



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

**DATE:** Monday, February 14, 2022 *Reference No. CCP 3/53*

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

City Council (Public Meeting)  
Chair: Mayor Bill Mauro

**ELECTRONIC PARTICIPATION: OFFICIALS:**

Mayor Bill Mauro  
Councillor Albert Aiello  
Councillor Mark Bentz  
Councillor Andrew Foulds  
Councillor Brian Hamilton  
Councillor Rebecca Johnson  
Councillor Kristen Oliver  
Councillor Peng You

Dana Earle, Deputy City Clerk  
Flo-Ann Track, Council & Committee Clerk

**OFFICIALS - ELECTRONIC PARTICIPATION:**

Norm Gale, City Manager  
Linda Evans, General Manager – Corporate Services  
& Long Term Care & City Treasurer  
Karen Lewis, General Manager – Development &  
Emergency Services  
Kerri Marshall, General Manager – Infrastructure &  
Operations  
Kelly Robertson, General Manager – Community  
Services  
Leslie McEachern, Director – Planning Services  
Deanna Walker, Law Clerk  
Jillian Fazio, Planner II – Planning Services  
Jamie Kirychuk, Planner II – Planning Services  
Decio Lopes, Senior Planner – Planning Services

***DISCLOSURES OF INTEREST***

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***CONFIRMATION OF AGENDA***

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

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Brian Hamilton

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.

CARRIED

***PUBLIC MEETING PROCEDURES***

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

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

**Zoning By-law Amendment - 1101 Syndicate Ave S**

Corporate 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.

Jillian Fazio appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

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

Consultant Stefan Huzan appeared before Committee via MS Teams, on behalf of the applicant, provided an overview and responded to questions.

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

John Palmer appeared before Committee via MS Teams and responded to questions.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Andrew Foulds

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.

CARRIED

### **Official Plan Amendment - 2129 Arthur St E**

Corporate 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.

Jillian Fazio appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

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

Consultant Stefan Huzan appeared before Committee via MS Teams on behalf of the applicant, provided an overview and responded to questions.

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

The Deputy City Clerk advised that no speakers had registered to participate electronically.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Albert Aiello

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.

LOST

**Referral - R 14/2022 Official Plan Amendment - 2129 Arthur St E**

MOVED BY: Councillor Albert Aiello

SECONDED BY: Councillor Rebecca Johnson

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:

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THAT Report R 14/2022 (Planning Services), be referred to Administration to develop an alternate resolution that supports the request to prepare an official plan amendment as per the applicant’s request:

AND THAT Council accepts the rationale provided by the Applicant and concurs that a site specific policy should be added to the Official Plan to allow for the proposed development of a Neighbourhood Dental Clinic.

**Amendment - Referral - R 14/2022 Official Plan Amendment - 2129 Arthur St E**

MOVED BY: Councillor Mark Bentz  
SECONDED BY: Councillor Andrew Foulds

WITH RESPECT to the Referral – R 14/2022 Official Plan Amendment – 2129 Arthur St E we recommend that the following paragraph be added:

AND THAT Administration report back to Council following receipt of the outcome of the appeal relating to the Zoning By-law Amendment as contained in Report R 153/2021 (Development & Emergency Services – Planning Services) where applicable and within current regulations.

CARRIED

**Amended Referral - R 14/2022 Official Plan Amendment - 2129 Arthur St E**

A recorded vote was requested on the following resolution, the results of which are as follows:

YEA	NAY
Mayor Bill Mauro	
Albert Aiello	
Councillor Mark Bentz	
	Councillor Andrew Foulds
Councillor Brian Hamilton	
Councillor Rebecca Johnson	
Councillor Kristen Oliver	
Councillor Peng You	

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MOVED BY: Councillor Albert Aiello  
SECONDED BY: Councillor Rebecca Johnson

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:

THAT Report R 14/2022 (Planning Services), be referred to Administration to develop an alternate resolution that supports the request to prepare an official plan amendment as per the applicant's request:

AND THAT Council accepts the rationale provided by the Applicant and concurs that a site specific policy should be added to the Official Plan to allow for the proposed development of a Neighbourhood Dental Clinic;

AND THAT Administration report back to Council following receipt of the outcome of the appeal relating to the Zoning By-law Amendment as contained in Report R 153/2021 (Development & Emergency Services – Planning Services) where applicable and within current regulations.

CARRIED

### **Zoning By-law Amendment - 211 Thompson Road**

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.

Memorandum from Planner II – Planning Services Division Jamie Kirychuk dated February 9, 2022 relative to Report R 17/2022 (Development & Emergency Services – Planning Services) was distributed separately to Members of Council and City Manager only on Thursday, February 10, 2022.

Jamie Kirychuk appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

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

Joe Talarico appeared before Committee via MS Teams, provided an overview and responded to questions.

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

The Deputy City Clerk advised that no speakers had registered to participate electronically.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Albert Aiello

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.

CARRIED

### **Official Plan and Zoning By-law Amendments - 1900 108th Avenue**

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.

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The subject property is designated as "Industrial – Utilities" and zoned as "IN5"– Utilities and Services Zone. The site is located to 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

Memorandum from Senior Planner – Planning Services Division Decio Lopes dated February 10, 2022 relative to Report R 18/2022 (Development & Emergency Services – Planning Services) was distributed separately to Members of Council and City Manager only on Thursday, February 10, 2022.

Memorandum from Senior Planner – Planning Services Division Decio Lopes dated February 11, 2022 relative to Report R 18/2022 (Development & Emergency Services – Planning Services) was distributed separately to Members of Council and City Manager only on Monday, February 14, 2022.

Decio Lopes appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

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

Consultant Tyler Rizzuto appeared before Committee via MS Teams, provided an overview and responded to questions.

Applicants Ian Bartles and Christina Murray appeared before Committee via MS Teams, provided an overview and responded to questions.

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

Commodore Vic Miller and Past Commodore Hugh Briggs - Thunder Bay Yacht Club appeared before Committee via MS Teams, provided an overview and responded to questions.

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Albert Aiello

### **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 108<sup>th</sup> 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 108<sup>th</sup> 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.

CARRIED

***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)

**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)

**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)

**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).

**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).

**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)

**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)

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

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Peng You

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

CARRIED

***ADJOURNMENT***

The meeting adjourned at 9:34 pm

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Mayor

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Deputy City Clerk