



AGENDA MATERIAL

CITY COUNCIL (PUBLIC MEETING)

MEETING DATE: MONDAY, JUNE 15, 2020

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

TIME: 6:30 PM



MEETING: City Council (Public Meeting)

DATE: Monday, June 15, 2020

Reference No. CCP - 7/51

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

City Council (Public Meeting)

Chair: Mayor B. Mauro

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of Agenda - June 15, 2020 - City Council (Public Meeting) **(Page 8)**

With respect to the June 15, 2020 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

PUBLIC MEETING PROCEDURES

CITY COUNCIL (PUBLIC MEETING)

Zoning By-law Amendment - 1100 Hildale Road

Report No. R 36/2020 (Development & Emergency Services - Planning Services) recommending a site-specific Zoning By-law amendment to increase the maximum lot coverage permitted for accessory buildings to the dwelling, and to add and define "Contractors Yard" as a permitted use on the rear half of the property at 1100 Hildale Road. **(Pages 9-15)**

THAT a Public Meeting having been held with respect to the application by Tony & Beverly Guadagnolo relative to Section 19 Part NE 1/4, municipally known as 1100 Hildale Road, shown as Property Location 1 and Property Location 2 on Attachment "A" to Report R 36/2020 (Planning Services) we recommend that the Zoning By-law 100-2010 be amended as follows:

1. That “CONTRACTOR’S YARD” is a PLACE for the purpose of providing an operational base for a small-scale contracting company and may include the repair and servicing of contractor’s equipment and the OUTDOOR STORAGE of four COMMERCIAL VEHICLES and fourteen pieces of HEAVY EQUIPMENT;
2. That the maximum GROSS FLOOR AREA that is attributable to the collective footprint of all of the BUILDINGS and STRUCTURES that are ACCESSORY to a DWELLING, be increased to 1,000.00 sq. m from 200.00 sq. m on the subject lands;
3. That “CONTRACTOR’S YARD” as specifically defined be permitted within Property Location 2 as an ACCESSORY USE to the existing SINGLE DETACHED DWELLING;
4. That a five metre wide NATURAL VEGETATED BUFFER along the perimeter of Property Location 2, excepting out a 10 metre wide driveway along the east boundary between Property Location 1 and 2 be required; and

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council.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-law is presented to City Council for ratification.

ALL as contained in Report No. R 36/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

Zoning By-law Amendment - 941 Simpson Street

Report No. R 67/2010 (Development & Emergency Services - Planning Services) recommending that the Zoning By-law be amended to add home improvement store and commercial school as permitted uses within the existing building at 941 Simpson Street. **(Pages 16-24)**

THAT a Public Meeting having been held with respect to the application by Northern Planning, relative to Registered Plan 57, Block 9, Lots 1 to 5; municipally known as 941 Simpson Street, we recommend that the Zoning By-law be amended as follows:

1. That a HOME IMPROVEMENT STORE and a COMMERCIAL SCHOOL be permitted within the existing building.
2. That the minimum number of PARKING SPACES for a HOME IMPROVEMENT STORE and a COMMERCIAL SCHOOL within the existing building be nine (9).

3. That the minimum required number of LOADING SPACES be eliminated for any USE within the existing building.

Subject to the following conditions:

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

1. The subject property, as shown on Attachment "A", is designated as an area of Site Plan Control (SPC).
2. The Applicant has entered into a Personal Undertaking with the City of Thunder Bay that includes the provision of a Performance Guarantee and a plan for parking and landscaping along the frontages abutting Simpson Street and Southern Avenue, to the satisfaction of the Parks & Open Spaces Section.
3. The Applicant has entered into a License Agreement with Realty Services for the use and maintenance of the private sidewalk located within the City owned right-of-way off of Southern Avenue.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

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

ALL as contained in Report No. R 67/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

Zoning By-law Amendment – 77 Court Street South (Rheault Distillery.)

Report No. R 69/2020 (Development & Emergency Services - Planning Services) recommending a site-specific Zoning By-law amendment to define and permit a “microbrewery” on 77 Court Street South. **(Pages 25-34)**

THAT a Public Meeting having been held with respect to the application by Rheault Distillery, relative to LT 2 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 3 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 5, municipally known as 77 Court Street South, we recommend that the Zoning By-law be amended as follows:

1. That a “microbrewery” be defined as a building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits;
2. That a “microbrewery” be added as a permitted use;

3. That the total maximum gross floor area of a “microbrewery” be set to 1,500 square metres; and
4. That the manufacturing component of a “microbrewery” be entirely enclosed within the building in which it is undertaken, such that emission from the production process of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference is not possible.

Subject to the following condition:

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

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC).

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-law is presented to City Council for ratification.

ALL as contained in Report No. R 69/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

Zoning By-law Amendment – 1543 Arthur Street East (Red River Holdings Ltd.)

Report No. R 70/2020 (Development & Emergency Services - Planning Services) recommending a site-specific Zoning By-law amendment to permit an office and a motor vehicle service station within the existing building at 1543 Arthur Street East. **(Pages 35-44)**

THAT a Public Meeting having been held with respect to the application by Red River Holdings Ltd., relative to PCL 3465 SEC CFWF; LT 24-26 PL WM31 NEEBING; THUNDER BAY, municipally known as 1543 Arthur Street East, we recommend that the Zoning By-law be amended as follows:

1. That an OFFICE and a MOTOR VEHICLE SERVICE STATION be permitted within the existing building
2. That for PARKING SPACES over 80° up to and including 90°, the minimum width of a PARKING AISLE for any USE within the existing building be 6.5 metres
3. That the minimum number of PARKING SPACES for an OFFICE and/or a MOTOR VEHICLE SERVICE STATION within the existing building be nine (9).

Subject to the following condition:

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

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC).
2. The Applicant has entered into a Personal Undertaking with the City of Thunder Bay that includes the provision of a Performance Guarantee and a plan for landscaping along the front lot line abutting the Arthur Street Image Route, to the satisfaction of the Parks & Open Spaces Section.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

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

ALL as contained in Report No. R 70/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

BY-LAWS

BL 59/2020 - Site Plan Designation – 1543 Arthur Street East

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1543 Arthur Street East) **(Pages 45-47)**

BL 60/2020 - Zoning By-law Amendment – 1543 Arthur Street East

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1543 Arthur Street East) **(Pages 48-51)**

BL 61/2020 - Site Plan Designation – 77 Court Street South

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (77 Court Street South) **(Pages 52-54)**

BL 62/2020 - Zoning By-law Amendment – 77 Court Street South

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (77 Court Street South) **(Pages 55-58)**

BL 63/2020 - Site Plan Control designation - 1207 John Street Road

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1207 John Street Road) **(Pages 59-61)**

BL 64/2020 - A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act.

A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (100 Princess Street) **(Pages 62-65)**

BL 65/2020 - Zoning By-law Amendment - 1100 Hilldale Road

A By-law to amend By-law 100-2010 (The Zoning By-law) of the Corporation of the City of Thunder Bay (1100 Hilldale Road) **(Pages 66-69)**

By-law Resolution

By-law Resolution - June 15, 2020 **(Pages 70-71)**

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1543 Arthur Street East)

By-law Number: BL 59/2020

2. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1543 Arthur Street East)

By-law Number: BL 60/2020

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. (77 Court Street South)

By-law Number: BL 61/2020

4. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (77 Court Street South)

By-law Number: BL 62/2020

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. (1207 John Street Road)

By-law Number: BL 63/2020

6. A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (100 Princess Street)

By-law Number: BL 64/2020

7. A By-law to amend By-law 100-2010 (The Zoning By-law) of the Corporation of the City of Thunder Bay (1100 Hildale Road)

By-law Number: BL 65/2020

ADJOURNMENT



MEETING DATE 06/15/2020 (mm/dd/yyyy)

SUBJECT Confirmation of Agenda

SUMMARY

Confirmation of Agenda – June 15, 2020 - City Council (Public Meeting)

RECOMMENDATION

With respect to the June 15, 2020 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 36/2020
DATE PREPARED	06/01/2020	FILE NO.	Z-15-2019
MEETING DATE	06/15/2020 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 1100 Hilldale Road		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Tony & Beverly Guadagnolo relative to Section 19 Part NE 1/4, municipally known as 1100 Hilldale Road, shown as Property Location 1 and Property Location 2 on Attachment "A" to Report R 36/2020 (Planning Services) we recommend that the Zoning By-law 100-2010 be amended as follows:

1. That "CONTRACTOR'S YARD" is a PLACE for the purpose of providing an operational base for a small-scale contracting company and may include the repair and servicing of contractor's equipment and the OUTDOOR STORAGE of four COMMERCIAL VEHICLES and fourteen pieces of HEAVY EQUIPMENT;
2. That the maximum GROSS FLOOR AREA that is attributable to the collective footprint of all of the BUILDINGS and STRUCTURES that are ACCESSORY to a DWELLING, be increased to 1,000.00 sq. m from 200.00 sq. m on the subject lands;
3. That "CONTRACTOR'S YARD" as specifically defined be permitted within Property Location 2 as an ACCESSORY USE to the existing SINGLE DETACHED DWELLING;
4. That a five metre wide NATURAL VEGETATED BUFFER along the perimeter of Property Location 2, excepting out a 10 metre wide driveway along the east boundary between Property Location 1 and 2 be required; and

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-law is presented to City Council for ratification.

ALL as contained in Report No. R 36/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested a site-specific Zoning By-law amendment to increase the maximum lot coverage permitted for accessory buildings to the dwelling, and to add and define “Contractors Yard” as a permitted use on the rear half of the subject property in association with the dwelling.

Administration is of the opinion that the Applicant’s proposal does not conflict with the Growth Plan for Northern Ontario or the Provincial Policy Statement, and is consistent with the Official Plan. For these reasons, Administration supports the proposed application.

DISCUSSION

Description of Proposal

The Applicant has requested a site-specific Zoning By-law amendment to increase the maximum gross floor area permitted for accessory buildings, and to add and define “Contractors Yard” as an associated permitted use on the rear half of the subject property.

The Owner is a vintage car collector, and operates a small road construction business. He resides on the front half of the property, and utilizes the rear half for the keeping of his personal vehicles and heavy equipment/commercial vehicles. The personal vehicles are kept in several small to large accessory buildings, and the construction equipment and commercial vehicles are all kept outside.

The subject property currently exceeds the maximum allowance of gross floor area permitted for accessory buildings, and the outdoor storage of heavy equipment and commercial vehicles is not permitted. The proposed site specific amendment would allow the Applicant to keep the existing number of accessory buildings for the keeping and repair of his personal cars, and continue to store commercial vehicles and heavy equipment associated with their construction business on the subject property.

Description of Subject Property and Surrounding Area

The subject property is approximately 4.4 hectares, with 108 metres of frontage along Hilldale Road. The front half of the property is developed with a single detached dwelling, detached garage, and shed while the back half of the property includes several small and large accessory buildings, and outdoor storage of heavy equipment and commercial vehicles. The back half of the property is well screened by an existing natural vegetated buffer separating the front half of the property from the back. A natural vegetated buffer also exists along the side yards screening the property from the adjacent neighbours.

During the review of this application it was noted that the Hildale road allowance encroaches on the subject property. Engineering and Realty Services staff will work with the Owner at a future date to rectify this situation.

The subject property is zoned “RU1” – Rural Area Zone and designated Rural in the Official Plan. A small corner at the rear of the property also falls within the McVicar Creek Tributary and is zoned “EP” - Environmental Protection Zone and designated Natural Corridor in the Official Plan.

The surrounding area includes a mix of rural residential properties and undeveloped lots zoned “IN4” – Extractive Industrial Zone.

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

Neighbourhood Comments

A Notice of Application was mailed to surrounding property owners on January 10th, 2020 outlining the nature of the proposed Zoning By-law amendment. No comments have been received in response to the notice.

Agency Comments

The Thunder Bay District Health Unit, Engineering and Operations, and Fire Prevention and Investigation indicated they have no objection or concern.

Building Services stated a report will be required from a structural engineer confirming the structural stability of each existing accessory building on the property built without a building permit. Any building deemed not structurally stable by the engineer must be either removed or repaired.

The Parks and Open Space Section have recommended that approval be conditional upon the two new uses being confined to the rear part of the property, and that the Applicant retain a vegetated buffer separating the house from the storage area and along both side yards. The purpose of these conditions would be to minimize any potential future impacts (visual) from the use to adjacent neighbours and Hildale Road.

The Lakehead Regional Conservation Authority determined the application is consistent with Section 3.1 of the Provincial Policy Statement, and that a permit will be required prior to any development taking place in the regulated area.

Planning Services Division Comments

- **Provincial Policy and Regulatory Framework**
 - **The Growth Plan for Northern Ontario**

The Growth Plan for Northern Ontario (GPNO) is a Provincial document that directs growth and economic development in Northern Ontario. Planning Services has determined the application does not conflict with GPNO.

- **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Planning Services has assessed the application against the policies found within the PPS and finds that the proposal does not conflict with the PPS.

- **Municipal Policy and Regulatory Framework**

- **Official Plan**

The subject lands are designated Rural in the Official Plan. The intent of the rural designation is for properties to maintain their rural character by accommodating a variety of land uses that are appropriate in a rural location. Limited commercial and industrial activities that provide rural economic benefits and are balanced with the protection of the natural environment, agricultural operations, and resource opportunities may be permitted on a site specific basis.

A small corner at the rear of the property falls within the McVicar Creek Tributary and is designated Natural Corridor. The Site Plan provided indicates the proposed “Contractors Yard” would not conflict with the sensitive area.

Planning Services finds that the storage of construction equipment and commercial vehicles on the rear half of the subject property is comparable to a limited industrial activity. However, because the proposed use is well screened from the road, generates minimal traffic, and will not impact the environmentally sensitive area, the proposal maintains the rural character of the area while balancing the protection of the natural environment. Therefore the proposal is consistent with the Official Plan.

- **Zoning By-law**

Section 5.3.2 of the Zoning By-law limits the maximum lot coverage and gross floor area permitted for accessory buildings. The intent of these restrictions is to prevent properties from constructing oversized buildings or from overdeveloping. The Applicant has requested to amend the Zoning By-law to increase the maximum gross floor area to 1000 square meters from 200 square meters. This increase would result in a total lot coverage of less than three percent. Therefore Planning Services finds that this request is in keeping with the intent of the Zoning By-law as none of the existing or proposed buildings are oversized, nor does the property exceed the maximum lot coverage.

The proposal further includes adding and defining “Contractor’s Yard” as a permitted use on the rear half of the property. “Contractor’s Yard” is a PLACE for the purpose of providing an operational base for a small-scale contracting company and may include the repair and servicing

of contractor's equipment and the OUTDOOR STORAGE of four COMMERCIAL VEHICLES and fourteen pieces of HEAVY EQUIPMENT. The "Contractor's Yard" and associated outdoor storage will be accessory to the dwelling and limited to Property Location 2, as shown on attachment A. The intent of this amendment is to ensure that the "Contractor's Yard" remains accessory to the dwelling and is located at the rear of the property, which is well screened. This will maintain the rural character of the area and prevent the "Contractor's Yard" from becoming the main use of the property.

An additional amendment to include establishing a five metre wide natural vegetated buffer around the perimeter of Property Location 2, excepting out one 10 metre driveway has also been added. The intent of this amendment is to ensure that the "Contractors Yard" is well screened.

FINANCIAL IMPLICATION

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

CONCLUSION

In conclusion, the requested Zoning By-law amendments would allow an increase to the maximum permitted gross floor area for accessory buildings and permit a use that is compatible with the surrounding area. The proposal is consistent with the Official Plan does not conflict with the Provincial Policy Statement or Northern Growth Plan for Ontario. As such, Administration supports the proposed Zoning By-law amendment.

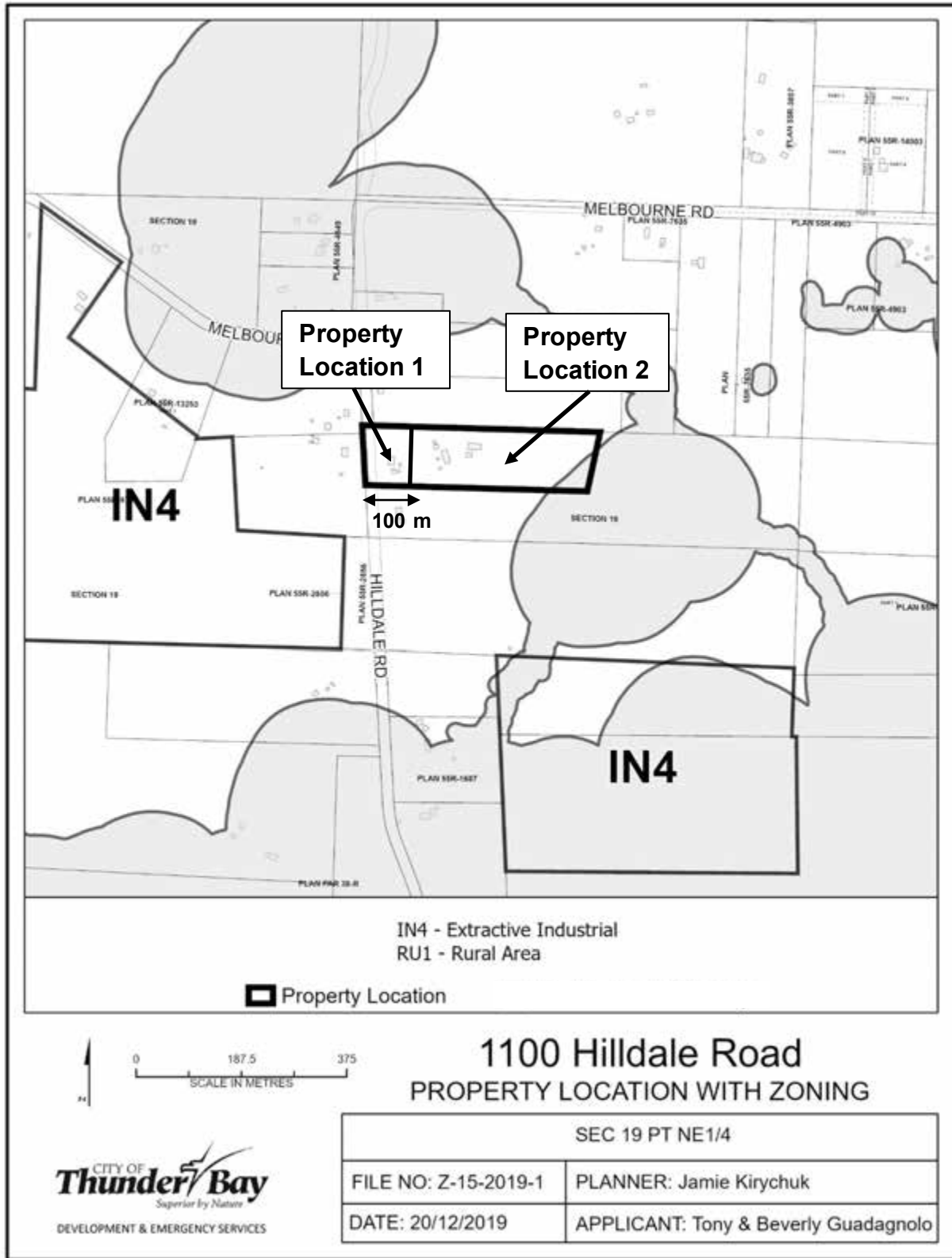
REFERENCE MATERIAL ATTACHED

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

PREPARED BY: JAMIE KIRYCHUK, PLANNER II

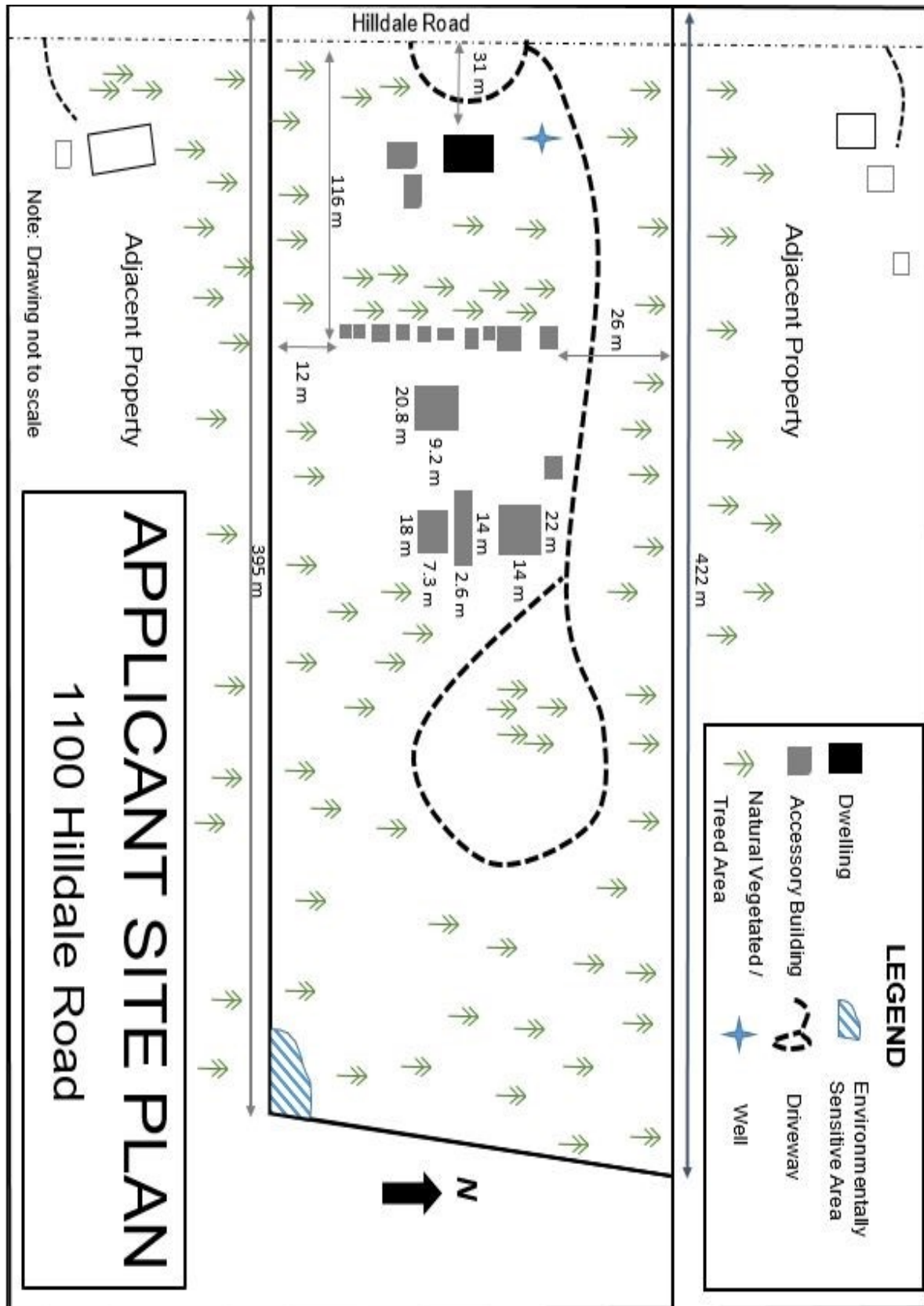
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith, GM Development & Emergency Services	June 4, 2020

ATTACHMENT A - Property Location



TITLE: Property Location			Date: June 2020
PREPARED BY JK	SCALE As Noted	FILE NO. Z-15-2019	

ATTACHMENT B - Applicant's Sketch



TITLE: Applicant's Sketch		Date: June 2020	
PREPARED BY JK	SCALE As Noted	FILE NO. Z-15-2019	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 67/2020
DATE PREPARED	06/01/2020	FILE NO.	Z-01-2020
MEETING DATE	06/15/2020 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment - 941 Simpson Street		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Northern Planning, relative to Registered Plan 57, Block 9, Lots 1 to 5; municipally known as 941 Simpson Street, we recommend that the Zoning By-law be amended as follows:

1. That a HOME IMPROVEMENT STORE and a COMMERCIAL SCHOOL be permitted within the existing building.
2. That the minimum number of PARKING SPACES for a HOME IMPROVEMENT STORE and a COMMERCIAL SCHOOL within the existing building be nine (9).
3. That the minimum required number of LOADING SPACES be eliminated for any USE within the existing building.

Subject to the following conditions:

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

1. The subject property, as shown on Attachment "A", is designated as an area of Site Plan Control (SPC).
2. The Applicant has entered into a Personal Undertaking with the City of Thunder Bay that includes the provision of a Performance Guarantee and a plan for parking and landscaping along the frontages abutting Simpson Street and Southern Avenue, to the satisfaction of the Parks & Open Spaces Section.
3. The Applicant has entered into a License Agreement with Realty Services for the use and maintenance of the private sidewalk located within the City owned right-of-way off of Southern Avenue.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

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

ALL as contained in Report No. R 67/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has applied for a site-specific Zoning By-law amendment to add home improvement store (DC Cabinets) and commercial school (martial arts studio) as permitted uses within the existing building at 941 Simpson 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 proposed Zoning By-law amendment.

DISCUSSION

Description of Proposal

The Applicant has applied for a site-specific Zoning By-law amendment to add home improvement store and commercial school as permitted uses within the existing building at 941 Simpson Street. The building is divided into two "storefront" units and an attached two-storey "storage" area as shown on Attachment "B". The home improvement store "DC Cabinets" operates within one of the "storefront" units and on the main level of the "storage" area. The commercial school "martial arts studio" currently operates out of the adjacent "storefront" unit in the evenings. The Applicant has indicated that the Owner is planning to move the martial arts studio to the second level of the "storage" area in the near future. The studio currently averages 8 to 12 pupils with 1 instructor per class.

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

Description of Subject Property and Surrounding Area

The subject lands are located at the corner of Southern Avenue and Simpson Street. Simpson Street is a Major Arterial and is designated as part of the Waterfront Image Route.

The surrounding area is predominantly residential and includes both multiple unit apartments and single/semi-detached housing.

The subject property is developed with a 534 square metre building. The “storefront” portion of the building was constructed in 1952, and the attached two-storey “storage” area was added in 1953. Historically the building was occupied by a building and lumber supply company. More recently, past uses of the building include a hair salon, flower shop, and a bridal and boutique shop.

The lands include a private sidewalk on City-owned lands which leads to the front doors of the building and is adjacent to Southern Avenue. A small portion on the west side of the property is also bisected by a travelled laneway which encroaches onto the subject property. Engineering and Realty Services staff will work with the Owner at a future date to rectify this situation.

The lands are zoned “MU2” – Mixed Use Zone Two and designated Residential in the Official Plan.

Neighbourhood Comments

A Notice of Application was mailed to property owners on January 30th, 2020 outlining the nature of the proposed Zoning By-law amendment. No comments were received in response to the notice.

Agency Comments

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

- Fire Prevention and Rescue Services
- Lakehead Region Conservation Authority
- Parks and Open Spaces Section
- Engineering and Operations Division
- Realty Services Division
- Building Services Division
- Licensing and Enforcement

Realty Services responded with no objection and indicated that the property includes a private sidewalk located within City owned lands. As part of this application, the Owner is required to either enter into a License Agreement with the City for the private sidewalk located within the City owned right-of-way of Southern Avenue, or have the private sidewalk removed.

Building Services suggested that a building permit will be required for the change of use. A Record of Site Condition through the Ministry of Environment Conservation and Parks may also be required as per Ontario Regulation 153/04 for the commercial school use.

Planning Services Division Comments

- Provincial Policy Statement, 2020

The proposal is consistent with the Provincial Policy Statement (PPS), 2020, as it is consistent with the policy described in Section 1.3.1, and does not conflict with any other policies.

Section 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Planning Services considers the proposed uses to be appropriate businesses to add to the range of economic activities permitted at this location.

- Growth Plan for Northern Ontario, 2011

The proposal is consistent with the Growth Plan for Northern Ontario, as it supports and promotes healthy living by contributing to a diverse mix of land uses as well as a range and mix of employment types. It also makes efficient use of existing infrastructure, which is one of the stated purposes of the plan. The proposal does not conflict with any policy in the plan.

- Official Plan

The proposal contributes to two general goals of the Official Plan (OP). It makes efficient use of an existing commercial building and therefore directs development in an efficient and cost-effective manner. The proposal also promotes the growth of a new business at an appropriate location, on the corner of a Major Arterial.

The property is designated as Residential in the OP. 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. The existing building is commercial in nature with both a “storefront” and “storage” area. The Applicant has indicated that residential conversion is not feasible or cost effective at this time due to the inherent commercial attributes of the existing buildings. Planning Services accepts the Applicant’s position and finds that continued commercial use of the existing buildings is appropriate.

- Zoning By-law

The Applicant has applied to amend the regulations of the “MU2” – Mixed Use Two Zone on a site-specific basis to add home improvement store and commercial school as permitted uses within the existing building.

The “MU2” Zone permits a variety of small scale commercial uses when located on an arterial road including personal service establishments and food stores. Uses in this zone are intended to serve the surrounding neighbourhood. However, over the last 50 years the existing building has accommodated a range of commercial uses that are more typically considered destination based and function at a higher level of the commercial hierarchy. Planning Services finds that the

proposed uses are in keeping with the historical use of the property as they are similar in form, function, generate moderate traffic volumes, and will result in negligible off-site impacts. The proposed uses are considered appropriate given the nature of the existing commercial building and its location on the corner of an arterial road. The home improvement store will function similarly to previous commercial uses and the commercial school will offer recreational opportunities to area residents.

The existing parking area will be recognized through the proposed amendment. The current parking area is short on the number of required parking spaces (approximately 5-6 spaces), and the number of loading spaces (1 space). Planning Services considers these amendments appropriate to recognize an existing situation.

Site Plan Control

The Engineering & Operations Division and Parks & Open Spaces Section support Planning Services' request that the subject property be designated as an area of Site Plan Control (SPC).

In this case, an SPC agreement will not be required to support the proposed new uses as no exterior construction is necessary. However, in the future should any new building or major additions be constructed, a SPC agreement will be required. SPC will allow the City to review opportunities for stormwater management and other design elements in the future. Furthermore, the SPC process will facilitate the review of any proposed development ensuring its compliance with Engineering and Operations Division's and the Parks & Open Space section's standards and specifications.

The existing property was developed under previous zoning regulations, as such it was not subject to any landscaping requirements and is mostly paved. The physical appearance and enhancement of properties is particularly important along Image Routes. Administration recommends that as a condition of approval, landscaping improvements be made in accordance with the Image Route Guidelines. This includes providing two landscaped strips, one along Southern Avenue and one along Simpson Street as shown on Attachment "C". This would bring the property closer to compliance with the current landscaping requirements of the "MU2" zone and improve the aesthetics of the site without sacrificing its functionality. Furthermore, Administration also recommends that the Applicant also provide an updated parking plan in accordance with Attachment "C". These submittals can be jointly completed through a Letter of Undertaking and a Performance Guarantee with the City.

FINANCIAL IMPLICATION

There is not an expected increase in tax revenue as the businesses are existing and the building is already assessed as commercial.

CONCLUSION

In conclusion, the requested Zoning By-law amendment would permit two uses that are appropriate for the existing building and compatible with the surrounding area, are consistent with the Provincial Policy Statement, and conform to the Official Plan. The proposal is consistent with and does not conflict with the Northern Growth Plan for Ontario. 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 – Parking Plan and Landscaping Improvements

PREPARED BY: Jamie Kirychuk, Planner II

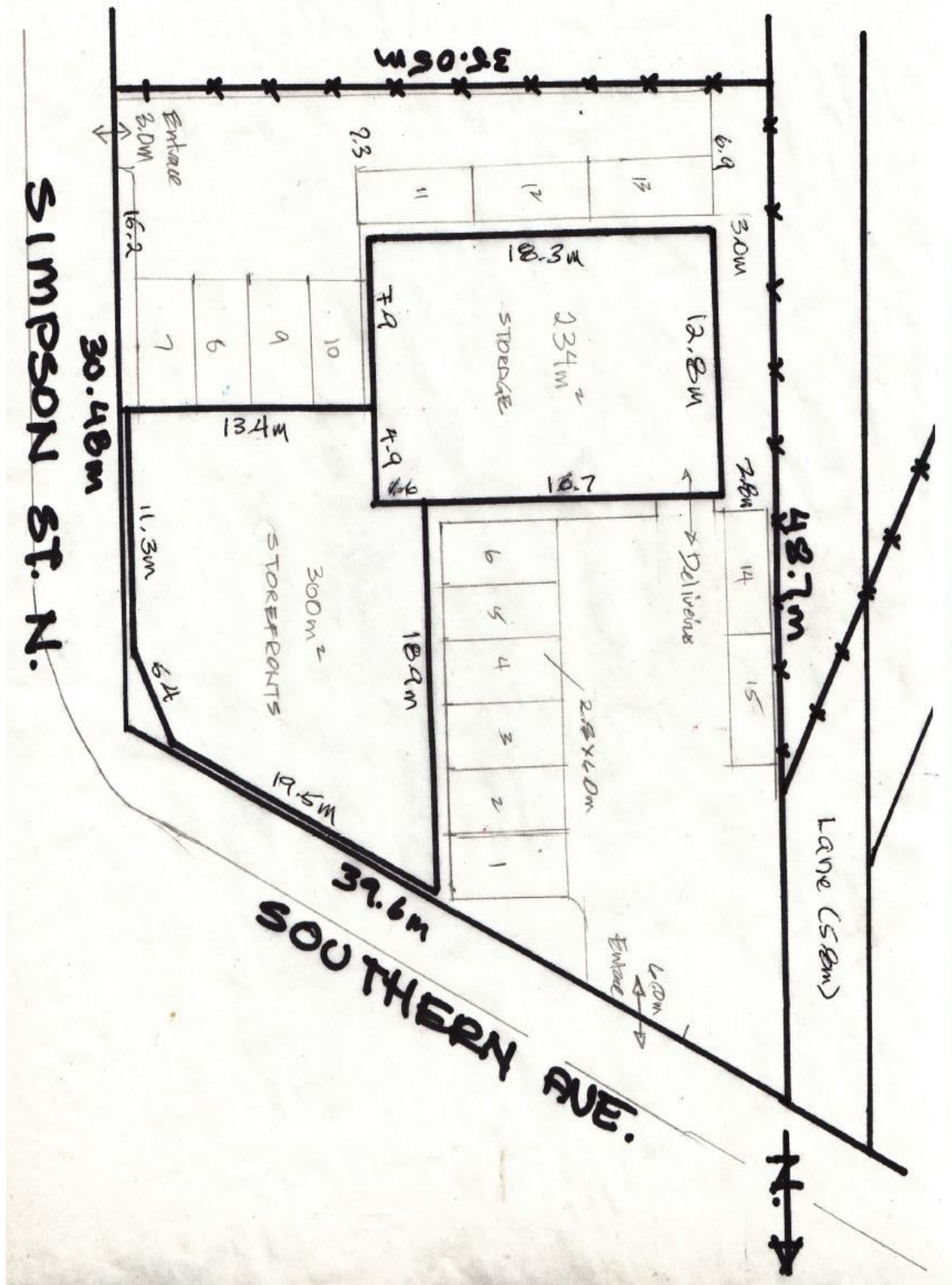
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith, GM Development & Emergency Services	June 4, 2020

ATTACHMENT A - Property Location



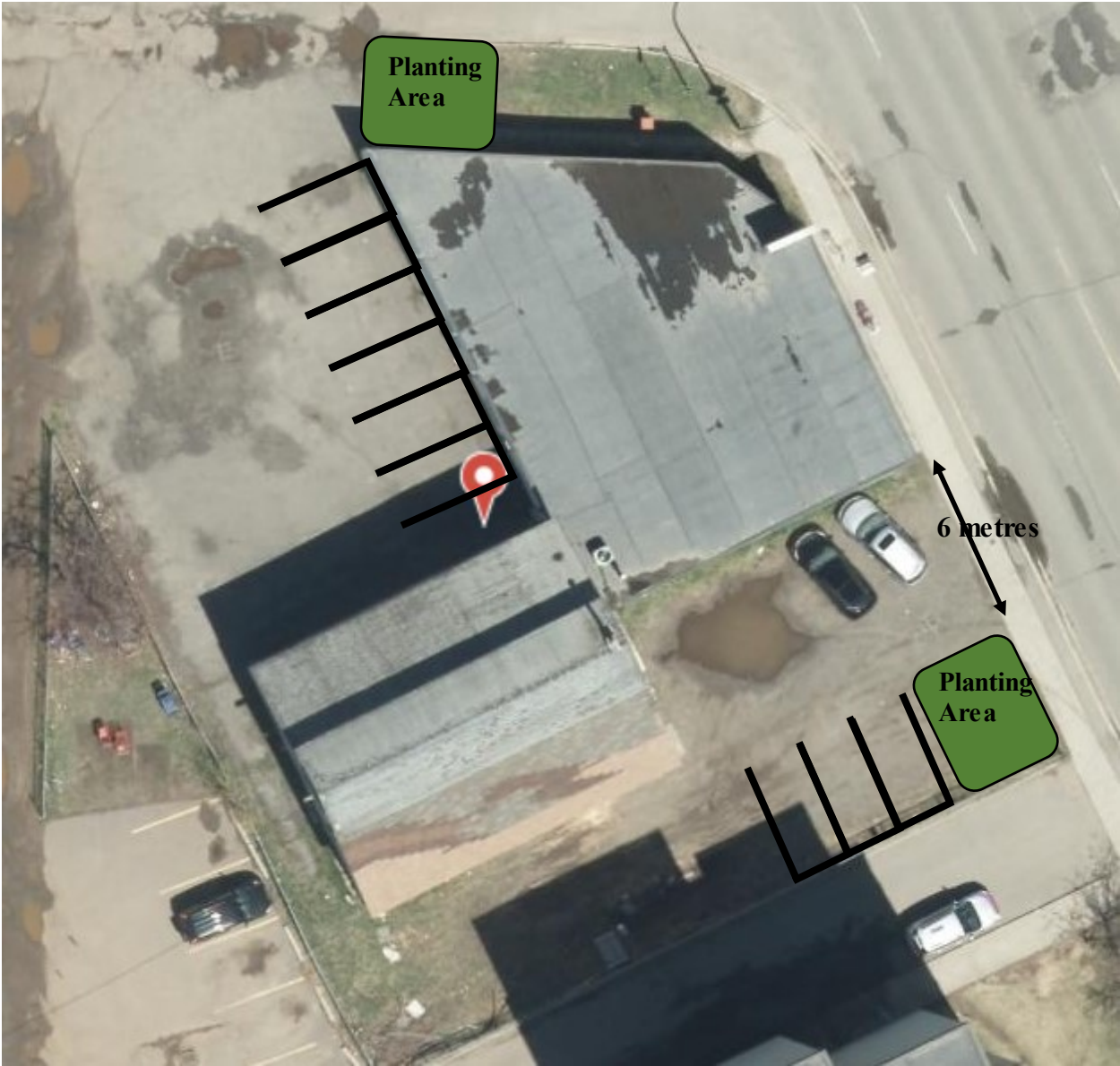
TITLE: Property Location		Date: May 2020	
PREPARED BY JK	SCALE As Noted	FILE NO. Z-01-2020	

ATTACHMENT B - Applicant's Sketch



TITLE: Applicant's Sketch		Date: May 2020	
PREPARED BY JK	SCALE As Noted	FILE NO. Z-01-2020	

ATTACHMENT C: Parking Plan and Landscaping Improvements



<i>TITLE: Parking Plan & Landscaping Improvements</i>			<i>Date: June 2020</i>
<i>PREPARED BY JK</i>	<i>SCALE N/A</i>	<i>FILE NO. Z-01-2020</i>	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 69/2020
DATE PREPARED	05/28/2020	FILE NO.	Z-04-2020
MEETING DATE	06/15/2020 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment – 77 Court Street South (Rheault Distillery.)		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Rheault Distillery, relative to LT 2 S/S WILSON ST OF PARKLT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 3 S/S WILSON ST OF PARKLT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 5, municipally known as 77 Court Street South, we recommend that the Zoning By-law be amended as follows:

1. That a “microbrewery” be defined as a building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits;
2. That a “microbrewery” be added as a permitted use;
3. That the total maximum gross floor area of a “microbrewery” be set to 1,500 square metres; and
4. That the manufacturing component of a “microbrewery” be entirely enclosed within the building in which it is undertaken, such that emission from the production process of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference is not possible.

Subject to the following condition:

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

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC).

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-law is presented to City Council for ratification.

ALL as contained in Report No. R 69/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested a site-specific Zoning By-law amendment to define and permit a “microbrewery” on 77 Court Street South. A microbrewery is a building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits. The Applicant, Rheault Distillery, is proposing to convert the existing vacant building to a microbrewery which would include a storefront, as well as a restaurant/bar.

The Applicant’s request is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario and supports many policies of the Official Plan. Planning Services is of the opinion that the proposed development will add to the vibrancy of the downtown area and considers it good planning. For these reasons, Administration supports the approval of the proposed Zoning By-law Amendment.

DISCUSSION

Description of Proposal

The Applicant has applied to define and permit a “microbrewery” on the subject lands. A “microbrewery” is:

A building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits

A “microbrewery” is to be permitted on the subject lands and limited to a maximum gross floor area (GFA) of 1500 square metres. The proposed amending by-law also prohibits any emissions from the production process such as odours, noise, vibration, etc. from leaving the building. The Applicant is proposing that the microbrewery include a storefront and a restaurant/bar area. A retail store and a restaurant are already permitted uses on the subject property, therefore no amendment is required to add these uses. The Applicant has also indicated that their future plans include further development of the site with multi-unit residential (condominiums) and more commercial space. Multi-unit residential and a wide-range of commercial uses are already permitted on the property.

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

Description of Subject Property and Surrounding Area

The subject property is an underdeveloped parcel with a lot area of approximately 5,550 square metres. The parcel takes up about half of the block and has frontage on Court Street South, Wilson Street, and Manitou Street. There is an existing vacant building on the corner of Court

Street South and Wilson Street which was previously used as an auto repair shop. The building has a footprint of approximately 435 square metres while the rest of the parcel is vacant land. The parcel surrounds a lot which fronts on Wilson Street and is occupied by a single-detached dwelling. There are also residential uses on Wilson Street and on Manitou Street. There are a variety of commercial uses on Court Street South including motor vehicle sales across the street with pockets of residential.

The property is currently zoned “C5” – Central Business District Zone and designated as Strategic Core in the Official Plan.

Neighbourhood Comments

A Notice of Application was mailed to property owners on March 6, 2020 outlining the nature of the proposed Zoning By-law amendment. There were two letters received from members of the public in response to the notice; one in support and one in opposition.

The letter of support was from owners of a nearby property on Court Street South. They offered their strong support for the new business in their neighborhood. They felt that the development would improve the value of the adjacent properties and that the existing vacant building would benefit from being renovated and occupied.

The letter of objection was from an owner of nearby properties on Court Street South, Wilson Street, and Machar Avenue. The property owner feels that the existing building is unattractive and could not be improved with a renovation. They feel that the proposed microbrewery would be an underutilization of the land and wished to see more development on the site. They specifically recommended condominium development and a commercial strip mall where a brewery/restaurant could locate.

The Planning Services Division is of the opinion that any building in good condition has the potential to be improved for a new use and benefit the surrounding area. The existing building is well-located on the site and has appropriate massing and setbacks for a walkable downtown commercial area. With façade and other site improvements the building and property could greatly improve the existing streetscape.

The Planning Services Division agrees that a microbrewery in the existing building and no other development would be an underutilization of the entire parcel. However, the Zoning By-law does not dictate how much a property owner must develop their property. It establishes rules which are intended to allow for an appropriate level of development. The existing building on this property is vacant, therefore filling it with an appropriate use would be an improvement and would not preclude further development on the site. Furthermore, the Applicant has indicated they have future plans to develop residential and additional commercial uses on the site. While the Zoning By-law cannot require that they proceed with additional development, it will continue to allow for it. In general, Planning Services is of the opinion that the opposing property owner's recommendation is very similar to what the Applicant's development plans are. As such, Planning Services provided the Applicant's complete application to the property owner for additional information.

Agency Comments

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

- Realty Services Division
- Parks & Open Spaces Section
- Engineering & Operations Division
- Lakehead Region Conservation Authority
- Ministry of Transportation
- Building Services Division
- Community Economic Development Commission

Building Services offered additional building related comments and noted that the microbrewery (& potential eatery) must conform with and be aware of the City of Thunder Bay's Sewer Use By-law.

The Thunder Bay Community Economic Development Commission (CEDC) offered strong support for the proposed development. They view the addition of craft distilling as a welcome and complimentary addition to the city's culinary tourism landscape which can draw visitors to the city and add value to their experience. They noted that this development parallels the growth of craft brewing in the Lake Superior basin and has the potential to add to the creation of a distillery trail type of visitor experience, parallel to the ale trail of Lake Superior.

Planning Services Division Comments

- *Provincial Policy Statement, 2020*

The proposal is consistent with the Provincial Policy Statement (PPS), 2020, as it is consistent with the policies described in Sections 1.1.1, 1.3.1, and 1.7 and does not conflict with any other policies.

In Section 1.1.1 of the PPS, it is stated that healthy, liveable and safe communities are sustained by promoting efficient development, accommodating an appropriate range and mix of uses, including industrial and commercial, to meet long-term needs, and by promoting cost-effective development patterns and standards to minimize land consumption and servicing costs. The proposed use makes efficient use of an existing vacant building located in the Strategic Core. Services and infrastructure are already in place to serve the proposed new use. Furthermore the proposed use adds to the mixture of uses in the neighbourhood and is compatible with existing commercial uses.

Section 1.1.1 of the PPS also 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. The proposed use is a type of business which under the Zoning By-law is considered an industrial use as it manufactures a product. Generally, industrial uses are not permitted in the downtown area where people live and gather for work and leisure. However, the proposed microbrewery is considered suitable to the downtown area as it will not produce land

use impacts (emissions, vibrations, dust etc.) outside the building and will offer other benefits to the downtown.

Section 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. The proposed use is a type of business which under the Zoning By-law is considered a light industrial use as it manufactures a product within a building. However, microbreweries have, since the 2010 Zoning By-law, emerged as a unique manufacturing business which is small-scale and commonly co-locates with retail, restaurants, and bars. In recent years, more microbreweries have established throughout Ontario and in Thunder Bay. They commonly use their spaces flexibly to create unique gathering places such as tasting areas and taprooms and some frequently host events. Section 1.3.1 also encourages compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities. The proposal will establish a new employment use that will also support nearby residential uses by providing opportunities for shopping and leisure.

Finally, the proposal is strongly supported by Section 1.7 of the PPS which states that long-term economic prosperity should be supported by promoting opportunities for economic development, enhancing the vitality and viability of downtowns, and providing opportunities for sustainable tourism development. The proposed use will fill a vacant building in the downtown area and promote economic prosperity and the vitality of the downtown. As previously mentioned, microbreweries are shown to draw people to an area and co-locate with uses that activate the downtown streetscape such as retail, restaurants, and bars. The CEDC has indicated that this will add to the developing culinary tourism landscape in the City and help draw visitors to the City.

- *Growth Plan for Northern Ontario, 2011*

The proposal is consistent with the Growth Plan for Northern Ontario, as it strongly supports the strategic core area policies of the plan. Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, and entertainment.

- *Official Plan*

The proposal contributes to two general goals of the Official Plan (OP). It makes efficient use of an existing vacant commercial unit and therefore directs development in an efficient and cost-effective manner. The proposal also promotes the growth of a new business at an appropriate location.

The subject lands are located in a downtown employment area. The proposal promotes many general objectives of the Employment policies including:

- support the creation of a positive climate for institutions, businesses, industries, and employees in order to develop a diversified and growing economy
- provide for, and support the efficient use of, a full range of infrastructure and appropriate services to support economic development
- promote the intensification and revitalization of institutional, commercial, and industrial areas

The subject property is designated as Strategic Core in the OP. The proposal promotes many objectives for the Strategic Core Area policies including:

- maintain and enhance the Strategic Core areas as unique focal points of activity, interest, and identity for residents and visitors through the provision of the fullest range of urban functions and amenities
- strengthen the vibrancy and economic viability of these areas through the integration of retail, office, and service commercial uses with other uses such as housing, social and health services, recreational opportunities, cultural activities and events, and government and business uses
- attract new development, employment, and housing to revitalize these areas

The Strategic Core area policies also state that the City will encourage the expansion and consolidation of activities that support the existing retail and service commercial functions in the downtown. Development that includes activities that will animate the street level, promote safety, and contribute to the streetscape beyond normal office hours are encouraged. The proposed development is considered a positive addition to the Strategic Core area that will add to the range of urban amenities currently available. The proposed use has potential to draw residents and visitors to the downtown and support a more vibrant and active streetscape during and after normal office hours. The proposal supports the development of a new business that will also support surrounding businesses in the area.

- *Zoning By-law*

The subject property is currently zoned “C5” – Central Business District Zone. A wide variety of commercial and residential uses are permitted at this location. However, the proposed microbrewery is considered an industrial use in the current Zoning By-law because it involves the manufacturing of a product. Through the amending by-law, a microbrewery will be defined as a specific use, limited to 1,500 square metres of gross floor area (GFA), and is required to contain any emissions caused by the production process. The proposed GFA allows the Applicant room to expand their facility as the existing vacant building on the site is approximately 435 square metres. The limitation also ensures that the microbrewery does not grow into a large manufacturing facility that would be better suited to an industrial area. The limitation on emissions will ensure the use does not disrupt surrounding residential and commercial uses.

Due to the nature of microbreweries and their ability to support various urban commercial activities, they are considered suitable to a commercial environment if proper regulations are in place to control their size and output of vapours. Through the pending update of the Zoning By-

law, Planning Services will review opportunities to permit these uses as of right in various commercial zones.

The proposed use and site plan is consistent with all requirements of the Zoning By-law and does not require any additional provisions to accommodate the proposal.

Site Plan Control

It is an objective of the Official Plan to achieve urban design objectives through the process of Site Plan Control for employment lands that are adjacent to higher order roads.

The Engineering and Operations Division, Parks & Open Spaces Section, and Planning Services Division recommend the subject property be designated as an area of Site Plan Control (SPC). The SPC 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 does not specifically address.

In this case, a SPC agreement will not be required to support the proposed new use as no major exterior construction is necessary. However, in the future any new buildings or major additions constructed will require an SPC agreement. SPC will allow the City to review opportunities for stormwater management and other design elements in the future. Furthermore, the SPC process will facilitate the review of any proposed development ensuring its compliance with Engineering and Operations Division's and the Parks & Open Spaces Section's standards and specifications.

FINANCIAL IMPLICATION

MPAC determines the property class and assessment of properties. If the property is assessed as commercial, 2019 municipal taxes on 100,000 of commercial assessment is \$3,032.53 and total taxes including education is \$4,062.53.

All design and construction costs associated with this development will be borne by the Applicant.

CONCLUSION

In conclusion, the requested Zoning By-law amendment would permit a use that is compatible with the surrounding area, is consistent with the Provincial Policy Statement, and conforms to the Official Plan. The proposal is consistent with the Northern Growth Plan for Ontario. As such, Administration supports the proposed Zoning By-law amendment.

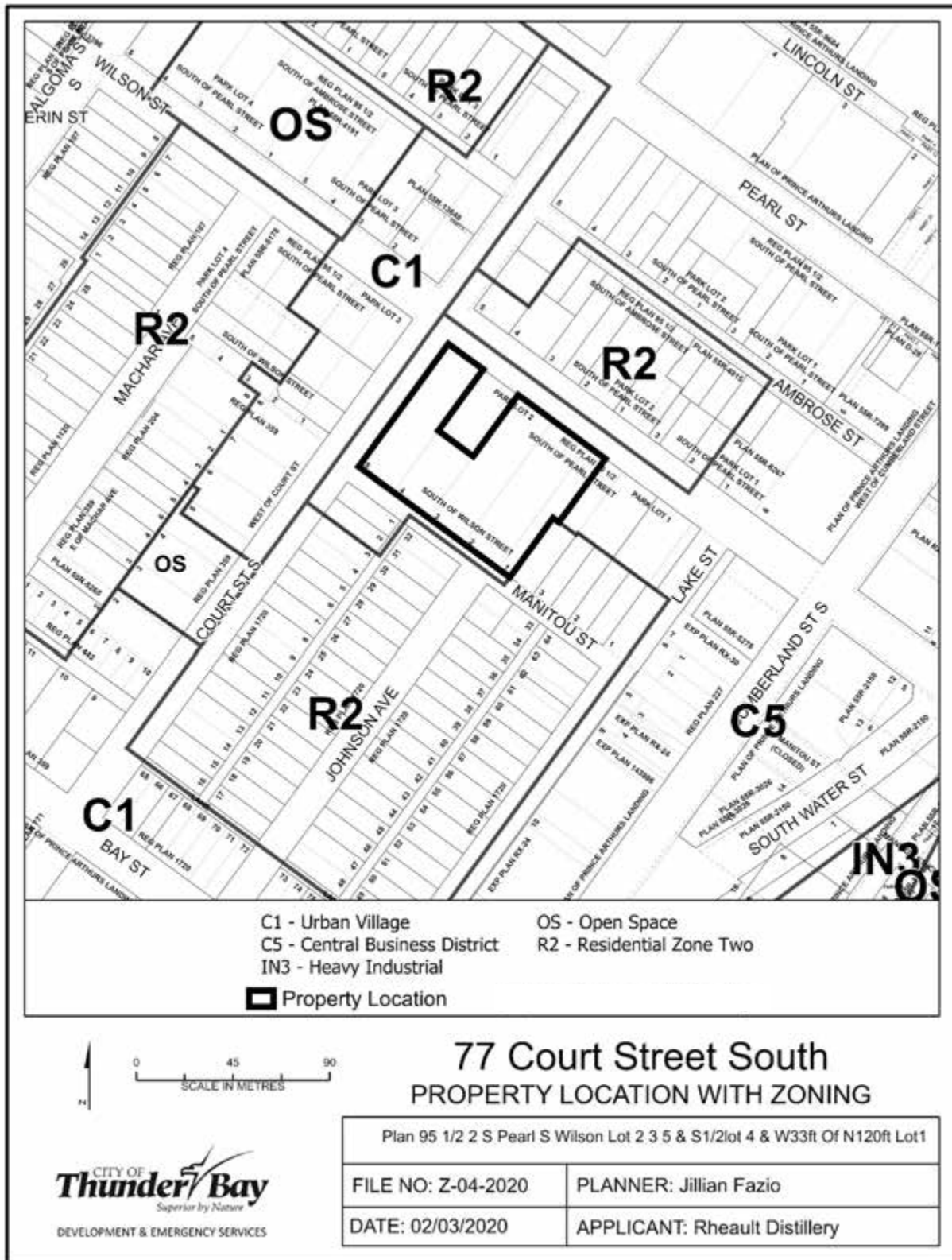
REFERENCE MATERIAL ATTACHED:

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:
Mark J. Smith, GM Development & Emergency Services	June 3, 2020

ATTACHMENT A - Property Location



TITLE: Property Location			Date: June 2020
PREPARED BY JF	SCALE As Noted	FILE NO. Z-04-2020	

ATTACHMENT B - Applicant's Sketch



TITLE: Applicant's Sketch		Date: June 2020	
PREPARED BY JF	SCALE As Noted	FILE NO. Z-04-2020	

Corporate Report

DEPARTMENT/ DIVISION	Development & Emergency Services - Planning Services	REPORT NO.	R 70/2020
DATE PREPARED	05/28/2020	FILE NO.	Z-07-2020
MEETING DATE	06/15/2020 (mm/dd/yyyy)		
SUBJECT	Zoning By-law Amendment – 1543 Arthur Street East (Red River Holdings Ltd.)		

RECOMMENDATION

THAT a Public Meeting having been held with respect to the application by Red River Holdings Ltd., relative to PCL 3465 SEC CFWF; LT 24-26 PL WM31 NEEBING; THUNDER BAY, municipally known as 1543 Arthur Street East, we recommend that the Zoning By-law be amended as follows:

1. That an OFFICE and a MOTOR VEHICLE SERVICE STATION be permitted within the existing building
2. That for PARKING SPACES over 80° up to and including 90°, the minimum width of a PARKING AISLE for any USE within the existing building be 6.5 metres
3. That the minimum number of PARKING SPACES for an OFFICE and/or a MOTOR VEHICLE SERVICE STATION within the existing building be nine (9).

Subject to the following condition:

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

1. The subject property, as shown on Attachment "B", is designated as an area of Site Plan Control (SPC).
2. The Applicant has entered into a Personal Undertaking with the City of Thunder Bay that includes the provision of a Performance Guarantee and a plan for landscaping along the front lot line abutting the Arthur Street Image Route, to the satisfaction of the Parks & Open Spaces Section.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of twelve (12) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

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

ALL as contained in Report No. R 70/2020 (Planning Services) as submitted by the Development & Emergency Services Department.

EXECUTIVE SUMMARY

The Applicant has requested a site-specific Zoning By-law amendment to permit an office and a motor vehicle service station within the existing building at 1543 Arthur Street East. The proposed amendment would also recognize the existing parking area which does not meet the current standards for the minimum number of parking spaces and the minimum width of a parking aisle.

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 proposed Zoning By-law amendment.

DISCUSSION

Description of Proposal

The Applicant has applied to permit an office and a motor vehicle service station within the existing building. The proposed amendment would allow either or both uses to locate within the existing building and would recognize the existing parking area as is. A copy of the Applicant's sketch is attached as "Attachment B".

Description of Subject Property and Surrounding Area

The subject property is located on the northeast corner of Arthur Street and Selkirk Street. Arthur Street is designated as a Major Arterial road and is planned and designed to carry large volumes of through traffic.

Currently existing on the property is a garage-style building that was formerly leased to the City for use as an Emergency Medical Service (EMS) station. Prior to this, the building was used as a dry-cleaning depot.

Surrounding land uses are mainly residential, with multiple unit apartments along the north side Arthur Street to the east and low-density residential along Selkirk Street and across Arthur Street on the south. There is also an elementary school to the northeast of the property and some commercial uses to the east of the property along Arthur Street, including a fuel bar and an office building. There is also office use permitted in the former provincial courthouse to the west on the corner of Arthur Street East and Brunswick Street. On the south side of Arthur Street and to the east is Vickers Park.

The subject property is zoned “MU2” – Mixed Use Zone Two and is designated as Residential in the Official Plan.

Neighbourhood Comments

A Notice of Application was mailed to property owners on March 25, 2020 outlining the nature of the proposed Zoning By-law amendment. There were four objection letters and one letter of concern received in response to the notice. The Applicant provided detailed response letters to all five property owners.

The main concerns raised related to the proposed use of the building as a motor vehicle service station. Concerns included:

- Traffic and parking
- Odours and noise
- Negative effect on surrounding property values
- Neighbourhood aesthetic
- Site contamination

The parking rate for the proposed building is being reduced to 9 spaces from about 12 spaces if the building is to be used for a motor vehicle service station or 10 spaces if it is used for an office. Three (3) of the required spaces are to be located within the existing building’s garage space. Administration anticipates no major parking concerns from this minor change. The Parking Authority is not aware of any existing parking issues in this area. The parking aisle is existing and is close to compliance with current regulations (6.5 metres instead of 6.7 metres). No safety issues related to the parking aisle width are anticipated. There will be an expected increase in traffic as the site is currently vacant. However, that increase is expected to be consistent with other commercial uses already permitted within the existing building.

Motor vehicle service station permits mechanical repairs and maintenance of motor vehicles and small engine equipment. It does not permit auto body repair or auto painting (spray booths) and does not include repairs on heavy equipment. Therefore minor increases in odour and noise are expected but consistent with other auto-oriented commercial uses such as a fuel bar. It is not considered an industrial use and is not expected to create disruptive levels of noise or odours.

While property values are not considered a planning matter due to their unpredictable nature and focus on individual interest, Planning Services does consider aspects of the built environment which impact property values such as landscaping and urban design. Vacancy can be considered a negative impact to property values because it creates uncertainty. It is expected that with a new tenant fit-up, the exterior condition of the building and aesthetics will improve, and that the site will be a more positive contribution to the neighbourhood.

The adjacent property owner was concerned about contamination of the land on and around the site. The Applicant has indicated that a Phase 2 Environmental Assessment was completed for the site and no contamination was found. The proposed uses are both commercial and would be held to the same environmental standards as other commercial uses. Conversion from

commercial to residential, and other sensitive uses, may require additional environmental assessments.

Agency Comments

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

- Ministry of Transportation
- Building Services Division
- Realty Services Division
- Lakehead Region Conservation Authority
- Engineering & Operations Division
- Parks & Open Spaces Section
- Thunder Bay District Health Unit.

Planning Services Division Comments

- *Provincial Policy Statement, 2020*

The proposal is consistent with the Provincial Policy Statement (PPS), 2020, as it is consistent with the policies described in Sections 1.1.1, 1.3.1, and 1.7.1 and does not conflict with any other policies.

In Section 1.1.1 of the PPS, it is stated that healthy, liveable and safe communities are sustained by promoting efficient development, accommodating an appropriate range and mix of uses, including industrial and commercial, to meet long-term needs, and by promoting cost-effective development patterns and standards to minimize land consumption and servicing costs. The proposed use makes efficient use of an existing vacant commercial building located along a Major Arterial road which serves both the surrounding neighbourhood and the City as a whole. Services and infrastructure are already in place to serve the proposed new use. Furthermore the proposed use adds to the mixture of uses in the neighbourhood and is compatible with existing commercial uses nearby.

Section 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Planning Services considers the proposed uses to be appropriate businesses to add to the range of economic activities and ancillary uses permitted at this location.

Finally, Section 1.7.1 of the PPS states that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness. The proposed use will fill a vacant commercial building and promote economic prosperity.

- *Growth Plan for Northern Ontario, 2011*

The proposal is consistent with the Growth Plan for Northern Ontario, as it supports and promotes healthy living by contributing to a diverse mix of land uses as well as a range and mix of employment types. It also makes efficient use of existing infrastructure, which is one of the stated purposes of the plan. The proposal does not conflict with any policy in the plan.

- *Official Plan*

The proposal contributes to two general goals of the Official Plan (OP). It makes efficient use of an existing vacant commercial building and therefore directs development in an efficient and cost-effective manner. The proposal also promotes the growth of a new business at an appropriate location, on the corner of a Major Arterial.

The property is designated as Residential in the Official Plan. 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. The existing building is commercial in nature with a garage area and office space. The Applicant has had difficulty finding a tenant for the space with the existing list of permitted uses and has reviewed the site's potential for residential conversion and found it to be cost ineffective at this time. Planning Services accepts the Applicant's justification and finds it appropriate to expand the list of commercial uses permitted within the existing building.

- *Zoning By-law*

The subject property is currently zoned "MU2" – Mixed Use Zone Two. A variety of commercial uses are already permitted at this location including uses similar to the proposed uses such as financial office, medical office, and fuel bar. However, this building has been vacant for several years. The proposed amendment will add office and motor vehicle service station as permitted uses in the existing building only. This is intended to assist the Applicant in finding an appropriate tenant for the vacant building. The existing list of commercial and residential uses will continue to be permitted on the site.

The existing parking area will be recognized through the proposed amendment. The current parking area is short on parking spaces (approx. 1-3 spaces) for the proposed uses and slightly short (0.2 metres) on minimum parking aisle width. Planning Services considers these amendments appropriate to recognize an existing situation which allows for the continued use of the existing building.

The proposal is consistent with all other requirements of the Zoning By-law does not require any additional provisions to accommodate the proposal.

Site Plan Control

Engineering & Operations and Parks & Open Spaces support Planning Services' request that the subject property be designated as an area of Site Plan Control (SPC). This is particularly important as this property is along the Arthur Street Image Route. However, as no exterior construction is necessary, a SPC agreement will not be required to support the proposed change in use.

The existing property was developed under previous zoning regulations, as such it was not subject to any landscaping requirements and is almost entirely paved. Changing the use of the existing building will not trigger the requirement for the Applicant to comply with the current zoning regulations for landscaping. However, since the Applicant is requesting an amendment along an Image Route, Administration recommends that improvements be made in accordance with the Detailed Streetscape Design for Arthur Street found on page 66 of the Image Route Guidelines. This includes de-paving and landscaping a 3.0 metre strip along Arthur Street. This would also bring the property closer to compliance with the current landscaping requirements of the "MU2" zone. Landscaping along Arthur Street in the identified portion of the existing parking lot would greatly improve the aesthetics of the site without sacrificing its functionality. Administration recommends that this be completed through a Letter of Undertaking with the City. The Applicant is in agreement with this approach and the Letter of Undertaking has been signed and required Performance Guarantee has been received. A copy of the Extent of the Undertaking is attached as "Attachment C".

In this case, an SPC agreement will not be required to support the proposed new use as no major exterior construction is necessary. However, in the future should any new building or major additions be constructed an SPC agreement will be required. SPC will allow the City to review opportunities for stormwater management and other design elements in the future. Furthermore, the SPC process will facilitate the review of any proposed development ensuring its compliance with Engineering and Operations Division's and the Parks & Open Space section's standards and specifications.

FINANCIAL IMPLICATION

There is an expected increase in tax revenue as the building is currently vacant. However, MPAC determines the property class and assessment of properties. If the property is assessed as commercial, 2019 municipal taxes on 100,000 of commercial assessment is \$ 3,032.53 and total taxes including education is \$4,062.53.

All design and construction costs associated with this development will be borne by the Applicant.

CONCLUSION

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

REFERENCE MATERIAL ATTACHED:

Attachment A – Property Location with Zoning

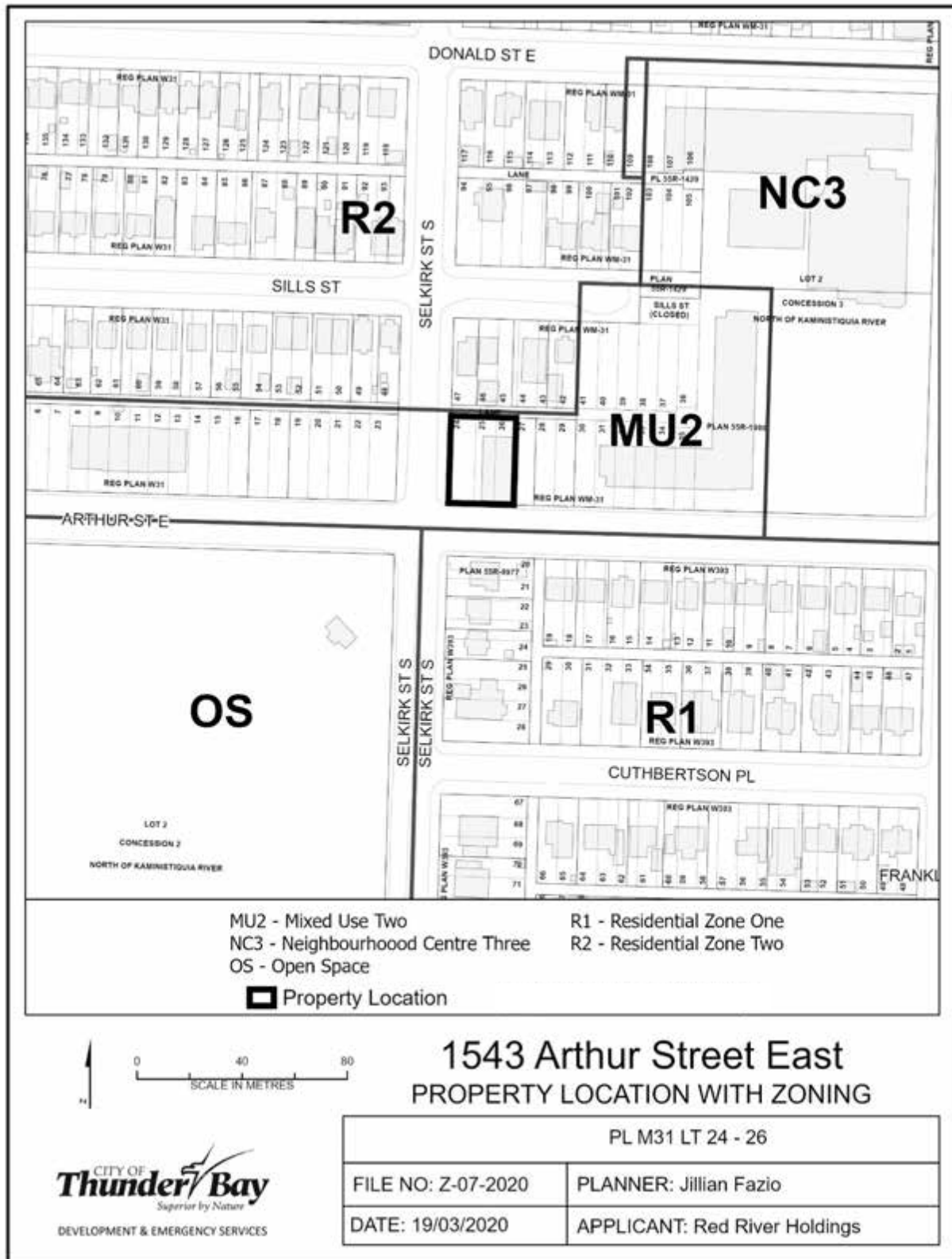
Attachment B – Applicant's Sketch

Attachment C – Extent of Undertaking

PREPARED BY: *Jillian Fazio, Planner II*

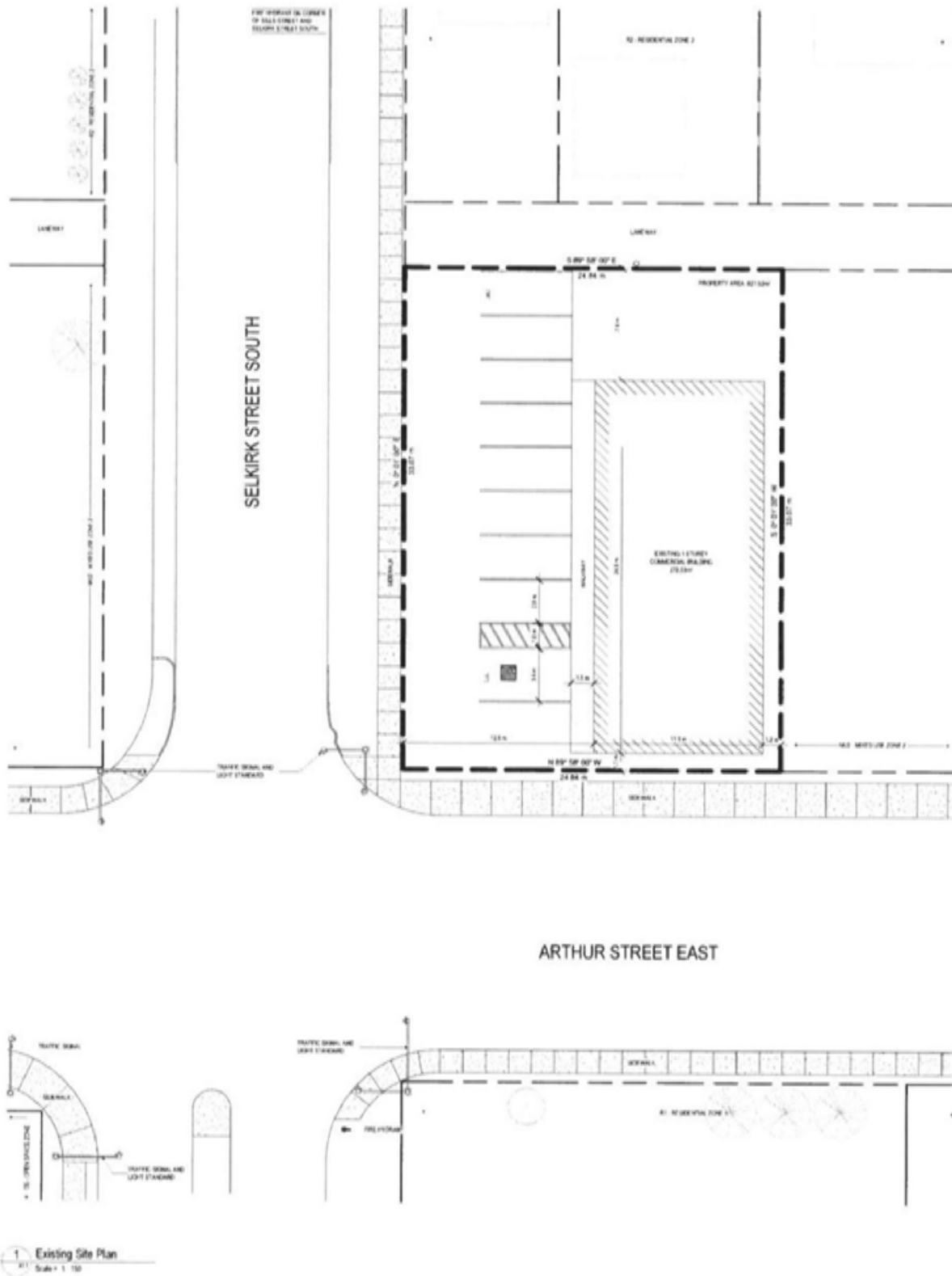
THIS REPORT SIGNED AND VERIFIED BY: (NAME OF GENERAL MANAGER)	DATE:
Mark J. Smith, GM Development & Emergency Services	June 3, 2020

ATTACHMENT A - Property Location



TITLE: Property Location		Date: June 2020	
PREPARED BY JF	SCALE As Noted	FILE NO. Z-07-2020	

ATTACHMENT B - Applicant's Sketch



TITLE: Applicant's Sketch	Page 2	Date: June 2020
PREPARED BY JF	SCALE As Noted	FILE NO. Z-07-2020

ATTACHMENT C – Extent of Undertaking



TITLE: Extent of Undertaking			Date: June 2020
PREPARED BY JF	SCALE N/A	FILE NO. Z-07-2020	



Memorandum

Corporate By-law Number BL 59/2020

TO: Office of the City Clerk **FILE:**

FROM: Jillian Fazio
Development & Emergency Services (Planning Services)

DATE: 05/28/2020

SUBJECT: BL 59/2020 - Site Plan Designation – 1543 Arthur Street East

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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. (1543 Arthur Street East)

Authorization: R 70/2020 (Planning Services) - City Council (Public Meeting) – June 15, 2020

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 3465 SEC CFWF; LT 24-26 PL WM31 NEEBING; THUNDER BAY, municipally known as 1543 Arthur Street East.

Schedules and Attachments:

EXHIBIT TO BL 59/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 59/2020

A By-law to designate areas of Site Plan Control pursuant to
Section 41 of the Planning Act, R.S.O. 1990, as amended. (1543
Arthur Street East)

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 June 15, 2020.

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 3465 SEC CFWF; LT 24-26 PL WM31 NEEBING; 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.

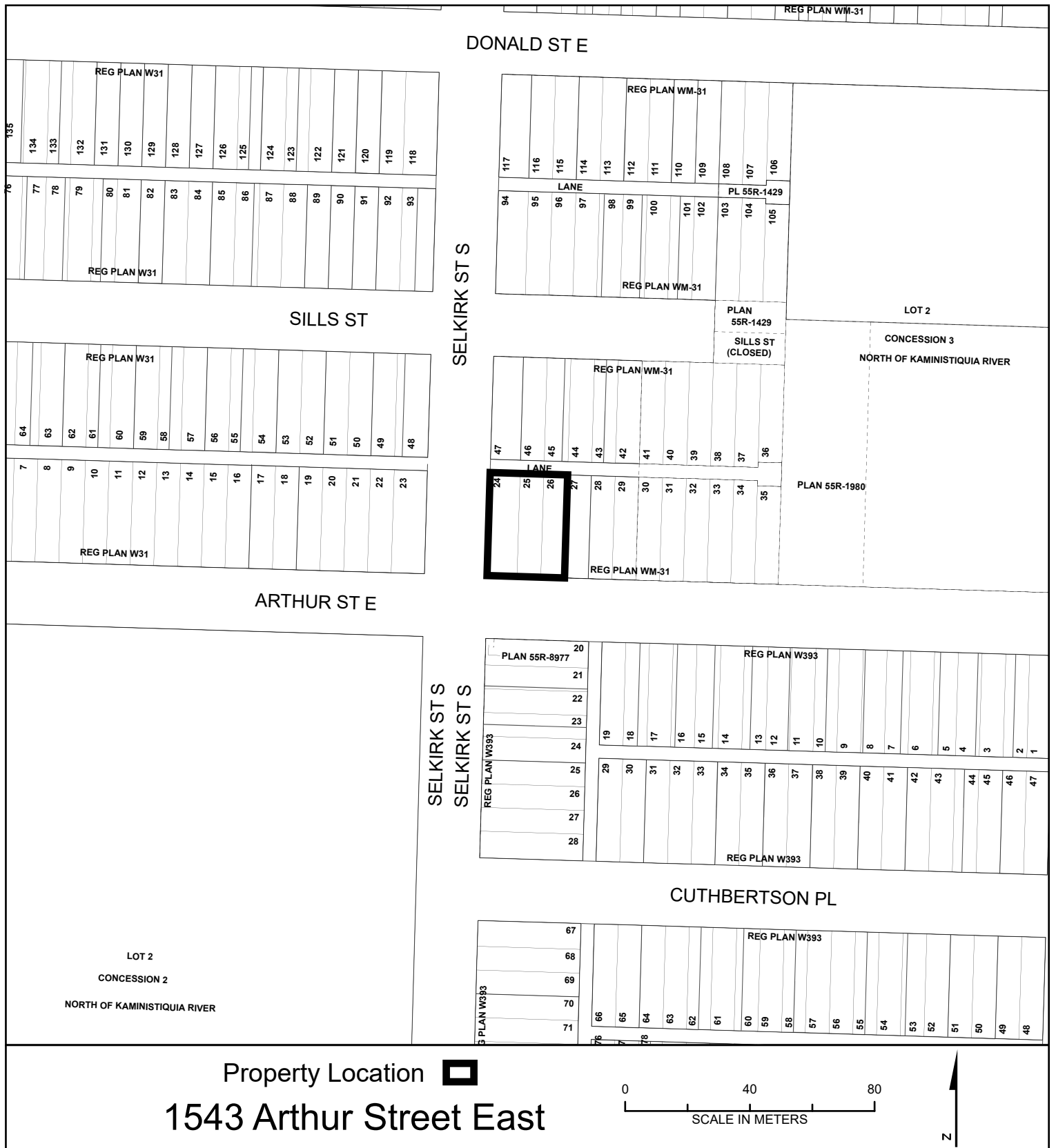
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 59/2020

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 60/2020

TO: Office of the City Clerk **FILE:**

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 05/28/2020

SUBJECT: BL 60/2020 - Zoning By-law Amendment – 1543 Arthur Street East

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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 (1543 Arthur Street East)

Authorization: Report R 70/2020 (Planning Services) - City Council (Public Meeting) – June 15, 2020

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 permit an office and a motor vehicle service station within the existing building, recognize the existing minimum parking aisle width and parking spaces.

The effect of this amendment would be to permit the use of the existing building as an office and/or a motor vehicle service station.

As of May 25, 2020, the Applicant has entered into a Personal Undertaking with the City of Thunder Bay as per Administration's recommended conditions.

Schedules and Attachments:

EXHIBIT TO BL 60/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 60/2020

A By-law to amend By-law 100-2010 (The Zoning By-law) of
The Corporation of the City of Thunder Bay (1543 Arthur Street
East)

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 May 25, 2020 and a public meeting was held on June 15, 2020 which Report No. R 70/2020 (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:

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

PCL 3465 SEC CFWF; LT 24-26 PL WM31 NEEBING; 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 a), b), and c) and Tables 5.15.2 and 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) Permitted USES

In the case of the BUILDING existing on the 15th day of June, 2020, an OFFICE and a MOTOR VEHICLE SERVICE STATION are permitted USES.

b) REGULATIONS:

- i) In the case of any USE permitted in the BUILDING existing on the 15th day of June, 2020, the minimum PARKING AISLE width, when the angle of PARKING SPACES is over 80° and up to and including 90°, is 6.5m

- ii) In the case of an OFFICE and/or a MOTOR VEHICLE SERVICE STATION within the BUILDING existing on the

15th day of June, 2020 the minimum number of PARKING SPACES is 9.

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 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



THIS IS EXHIBIT ONE TO PARAGRAPH 178
OF SCHEDULE "B" OF BY-LAW 100 - 2010
AS AMENDED BY BY-LAW NUMBER 60/2020
MAYOR _____
CITY CLERK _____



Memorandum

Corporate By-law Number BL 61/2020

TO: Office of the City Clerk **FILE:**

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 05/28/2020

SUBJECT: BL 61/2020 - Site Plan Designation – 77 Court Street South

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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. (77 Court Street South)

Authorization: Report R 69/2020 (Planning Services) - City Council (Public Meeting) – June 15, 2020

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 LT 2 S/S WILSON ST OF PARKLT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 3 S/S WILSON ST OF PARKLT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 5, municipally known as 77 Court Street South.

Schedules and Attachments:

EXHIBIT TO BL 61/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 61/2020

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (77 Court Street South)

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 June 15, 2020.

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 LT 2 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 3 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 5, 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.

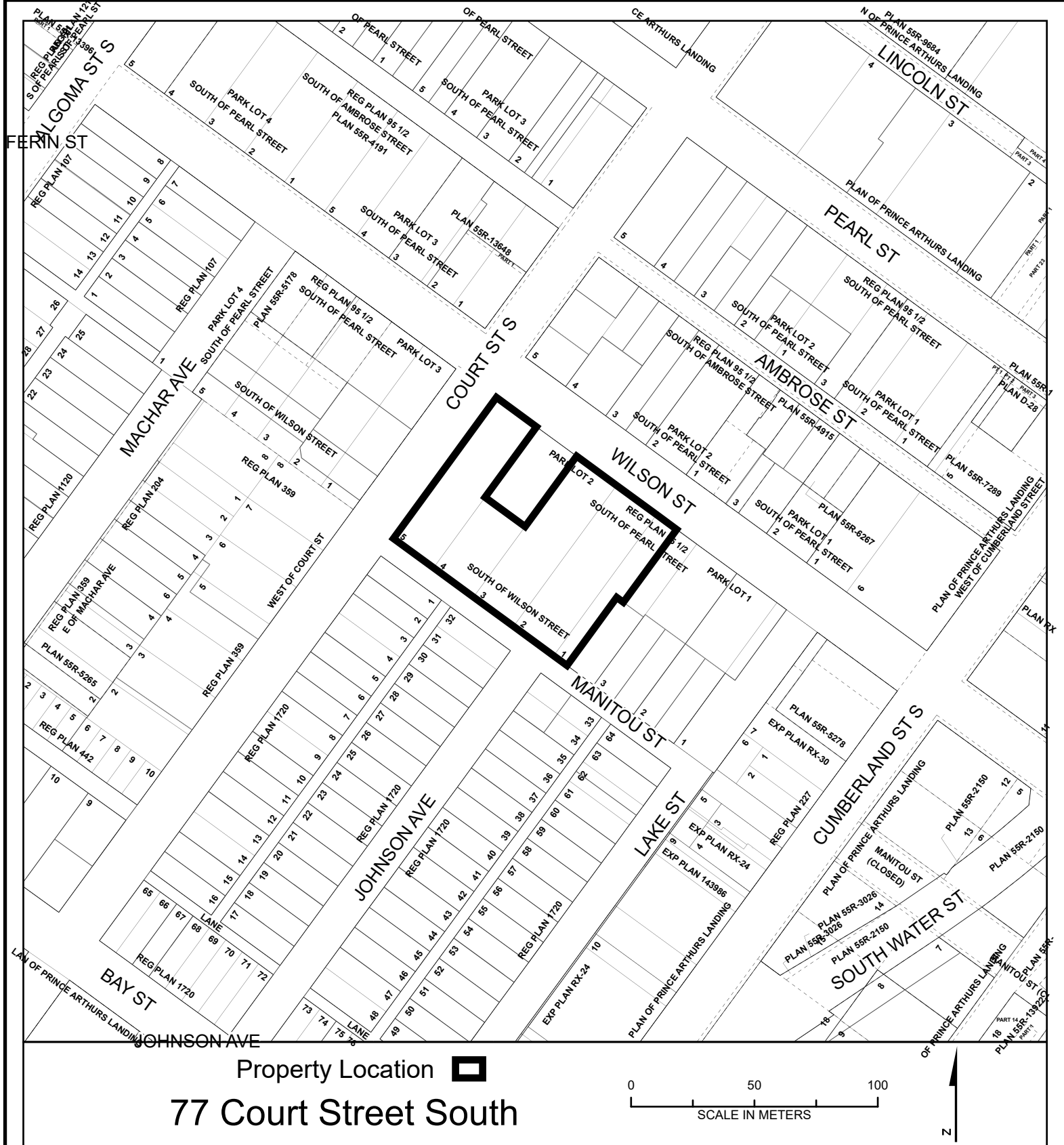
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



Property Location 
77 Court Street South

THIS IS EXHIBIT ONE TO BY-LAW NUMBER 61/2020

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 62/2020

TO: Office of the City Clerk **FILE:**

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 05/28/2020

SUBJECT: BL 62/2020 - Zoning By-law Amendment – 77 Court Street South

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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 (77 Court Street South)

Authorization: Report R 69/2020 (Planning Services) - City Council (Public Meeting) – June 15, 2020.

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 and permit a “microbrewery”, limit its maximum gross floor area, and prohibit the release of emissions from the building. The effect of this amendment would be to permit establishment of a microbrewery in accordance with the prescribed development parameters.

Schedules and Attachments:

EXHIBIT TO BL 62/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 62/2020

A By-law to amend By-law 100-2010 (The Zoning By-law) of
The Corporation of the City of Thunder Bay (77 Court Street
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 May 25, 2020 and a public meeting was held on June 15, 2020 which Report No. R 69/2020 (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:

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

LT 2 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 3 S/S WILSON ST OF PARK LT 2 S/S PEARL ST PL 95 1/2 PORT ARTHUR; LT 5 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 23.1 a) and b) 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

A MICROBREWERY is a building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits

b) Permitted USES

In addition to the USES permitted in Section 23.1 a) and b) of this BY-LAW, a MICROBREWERY, as defined in Subparagraph "177 (1) a), is a permitted USE.

c) Maximum GROSS FLOOR AREA

In the case of a MICROBREWERY the following applies:

- i) The maximum total GROSS FLOOR AREA is 1,500 square metres.

d) Prohibition of Emissions

In the case of a MICROBREWERY the following applies:

- i) The manufacturing component of a MICROBREWERY shall be entirely enclosed within the BUILDING in which it is undertaken, such that emission from the production process of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference is not possible.”

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.

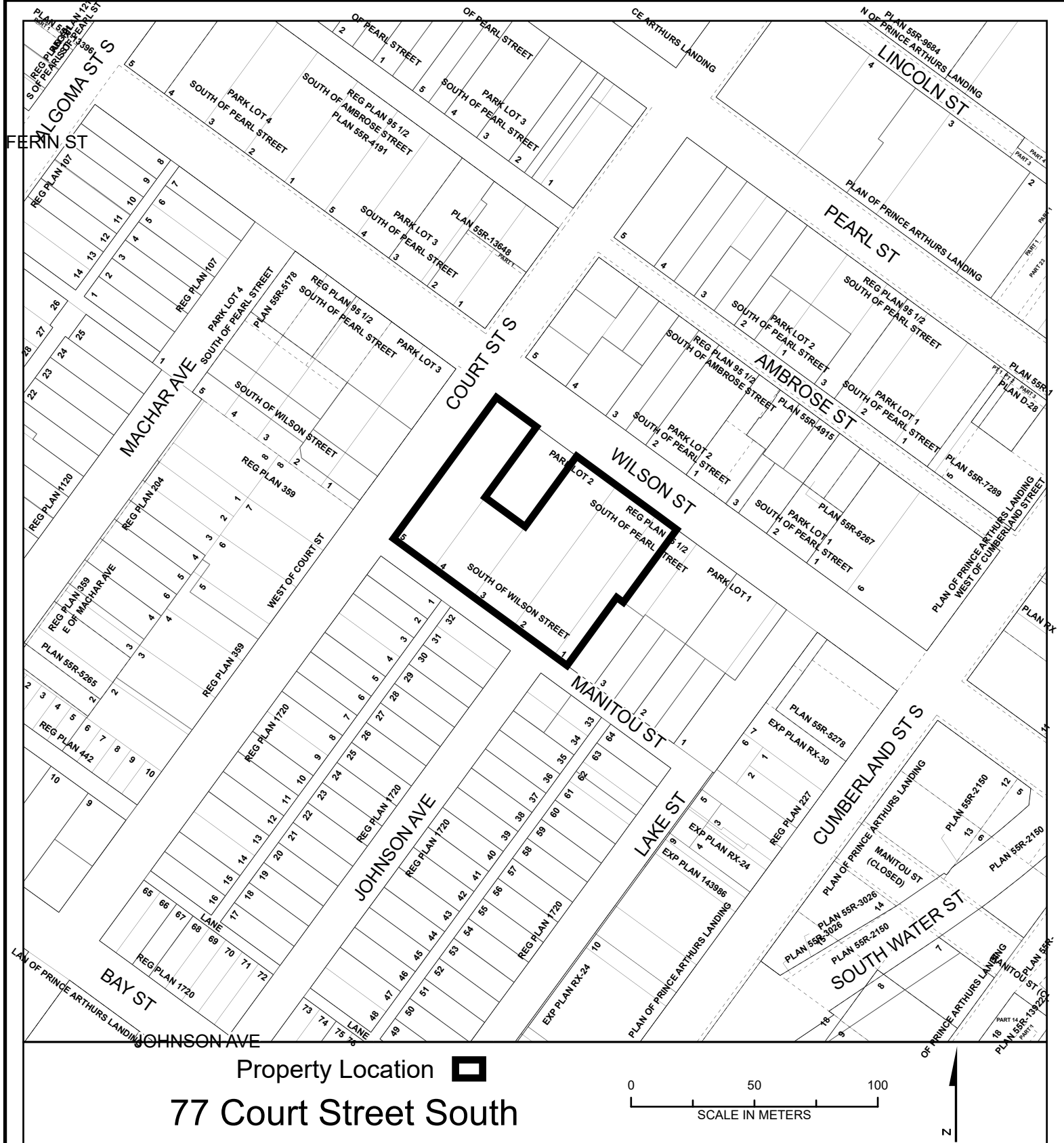
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



THIS IS EXHIBIT ONE TO PARAGRAPH 177
 OF SCHEDULE "B" OF BY-LAW 100 - 2010
 AS AMENDED BY BY-LAW NUMBER 62/2020

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 63/2020

TO: Office of the City Clerk **FILE:** B-13-2020

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 05/29/2020

SUBJECT: Site Plan Control designation - 1207 John Street Road.

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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. (1207 John Street Road)

Authorization: Committee of Adjustment 03-20 – 1207 John St Rd – May 27, 2020

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 PT LT 51 PL 547 MCINTYRE; CITY OF THUNDER BAY municipally known as 1207 John Street Road.

Schedules and Attachments:

Exhibit to BL 63/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 63/2020

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1207 John Street Road)

Recitals

1. Authority is provided in accordance with Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, as amended (the "Act"), to pass a By-law designating a Site Plan Control Area.
2. Council has determined it is necessary to designate a Site Plan Area, as referenced by decision of the Committee of Adjustment, dated May 27, 2020

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 PT LT 51 PL 547 MCINTYRE; CITY OF THUNDER BAY, shown as "Property Location" on Exhibit One to and forming part of this Amending By-law.

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

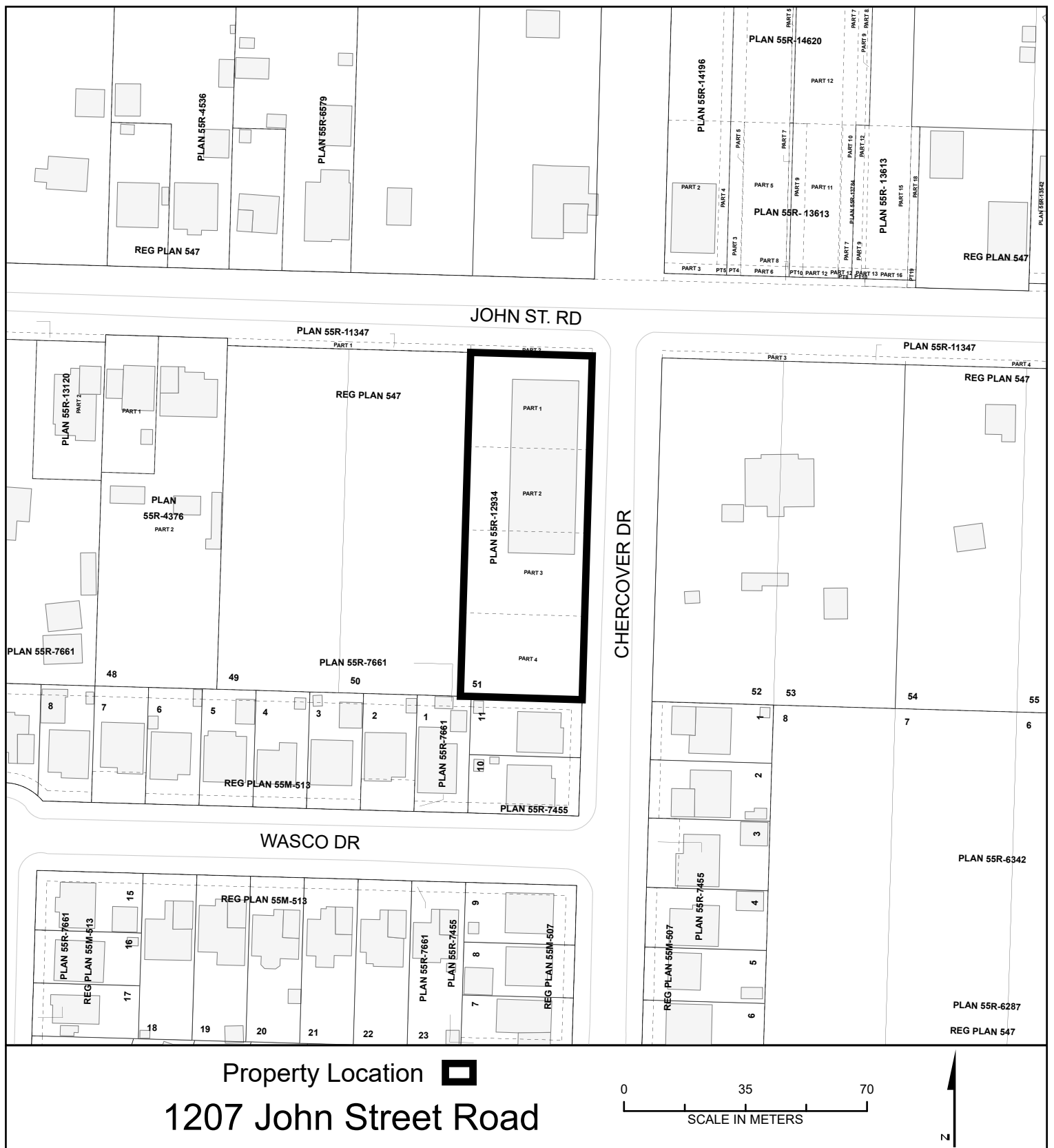
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 63/2020

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 64/2020

TO: Office of the City Clerk **FILE:**

FROM: Jillian Fazio
Development & Emergency Services - Planning Services

DATE: 06/01/2020

SUBJECT: BL 64/2020 - A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act.

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (mm/dd/yyyy)

By-law Description: A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (100 Princess Street)

Authorization: Report R 71/2020 (Planning Services) – City Council Meeting – June 15, 2020.

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010, the City of Thunder Bay Zoning By-law, as it applies to the whole of Parts 11 to 59, and portions of Parts 4, 6, 8, 60 and 61, Reference Plan 55R-8790 (100 Princess Street) to remove the "H" - Holding Symbol from the remaining portion of the property.

The land is currently zoned "AIR-H" – Airport Zone – Holding. Removing the holding symbol (H) from the "AIR-H" Zone, as it applies to these lands, will expand the list of uses permitted under the "AIR" Zone at this location to include non-aviation related uses, specifically service shop, light industrial use, truck depot, bus depot, automotive service station, warehouse, retail warehouse, wholesale store, welding shop, and laboratory.

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 64/2020

A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (100 Princess Street)

Recitals

1. By-law Number 14-2001, being a By-law to amend By-law Number 177-1983 of The Corporation of the City of Thunder Bay, was enacted on the January 22, 2001.
2. That By-law placed the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law in the "AIR-H" – Airport Zone – Holding.
3. By-law 100-2010, being the City of Thunder Bay Zoning By-law, was enacted on the 1st day of January, 2011.
4. This By-law placed the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law in the "AP-H" – Airport Zone – Holding.
5. Section 2.1.1(a) of the By-law 100-2010 recognizes By-law 14-2001 as continuing to apply in force and effect.
6. Section 36 of the Planning Act, R.S.O. 1990, provides that Council may pass an amending by-law to remove the holding symbol.
7. Council has determined that the circumstances under which the "H" – Holding Symbol was originally applied are no longer relevant.

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

1. Paragraph "614" of Schedule "B" to By-law 177-1983 is amended by removing the "H" – Holding Symbol from the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law, from the lands as they are shown on Maps 8I, 9H, and 9I to By-law 177-1983.
2. By-law 100-2010 is amended by removing the "H" – Holding Symbol from the lands shown as "PROPERTY LOCATION" on EXHIBIT ONE to and forming part of this By-law, from the lands as they are shown on Maps 9I, 10H, and 10I to By-law 100-2010.

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 on the date it is passed.

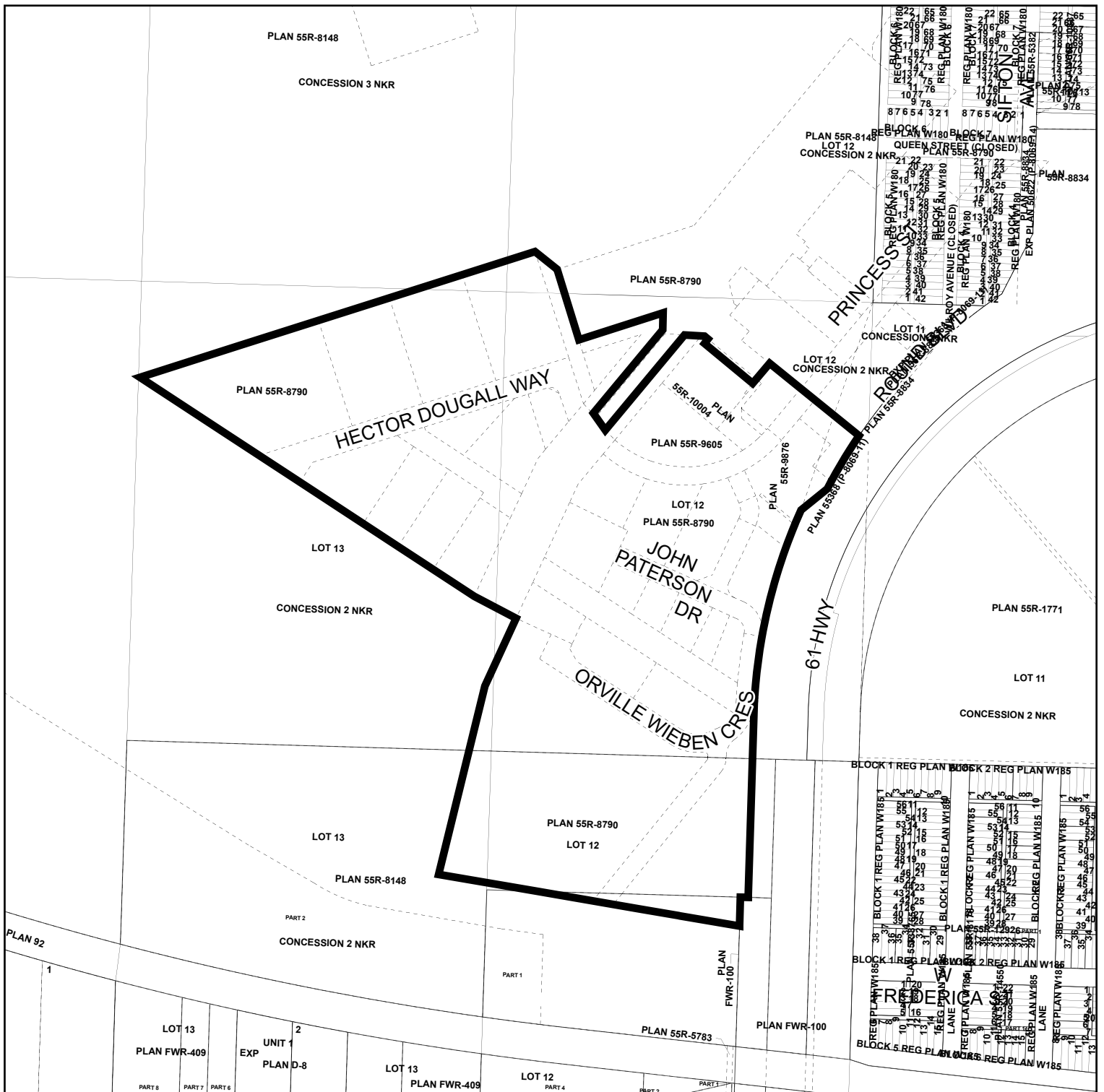
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.


Bill Mauro

Mayor

Krista Power

City Clerk



Property Location 
 100 Princess Street

0 145 290
 SCALE IN METERS



THIS IS EXHIBIT ONE TO BY-LAW NUMBER 64/2020

MAYOR _____

CITY CLERK _____



Memorandum

Corporate By-law Number BL 65/2020

TO: Office of the City Clerk **FILE:**

FROM: Jamie Kirychuk
Development & Emergency Services – Planning Services

DATE: 06/04/2020

SUBJECT: BL 65/2020 - Zoning By-law Amendment - 1100 Hilldale Road

MEETING DATE: City Council (Public Meeting) - 06/15/2020 (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 (1100 Hilldale Road)

Authorization: R 36/2020 (Planning Services) - City Council (Public Meeting) – June 15th, 2020

By-law Explanation: The purpose of this By-law is to amend By-law 100-2010, as amended, the City of Thunder Bay Zoning By-law to increase the maximum gross floor area permitted for accessory buildings, and to add and define “Contractors Yard” as a permitted accessory use on the rear half of the subject property.

The effect of this amendment would allow the existing number of accessory buildings to remain and to continue to allow the storage of commercial vehicles and heavy equipment associated with the construction business on the rear half of the subject property.

Schedules and Attachments:

EXHIBIT ONE TO BL 65/2020

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 65/2019

A By-law to amend By-law 100-2010 (The Zoning By-law) of
The Corporation of the City of Thunder Bay (1100 Hildale
Road)

Recitals

1. Authority is provided in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended (the "Act"), to pass a By-law to amend By-law Number 100-2010 of The Corporation of the City of Thunder Bay.
2. In accordance with Subsections 34 (12) and 34 (13) of the Act, notice of a public meeting was given on May 26th, 2020 and a public meeting was held on June 15th, 2020 which Report No. R 36/2020 (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:

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

SECTION 19 PART NORTH EAST ¼ and shown as Property Location 1
and Property Location 2 on Exhibit One to and forming part of this
Amending By-law,

is subject to the following provisions:

The provisions of Sections 4.1, 5.3.2(b)(i), and 6.1 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) DEFINITIONS:

- i. A "CONTRACTOR'S YARD" is a PLACE for the purpose of providing an operational base for a small-scale contracting company and may include the repair and servicing of contractor's equipment and the OUTDOOR STORAGE of four COMMERCIAL VEHICLES and fourteen pieces of HEAVY EQUIPMENT.

b) Permitted USES:

- a. In addition to the USES permitted in Section 6.1 of this BY-LAW, a "CONTRACTOR'S YARD" as defined in

subparagraph 179 (1)a)i), on the lands shown as “Property Location 2” on Exhibit One, is permitted as an ACCESSORY USE to the SINGLE DETACHED DWELLING existing on June 15th, 2020 located on “Property Location 1” on Exhibit One.

c) REGULATIONS:

- a. In the case of a SINGLE DETACHED DWELLING existing on June 15th, 2020 located on “Property Location 1” on Exhibit One, the total GFA of all ACCESSORY BUILDINGS and STRUCTURES combined is 1,000.00 m².
- b. A five metre wide NATURAL VEGETATED BUFFER shall be maintained, exclusive of one 10 metre driveway, along the entire boundary of “Property Location 2” on Exhibit One.

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.

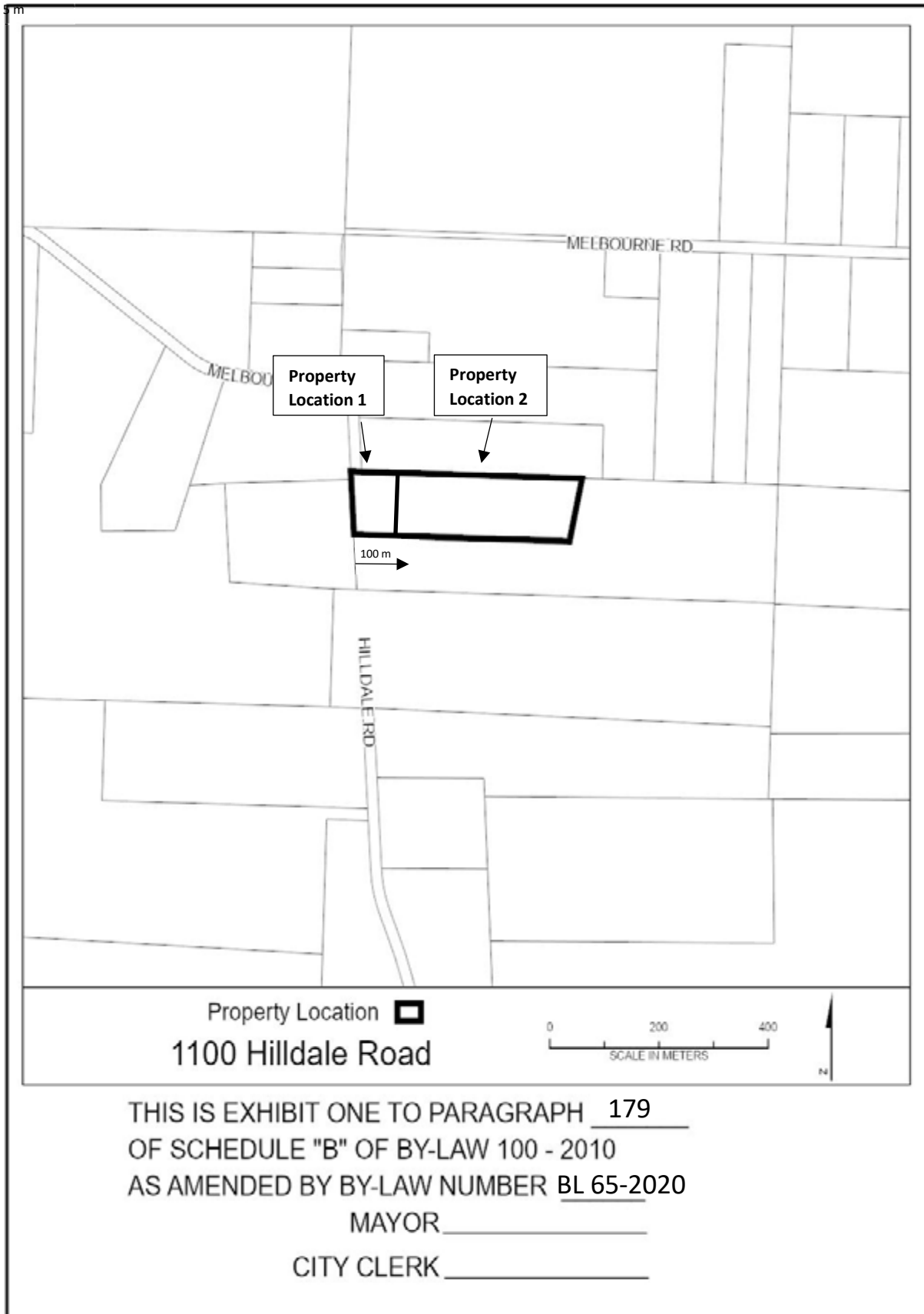
Enacted and passed this 15th day of June, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro

Mayor

Krista Power

City Clerk



MEETING DATE 06/15/2020 (mm/dd/yyyy)

SUBJECT By-law Resolution

SUMMARY

By-law Resolution - June 15, 2020

RECOMMENDATION

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended. (1543 Arthur Street East)

By-law Number: BL 59/2020

2. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (1543 Arthur Street East)

By-law Number: BL 60/2020

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. (77 Court Street South)

By-law Number: BL 61/2020

4. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (77 Court Street South)

By-law Number: BL 62/2020

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. (1207 John Street Road)

By-law Number: BL 63/2020

6. A By-law to remove a Holding Symbol pursuant to Section 36 of the Planning Act R.S.O., as amended (100 Princess Street)

By-law Number: BL 64/2020

7. A By-law to amend By-law 100-2010 (The Zoning By-law) of the Corporation of the City of Thunder Bay (1100 Hilldale Road)

By-law Number: BL 65/2020