



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

**DATE:** Monday, November 15, 2021 **Reference No.** CCP 12/52

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

City Council (Public Meeting)  
Chair: Mayor Bill Mauro

**PRESENT:**

Mayor Bill Mauro  
Councillor Albert Aiello  
Councillor Brian Hamilton  
Councillor Aldo Ruberto  
Councillor Peng You

**OFFICIALS:**

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

**OFFICIALS - ELECTRONIC PARTICIPATION:**

**ELECTRONIC PARTICIPATION:**

Councillor Mark Bentz  
Councillor Shelby Ch'ng  
Councillor Andrew Foulds  
Councillor Cody Fraser  
Councillor Trevor Giertuga  
Councillor Rebecca Johnson  
Councillor Brian McKinnon

Norm Gale, City Manager  
Karen Lewis, General Manager – Development & Emergency Services  
Devon McCloskey, Supervisor - Planning Services  
Deanna Walker, Law Clerk  
Jillian Fazio, Planner II – Planning Services

***DISCLOSURES OF INTEREST***

***CONFIRMATION OF AGENDA***

**Confirmation of Agenda - November 15, 2021 - City Council (Public Meeting)**

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

WITH RESPECT to the November 15, 2021 City Council (Public Meeting), we recommend that the agenda as printed, including any additional information and new business, be confirmed.

**CARRIED**

***PUBLIC MEETING PROCEDURES***

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

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

**Zoning By-law Amendment – 463 Hodder Avenue**

Report R 113/2021 (Development & Emergency Services - Planning Services) recommending a site-specific Zoning By-law amendment to rezone two parcels of land, municipally known as 463 Hodder Avenue, to "MU1" - Mixed Use Zone One.

Administration recommends approval of the proposed Zoning By-law amendment. The proposal is supported by the Provincial Policy Statement and Official Plan's objective for infill and intensification in the urban area.

Memorandum from Planner II – Planning Services Division Jillian Fazio dated November 12, 2021 relative to Report R 113/2021 (Development & Emergency Services – Planning Services) was distributed separately to Members of Council and City Manager only on Friday, November 12, 2021.

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

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

The Deputy City Clerk advised that the applicant was not present.

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

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

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Albert Aiello

THAT a Public Meeting having been held with respect to the application by Tom & Ruth Cook and 988421 Ontario Inc., relative to PCL 5970 SEC PAF; LT 107-108 PL M44 MCINTYRE; THUNDER BAY (PIN 62225-0225) and PCL 5673 SEC PAF; LT 105-106 PL M44 MCINTYRE; THUNDER BAY (PIN 62225-0226), municipally known as 463 Hodder Avenue, we recommend that the Zoning By-law be amended as follows:

1. That the subject property be rezoned from the "C2" – Urban Centre Zone to the "MU1-H" – Mixed Use Zone One - Holding.

2. That until the "H" symbol is removed from the lands described above; only FOOD STORE shall be a permitted use in accordance with Section 13.1 b).

3. That the "H" symbol be removed from the lands when:

1. a Record of Site Condition, as per Ontario Reg. 153/04, is registered for the subject property confirming the site conditions are appropriate for sensitive uses; and

4. That in the case of an APARTMENT DWELLING with no more than four DWELING UNITS the following is applied at this location:

1. The minimum required LOT FRONTAGE be reduced from 22.0m to 20.0 m

2. The minimum required LOT AREA be reduced from 660.0m<sup>2</sup> to 600.0 m<sup>2</sup>

3. The minimum REQUIRED FRONT YARD be reduced from 6.0m to 4.5 m

5. That BUILDINGS or STRUCTURES that are ACCESSORY to an APARTMENT DWELLING may be located in a REQUIRED INTERIOR SIDE YARD, provided that a minimum distance of 15.0m is maintained between any ACCESSORY BUILDING or STRUCTURE and the FRONT LOT LINE, and, in addition, a minimum distance of 0.6m is maintained between any ACCESSORY BUILDING or STRUCTURE and the INTERIOR SIDE LOT LINE.

Subject to the following conditions:

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

The subject property, as shown on Attachment "A", is designated as an area of Site Plan Control.

Unless otherwise rescinded or extended, this approval in principle shall be valid for a period of six (6) months from the date of ratification by City Council. Thereafter, the file shall be considered closed and a new application will be required if the condition to be fulfilled prior to the passing of the amending by-law has not been completed.

AND THAT the necessary By-laws be presented to City Council for ratification.

ALL as contained in Report R 113/2021 (Planning Services) as submitted by the Development & Emergency Services Department.

CARRIED

### **Zoning By-law Amendment - 2129 Arthur Street East**

Report R 153/2021 (Development & Emergency Services - Planning Services) The applicant is seeking approval to define and allow for a "Neighbourhood Dental Clinic" within an existing single detached dwelling. The proposed amendment would also require no less than seven and no more

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than ten parking spaces.

The proposed amendment is not considered good planning as it does not conform to the Official Plan, perpetuates vacancies in existing commercial areas, and is not well-suited to a mid-block residential location. For these reasons, Administration does not support the approval of the proposed amendment.

Memorandum from Planner II – Planning Services Division Jillian Fazio dated November 12, 2021 relative to Report R 153/2021 (Development & Emergency Services – Planning Services) was distributed separately to Members of Council and City Manager only on Friday, November 12, 2021.

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

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

Consultant Stefan Huzan appeared before Committee via MS Teams (audio participation) on behalf of the applicant, provided a PowerPoint presentation and responded to questions.

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

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

MOVED BY: Councillor Andrew Foulds  
SECONDED BY: Councillor Aldo Ruberto

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

THAT no change be made to the Zoning By-law.

ALL as contained in the Report R 153/2021 (Planning Services), as submitted by the Development and Emergency Services Department.

**Referral - Zoning By-law Amendment - 2129 Arthur Street East**

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Peng You

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

THAT Report No. 153/2021 (Planning Services), be referred back to Administration so that an alternate resolution that supports the requested Zoning By-law Amendment can be prepared.

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Council accepts the rationale provided by the Applicant and concurs that the proposed development conforms with the Official Plan and represents a land use pocket where non-residential uses are appropriate.

LOST

**Zoning By-law Amendment - 2129 Arthur Street East**

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Aldo Ruberto

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

THAT no change be made to the Zoning By-law.

ALL as contained in the Report R 153/2021 (Planning Services), as submitted by the Development and Emergency Services Department.

CARRIED

**BY-LAWS**

**BL 73/2021 - Site Plan Designation – 463 Hodder Avenue**

A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended (463 Hodder Avenue).

**BL 74/2021 - Zoning By-law Amendment - 463 Hodder Avenue (Tom and Ruth Cook)**

A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (463 Hodder Avenue).

**By-law Resolution - City Council (Public Meeting) - November 15, 2021**

MOVED BY: Councillor Cody Fraser

SECONDED BY: Councillor Andrew Foulds

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

1. A By-law to designate areas of Site Plan Control pursuant to Section 41 of the Planning Act,

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R.S.O. 1990, as amended (463 Hodder Avenue).

By-law Number: BL 73/2021

2. A By-law to amend By-law 100-2010 (The Zoning By-law) of The Corporation of the City of Thunder Bay (463 Hodder Avenue).

By-law Number: BL 74/2021

CARRIED

***ADJOURNMENT***

The meeting adjourned at 7:44 p.m.

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Mayor

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Deputy City Clerk