Employment Area section in the OP. It provides opportunity for the growth of a new business at an appropriate location, on a corner lot adjacent to another existing business.

- *Zoning By-law*

The subject property is currently zoned “MU2” – Mixed Use Zone Two. The proposed Zoning by-law amendment would define and permit “mini-storage” and “self-serve auto repair shop”. It would also apply building regulations consistent with other non-residential uses permitted in the “MU2” Zone and establish other appropriate development parameters.

The proposed amendment would apply the building envelope and landscaping regulations that apply to uses permitted by Sections 14.1(b) and 14.1(c) of the “MU2” Zone. The uses permitted by Sections 14.1(b) and 14.1(c) are non-residential uses such as a fuel bar or a personal services establishment. These uses are only permitted in the “MU2” Zone on lots on an Arterial street. The subject property is not on an Arterial street. However, the proposed uses are also non-residential. As such, the regulations that apply to Sections 14.1(b) and 14.1(c) uses are appropriate.

Additional development parameters have been proposed in response to neighbourhood comments and discussions with City staff. If approved, these development parameters would include:

- Increasing the minimum required exterior side yard for a self-serve auto repair shop from 7.5m to 20m.
 - Reducing the minimum required landscaped open space to a 3.0m strip along all street lines only.
 - Permitting up to two (2) main uses
 - Requiring a 1.6m high privacy screen along the lot line abutting a residential zone
 - Requiring a 1.2m high privacy screen along the landscaped strip next to Mary Street
 - Prohibiting a driveway off of Mary Street
 - Reducing the minimum required parking spaces to four (4) parking spaces.
- *Increased minimum required exterior side yard for a self-serve auto repair shop*

The purpose of this amendment is to ensure that the self-serve auto repair shop is located towards the southern portion of the lot, at least 20.0 metres from the northern lot line along Mary Street. This was requested by residents living on Mary Street to improve their view and limit disruption such as noise or odours.

- *Reducing the minimum required landscaped open space*

This amendment ensures that there is a minimum 3.0 metre wide landscaped strip along both Mary Street and Syndicate Avenue. The requirement for a third 3.0 metre strip along the rear lot line (western edge of lot) has been eliminated to create more space for the development. The requirement for a 1.6 metre high privacy screen along this lot line remains in effect.

- *Permitting up to two main uses*

This amendment is required to accommodate the two proposed uses on the same lot. The proposed self-storage buildings and self-serve auto repair shop are considered compatible with one another.

- *Requiring a 1.6m high privacy screen along the lot line abutting a residential zone*

This requirements applies to uses permitted by Sections 14.1(b) and 14.1(c). Since the proposed uses are non-residential it is appropriate to also apply this requirement for a privacy screen. This privacy screen would be located along the western lot line.

- *Requiring a 1.2 metre high privacy screen along the landscaped strip next to Mary Street*

A privacy fence was requested by residents living on Mary Street to limit their view of the proposed use and maintain a more residential streetscape. This amendment will require a 1.2 metre privacy screen behind the 3.0 metre landscape strip against the sidewalk. The slightly lower height was considered appropriate as the fence is against a street line rather than another private property.

- *Prohibiting a driveway off of Mary Street*

Driveway access from Mary Street will not be permitted for the proposed use. This was also requested by residents living on Mary Street to limit traffic on their street and maintain a more residential streetscape.

- *Reducing the minimum required parking spaces to four (4) parking spaces.*

The reduced parking spaces is requested by the Applicant to reflect their anticipated need and due to the limited space available on the site. The industrial parking rate would apply to the self-storage facility at one (1) parking space per 65.0m² of gross floor area (GFA). So approximately, 13 parking spaces are required. However, self-storage customers typically park in the drive aisle between storage units to make loading and unloading easier. The motor vehicle service station parking rate of three (3) parking spaces per bay would apply to the self-serve auto repair shop. So approximately 12 additional parking spaces would be required. However, since the auto repair shop is self-serve, it is unlikely that vehicles will be dropped off for service and accumulate like at a typical mechanic's shop. Instead, the parking spaces will be for mainly those waiting to use the service. The proposed shop is relatively small and could only accommodate four (4) vehicles at a time. As such, the proposed four (4) parking spaces is considered an appropriate amount of parking to accommodate both uses.

- *Urban Design Guidelines*

The Applicant's site plan employs some strategies of the Urban Design Guidelines (UDG) such as maintaining a single entrance. Through the Site Plan Control process, Administration will be seeking improvements consistent with the recommendations of "Performance Standard #42: Private Trees" and "Performance Standard #43: Buffer Planting" of the City's UDG.

Site Plan Control

The subject property is already designated as an area of Site Plan Control. The Site Plan Approval process allows Administration to consider site-specific needs and ensure that urban

design and stormwater management best practices are implemented, details which the Zoning By-law cannot regulate.

In this case, Administration will be able to review opportunities for design elements that will improve the appearance of site, especially in relation to the residential uses on Mary Street. Furthermore, the Site Plan Approval process will facilitate the review of the proposed development ensuring its compliance with the City's Engineering Development Standards, the Parks and Open Spaces Standards and Specifications, and Urban Design Guidelines.

A site plan demonstrating Building Code compliance has not been provided. The design on the proposed site sketch is subject to change.

FINANCIAL IMPLICATION

An increase to tax revenue can be expected if the proposed buildings are constructed. The property would likely be reassessed at a commercial tax rate. If the property is assessed as commercial, 2021 municipal taxes on \$100,000 of commercial assessment is \$2,942.13 and total taxes including education is \$3,822.13.

The Applicant will be responsible for all design and construction costs associated with this development

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 Growth Plan for Northern Ontario and is consistent with the policies of the Official Plan. As such, Administration supports the proposed Zoning By-law amendment.

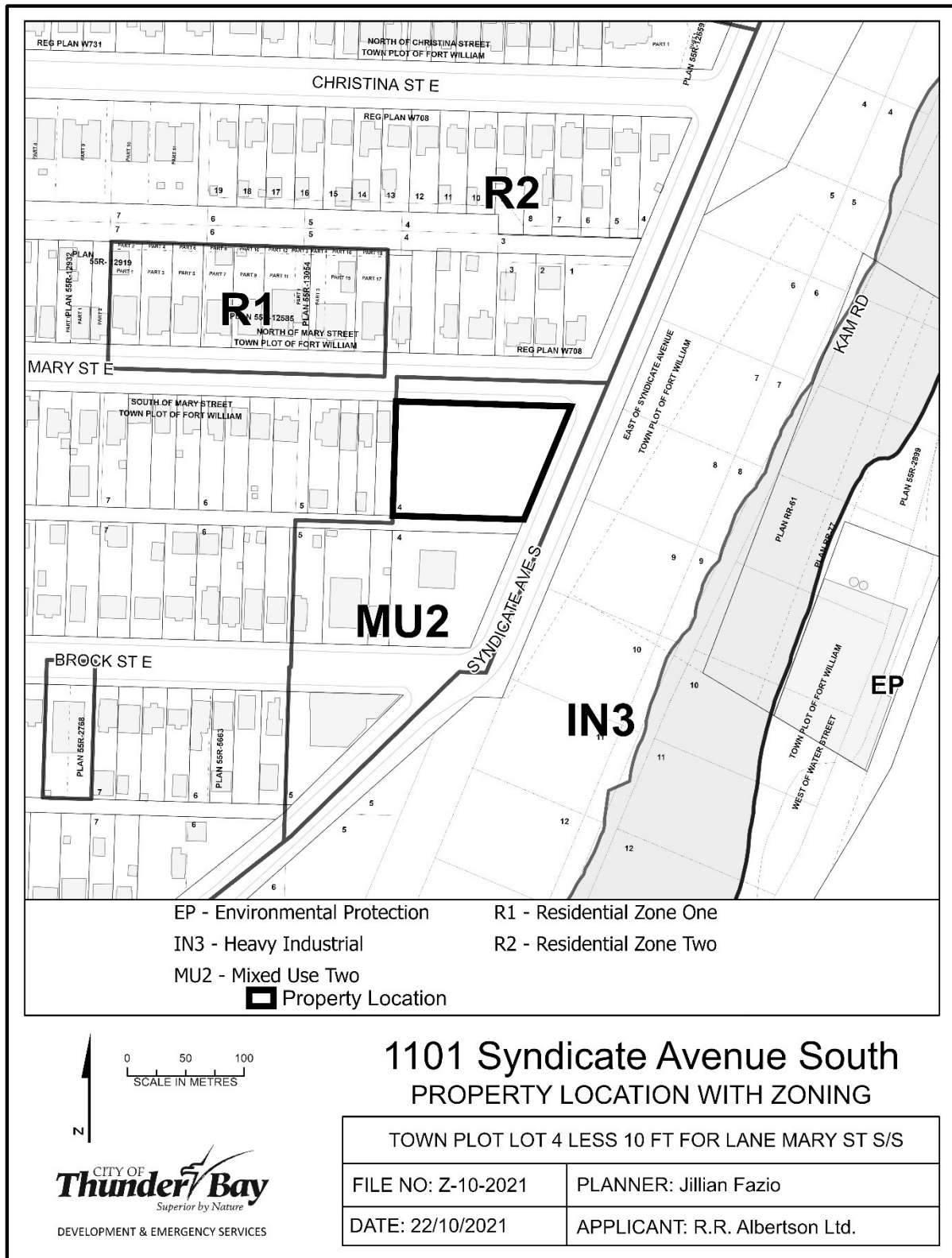
REFERENCE MATERIAL ATTACHED:

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

PREPARED BY: Jillian Fazio, Planner II

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

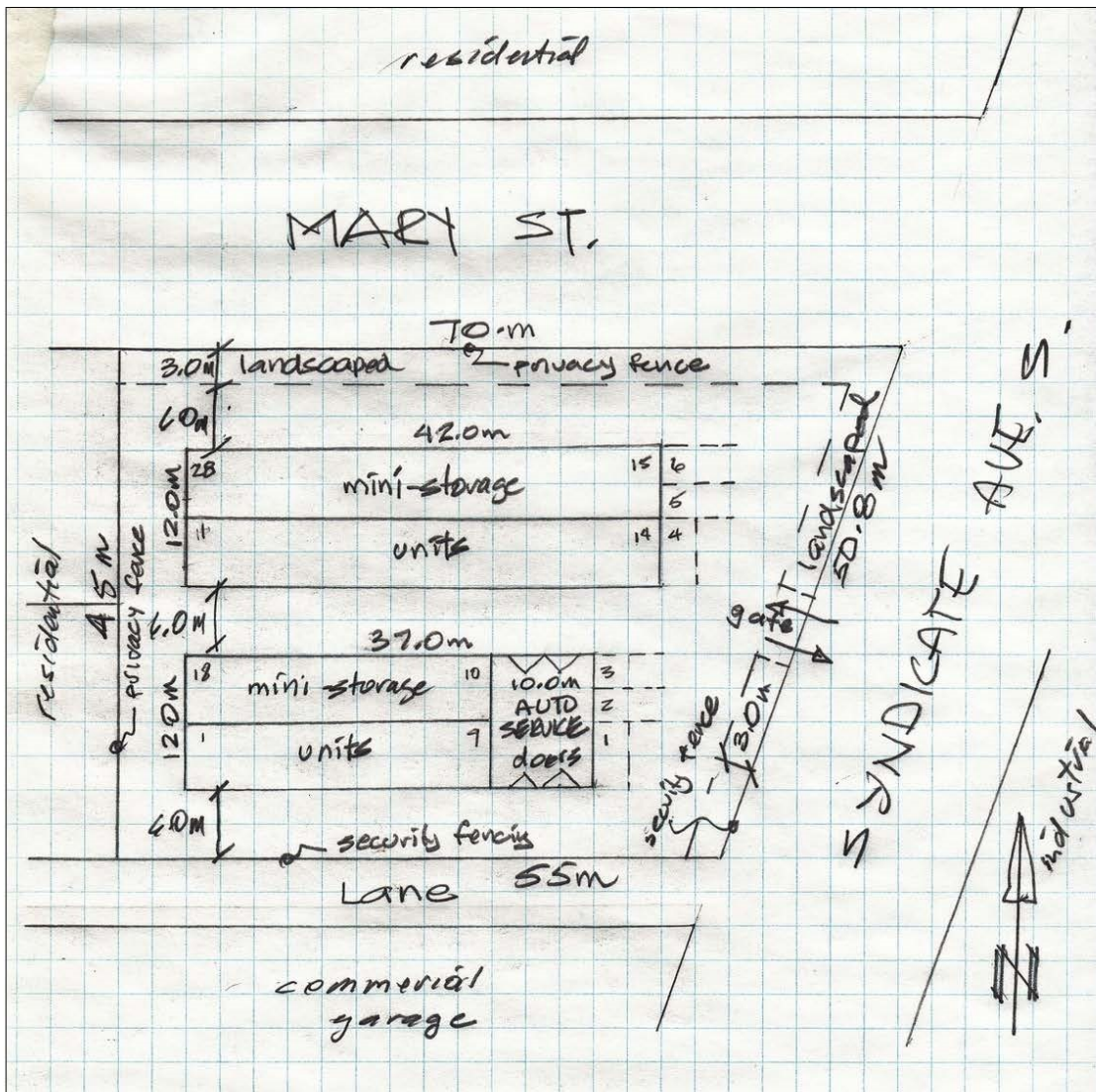
ATTACHMENT A - Property Location



TITLE: Property Location		Date: February 2022	
PREPARED BY JF	SCALE As Noted	FILE NO. Z-10-2021	

Site Plan

1101 Syndicate Ave South



TITLE: Applicant's Sketch			Date: February 2022
PREPARED BY JF	SCALE As Noted	FILE NO. Z-10-2021	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 14/2022
DATE PREPARED	01/28/2022	FILE NO.	O-12-2021
MEETING DATE	02/14/2022 (mm/dd/yyyy)		
SUBJECT	Official Plan Amendment - 2129 Arthur Street East		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Al-Obaidi Holdings Inc., relative to Lots 1 & 2, Registered Plan WM-63, municipally known as 2129 Arthur Street East, we recommend:

1. THAT no change be made to the Official Plan.

ALL as contained in the Report R 14/2022 (Planning Services), as submitted by the Development and Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant is seeking approval to create a site-specific policy to permit a dental clinic in the Residential designation. The proposed amendment would establish a new Official Plan policy to support the Applicant's goal of establishing a Neighbourhood Dental Clinic within the existing house on this property. The previous Zoning By-law amendment (Report No. 153/2021) was refused by City Council and subsequently appealed by the Applicant. The applicant has chosen to pursue the appeal of the Zoning By-law Amendment as well as consideration for the proposed Official Plan Amendment simultaneously. The Ontario Land Tribunal (OLT) is currently reviewing the appeal.

The proposed Official Plan amendment is not considered good planning as the site is located mid-block in a residential area and is not ideal for new commercial uses. For these reasons, Administration does not support the approval of the proposed amendment.

DISCUSSION

Description of Proposal

The Applicant is proposing to create a new site-specific policy that would permit a dental clinic at this site. The effect of the proposed amendment would be to provide an Official Plan policy to

support a proposed Zoning By-law Amendment to convert the existing house to a Neighbourhood Dental Clinic.

Description of Subject Property and Surrounding Area

The subject property is located on the north side of the Arthur Street in the middle of the block between Lillie Street South and Tarbutt Street South. The property is across from Kelly Street, as shown on Attachment 'B'.

A single detached dwelling currently exists toward the rear of the property. The large front yard accommodates a driveway, trees, and hedges. The property is approximately twice the size of other lots in the area at 32 metres wide.

Single detached dwellings fronting on Arthur Street are next to the property and to the rear are single detached dwellings that front on Sills Street. The surrounding neighbourhood is mainly low density residential. A day care facility is immediately south across Arthur Street. The Lakehead Public School Board Education Centres are also nearby north on Lillie Street. There are commercial uses along Arthur Street east near Waterloo Street and west near Ford Street.

Neighbourhood Comments

Notice of the proposed amendment was sent to surrounding property owners with the Notice of Public Meeting on January 25, 2022.

As of January 28th, Planning Services has received one letter and one phone call objecting to the proposed amendment. The key reasons for objection raised by surrounding property owners were:

- Potential disruption caused by more vehicles and people accessing the mid-block location
- Existence of other commercial sites with more suitable parking and easy access
- Concern that additional businesses will want to locate here in response to the proposed development

Agency Comments

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

- Thunder Bay Fire Rescue
- Engineering Division
- Enbridge Gas

Planning Services Division Comments

- *Provincial Policy Statement, 2020 & Growth Plan for Northern Ontario, 2011*

The proposal does not conflict with or significantly support any policy in the Provincial Policy Statement or the Growth Plan for Northern Ontario.

- *Official Plan*

The subject property is designated as Residential in the Official Plan (OP). The OP states that the City's residential neighbourhoods are served by either community or neighbourhood commercial nodes. The applicant is seeking to establish a new neighbourhood commercial use on the subject property by converting the existing house into a Neighbourhood Dental Clinic.

Planning Services reviewed the application against the OP's Evaluation Criteria for Planning Approvals. There are four criteria that the proposed change of use does not meet:

- extent of lands designated for the proposed use, their development status, and their adequacy for the use intended;
- potential impacts on the goals and objectives outlined in this plan with respect to land use hierarchy;
- provide safe and accessible ingress/egress with appropriate sight lines, and safe, accessible, efficient, convenient and well-connected vehicular, cyclist, and pedestrian circulation; and
- provide on-site landscaping and planting to contribute to urban design streetscape objectives.

First, there is a large supply of land currently designated and zoned for medical offices within the City. Unlike general offices which are restricted to a few zones, medical offices are permitted throughout the city. They are a permitted use in the Major Institutional Zone as well as every commercial zone, excluding the Highway Commercial Zone. Some industrial and higher density residential zones also permit medical offices. In these zones they are permitted under specified circumstances such as on a corner lot.

Creating more small commercial properties can negatively impact existing commercial areas, i.e. promote or perpetuate vacancies in existing buildings, and fragment the commercial hierarchy. Allowing for commercial uses within residential areas can have benefits when they are well located. The goal of the OP is to cluster small commercial uses that serve the local area by identifying nodes as Neighbourhood Commercial at key intersections where uses can be grouped. These nodes are identified as ideal locations and generally take advantage of the existing commercial building stock. The proposed amendment would not represent a new commercial node, but a single commercial use mid-block. Single commercial uses may be appropriate where the existing building or site is better suited for commercial uses. The subject property has an existing single detached dwelling in reasonable condition.

Additionally, access/egress and circulation is not efficient or convenient for pedestrians or vehicles. The mid-block location makes it more difficult to access the property. Arthur Street is a Major Arterial designed as a thoroughfare for heavy traffic. There are sidewalks in front of the subject site, but it is difficult for pedestrians to get across the street. The site is more than 250 metres, approximate 3 minute walk, from the nearest signalized intersection or pedestrian crossing.

The main commercial area along Arthur Street includes a centre left turn lane, west of Edward Street. This provides more efficient traffic flow into commercial businesses. However, east of Edward Street, there is no centre turn lane and the area is primarily residential. Where there are businesses, with a few exceptions, these businesses are generally located on corner lots and have access to Arthur as well as to the adjacent side street. This side access provides more effective traffic flow in and out of businesses. The section of Arthur Street that the subject property is adjacent to does not have a centre left turn lane. The absence of a centre turn lane would not preclude the proposed medical office from gaining access to Arthur Street. However, it does reinforce that this area is primarily residential. The mid-block left turn traffic volumes in this area have not warranted a centre turn lane, unlike the commercial section of Arthur Street to the west. Exiting the property may also be inconvenient as the driveway is across from a “T” intersection at Kelly Street. Vehicles exiting the driveway would need to yield to vehicles turning from Kelly Street. For the residential sections of Arthur Street, a corner lot is a preferred location for any commercial uses as it provides a secondary access/egress point.

Finally, the proposal would result in an undesirable change to the residential streetscape. An eight vehicle parking lot is proposed in the front yard along an Image Route. Large commercial parking lots dominate many commercial areas of the Arthur Street Image Route. While significant efforts have been made to de-pave these areas, pavement is still a dominant visual aspect of the streetscape. The blocks between Ford Street and Waterloo Street are some of the few areas that have a residential built form and character. Most lots have landscaped front setbacks that add to the visual appeal of the Image Route.

For these reasons, the subject property is not considered an ideal location for a new neighbourhood commercial use.

- *Zoning By-law*

The subject property is zoned “R1” – Residential Zone One. Through the appeal of the previous Zoning By-law Amendment application, the Applicant is requesting that a “Neighbourhood Dental Clinic” be added as a permitted use within the existing building. The proposed definition for a “Neighbourhood Dental Clinic” is “a ‘Medical Office’ for the practice of not more than three dentists intended to serve the local residential area”.

Site Plan Control

The site is located on the Arthur Street Image Route and the proposed change of use represents a reduction to existing landscaping for the construction of a new parking lot. The Site Plan Approval process would allow for the review of the parking lot design to minimize negative impacts. If Council supports the proposed Official Plan Amendment, Planning Services recommends that the site be designated as an area of Site Plan Control.

Engineering also requests that the property be designated as an area of Site Plan Control. A lot grading and drainage plan, and a stormwater management plan would be required as part of the Site Plan Approval process. This will result in the construction of an on-site stormwater

management system to address the increase in runoff related to the construction of the parking lot.

FINANCIAL IMPLICATION

An increase to tax revenue can be expected if the proposed change is completed. Renovations to the building are anticipated and the property would be reassessed at a commercial tax rate. If the property is assessed as commercial, 2021 municipal taxes on \$100,000 of commercial assessment is \$2,942.13 and total taxes including education is \$3,822.13.

BACKGROUND

In November, 2021 Council considered a Zoning By-law amendment application to permit a Neighbourhood Dental Clinic within the existing building on the subject lands (Report No. 153/2021). The Applicant's Consultant believed that the policies of the Official Plan provided for the use being proposed. Administration held a contrary view. The Applicant was advised that even if an amendment to the Official Plan was being proposed as well, Administration would not recommend in support of the change in use as it does not represent good planning, and is not in keeping with the intent of the Official Plan's commercial hierarchy.

Council did not approve the Zoning By-law amendment and the Applicant has appealed that decision to the Ontario Land Tribunal. In the meantime, the Applicant is pursuing this amendment to the Official Plan to provide policy support for the Zoning By-law Amendment under appeal.

CONCLUSION

The proposed amendment is not considered good planning. In the opinion of Planning Services the proposed use is not well-suited to a mid-block residential location. For these reasons, Administration does not support the approval of the proposed Official Plan amendment.

If Council would like to support the request of the Applicant, this Report should be referred back to Administration so that an alternate recommendation can be prepared. It is important that a referral to Administration include an explanation of Council's rationale for amending the Official Plan.

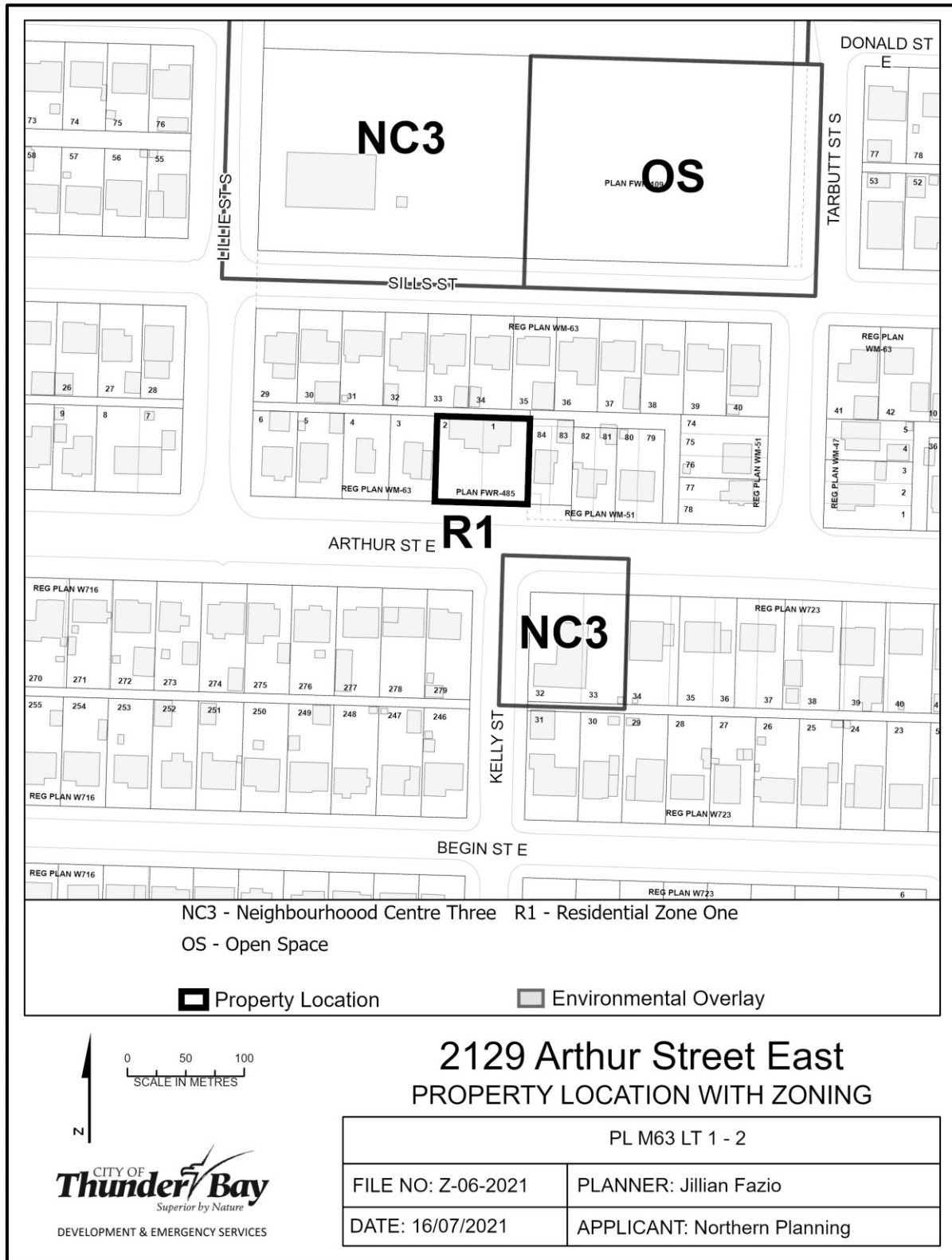
REFERENCE MATERIAL ATTACHED:

ATTACHMENT A – APPLICANT'S SITE SKETCH
ATTACHMENT B – PROPERTY LOCATION WITH ZONING

PREPARED BY: Jillian Fazio, Planner II

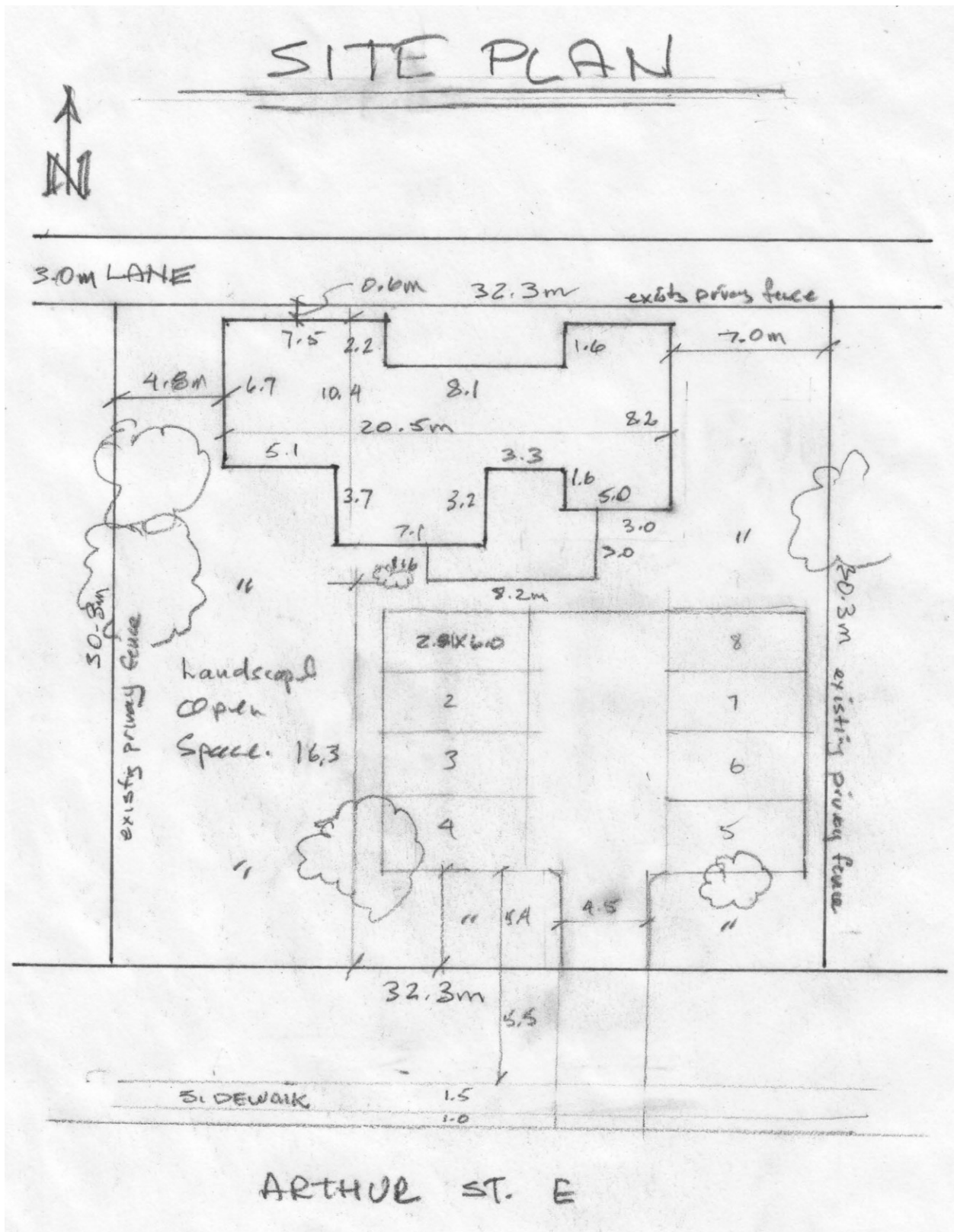
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER) Karen Lewis, General Manager – Development & Emergency Services	DATE: January 31, 2022
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ATTACHMENT A – Property Location



TITLE: Property Location		Date: February 2022
PREPARED BY JF	SCALE As Noted	FILE NO. O-12-2021

ATTACHMENT B – Applicant's Site Sketch



TITLE: Applicant's Site Sketch		Date: February 2022	
PREPARED BY JF	SCALE As Noted	FILE NO. O-12-2021	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT	R 17/2022
DATE PREPARED	01/26/2022	FILE	Z-08-2021
MEETING DATE	02/14/2022 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment – 211 Thompson Road		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Vincenzo Talarico and Joseph Talarico relative to Plan 501 Lot 17, municipally known as 211 Thompson Road, we recommend that the Zoning By-law be amended as follows:

1. That a portion of the lands described herein and shown on Attachment “C” be rezoned from the “EP” – Environmental Protection Zone to the “RU1” – Rural Area Zone.

Subject to the following conditions:

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

1. That the Applicant has entered into a Notification Agreement with the City of Thunder Bay to acknowledge and agree that the existing natural vegetation and soils outside of the established developable area will be maintained and kept in their natural state.

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 R 17/2022 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested a site-specific Zoning By-law amendment to rezone a portion of the subject property from the “EP” – Environmental Protection Zone to the “RU1” – Rural Area Zone. The proposal seeks to allow for the development of a new single detached dwelling, detached garage, and swimming pool on the subject lands.

The property falls within the Mills Block Provincially Significant Wetland (PSW) and Evaluated Wetland Area. The majority of the lands (3.86 hectares) are zoned “EP” - Environmental Protection, with the exception of a small pocket of land (2,400.00 square metres) in the Southeast corner which is zoned “RU1” – Rural Area Zone. Residential buildings and accessory uses are not permitted within the "EP" Zone.

The purpose of this request is to rezone approximately 3,100 square metres from “EP” to “RU1” in order to increase the size of the existing building envelope. In support of this request, an Environmental Impact Statement (EIS) was prepared. The EIS concludes that the proposed development will not cause negative impacts to the features or functions of the wetland, or hydrological impacts to adjacent properties.

The proposal to accommodate a single detached dwelling, detached garage, and swimming pool is reasonable and in keeping with the intent of the Official Plan and Zoning By-law. The proposed use is compatible with the existing character of the area and is not expected to result in any negative impacts to the wetland or adjacent neighbours. Therefore the application is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for Northern Ontario. For these reasons, Administration recommends approval of the proposed Zoning By-law Amendment.

DISCUSSION

Description of Proposal

The Applicant has requested a site-specific Zoning By-law amendment to rezone a portion of the subject property from the “EP” – Environmental Protection Zone to the “RU1” – Rural Area Zone. The proposal seeks to allow for the development of a new single detached dwelling, detached garage, and pool on the subject lands.

The purpose of this request is to rezone approximately 3,100 square metres from “EP” to “RU1” in order to increase the size of the existing building envelope.

In support of this request, an Environmental Impact Statement (EIS) was prepared. The EIS concludes that the proposed development activities will not cause negative impacts to the features or functions of the wetland, or hydrological impacts to adjacent properties.

A copy of the Applicant’s sketch is attached as “Attachment B” for reference.

Description of Subject Property and Surrounding Area

The subject property is currently vacant and approximately 160.0 metres wide and 258.0 metres deep (4.1 hectares). The lands are located on the west side of Thompson Road. The surrounding area is comprised of rural residential uses.

The property falls within the Mills Block Provincially Significant Wetland (PSW) and Evaluated Wetland Area. The majority of the lands (3.86 hectares) are zoned “EP” - Environmental Protection, with the exception of a small pocket of land (2,400.00 square metres) in the Southeast corner which is zoned “RU1” – Rural Area Zone.

The McIntyre River is located approximately 35.0 metres from the western edge of the property.

The subject lands are zoned “EP” – Environmental Protection and “RU1” – Rural Area Zone with an associated “EO” – Environmental Overlay that identifies lands regulated by the Lakehead Region Conservation Authority. The property is designated as Provincially Significant Wetland, Evaluated Wetland, and Natural Corridor in the Official Plan.

Neighbourhood Comments

A Notice of Application was mailed to surrounding property owners on September 29th, 2021 outlining the nature of the proposed Zoning By-law Amendment. No comments have been received in response to the notice.

Agency Comments

The Parks and Open Spaces, and Engineering and Operations Divisions offered no objection to the proposed Zoning By-law Amendment.

The Lakehead Region Conservation Authority (LRCA) has reviewed the requested amendment and submitted EIS and has no objections. The construction of any buildings or structures, the placing or dumping of fill, or any alteration of the watercourse within the Authority’s regulated areas will require a permit from the Conservation Authority.

Planning Services Division Comments

- Provincial Policy Statement

The proposal is consistent with the Provincial Policy Statement (PPS), 2020, as the proposed development and site alteration of the property is not expected to result in any negative impacts on the natural heritage features or their ecological functions.

- The Growth Plan for Northern Ontario

This application does not conflict with the Growth Plan for Northern Ontario.

- Official Plan

The subject property is designated Provincially Significant Wetland, Wetland, and Natural Corridor.

Provincially Significant Wetlands are those areas identified by the province as being the most valuable as determined by a science-based ranking system known as the Ontario Wetland Evaluation System (OWES). The OWES identifies and measures wetland functions and their importance. Similarly Wetlands, while not provincially significant perform an important ecological function and have numerous environmental benefits.

Given the proximity of the McIntyre River and its adjacent floodplain lands, the subject property is also located within the Natural Corridor designation. The Plan recognizes that the lands designated as Natural Corridor perform important ecological functions when the features of these lands are maintained in a healthy natural state.

Development and site alteration within these designations is permitted if it can be demonstrated that there will be no negative impacts on the natural heritage features or their hydrologic and ecological functions.

In accordance with these policies, the Applicant has submitted an Environmental Impact Statement (EIS) completed by Cerulean Environmental Ltd. This report states that the proposed development activities are not expected to cause negative impacts to the features or functions of the wetland or hydrological impacts to adjacent properties.

The report also recommends that mitigation measures be applied to ensure the proposed development will not result in significant loss of forest or other natural vegetation cover. These include; limiting the developable area to 0.7 hectares, maintaining the existing natural vegetation and soils elsewhere on the property, limiting the use of pesticides, herbicides, and artificial fertilizers, and other construction related measures.

Therefore as a condition of approval, the Applicant will be required to enter into a Notification Agreement with the City of Thunder Bay to acknowledge and agree that the existing natural vegetation and soils outside of the developable area will be maintained and kept in their natural state.

Administration and the LRCA have reviewed the report and are satisfied with its assessment and conclusions.

- Zoning By-law

Residential buildings and accessory uses are not permitted within the "EP" Zone. The intent of this "EP" Zone regulation is to protect the natural heritage values of the environment and to protect people and property from flood and erosion risks associated with any developments in these areas. The Applicant's proposed use is permitted within the "RU1" Zone.

The proposal satisfies all other provisions of the Zoning By-law.

FINANCIAL IMPLICATION

There are no financial implications for the City of Thunder Bay. All costs associated with the proposed development will be the responsibility of the Applicant/Owner.

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 Growth Plan for Northern Ontario and is consistent with the policies of the Official Plan. As such, Administration supports the proposed Zoning By-law amendment.

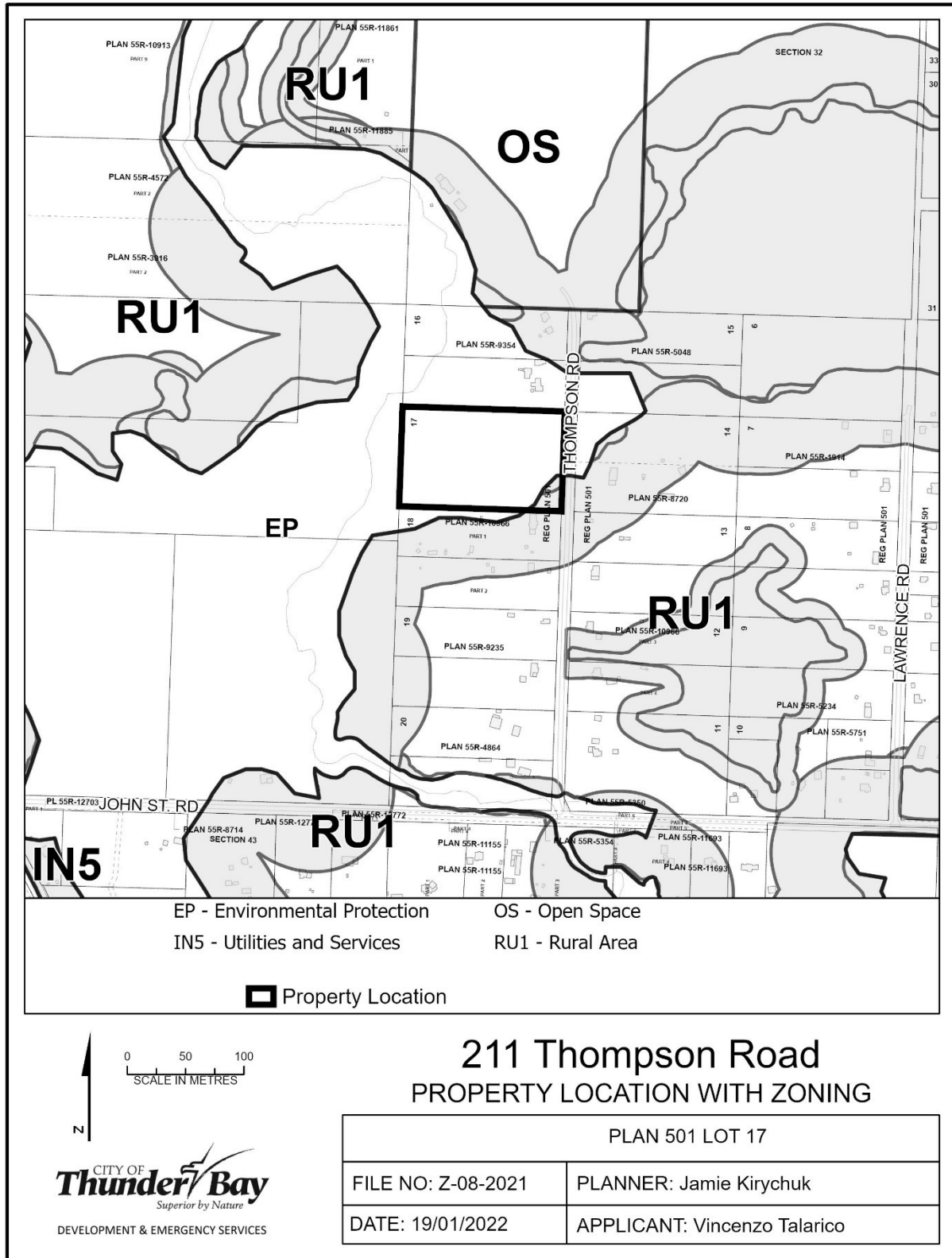
REFERENCE MATERIAL ATTACHED:

ATTACHMENT A – PROPERTY LOCATION WITH ZONING
ATTACHMENT B – APPLICANT'S SKETCH
ATTACHMENT C – POST ZONING

PREPARED BY: JAMIE KIRYCHUK, PLANNER II

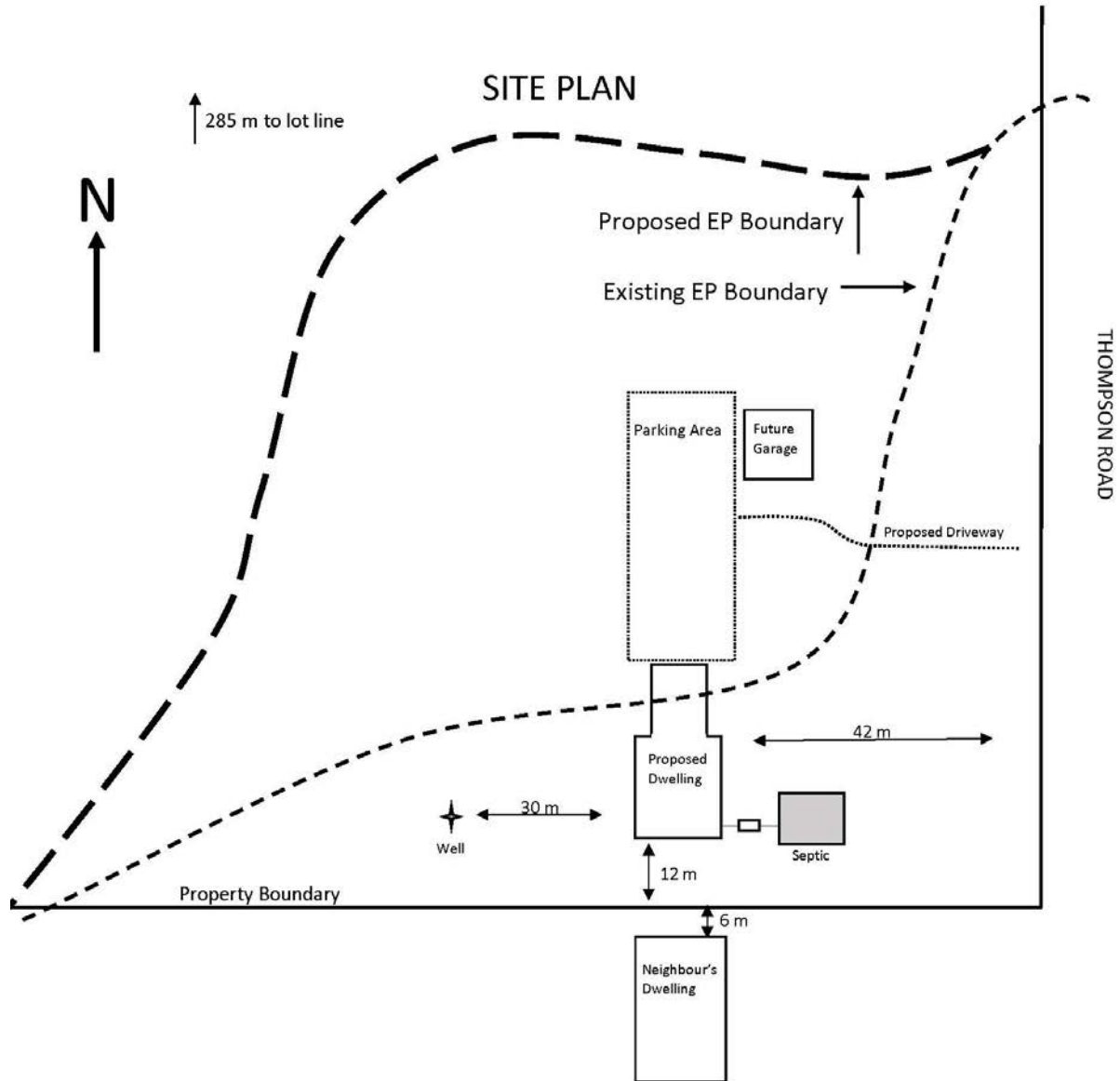
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Karen Lewis, General Manager – Development & Emergency Services	February 4, 2022

ATTACHMENT A - Property Location



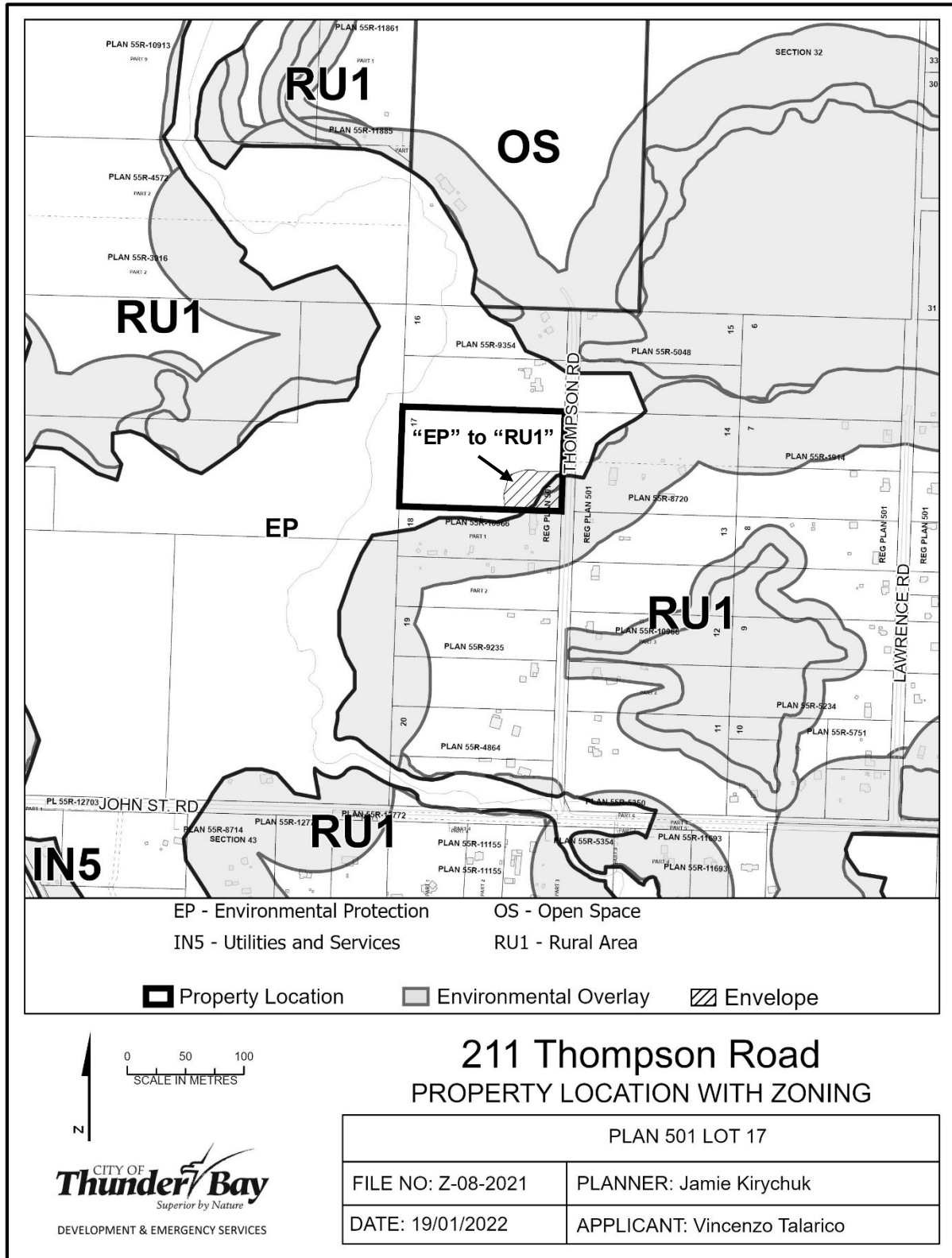
TITLE: Property Location		Date: February 2022	
PREPARED BY JK	SCALE As Noted	FILE NO. Z-08-2021	

ATTACHMENT B - Applicant's Sketch



TITLE: <i>Applicant's Sketch</i>			Date: February 2022
PREPARED BY JK	SCALE As Noted	FILE NO. Z-08-2021	

ATTACHMENT C – Post Zoning



TITLE: Applicant's Sketch			Date: February 2022
PREPARED BY JK	SCALE As Noted	FILE NO. Z-08-2021	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT	R 18/2022
DATE PREPARED	01/26/2022	FILE	OZ-09-2021
MEETING DATE	02/14/2022 (mm/dd/yyyy)		
SUBJECT	Official Plan and Zoning By-law Amendments - 1900 108th Avenue		

RECOMMENDATION

Official Plan Amendment

THAT a Public Meeting having been held with respect to the application from 1857060 Ontario Limited, to amend the Official Plan as it applies to CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, 1900 108th Avenue as shown as "Property Location" on Attachment "A" to Report R18/2022 (Planning Services), we recommend:

1. The lands be deleted from the "Utilities" designation as shown on Schedule "E" of the Official Plan and instead be designated "Heavy Industrial";

AND THAT the necessary by-law be presented to City Council for ratification;

ALL as contained in Report R18/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

Zoning By-law Amendment

THAT a Public Meeting having been held with respect to the application from 1857060 Ontario Limited, to amend the Zoning By-law as it applies to CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, 1900 108th Avenue as shown as "Property Location" on Attachment "B" to Report R18/2022 (Planning Services), we recommend:

1. That the lands be rezoned from the "IN5" – Utilities and Services Zone to the "IN3" – Heavy Industrial Zone;
2. Define "Industrial-Scale Computing" to mean "the use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres"; and
3. Add "Industrial-Scale Computing" as a permitted use on the lands.

Subject to the following conditions:

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

1. City Council approve the associated Official Plan Amendment; and
2. The subject property be designated as an area of Site Plan Control;

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

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. If the applicant does not fulfill the conditions of the approval within the year, the file shall be considered closed and a new application required;

ALL as contained in Report R18/2022 (Planning Services), as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

This application is to amend the Official Plan to designate the subject land from "Industrial - Utilities and Services" to "Industrial – Heavy Industrial"; to rezone from "IN5"– Utilities and Services Zone to "IN3"– Heavy Industrial Zone; and to define and add "Industrial-Scale Computing" on the lands.

The site is located on the southern portion of Mission Island and was formerly used by Ontario Power Generation (OPG) for their electrical generator that is currently being demolished by the applicant.

The Planning Division is recommending support for the proposed amendments, since the proposed changes to designation and zoning, including the added use, would add to the supply of industrial land and is supported by the Provincial Policy Statement, Mining Readiness Strategy, and the Employment Lands Strategy.

DISCUSSION

Description of Subject Property

The subject property is designated as "Industrial – Utilities" and zoned as "IN5"– Utilities and Services Zone. The site is located on the southern portion of Mission Island and was formerly used by Ontario Power Generation (OPG) for their electrical generator that is currently being demolished by the applicant. The property has an area of approximately 54 hectares with frontage on 108th Avenue and approximately 1.8 km of shoreline on Mission River and Lake Superior.

Lands to the north are vacant and designated heavy industrial, along Mission River there is a riverfront marina, and a coastal wetland along Lake Superior.

There is a Provincially Significant Coastal Wetland (PSCW) located nearby to the northeast of the subject lands within a portion of its boundary. Development and site alteration within Significant Coastal Wetlands is prohibited; as such, these areas will be protected.

A 120 metre buffer and Environmental Overlay surrounds the PSCW. Development and site alteration within these adjacent lands may be permitted if it has been demonstrated that there will be no negative impacts on the natural heritage features or their hydrologic and ecological functions. Completion of an Environmental Impact Study conducted by a qualified professional with recognized expertise in the appropriate disciplines may be required to support new development on the site. The need for such a Study will be determined in consultation with the City, the Lakehead Region Conservation Authority (LRCA), and any other relevant agency.

In addition, the Zoning By-law currently requires that a 6.0 m wide natural vegetated buffer strip is provided along all lot lines abutting a shoreline and/or abutting the "EP" – Environmental Protection Zone.

Description of Proposal

The lands were recently the site of the former Ontario Power Generation (OPG) Thunder Bay Generating Station (TBGS). OPG has ceased operation of the TBGS and the lands and associated structures were sold to the applicant, 1857060 Ontario Limited. The TBGS facility is currently under demolition. The applicant seeks to establish regulations to allow for the re-use of the lands for heavy industrial uses. It is the intent of the applicant to market the lands for heavy industrial uses, including "Industrial-Scale Computing" (an emerging trend with the advent of crypto-currency) once demolition is completed.

This application seeks to amend the Official Plan to designate the subject property from "Industrial – Utilities" to "Industrial – Heavy Industrial" to facilitate the associated Zoning By-Law Amendment to rezone from "IN5"– Utilities and Services Zone to "IN3"– Heavy Industrial Zone. In addition, the application seeks to define and add "Industrial-Scale Computing" as a permitted use on the lands.

Neighbourhood Comments

A letter and notice describing the proposed Official Plan Amendment and Zoning By-Law Amendment was circulated to the neighborhood property owners on October 28, 2021. One letter of objection was submitted by the members of the Thunder Bay Yacht Club in response to this notice.

The letter identified a strong objection to the proposed amendments to include "Industrial-Scale Computing" as a permitted use. Their concerns are as follows:

- that the heat generated by Industrial Scale Computing will require massive cooling systems that use either air or water to transfer heat out to the environment;
- that noise pollution from industrial cooling fans running constantly will affect wildlife in the wetlands;
- that water based systems will increase the temperature of rivers and lakes, impacting fish and wildlife habitats;
- that noise pollution will be constantly in the background while members meet at the clubhouse, or at the docks; and
- that discharge from cooling systems may result in erosion, silting or plant growth that will impact their enjoyment of the lake.

The Planning Services Division notes that outputs and emissions to the natural environment, including noise, are subject to regulations and provincial approval through an Environmental Compliance Approval (ECA)". In addition, an Environmental Impact Study would be required to support any redevelopment of the site within 120 metres of the PSCW.

Agency Comments

The Realty Services Division, Engineering & Operations Division, Ministry of Transportation, Thunder Bay Fire Rescue, Ministry of Municipal Affairs and Housing, and the Lakehead Region Conservation Authority (LRCA) have reviewed the applications and have no objections.

Planning Review

Provincial Policy Statement 2020 (PPS)

The *Provincial Policy Statement* states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, such as maintaining a range and choice of suitable sites for employment uses (including industrial, commercial and institutional), which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; as well as plan for protecting and preserving employment areas for current and future uses. As such these applications are supported by the PPS.

Northern Growth Plan

The opportunity for the conversion to heavy industrial lands does not conflict with the Northern Growth Plan.

Official Plan

Lands designated Utilities are intended to recognize existing major utility facilities that provide service related to electric power, natural gas, crude oil, telecommunications, or

public service facilities. With the demolition of the TBGS, the current land use designation is no longer appropriate.

The intent of the Heavy Industrial designation is to provide opportunities for large-scale industrial operations, such as grain elevators, paper mills and electricity generation facilities. These operations place a high demand on water and wastewater for their processing needs, and are situated where noise, vibration, or emissions may be of concern, particularly as they relate to transportation uses and transportation needs, such as rail and/or water access.

Waterfront lands represent a significant component of the City's industrial land inventory. Many of the uses are well established and have made significant investments in their current locations. The Heavy Industrial land use designation will only apply to those waterfront lands where heavy industrial development is considered appropriate in the long term, and where the continuation and expansion of these industrial activities will be encouraged.

The Official Plan recognizes the importance of the waterfront as a location that provides for industrial jobs, public utilities, rail and road shipping activities. The Applicant has acquired the land with the intent to market and redevelop it for industrial use, as such demolition is underway to remove the TBGS. Furthermore, the recent Employment Land Strategy and the Mining Readiness Strategy support and encourage new opportunities for industrial lands to accommodate industrial growth.

The designation of the lands to Heavy Industrial from Utilities is appropriate, since it will allow for additional lands to be developed for industry.

Zoning By-law

The Applicant has requested that the lands be rezoned to "IN3" – Heavy Industrial Zone from the "IN5" – Utilities and Services Zone. With approval of the Official Plan Amendment as recommended, the proposed Zoning By-law Amendment will conform.

The Applicant also seeks to define and add "Industrial-Scale Computing" to the list of permitted uses in the IN3 Zone, limited to the subject property. The definition that is proposed, is:

"Industrial-Scale Computing": means "the use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres".

Planning Services has reviewed the definition and notes that the industrial use definition could be interpreted to include such use. However, the applicant is seeking to define and add the use specifically to provide greater certainty. The Planning Services Division has no objection to the proposed definition and believes that this new use would be appropriate development for the site.

Site Plan Control

The lands are not currently designated as an area of Site Plan Control. Although Site Plan Control is not typically applied to heavy industrial uses, the proximity of the subject lands to the PSCW and the shoreline, warrants the designation for Site Plan Control to ensure that development near these sensitive features is appropriately undertaken. As a condition of the proposed amendments, the Planning Services Division recommends that the property be designated as an area of Site Plan Control.

FINANCIAL IMPLICATIONS

All costs associated with the processing of the application and any further development of the subject property will be the responsibility of the applicant.

CONCLUSION

It is concluded that the approval of the proposed amendments to the Official Plan and Zoning By-Law would allow appropriate development of the property that is consistent with the Provincial Policy Statement, and in keeping the intents and objectives of the Official Plan and Zoning By-Law. Therefore, approval is recommended.

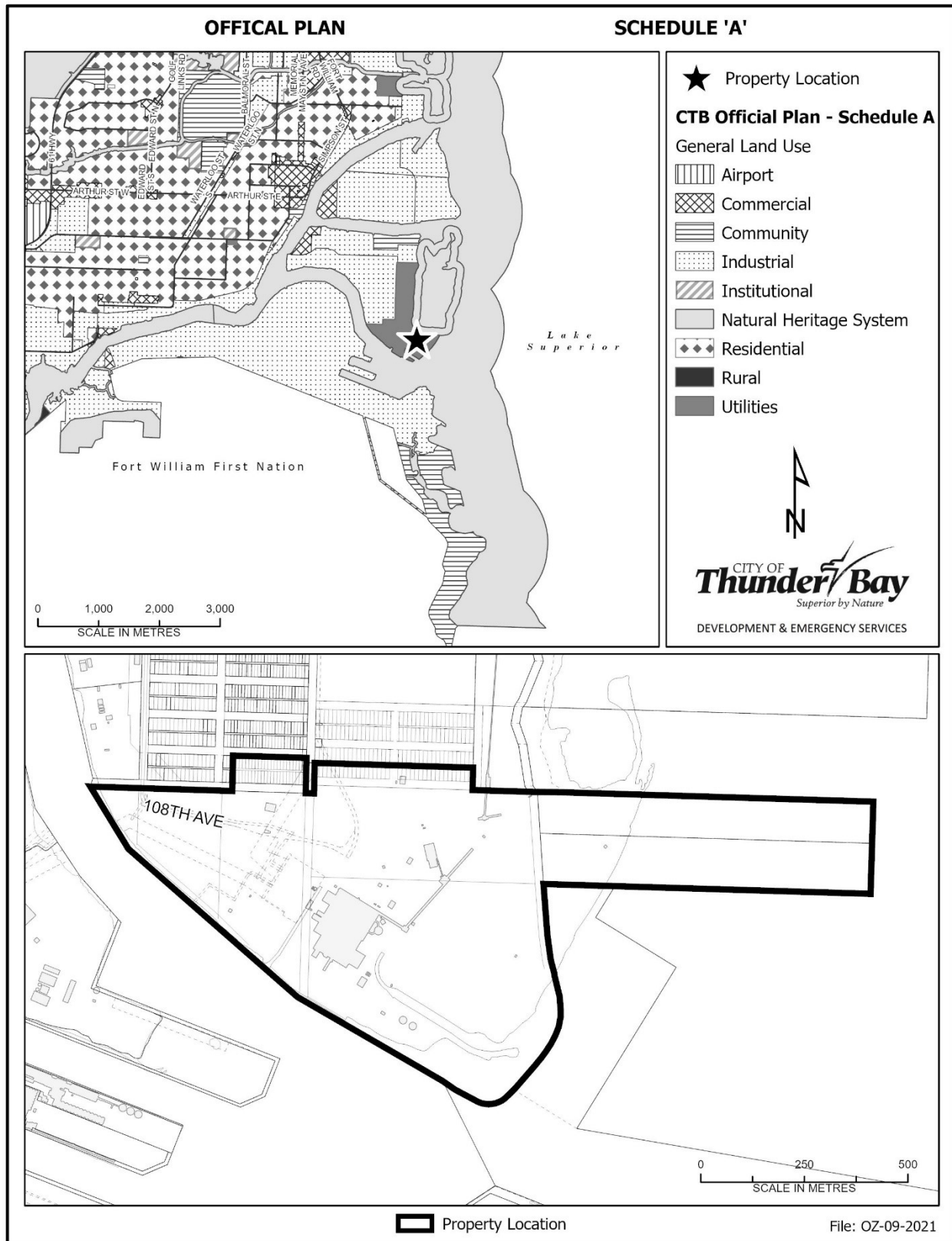
REFERENCE MATERIAL ATTACHED

1. Attachment A – Property Location – Official Plan
2. Attachment B – Property Location – Zoning By-law
3. Attachment C – Applicant's Sketch

PREPARED BY: DECIO LOPES, RPP, SENIOR PLANNER

THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Karen Lewis, General Manager – Development & Emergency Services	February 4, 2022

Attachment A – Property Location – Official Plan



TITLE: Property Location – Official Plan

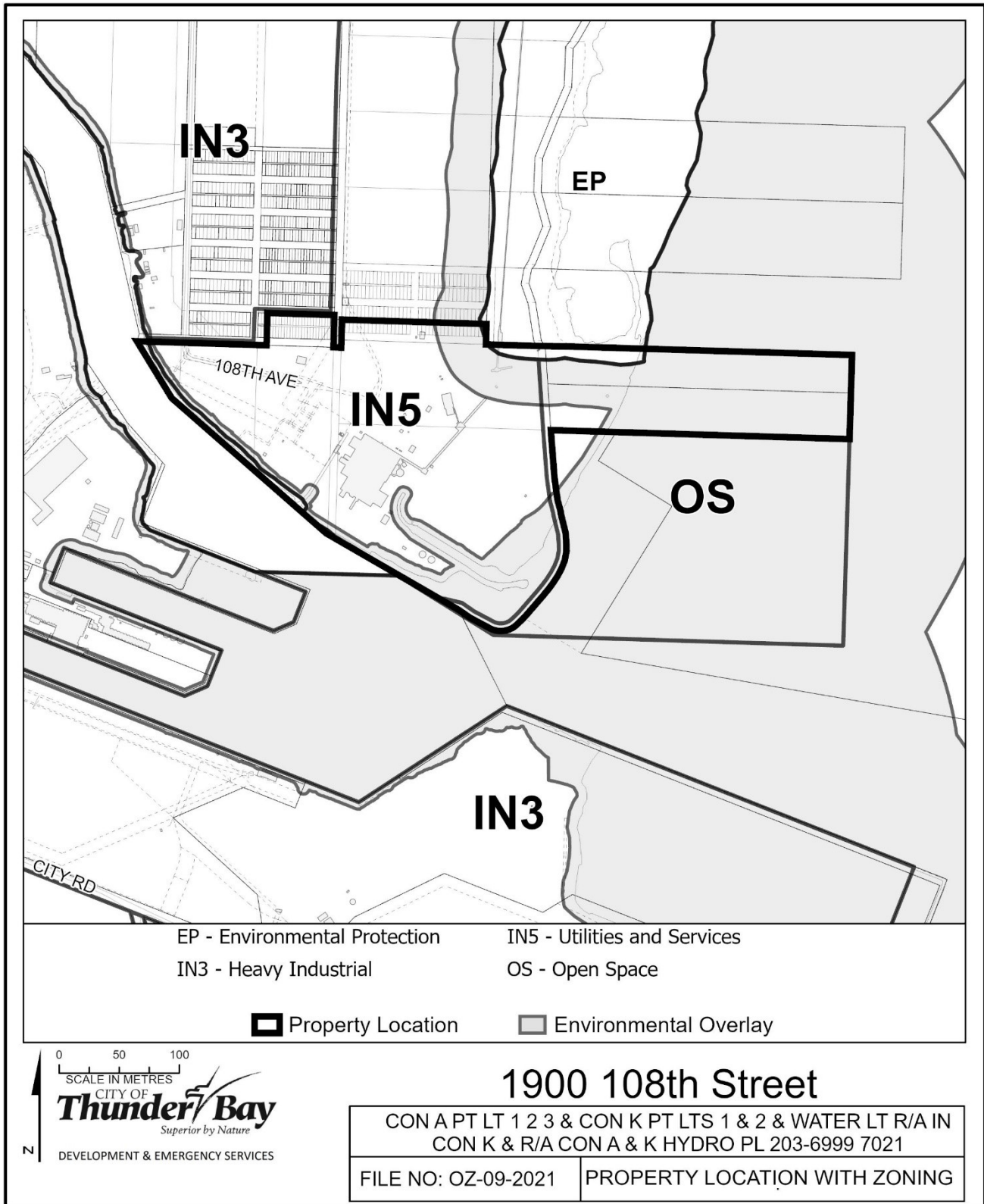
Date: FEBRUARY 2022

PREPARED BY DL

SCALE As Noted

FILE NO. OZ-09-2021

ATTACHMENT B – PROPERTY LOCATION – ZONING BY-LAW



TITLE – PROPERTY LOCATION – ZONING BY-LAW			Date: FEBRUARY 2022
PREPARED BY DL	SCALE As Noted	FILE NO. OZ-09-2021	

Attachment C – Applicant's Sketch



TITLE: Applicant's Sketch			Date: FEBRUARY 2022
PREPARED BY DL	SCALE As Noted	FILE NO. OZ-09-2021	



Memorandum

Corporate By-law Number BL 12/2022

TO: Office of the City Clerk **FILE:** Z-10-2021

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 01/24/2022

SUBJECT: BL 12/2022 - Zoning By-law Amendment - 1101 Syndicate Ave South

MEETING DATE: City Council (Public Meeting) - 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1101 Syndicate Avenue South)

Authorization: Report R 12/2022 (Planning Services) - City Council (Public Meeting) – February 14, 2022

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, specifically to define “mini-storage” and “self-serve auto repair shop”, permit mini-storage and self-serve auto repair shop at this location, establish building envelope regulations, and modify required yard, landscape open space, privacy screen, driveway, and parking regulations.

The effect of this by-law would be to allow for the construction of “mini-storage” and a “self-serve auto repair shop” in accordance with site-specific development parameters.

Schedules and Attachments:

EXHIBIT TO BL 12/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 12/2022

A By-law to amend By-law 100-2010 (The Zoning By-law) of
The Corporation of the City of Thunder Bay (1101 Syndicate
Avenue South)

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 January 25, 2022 and a public meeting was held on February 14, 2022 which Report No. 12/2022 (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:

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

TOWN PLOT LOT 4 LESS 10 FT FOR LANE MARY ST S/S;
THUNDER BAY and shown as "Property Location" on Exhibit One and forming part of this Amending By-law, is subject to the following provisions:

The provisions of Sections 14.1, 14.2, Table 14.2.1, and Table 5.15.9 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) Definitions:

"MINI-STORAGE" is a BUILDING or part thereof, which is used primarily for the self-storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage.

"SELF-SERVE AUTO REPAIR SHOP" is a MOTOR VEHICLE SERVICE STATION which is available for use or rental by individuals.

b) Permitted USES

In addition to the USES permitted in Section 14.1 a) of this BY-LAW, MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP as defined in Paragraph 192 (1) a) are permitted USES under Section 14.1 a)

c) REGULATIONS

In the case of MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP, the following applies:

- i) The column labelled “USES permitted in Sections 14.1(b) and 14.1(c)” in Table 14.2.1 shall apply.
- ii) Despite Paragraph 192 (1) c) i), the minimum EXTERIOR SIDE YARD for a BUILDING used as a SELF-SERVE AUTO REPAIR SHOP is 20.0 metres.
- iii) Despite Paragraph 192 (1) c) i), the minimum LANDSCAPED OPEN SPACE is a 3.0 metre wide strip along all LOT LINES abutting a STREET.
- iv) Two (2) MAIN USES are permitted on a LOT.
- v) A PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE
- vi) A PRIVACY SCREEN with a HEIGHT of 1.2m is required along the EXTERIOR SIDE LOT LINE between the REAR LOT LINE and the FRONT YARD south of the required LANDSCAPED OPEN SPACE strip.
- vii) A DRIVEWAY is not permitted on Mary Street.

d) Number of PARKING SPACES Required for Various USES

In the case of MINI-STORAGE and SELF-SERVE AUTO REPAIR SHOP, four (4) PARKING SPACES are required.

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 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

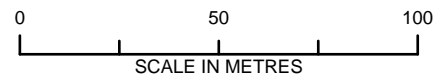
Dana Earle

Deputy City Clerk



Property Location 

1101 Syndicate Avenue South



THIS IS EXHIBIT ONE TO PARAGRAPH 192
 OF SCHEDULE "B" OF BY-LAW 100 - 2010
 AS AMENDED BY BY-LAW NUMBER 12/2022

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 14/2022

TO: Office of the City Clerk **FILE:** OZ-09-2021

FROM: Decio Lopes
Development & Emergency Services - Planning Services

DATE: 02/01/2022

SUBJECT: BL 14/2022 Official Plan Amendment - 1900 108th Avenue

MEETING DATE: City Council (Public Meeting) - 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to adopt Amendment No. 5 to the City of Thunder Bay Official Plan (1900 108th Avenue)

Authorization: Report No. R 18/2022 (Planning Services) - City Council (Public Meeting) – February 14, 2022

By-law Explanation: The purpose of this By-law is to adopt Official Plan Amendment No. 5, as it applies to 1900 108th Avenue, to remove the lands from the "Utilities and Services" designation and re-designate the lands as Heavy Industrial.

The effect of this amendment would be to facilitate the associated Zoning By-law Amendment which would rezone the lands to the "IN3" – Heavy Industrial Zone permit the applicant to redevelop the lands.

Schedules and Attachments:

SCHEDULE A TO BL 14/2022 – OFFICIAL PLAN AMENDMENT NO 5

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 14/2022

A By-law to adopt Amendment No. 5 to the City of Thunder Bay
Official Plan (1900 108th Avenue)

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

1. Pursuant to the provisions of Subsection 21(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, Amendment No. 5 to the Official Plan for the City of Thunder Bay, attached as Schedule "A" to this By-law is adopted.
2. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Dana Earle

Deputy City Clerk

AMENDMENT NO. 5 TO THE OFFICIAL PLAN
FOR THE CITY OF THUNDER BAY

Prepared by:

Development & Emergency Services Department
City of Thunder Bay
February 1, 2022

OFFICIAL PLAN FOR THE CITY OF THUNDER BAY

Amendment No. 5

Amendment No. 5 to the Official Plan for the City of Thunder Bay, was prepared by the City of Thunder Bay Development & Emergency Services Department and was presented to the Council of the Corporation of the City of Thunder Bay under the provisions of Section 21(1) of the Planning Act, R.S.O. 1990 on the 14th day of February, 2022.

This amendment was adopted by the Corporation of the City of Thunder Bay by By-law No. 14/2022 in accordance with Section 21(1) of the Planning Act, 1990 on the 14th day of February, 2022.

MAYOR

CLERK

AMENDMENT NO. 5
TO
THE OFFICIAL PLAN FOR THE CITY OF THUNDER BAY

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THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the following text and exhibit constitutes Amendment No. 5 to the Official Plan for the City of Thunder Bay.

PART A - THE PREAMBLE

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to remove the subject lands from the Utilities and Services designation and re-designate the lands as Heavy Industrial.

The effect of this Amendment would be to facilitate the associated Zoning By-law Amendment which would rezone the lands to the "IN3" – Heavy Industrial Zone and permit the applicant to develop industrial uses on the lands.

LOCATION OF THE AMENDMENT

This Amendment applies to certain lands located at 1900 108th Avenue being CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, as shown on Schedule "A" to this Amendment.

BASIS FOR THE AMENDMENT

Lands designated Utilities are intended to recognize existing major utility facilities that provide service related to electric power, natural gas, crude oil, telecommunications, or public service facilities. With the demolition of the TBGS, the current land use designation is no longer appropriate.

The intent of the Heavy Industrial designation is to provide opportunities for large-scale industrial operations, such as grain elevators, paper mills and electricity generation facilities. These operations place a high demand on water and wastewater for their processing needs, and are situated where noise, vibration, or emissions may be of concern, particularly as they relate to transportation uses and transportation needs, such as rail and/or water access.

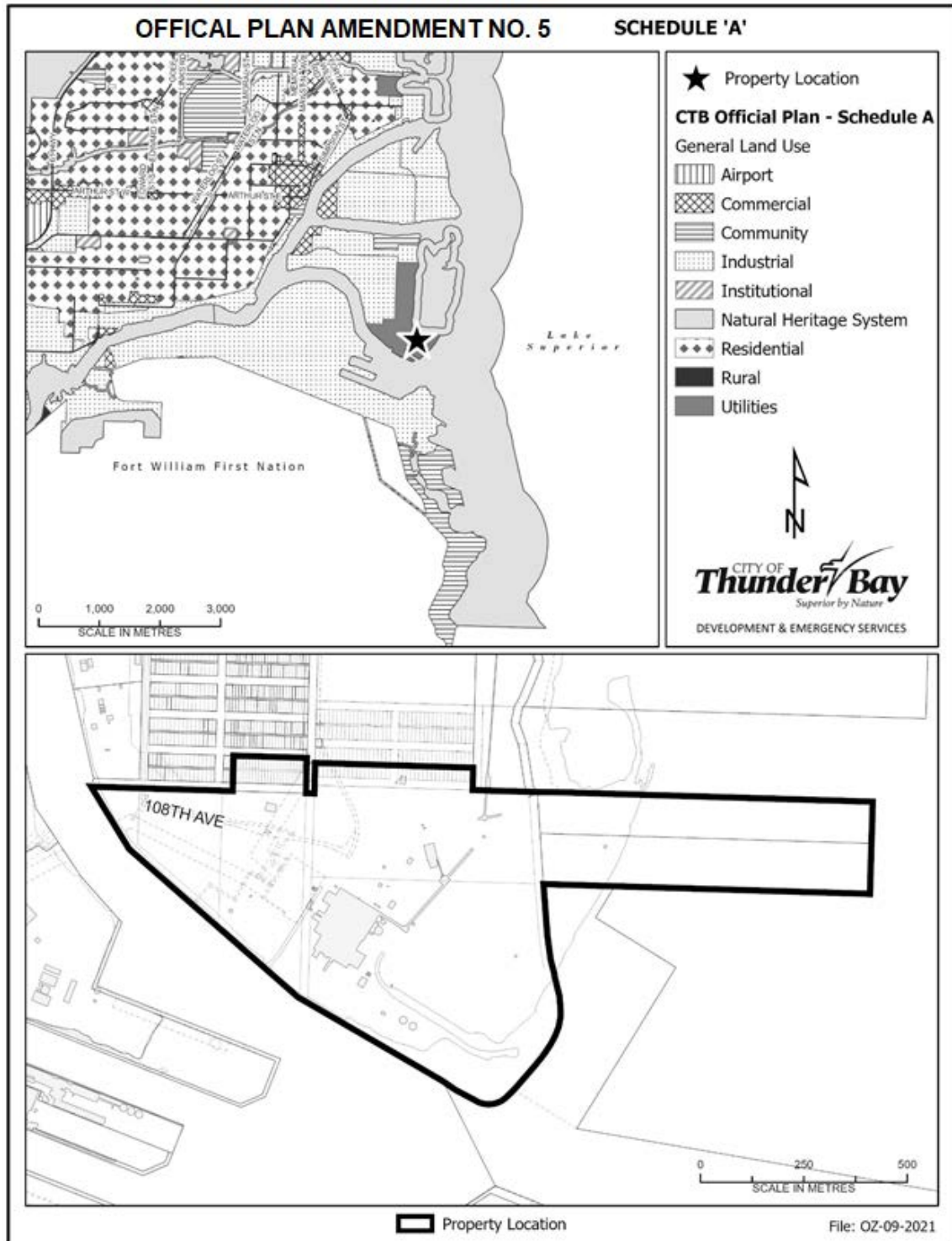
Waterfront lands represent a significant component of the City's industrial land inventory. Many of the uses are well established and have made significant investments in their current locations. The Heavy Industrial land use designation will only apply to those waterfront lands where heavy industrial development is considered appropriate in the long term, and where the continuation and expansion of these industrial activities will be encouraged.

The Official Plan recognizes the importance of the waterfront as a location that provides for industrial jobs, public utilities, rail and road shipping activities. The Applicant has acquired the land with the intent to market and redevelop it for industrial use, as such demolition is underway to remove the TBGS. Furthermore, the recent Employment Land Strategy and the Mining Readiness Strategy support and encourage new opportunities for industrial lands to accommodate industrial growth.

The designation of the lands to Heavy Industrial from Utilities is appropriate, since it will allow for additional lands to be developed for industry.

PART B - THE AMENDMENT

The City of Thunder Bay Official Plan, as amended, is further amended by removing the subject lands from the Utilities and Services designation and re-designating the lands as Heavy Industrial.





Memorandum

Corporate By-law Number BL 15/2022

TO: Office of the City Clerk **FILE:** OZ-09-2021

FROM: Decio Lopes
Development & Emergency Services - Planning Services

DATE: 02/01/2022

SUBJECT: BL 15/2022 - Site Plan Designation - 1900 108th Avenue

MEETING DATE: City Council (Public Meeting) - 02/14/2021 - (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 (1900 108th Avenue)

Authorization: Report R 18/2022 (Planning Services) - City Council (Public Meeting) – February 14, 2022.

By-law Explanation: The purpose of this By-law is to designate an area of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, as it applies to CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043; THUNDER BAY, municipally known as 1900 108th Avenue.

Schedules and Attachments:

EXHIBIT TO BL 15/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 15/2022

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (1900 108th Avenue)

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 February 14, 2021.

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

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

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

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thunder Bay, in the District of Thunder Bay, and being composed of CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043; THUNDER BAY and shown as "Property Location" on Exhibit One to and forming part of this By-law.

3. This By-law is in accordance with the City of Thunder Bay Official Plan, as amended.
4. This By-law shall come into force and take effect upon the date it is passed.

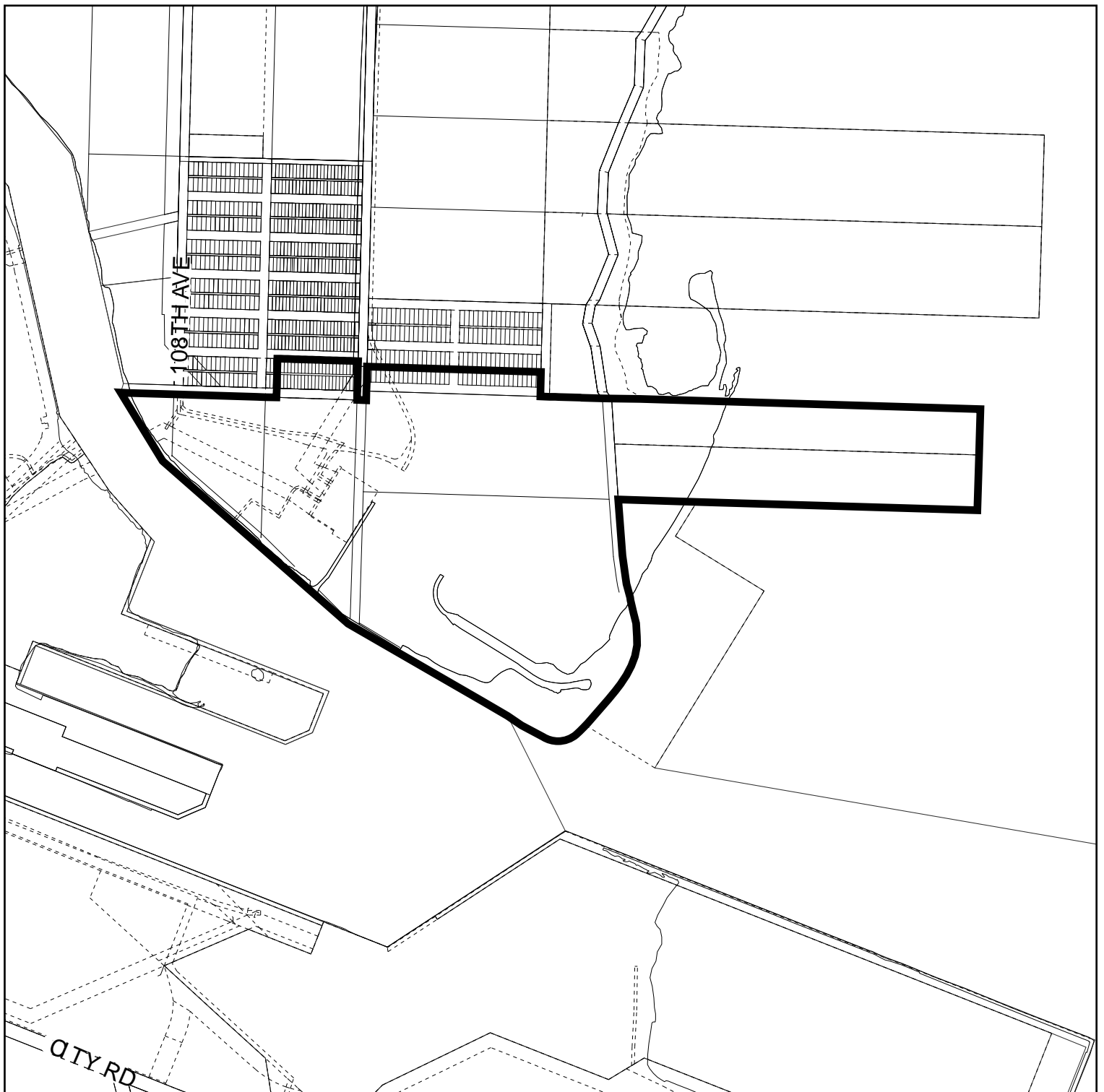
Enacted and passed this 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

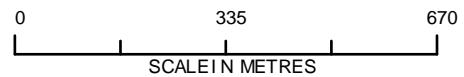
Dana Earle

Deputy City Clerk



Property Location 

1900 108th Street



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 15/2022

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 16/2022

TO: Office of the City Clerk **FILE:** OZ-09-2021

FROM: Decio Lopes
Development & Emergency Services - Planning Services

DATE: 02/01/2022

SUBJECT: BL 16/2022 - Zoning By-law Amendment - 1900 108th Avenue

MEETING DATE: City Council (Public Meeting) - 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1900 108th Avenue).

Authorization: Report R 18/2022 (Planning Services) - City Council (Public Meeting) – February 14, 2022

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, specifically to rezone the lands from the "IN5" – Utilities and Services Zone to the "IN3" – Heavy Industrial Zone, define "Industrial-Scale Computing", and permit "Industrial-Scale Computing" at this location.

The effect of this by-law would be to allow for the redevelopment of the lands for heavy industrial uses.

Schedules and Attachments:

EXHIBIT TO BY-LAW BL 16/2022 – PROPERTY LOCATION

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 16/2022

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1900 108th Avenue).

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 January 21, 2022, and a public meeting was held on February 14, 2022 at which Report No. R 18/2022 (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:

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

CON A PT LT 1 2 3 & CON K PT LTS 1 & 2 & WATER LT R/A IN CON K & R/A CON A & K HYDRO PL 203-6999 7021, all being described as parts 1 to 20 on RP 55R-11043, and shown as "Property Location" on Exhibit One and portions of the abutting STREET ALLOWANCES to and forming part of this Amending By-law,

is removed from the "IN5" – Utilities and Services ZONE, as shown on Map(s) 10O, 10P, and 10Q of Schedule "A", and is instead designated as part of the "IN3" – Heavy Industrial Use_ZONE.

- (2) The provisions of Section 4.1 and 28.1 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:

In addition to the USES permitted in Section 28.1 of this BY-LAW, "Industrial-Scale Computing" as defined in paragraph "193(2)b) of this BY-LAW] is a permitted USE under Section 28.1.

b) Definitions

"Industrial-Scale Computing" to mean "the use of premises for the purpose of housing computer systems that collect, maintain, store,

and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres".

2. This By-law is in accordance with the OFFICIAL PLAN, as amended *by Official Plan Amendment No. 5*.

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 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.


Bill Mauro

Mayor

Dana Earle

Deputy City Clerk



Property Location 
1900 108th Avenue

0 335 670
SCALE IN METRES



THIS IS EXHIBIT ONE TO PARAGRAPH "193"
OF SCHEDULE "B" OF BY-LAW 100 - 2010
AS AMENDED BY BY-LAW NUMBER 16/2022

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 18/2022

TO: Office of the City Clerk **FILE:** A-53-2021

FROM: Jamie Kirychuk
Development & Emergency Services - Planning Services

DATE: 02/04/2022

SUBJECT: BL 18/2022 - Site Plan Control Designation - 901 Memorial Avenue

MEETING DATE: City Council – 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (901 Memorial Avenue).

Authorization: Committee of Adjustment – A-53-2021– 901 Memorial Avenue – September 24th, 2021

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:

The remainder of Parcel 1431 for Port Arthur Freehold and being that portion of Section 52 of the Township of McIntyre City, City of Thunder Bay, District of Thunder Bay;

Parcel 5799 for Port Arthur Freehold and being that portion of the Northwest Subdivision of Section 52 of the Township of McIntyre City, City of Thunder Bay, District of Thunder Bay;

Parcel 15404 in Thunder Bay Freehold and being that Portion of the Northwest Quarter of Section 52 designated as Part 3 on 55R-846, in the City of Thunder Bay, District of Thunder Bay

Schedules and Attachments:

EXHIBIT TO BL 18/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 18/2022

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (901 Memorial Avenue).

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 Committee of Adjustment, dated September 24th, 2021.

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:

The remainder of Parcel 1431 for Port Arthur Freehold and being that portion of Section 52 of the Township of McIntyre City, City of Thunder Bay, District of Thunder Bay;

Parcel 5799 for Port Arthur Freehold and being that portion of the Northwest Subdivision of Section 52 of the Township of McIntyre City, City of Thunder Bay, District of Thunder Bay;

Parcel 15404 in Thunder Bay Freehold and being that Portion of the Northwest Quarter of Section 52 designated as Part 3 on 55R-846, in the City of Thunder Bay, District of Thunder Bay;

Shown as "Property Location" on Exhibit One.

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.

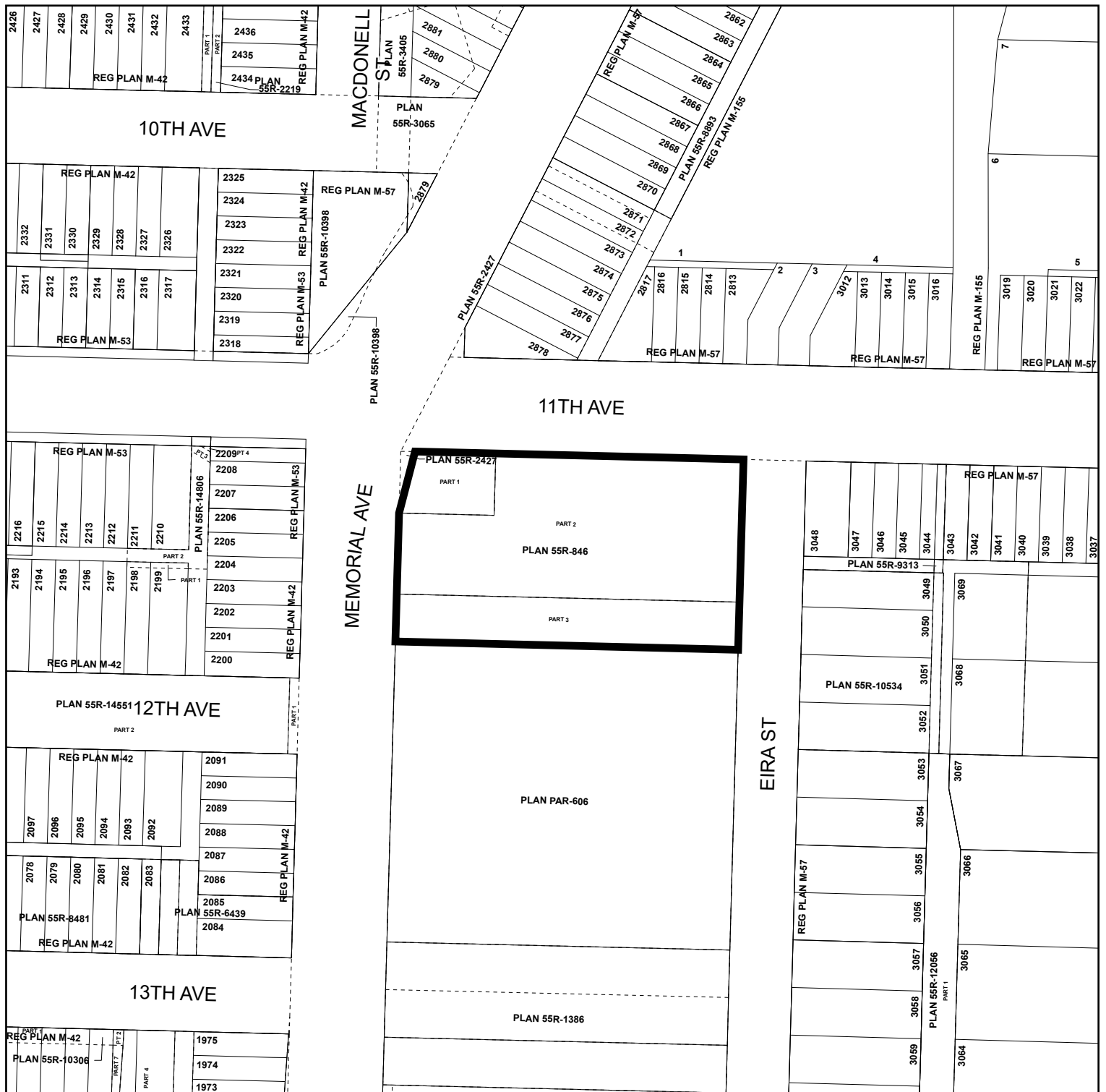
Enacted and passed this 14th of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

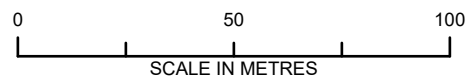
Dana Earle

Deputy City Clerk



Property Location 

901 Memorial Avenue



THIS IS EXHIBIT ONE TO BY-LAW NUMBER BL 18/2022

MAYOR _____

CITY CLERK _____

Memorandum

Corporate By-law Number BL 21/2022

TO: Office of the City Clerk **FILE:** B-63-2022

FROM: Jamie Kirychuk
Development & Emergency Services - Planning Services

DATE: 02/04/2022

SUBJECT: BL 21/2022 - Site Plan Control Designation - 70 Court Street North

MEETING DATE: City Council – 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (70 Court Street North)

Authorization: Committee of Adjustment – B-63-2021– 70 Court Street North– December 15th, 2021

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:

PCL 5740 SEC PAF; PT LT 3 W COURT ST PL PRINCE ARTHURS LANDING MCINTYRE; PT LT 2 W COURT ST PL PRINCE ARTHURS LANDING MCINTYRE AS IN LT237998, T/W LPA70612 & LPA65341; THUNDER BAY

PT PKLT 3 W/S COURT ST PL PRINCE ARTHURS LANDING MCINTYRE AS IN TBR302872 (SECONDLY); THUNDER BAY

Schedules and Attachments:

EXHIBIT ONE TO BL 21/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 21/2022

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (70 Court Street North)

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 Committee of Adjustment, dated December 15th, 2021.

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:

PCL 5740 SEC PAF; PT LT 3 W COURT ST PL PRINCE ARTHURS LANDING MCINTYRE; PT LT 2 W COURT ST PL PRINCE ARTHURS LANDING MCINTYRE AS IN LT237998, T/W LPA70612 & LPA65341; THUNDER BAY

PT PKLT 3 W/S COURT ST PL PRINCE ARTHURS LANDING MCINTYRE AS IN TBR302872 (SECONDLY); THUNDER BAY

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.

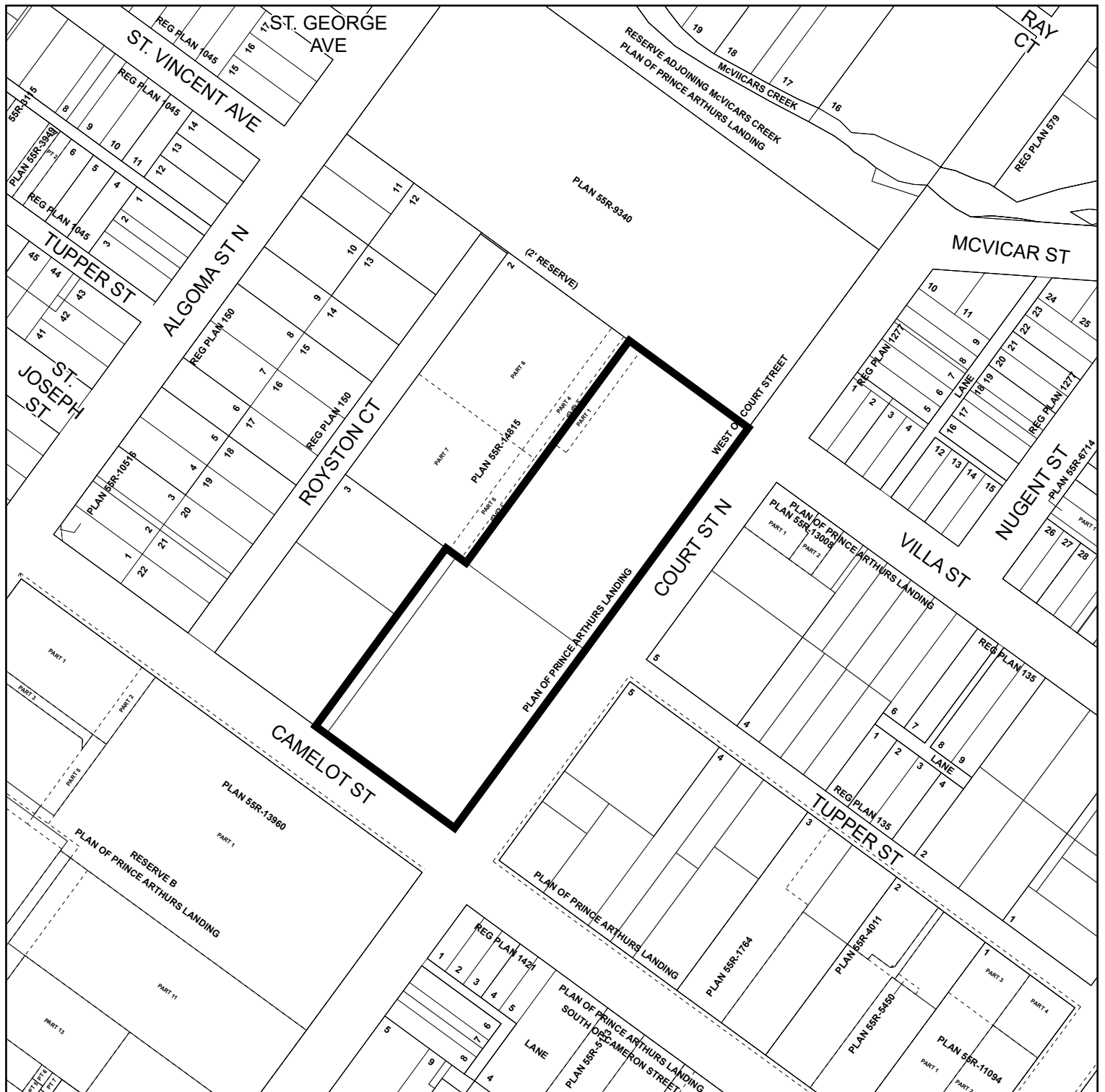
Enacted and passed this 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

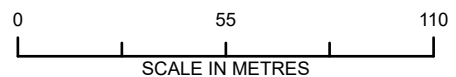
Dana Earle

Deputy City Clerk



Property Location 

70 Court Street North



THIS IS EXHIBIT ONE TO BY-LAW NUMBER BL 21/2022

MAYOR _____

CITY CLERK _____

Memorandum

Corporate By-law Number BL 23/2022

TO: Office of the City Clerk **FILE:** B-63-2021

FROM: Jamie Kirychuk
Development & Emergency Services - Planning Services

DATE: 02/04/2022

SUBJECT: BL 23/2022 - Site Plan Control Designation - 29 & 41 Royston Court

MEETING DATE: City Council – 02/14/2022 (mm/dd/yyyy)

By-law Description: A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (29 & 41 Royston Court)

Authorization: Committee of Adjustment – B-63-2021– 29 & 41 Royston Court – December 15th, 2021

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:

PCL 3837 SEC PAF; PT LT 2 W/S COURT ST PL PRINCE ARTHUR'S LANDING
MCINTYRE AS IN F114760, S/T LPA65341 & LPA70612; THUNDER BAY

Schedules and Attachments:

EXHIBIT TO BL 23/2022

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 23/2022

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (29 & 41 Royston Court)

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 Committee of Adjustment, dated December 15th, 2021.

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:

PCL 3837 SEC PAF; PT LT 2 W/S COURT ST PL PRINCE ARTHUR'S LANDING
MCINTYRE AS IN F114760, S/T LPA65341 & LPA70612; THUNDER BAY

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.

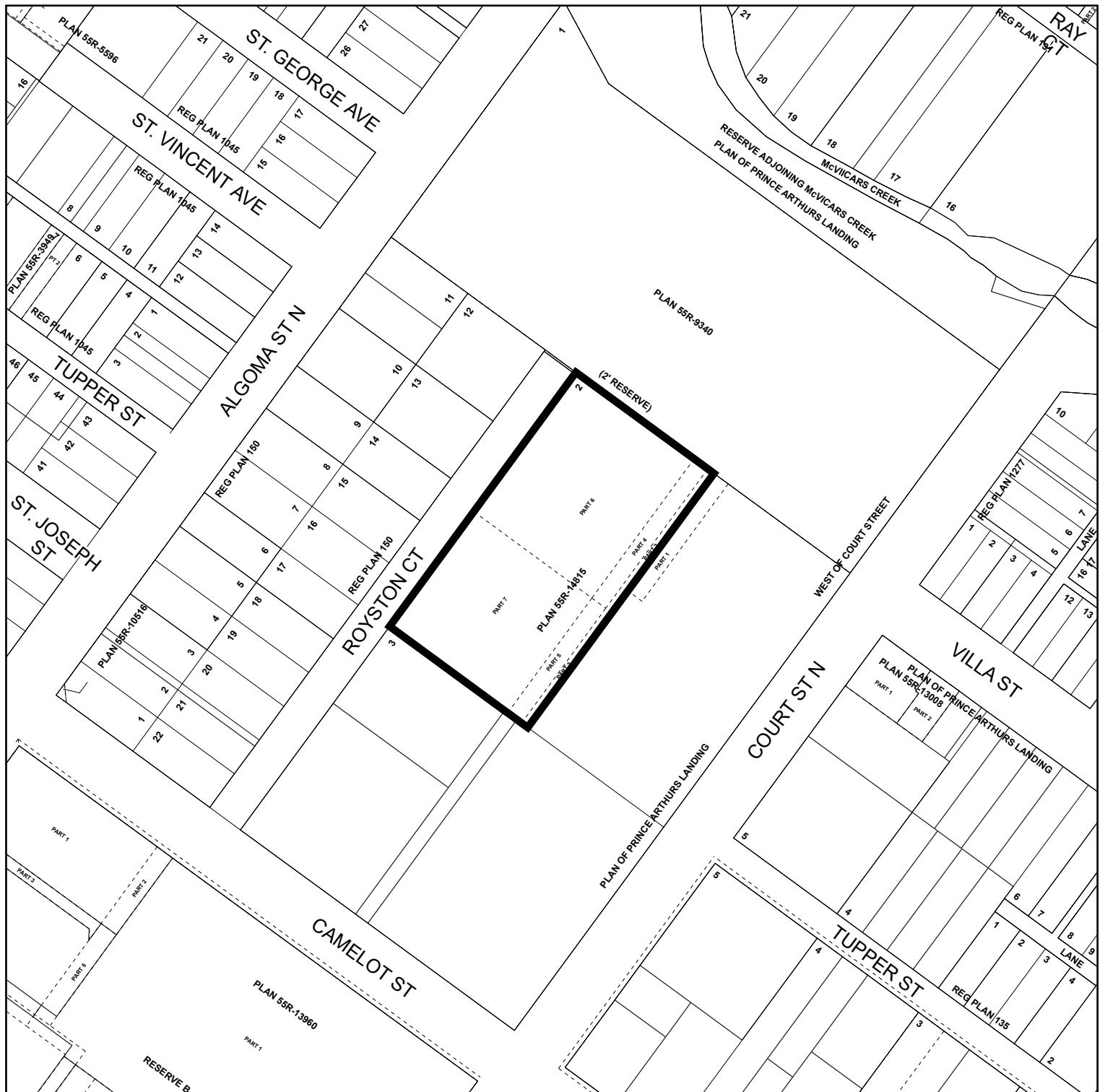
Enacted and passed this 14th day of February, A.D. 2022 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

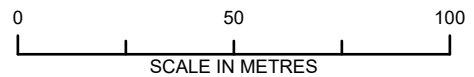
Mayor

Dana Earle

Deputy City Clerk



Property Location 
29 & 41 Royston Court



THIS IS EXHIBIT ONE TO BY-LAW NUMBER BL 23/2022

MAYOR _____

CITY CLERK _____

MEETING DATE 02/14/2022 (mm/dd/yyyy)

SUBJECT By-law Resolution - City Council (Public Meeting) - February 14, 2022

SUMMARY

By-law Resolution - City Council (Public Meeting) - February 14, 2022

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 amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1101 Syndicate Avenue South)

By-law Number: BL 12/2022

2. A By-law to adopt Amendment No. 5 to the City of Thunder Bay Official Plan (1900 108th Avenue).

By-law Number: BL 14/2022

3. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (1900 108th Avenue).

By-law Number: BL 15/2022

4. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1900 108th Avenue).

By-law Number: BL 16/2022

5. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (901 Memorial Avenue).

By-law Number: BL 18/2022

6. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (70 Court Street North).

By-law Number: 21/2022

7. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (29 & 41 Royston Court).

By-law Number: 23/2022