

NORTHERN PLANNING

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October 19, 2020

To: Albert Headrick, CAO, Red Rock

**Re: PUBLIC MEETING – Regarding land use planning concerns of residents
– Files O-2020-01 and Z-2020-01**

As of the morning of October 19th, 2020, the Township has received nine letters of concern, and the land use planning matters raised are summarized, and responded to, as follows:

Rob THOMPSON (Toronto)

- Request for notice of decision.
 - > To be sent by Township within 15 days of decision.

Michelle MCDONALD (Thunder Bay)

- Makes unexplained reference to protected lands.
- Prefers residential development on vacant infill lots.
 - > Yes, infill development is efficient, but it is very incremental and piecemeal approach to providing new housing.
 - > This is also an infill site, as municipal piped sewer and water lines are available at the property.
 - > In addition, this waterfront site offers a new housing supply option, an opportunity to update housing, and an attraction that was not available to residents, nor to persons wanting to move to Red Rock.
 - > Administration views a bold new housing development as an important growth and investment and economic revitalization initiative.
- Suggests that the Mill site would be a better option for residential infill.
 - > For any residential development to occur on the mill site – after any litigation is completed, a Record of Site Condition would be required under the Environmental Protection Act, as development would be a change from an industrial use to a more sensitive (residential) use. This would take time, and may or may not be practical, as revealed by the required Phase One environmental assessment, or a more detailed Phase Two testing, or Phase Three comprehensive site remediation.
- Suggests need for broader notice.
 - > Administration has gone well beyond the minimum in providing notice and public information.
- Considers Public Meeting and Council vote to be too compressed.
 - > Since the original notice of proposal generated no concern or feedback, Administration felt they should proceed as efficiently as possible.
 - > Public Meetings are intended and designed to collect and present feedback to Council before they choose to make a decision. As with any matter, they can defer it seeking additional input, or direct that some change be made to the proposed by-laws, before they choose to vote on the matter, if they feel such action is needed.

- Feels the best of Red Rock is its undeveloped feeling, and amendments would ruin nature.
 - > It is important to note that the Official Plan amendment and the related Zoning By-law amendment are not development, but are designed to allow future development – only if it is found to be appropriate through the implementing plan of subdivision approval process. Planning approval for a plan of subdivision is a further additional public Council approval process and will give the public a further opportunity to review more detailed analysis and site design.
 - > Many shoreline developments coexist wonderfully with nature, including multiple unit developments, such as Bluefin Bay resort near Tofté on the USA Lake Superior north shore.
 - > To suggest approvals to consider further approvals, for this site, would ruin nature, is simply premature.

Lake Helen Reserve FIRST NATION Band Council

- No concerns or objections. Band Chief Marcus Hardy and band Council was consulted. Lake Helen Reserve and RRIB approves. Email on file.

Corrina DAMPIER (2 letters)

- Believes an Open House is mandatory under Section 17(16) of the Planning Act.
 - > Incorrect.
 - > Section 17(16) requires a public Open House only if the Township is undertaking a comprehensive Official Plan update (per Section 26) or if the amendment relates to the development permit system.
 - > An open house is also optional, unless a township has Official Plan implementation policies that specifically require one.
 - > An Open House is not mandatory and was not considered necessary given extra notice efforts by the Township. However, the Township will provide residents with the option of written submissions for answers and provide remarks to the questions on Monday October 19, 2020 between 6 to 7 pm through the electronic means of Zoom. Residents will also have the means to electronically access this forum to show the Councils transparency and accountability.
- Did not receive a June 24 Notice of Proposal.
 - > Section 3 of Ontario Regulation 543/06 governs notices for an Open House or Public Meeting related to an OPA - Official Plan Amendment. Subsections 3(4(a)), 3(4(b)) and 3(7) specify how that notice may be given, while subsections 3(9) to 3(15) specify who is to receive notice.
 - > Notices of Proposal are not mandatory, are an optional extra effort by the Township, and were mailed, posted by sign on site and advertised in the local newspaper.
 - > Notice of Public Meeting (OPA and/or Zoning) is mandatory and was provided to, and in the prescribed manner. Two notices within a four month span in 2020 was provided by the Township by posting on face book, Towns Web Site, local newspaper (Nipigon/Red Rock Gazette and on Sept 27, 2020 notices were hand delivered to the residents of 3, 9, 11 White Blvd.
- Feels that notice is insufficient.
 - > Administration has gone well beyond the minimum in providing notice and public information.
 - > A full copy of the detailed Planning Report was available online and at the Township offices.
 - > Unfortunately, Ontario restriction related to Covid-19 limit physical assembly for Public Meetings.

Melissa HARVEY

- Feel marina and hiking trails are the main attractors or visitors, and these will be significantly altered.
 - > Opinions will vary. Others might suggest that private residential lots and multiple unit building make the waterfront more accessible to individuals, and would show that Red Rock offers a range of public and private facilities that complement each other and make the waterfront both more attractive and more public.
- Concerned approvals will result in destruction of natural habitat and deforestation.
 - > Site investigations revealed this is not a “natural habitat” but was shore land that was dug up, destroyed and used as fill for the rail spur line bed, leaving behind an irregular, uneven, bolder strewn terrain. Trees had managed to grow between the rocks, however there is little soil on most of the site adjacent to the rail spur and as a result there is only scrub growth, and no natural forest.

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- > It is expected that development with import significant soil, improve site absorption and drainage patterns, and generally support a much healthier, more balanced, and therefore ‘natural’ habitat.
- Suggests the Mill is a better alternative site for needed housing.
 - > Please see severe limitations already noted in response to Michelle McDonald

Thomas MCDONALD

- Listed eight questions.
- In two questions, more directly suggested area has endangered and protected birds, and requires protections.
 - > The Official Plan and Zoning amendment are intended to allow appropriate development, the exact nature, and details of which are to be studied and determined when seeking plan of subdivision approval.
 - > Any proponent shall be required to satisfy council that ALL environmental concerns, such as those regarding fish habitat, wildlife habitat, significant or endangered species, archeological resources and past industrial development have been appropriately identified and addressed.

Brandy Brake WELDON

- Wants Taylor Ave paved before Council ‘spends’ on development.
 - > It is a Council’s responsibility to set the standard budget priorities, regarding spending, maintenance, as well as facility-specific initiatives, such as use of the marina interpretative center, completion of RV park development, or strategies to increase utilization of the Arena. This budget process is usually and appropriately quite separate from land use planning approvals.
- Suggests town has little or no recreational facilities so lots will not attract new families or retirees to Red Rock.
 - > Approval for residential development would not aim at new buyers, as past reports have identified both lack of new housing, and a need for housing upgrade and renewal. It is expected these houses will address some of the need for new housing, and it is expected the multiple unit lots will increase the supply of affordable new dwellings.
- Suggest more infill on existing services, and repurposing at Frost & Crutchfield.
 - > Please see comments on infill noted in response to Michelle McDonald.

Nancy GLADUN

- Objects to the removal of the 30m setback in Section 5.9 of the Official Plan.
 - > The altered nature of the site between the former rail spur and the shore means the ‘normal’ references to natural riparian habitat function do not apply to this section along Big Trout Creek. The proposed paragraph allows for a 30m setback further upstream, as determined and where conditions warrant.

> If Council wishes to use an abundance of caution, then they could direct that the current Official Plan “HZ” Hazard Land designation, and the current Zoning By-law “EP” Zone, should both remain along the site shoreline, including Big Trout Creek, to the standard depth of 15.0 m. Council could direct that the implementing OPA and ZBA by-laws be amended accordingly, and then return to Council for adoption.

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Stefan HUZAN, land use planner, has been qualified by the Ontario Local Planning Appeal Tribunal (LPAT) and the former Ontario Municipal Board (OMB) on numerous occasions to provide Expert Planning Opinion evidence.