

— **OBCM** —
Ontario's Big City Mayors

MOTION – OBCM RECOMMENDATIONS ON THE HEALTH AND HOMELESSNESS CRISIS

WHEREAS municipalities do not have the expertise, capacity, or resources to address increasingly complex health care issues that lead to homelessness or extend chronic homelessness; and are diverting municipal funds for other priorities like affordable housing, transit, social programs etc. to manage these complex health care issues we are seeing in our communities;

AND WHEREAS because traditional housing and shelter spaces are not equipped to serve people with severe mental health and addiction challenges, people often live in the rough in encampments in parks, public spaces or on streets.

AND WHEREAS this is an unprecedented health crisis – leading to unsupervised and dangerous substance use, overdoses, strain on the healthcare system, increased volatility and violence, public safety concerns, business, and downtown degradation;

AND WHEREAS OBCM municipalities have responded to this health care crisis with various housing-driven support programs with limited success and some of our municipalities have taken steps to initiate stronger community partnerships, break down care silos to facilitate better access to support with less barriers;

AND WHEREAS there is no coordinated system response and a lack of the wrap-around health care support services people need – the physical health, mental health, and addiction expertise the province is responsible to provide;

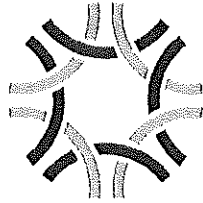
THEREFORE IT BE RESOLVED THAT OBCM adopts the strategy created by the City of London and the City of Kingston in consultation with local health partners to address these challenges including five recommendations for the Ontario government to make an immediate impact on the mental health and addictions crisis we are experiencing. These include:

1. Centralized and integrated intake and dispatch process

- An intentionally designed and consistent triage, warm transfer, and dispatch process operating 24 hours a day, 7 days a week year-round by a multidisciplinary, multi agency team, that is well resourced, low/no barrier, trauma and violence informed, culturally aware and flexible to meet the needs of individuals across a range of circumstances and levels of acuity. Inputs to this process could include Community Outreach and Support Teams (COAST), local service providers, and businesses.

2. More provincial investment in low barrier hubs

- Residents need more options for 24/7 low barrier drop-in services with basic rules and a pathway into stabilization options with experienced staff with mental health and addictions expertise. The Hub model provides 24/7 low barrier and wrap around services to people with high acuity that have not been accessing the traditional shelter services.



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The ICH (integrated care hub) can be combined with a Consumption Treatment Services site.

3. More stabilization and treatment beds with experienced staff to support those in their treatment journey

- Communities need a greater variety of options to support high acuity clients on their stabilization pathway. This includes provincial treatment and rehabilitation facilities and additional stabilization, rehab and detox beds.

4. More flexible and predictable funding for supportive housing

- There needs to be a range of supportive housing and options which could include small scale options (i.e., scattered housing), harm reduction housing solutions where municipalities can financially support with the property acquisition/development, but provincial funding is needed to finance ongoing support services as tenants are not capable of living fully independently. This service can prevent evictions and homelessness.

5. More provincial ministry and agency collaboration to reduce red tape and duplication

- Municipalities are increasingly forced to wade into provincial jurisdictions, navigating a siloed system, trying to break down health care silos to best support unhoused individuals suffering with mental health and addictions challenges. However, we need better provincial ministry collaboration to reduce red tape, duplication and financial resources and better coordinate wrap-around support for residents in need.

AND THAT Ontario's Big City Mayors will present this five point plan to the Deputy Premier and Minister of Health Sylvia Jones at the meeting/summit that we have requested to address the homelessness, mental health, safety and addictions crisis impacting our cities.

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



View of southerly portion of 2400 Banwell Road, from east side of church building



View of southerly portion of 2400 Banwell Road and abutting homes, from rail crossing

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



View of southerly portion of 2400 Banwell Road and abutting uses, looking from rail crossing



Existing berm on the southerly portion of 2400 Banwell Rd.



Existing chainlink fence between VIA Rail property and 2400 Banwell Road.

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



View of southerly portion of 2400 Banwell Road, from west side of Banwell Road



Street views of Banwell Rd, looking south towards the rail crossing

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



Existing wooden fence between the 2400 Banwell Rd) and the SUDs fronting on Tranquility Ave.



Front view of church property (2400 Banwell Rd)

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



View of existing Single Unit Dwellings fronting on Tranquility Ave., looking south from McNorton St.



View of existing building stock on McNorton Street, looking east 2400 Banwell Rd.



View of McNorton Street, looking east from Banwell /McNorton intersection



View of Banwell Rd and existing 7-sty dwelling, looking north from Banwell/McNorton intersection

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156



Existing mid-block vehicular access on the east side of Banwell Rd, between McNorton and the VIA Rail crossing



Banwell / VIA Rail intersection, looking south towards Tec. Rd.



Banwell Rd and McNorton St. intersection

APPENDIX A - SITE PHOTOS – January 17, 2023 site visit Files Z-010/22 & OPA156

Banwell Rd and
McNorton St.
intersection,
looking north



Banwell Rd and
McNorton Street
intersection,
looking south

APPENDIX B – EXCERPTS FROM OFFICIAL PLAN Volumes 1 & 2

OP Volume 2 – Secondary Plans & Special Policy Areas

East Riverside Planning Area

2.7.5 Core Area

Policies applicable to the development within the Core Area fall into three designations, namely the Banwell Road Mixed Use Corridor, Core Residential Area A and Core Residential Area B.

<i>HIGH QUALITY CORE AREA</i>	2.7.5.1	In keeping with the objective to create a high quality Core Area, specific zoning and site plan control policies shall be followed as set in this section. Such policies, however, may be altered without amendment to this Secondary Plan by preparation and approval by Council of a comprehensive Urban Design Plan as set out in Section 2.8 of this Secondary Plan.
<i>RANGE OF USES</i>	2.7.5.2	The Banwell Road Mixed Use Corridor designated on Schedule ER-2: Land Use Plan is intended to accommodate a broad range of higher intensity, mixed-use developments.
<i>PERMITTED USES</i>	2.7.5.3	Permitted uses in the lands designated as Banwell Mixed Use Corridor on Schedule ER-2: Land Use Plan shall include: <ul style="list-style-type: none"> (a) retail and service establishments; (b) commercial offices; (c) restaurants, including outdoor cafes; (d) cultural, recreational and entertainment uses; (e) theatres and cinemas; (f) community, social and institutional uses; (g) residential apartments, multi-plexes and stacked townhouses; and (h) public transportation facilities.
<i>RETAIL & SERVICE USES AT GRADE</i>	2.7.5.4	Individual buildings will be encouraged to include a mix of uses. Retail and/or service uses will be strongly encouraged at grade, particularly fronting onto Banwell Road or adjacent to other retail and service uses, to promote street level pedestrian activity and security.

<i>MAXIMUM HEIGHT</i>	2.7.5.5	Development along Banwell Road shall have a maximum building height of four storeys.
<i>EXTERIOR LOT LINE DEVELOPMENT</i>	2.7.5.6	Developments shall be designed so that at least one building wall is located on an exterior lot line so as to afford sidewalk pedestrian access from the street.
<i>PARKING AREAS</i>	2.7.5.7	Permanent loading, service and parking areas shall be located so as not to significantly interrupt the pedestrian circulation or traffic flow on the street. In general, parking areas will be encouraged at the side and rear of buildings.
<i>MID BLOCK ACCESS</i>	2.7.5.8	Mid-block vehicular access shall not be permitted to properties fronting Banwell Road in order to encourage the use of signalized intersections for access and to facilitate pedestrian circulation.
<i>CORRIDOR EXTENSIONS</i>	2.7.5.9	The northerly limit of the Banwell Mixed Use Corridor may be extended northerly along the east side of Banwell Road provided it is extended contiguous to the lands shown on Schedule ER-2: Land Use Plan.
<i>CORE RESIDENTIAL</i>	2.7.5.10	Lands within the Core Residential Area fall within two sub categories, Core Residential Area "A" and Core Residential Area "B".
<i>HIGHER DENSITY DEVELOPMENT</i>	2.7.5.11	Development within Core Residential Area "A" and "B" will accommodate a higher density of residential dwelling forms than found within the Residential Neighbourhoods, providing residents with alternative life style options, capitalizing upon the high level of service and amenity available within the adjacent mixed use corridor.
<i>HOME BASED OCCUPATIONS</i>	2.7.5.12	Opportunities for home based occupations shall be encouraged through the design of development projects and individual residences in both Core Residential Areas.
<i>ON-STREET PARKING</i>	2.7.5.13	On-street parking shall be encouraged throughout the Core Area.
<i>CORE RESIDENTIAL AREA A</i>	2.7.5.14	Core Residential Area "A" will be the location of the community's highest residential density.
<i>DWELLING TYPES IN CORE RESIDENTIAL AREA A</i>	2.7.5.15	<p>Within Core Residential Area "A", permitted dwelling types shall include:</p> <ul style="list-style-type: none"> (a) stacked townhouses; (b) multiplexes; and (c) multiple dwellings.

<i>DENSITY IN CORE RESIDENTIAL AREA A</i>	2.7.5.16	Developments shall have densities of not less than 60 units per net hectare (24 units per net acre) and not more than 110 units per net hectare (45 units per net acre) in Core Residential Area A.
<i>RESIDENTIAL FRONTING BANWELL ROAD</i>	2.7.5.17	Residential developments fronting onto Banwell Road shall be permitted to have retail facilities located on the ground floor, provided they are intended to serve the convenience needs of core area residents, and have a maximum gross floor area of 200 square metres (2,150 square feet).
<i>SENIORS' HOUSING</i>	2.7.5.18	The Municipality shall encourage the location of seniors' housing in this area, in proximity to the concentration of commercial, institutional and open space uses foreseen in the adjacent Mixed Use Corridor.
<i>SIMILAR BLOCK FACES</i>	2.7.5.19	Development on each street block face (both sides) shall have similar building heights and built form throughout Core Residential Area A. On sites abutting the stormwater detention ponds, medium profile buildings in the 6 to 8 storey range shall be encouraged.
<i>CORE RESIDENTIAL AREA B</i>	2.7.5.20	Core Residential Area B provides a transition between the Banwell Road Mixed Use Corridor, the higher density residential areas of Core Area Residential A and the adjacent residential neighbourhoods.
<i>PERMITTED USES</i>	2.7.5.21	<p>Within Core Residential Area B, there shall be a greater mix of dwelling unit types than in Core Residential Area A. Permitted dwelling types shall include:</p> <ul style="list-style-type: none"> (a) small - lot single detached dwellings; (b) small - lot semi-detached dwellings; (c) street related townhouse dwellings; (d) stacked townhouses; (e) duplexes; (f) multiplexes; and (g) multiple dwellings.
<i>DENSITY IN CORE RESIDENTIAL AREA B</i>	2.7.5.22	Developments shall have densities of not less than 24 units per net hectare (10 units per acre) and not more than 60 units per net hectare (24 units per net acre) within Residential Core Area "B".
<i>BUILDING HEIGHTS IN CORE RESIDENTIAL AREA B</i>	2.7.5.23	Building heights shall not exceed four storeys) within Residential Core Area B, however development on each block face (both sides) shall have similar building heights and built form throughout.

2.7.6 Business Park

<i>HIGH QUALITY EMPLOYMENT AREA</i>	2.7.6.1	Development within the Business Park designated on Schedule ER-2: Land Use Plan shall lead to creation of a high quality employment area, capitalizing upon the site's locational advantages in relation to key transportation links and a skilled resident workforce. The Business Park will be well suited as a location for prestige office and industrial operations related to research business services and manufacturing.
<i>BANWELL ROAD</i>	2.7.6.2	Banwell Road, a Class II Arterial Road, is the primary access providing the opportunity to attract employment uses with a regional orientation.
<i>PERMITTED USES</i>	2.7.6.3	<p>Permitted uses within the lands designated as Business Park on Schedule ER-2: Land Use Plan shall include:</p> <ul style="list-style-type: none"> (a) offices; (b) Class 1 Industrial Facilities as defined by the Ontario Ministry of Environment and Energy; (c) retail outlets ancillary to industrial uses; (d) research, development and technology uses; (e) large-scale warehouse type "big box" retail establishments (having floor areas of between 4,000 and 20,000 square metres/43,000 and 215,000 square feet); (f) public, separate or commercial schools; (g) fitness centres; and (h) restaurant and other service commercial uses intended to serve employees of the area.
<i>FLOOR SPACE INDEX</i>	2.7.6.4	Development shall have a maximum floor space index of 1.0 times the area of the lot.
<i>LOCAL PARKS</i>	2.7.6.5	Small local parks and landscaped sitting areas shall be encouraged throughout the Business Park, to provide for both active and passive recreation needs of employees and contribute to the overall quality of the area.
<i>REDUCTION IN SIZE</i>	2.7.6.6	Notwithstanding Schedule ER-2: Land Use Plan, the area designated as Business Park may be reduced in area by moving the west and east limits of the park provided that the land removed from the designation shall be designated the same as the adjacent lands (Residential Neighbourhood South and East).

OP Volume 1 – Primary Plan

6. Land Use

6.4 Employment

Employment lands provide the main locations for business and industrial activities. In order to strengthen Windsor’s economy, meet the land and infrastructure needs of employment activities and address concerns over compatibility, employment land uses are provided under two designations on Schedule D as either Industrial or Business Park.

The following objectives and policies establish the framework for development decisions in Employment areas.

6.4.1 Objectives

<i>POSITIVE BUSINESS ENVIRONMENT</i>	6.4.1.1	To ensure Windsor continues to be an attractive place to establish businesses and locate employees.
<i>ASSESSMENT BASE</i>	6.4.1.2	To expand Windsor’s assessment base by attracting employers and economic development.
<i>COMPATIBLE DEVELOPMENT</i>	6.4.1.3	To ensure that employment uses are developed in a manner which are compatible with other land uses.
<i>RANGE OF USES</i>	6.4.1.4	To accommodate a full range of employment activities in Windsor.
<i>SUPPORT SERVICES</i>	6.4.1.5	To enhance the quality of employment areas by providing for complementary services and amenities.
<i>ACCESSIBLE</i>	6.4.1.6	To locate employment activities in areas which have sufficient and convenient access to all modes of transportation.
<i>SUFFICIENT LAND SUPPLY</i>	6.4.1.7	To ensure that a sufficient land supply for employment purposes is maintained over the 20 year period of this Plan.
<i>INFRASTRUCTURE</i>	6.4.1.8	To ensure that adequate infrastructure services are provided to employment areas.
<i>VIABLE AREAS</i>	6.4.1.9	To maintain and develop viable industrial areas.
<i>VISIBLE LOCATIONS</i>	6.4.1.10	To provide highly visible and attractive locations for business park development.
<i>COMPREHENSIVELY PLANNED</i>	6.4.1.11	To promote comprehensively planned employment areas.

6.4.2 General Policies

<i>SUFFICIENT SUPPLY</i>	6.4.2.1	Council shall designate a sufficient supply of appropriately located Industrial and Business Park lands to meet the projected 20 year employment demands.
<i>ATTRACT BUSINESS</i>	6.4.2.2	Council shall encourage businesses and industries to locate and expand in Windsor.
<i>CITY PARTICIPATION</i>	6.4.2.3	<p>Council shall facilitate economic investment by:</p> <ul style="list-style-type: none"> (a) planning and developing Industrial and Business Park areas; (b) participating in the development or redevelopment of strategic areas of Windsor; (c) fostering public-private partnerships to facilitate economic development; and (d) other measures as may be appropriate.
<i>SITE PLAN CONTROL</i>	6.4.2.4	Council shall require all development within areas designated as Industrial and Business Park to be subject to site plan control, with the exception of Public Open Space uses.
<i>HERITAGE CONSERVATION</i>	6.4.2.5	Council shall encourage the conservation and adaptive reuse of historic and/or architecturally significant buildings within areas designated as Industrial or Business Park in accordance with the Heritage Conservation chapter of this Plan.
<i>CONTAMINATED SITES</i>	6.4.2.6	Council shall encourage the redevelopment of contaminated Industrial or Business Park sites in accordance with section 5.4.8 of the Environment chapter of this Plan.
<i>AREAS IN TRANSITION</i>	6.4.2.7	<p>Council may support the redevelopment of older and/or abandoned Industrial or Business Park areas to other land uses provided:</p> <ul style="list-style-type: none"> (a) the proponent can demonstrate that: <ul style="list-style-type: none"> (i) the redevelopment of the area would not be detrimental to other Industrial or Business Park uses still operating in the area; and

- (ii) the redevelopment of the area is in keeping with the long term transition of the entire area to similar uses;
- (b) the environmental conditions of the site do not preclude development (see Environment chapter); and
- (c) subject to an amendment to this Plan that is consistent with the appropriate policies for the desired land use.
- HIGH QUALITY DESIGN* 6.4.2.8 Council shall require a high standard of architectural and landscape design for Industrial and Business Park designations adjacent to the Highway 401 corridor given its visibility along an international gateway, in accordance with the Urban Design chapter of this Plan. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)

7. Infrastructure

7.2.6 Road Network Policies

- ROAD CLASSIFICATION* 7.2.6.1 The road network within Windsor is classified as follows:
- (i) Provincial Highways;
 - (ii) Expressways;
 - (iii) Class I Arterial Roads;
 - (iv) Class II Arterial Roads;
 - (v) Class I Collector Roads;
 - (vi) Class II Collector Roads;
 - (vii) Scenic Drives; and,
 - (viii) Local Roads.
- CLASS II ARTERIAL ROADS* 7.2.6.5 Council will provide for Class II Arterial Roads as follows:
- (a) Class II Arterial Roads shall be designated on Schedule 'F' and in any secondary plan or master plan where appropriate.
 - (b) Operational and design characteristics:
 - (i) Class II Arterial Roads may be designated as Controlled Access

Highways and shall have a minimum right-of-way of 42 metres;

- (ii) Class II Arterial Roads shall be designed to carry high volume of traffic;
- (iii) New intersections shall not be permitted with Provincial Highways;
- (iv) New intersections with local roads shall be discouraged;
- (v) Cycling facilities may be permitted on Class II Arterial Roads;
- (vi) On street parking may be removed to facilitate the installation of turn lanes where turn lanes are warranted for capacity or safety reasons; and
- (vii) Direct property access will be discouraged where other alternatives exist. Where direct property access is required, the use of shared driveways and interconnected on-site circulation systems with adjacent properties may be required to limit the number and spacing of driveways, and where appropriate the City may require support studies and additional information to demonstrate the need for additional access.

7.2.8 ~~Rail Transit and Rail~~ **Rail Transit and Rail Adjacent Policies**

*DEVELOPMENT
ADJACENT TO A
CORRIDOR*

7.2.8.8 Council shall evaluate a proposed development adjacent to a Rail Corridor, in accordance with the following:

- (a) All proponents of a new development within 300 metres of a rail corridor, may be required to complete a noise study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan;
- (b) All proponents of new development, located within 75 metres of a rail corridor, shall complete a vibration study to support the proposal, and if the need for mitigation measures is determined by such study, shall identify and recommend appropriate mitigation measures, in accordance with the Procedures chapter of this Plan;
- (c) All proponents of new development adjacent to a rail corridor will consult with the appropriate railway company prior to the finalization of any noise or vibration study required by this Plan;
- (d) All proponents of new development abutting a rail corridor shall incorporate appropriate safety measures such as setbacks, berms and security fencing to the satisfaction of the Municipality, in consultation with the relevant public agency and the appropriate railway company.

8. Urban Design

8.7 Built Form

8.7.1 Objectives

<i>VARIED DEVELOPMENT PATTERN</i>	8.7.1.1	To achieve a varied development pattern which supports and enhances the urban experience.
<i>COMPLEMENTARY DESIGN</i>	8.7.1.2	To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles.
<i>VISUAL INTEREST</i>	8.7.1.3	To maximize the variety and visual appeal of building architecture.
<i>ART AND LANDSCAPING</i>	8.7.1.4	To integrate art and landscaping with the built form.
<i>UNIQUE CHARACTER</i>	8.7.1.5	To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings.
<i>SIGNS</i>	8.7.1.6	To ensure that signs respect and enhance the character of the area in which they are located.
	8.7.1.7	To achieve external building designs that reflect high standards of character, appearance, design and sustainable design features. (Added by OPA #66-11/05/07-B/L209-2007)

8.7.2 Policies

<i>NEW DEVELOPMENT</i>	8.7.2.1	Council will ensure that the design of new development: (Added by OPA #66-11/05/07-B/L209-2007)
		(a) is complementary to adjacent development in terms of its overall massing, orientation, setback and exterior design, particularly character, scale and appearance; (Added by OPA #66-11/05/07-B/L209-2007)
		(b) provides links with pedestrian, cycle, public transportation and road networks; and
		(c) maintains and enhances valued heritage resources and natural area features and functions.

- (d) Encourages the creation of attractive residential streetscapes through architectural design that reduces the visual dominance of front drive garages, consideration of rear lanes where appropriate, planting of street trees and incorporation of pedestrian scale amenities. (added by OPA #60-05/07/07-B/L85-2007-OMB Decision/Order No.2667, 10/05/2007)

INFILL
DEVELOPMENT

8.7.2.3

Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

- (a) massing;
- (b) building height;
- (c) architectural proportion;
- (d) volumes of defined space;
- (e) lot size;
- (f) position relative to the road; and
- (g) building area to site area ratios.
- (h) the pattern, scale and character of existing development; and,
(Added by OPA #66-11/05/07-B/L209-2007)
- (i) exterior building appearance
(Added by OPA #66-11/05/07-B/L209-2007)



TRANSITION IN
BUILDING
HEIGHTS

8.7.2.4

Council will ensure a transition among Very High, High, Medium and Low Profile developments through the application of such urban design measures as incremental changes in building height, massing, space separation or landscape buffer.

11. Tools

11.6.3 Zoning By-law Amendment Policies

*AMENDMENTS
MUST CONFORM*

11.6.3.1 All amendments to the Zoning By-law(s) shall conform with this Plan. The Municipality will, on each occasion of approval of a change to the zoning by-law(s), specify that conformity with the Official Plan is maintained or that the change will be in conformity upon the coming into effect of an amendment to the Official Plan.

*EVALUATION
CRITERIA*

11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:

- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
- (b) Relevant support studies;
- (c) The comments and recommendations from municipal staff and circularized agencies;
- (d) Relevant provincial legislation, policies and appropriate guidelines; and
- (e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX C – EXCERPTS FROM ZONING BY-LAW 8600

18.4 MANUFACTURING DISTRICT 1.4 (MD1.4)**18.4.1 PERMITTED USES**

<i>Ambulance Service</i>	<i>Manufacturing Facility</i>
<i>Bakery</i>	<i>Medical Appliance Facility</i>
<i>Business Office</i>	<i>Medical Office</i>
<i>Commercial School</i>	<i>Micro-Brewery</i>
<i>Food Catering Service</i>	<i>Professional Studio</i>
<i>Food Packaging Facility</i>	<i>Research and Development Facility</i>

Any of the following *Ancillary Uses*:

<i>Child Care Centre</i>	<i>Health Studio</i>
<i>Club</i>	<i>Personal Service Shop</i>
<i>Convenience Store</i>	<i>Restaurant</i>
<i>Food Convenience Store</i>	<i>Restaurant with Drive-through</i>
<i>Food Outlet - Drive-through</i>	<i>Veterinary Office</i>
<i>Food Outlet - Take-out</i>	<i>Warehouse</i>
<i>Gas Bar</i>	<i>Wholesale Store</i>

Any of the following *Existing Uses*:

Motor Vehicle Dealership
Sports Facility
Transport Terminal

Any use accessory to any of the above uses, including a *Retail Store*

18.4.3 PROHIBITED USES

Outdoor Storage Yard

18.4.5 PROVISIONS

- | | | |
|-----|--|--|
| .1 | Lot Width – minimum | 30.0 m |
| .4 | Building Height – maximum | 20.0 m |
| .5 | Front Yard Depth – minimum | 9.0 m |
| .6 | Rear Yard Depth – minimum | |
| | From a <i>rear lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located | 6.0 m |
| .7 | Side Yard Width – minimum | |
| | From a <i>side lot line</i> that abuts a <i>lot</i> on which a <i>dwelling</i> or <i>dwelling unit</i> is located or from a <i>side lot line</i> that abuts a <i>street</i> | 6.0 m |
| .8 | Landscaped Open Space Yard – minimum | 15.0% of <i>lot area</i> |
| .10 | Gross Floor Area – <i>Retail Store</i> – maximum | 20.0% of the <i>GFA</i> of the <i>main use</i> |
| .50 | All activities or uses shall take place entirely within a fully enclosed <i>building</i> . This provision does not apply to the following activity or use: <i>child care centre</i> , <i>gas bar</i> , <i>loading space</i> , <i>outdoor eating area</i> , <i>parking area</i> , <i>parking space</i> , <i>sports facility</i> , or <i>refuelling area</i> . | |

15.2 COMMERCIAL DISTRICT 2.2 (CD2.2)

15.2.1 PERMITTED USES

<i>Bakery</i>	<i>Place of Entertainment and Recreation</i>
<i>Business Office</i>	<i>Place of Worship</i>
<i>Child Care Centre</i>	<i>Professional Studio</i>
<i>Commercial School</i>	<i>Public Hall</i>
<i>Confectionery</i>	<i>Repair Shop – Light</i>
<i>Food Outlet - Take-Out</i>	<i>Restaurant</i>
<i>Funeral Establishment</i>	<i>Retail Store</i>
<i>Medical Office</i>	<i>Veterinary Office</i>
<i>Micro-Brewery</i>	<i>Wholesale Store</i>
<i>Personal Service Shop</i>	

Dwelling Units in a Combined Use Building with any one or more of the above uses

- Gas Bar*
- Outdoor Market*
- Parking Garage*
- Public Parking Area*
- Tourist Home*
- Existing Automobile Repair Garage*
- Existing Service Station*

Any use accessory to any of the preceding uses. An *Outdoor Storage Yard* is prohibited, save and except, in combination with the following main uses:
Outdoor Market, Existing Automobile Repair Garage.

15.2.3 PROHIBITED USES

A *Gas Bar* and a *Service Station* is prohibited on any lot located within 63.50 m of the east or west limits of Sandwich Street between Detroit Street and Brock Street or within 30.0 m of the south limit of Mill Street between Russell Street and Sandwich Street.

15.2.5 PROVISIONS

- .4 Building Height – maximum 14.0 m
- .9 Amenity Area – Per Dwelling Unit – minimum 12.0 m² per unit
- .10 Gross Floor Area – maximum
 - Bakery or Confectionary* 550.0 m²
- .15 For a *Combined Use Building*, all *dwelling units*, not including entrances thereto, shall be located above the non-residential uses.
- .24 An *Outdoor Market* is permitted within a *Business Improvement Area*. An *Outdoor Market* is prohibited elsewhere.

- Plan 370, situated on the west side of Bridge Avenue, north of University Avenue, a lodging house shall be an additional permitted use. (ZDM 3)
111. For the lands comprising Part of Lots 24 and 34 to 39 both inclusive, Plan 12R-16773, situated on the southwest corner of Tecumseh Road West and Tecumseh Road North, a food convenience store, restaurant and a drive-through restaurant shall be additional permitted use. (ZDM 4)
112. For the lands comprising Part of Farm Lots 143 and 144, Concession 2, situated on the southwest corner of Banwell Road and McHugh Street, shown as Block 16, in Schedule “A” to By-law 3-1999, no building shall be situated within 30 metres of the north limit of the Canadian National Railway right-of-way and an athletic and/or sports facility shall be an additional permitted use. (ZDM 15)
113. For the lands comprising Part 1 on Plan 12R-17595, situated at the southeast corner of Banwell Road and McNorton Street, no building shall be situated within 30 metres of the north limit of the Canadian National Railway right-of-way and a church, church hall, day nursery and school shall be additional permitted use. (ZDM 15)
114. For the lands comprising Part of Farm Lots 143 and 144, Concession 1, designated as Block 27, in Schedule “A” to By-law Number 13121, a business office having a maximum gross floor area of 250 square metres, a residential care facility and a lodging house shall be additional permitted use. (ZDM 14)
115. For the lands comprising Lots 7 to 14 both inclusive, Part of Lots 1 to 6, Part of Block “A”, Registered Plan 1275, Lots 7 to 10 both inclusive, Part of Lots 4, 5 and 6 and Part of Block “A”, Registered Plan 1335, Part of Lots 1, 2, 3 and 4, Registered Plan 948 and the enclosed north/south alley, situated on the east side of Huron Church, south of Malden Road, the maximum building height of a hotel shall be 7 storeys and a restaurant shall be an additional permitted use. (ZDM 4)
116. For all lands on the east side of Devon Drive from the north limit of Lot 3, Registered Plan 1629, to the north limit of Kamloops Street as extended westward, an outdoor storage yard shall not be permitted. (ZDM 8)
117. For the lands comprising Part of Farm Lot 97, Concession 1, designated as Parts 1 and 2, Plan 12R-11729, situated on the west side of St. Luke Road, south of Edna Street, an outdoor storage yard, exclusively for the storage of motor vehicles, shall be an additional permitted use. Each motor vehicle shall be stored on this lot for a maximum of 100 days and no motor vehicle restoration or repair shall take place within the outdoor storage yard. (ZDM 6)

APPENDIX D – COMMENTS from Municipal Departments & External Agencies

Canada Post

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Jose Mejalli – Assessment Management Officer

No Objection.

Jason Scott – Transit Windsor

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop to this property is located on Banwell at Tecumseh Northeast Corner. This bus stop is approximately 130 metres from this property falling well within our 400 metre walking distance guideline to a bus stop. This will be maintained and further enhanced with our Council approved Transit Master Plan as two way conventional transit service will be replacing the existing one way loop present in the area.

Jacqueline Cabral – Site Plan Control

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

Enbridge Gas – Sandro Aversa

After reviewing the provided drawing at 2800 Banwell Rd and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

Please contact me if you have any further questions or concerns.



Parks Design & Development – Sherif Barsom

No objection.

Stefan Fediuk – Landscape & Urban Design

Pursuant to the application for an Official Plan Amendment (OPA 156) to change land use designation, as well as a Zoning Bylaw Amendment (Z 010/22) to change from MD1.4 to CD2.2 permit residential and commercial mixed use with increased height and mid-block access on the subject, please note the following comments:

Zoning Provisions for Parking Setback:

While the proposed zoning of CD2.2 does not have minimum landscape requirements, it is recommended that as part of the special site specific zoning amendment, that Landscape Open Space Yard requirements of 35% be required, which are similar to RD3.3 which allows for Multiple and Religious Residences with building heights of up to 30.0m.

Tree and SAR Preservation:

The applicant has provided a Tree Inventory and independent SAR Study. The report indicates that Eastern Foxsnake (SAR) have been observed on abutting lands as late as 2021. The scrub area along the Banwell frontage is at the lowest part of the property as per the topographic survey, and may provide habitat for this SAR species in the summer months. The plant species present indicate that there would be standing water which would be asset for habitat for Eastern Foxsnake. Any clearing of the land is to consider careful research to ensure that habitat is not destroyed for this SAR species. The landscape architect accepts the conclusions found in these two studies and recommends that the mitigation measures for SAR and tree preservation be a requirement for development, including possible retention of the scrub area along the Banwell Road. If preserved, the scrub area can provide a visual buffer for the residences from Banwell.

Urban Design:

The site plan indicates residential units on the south side of the building and commercial at the northwest corner of the building. The south side is bounded by Via Rail tracks. There is also extensive parking proposed along the south property line. The retail component would benefit from the additional parking as well as move it closer to the existing commercial area south of the Via Rail tracks. It is recommended that retail component be relocated to the southwest corner of the building. This would also allow for potential preservation of the scrub area should SAR species habitat be identified.

Commercial along the south side of the building will also allow for the landscape area abutting the building to be reduced and move the parking away from the south property line to allow for a landscape buffer for trees along the southern parking area.

Parkland Dedication:

While it is recognized that in earlier developments east of the property, the City had been acquiring parcels of land 15m wide immediately north of the railway tracks to accommodate a future a recreational trail connecting Banwell Road to the Town of Tecumseh. More recent development along McHugh Avenue has resulted in the development of a recreational trail one block north of the tracks; making the need to acquire this parcel immediately north of the CN Rail line no longer necessary.

Therefore, it is recommended that parkland dedication representing 5% cash-in-lieu of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act.

Climate Change:

The proposed recommendations above, would help in climate change adaptation and mitigation by providing additional stormwater management through passive measures, by increasing the landscape areas where stormwater can be retained/slowed before reaching the municipal stormwater drainage system. Tree preservation and additions, especially along the south and west sides of the property will help to regulate temperatures experienced by the building and offer shade and carbon sequestering, reducing the impacts of urbanization, urban heat islands and hard surfaced pavement.

Tracy Tang – Heritage Planning

(Tracy Tang, Planner II on behalf of Kristina Tang, Heritage Planner)

No supporting information required.

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential.

Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

ENWIN

HYDRO ENGINEERING:

Objection based on the following:

Please note that ENWIN Utilities Ltd has an existing overhead 27.6kV high voltage pole line in the Banwell Rd right-of-way along the entire west limit of the site.

It appears that the proposed 8 storey building will be too close to the existing overhead conductors.

Adequate clearance must be maintained both during and after construction.

We recommend referring to Occupational Health and Safety (Ministry of Labour) and Building Code to ensure that safe limits of approach and minimum clearance requirements are achieved.

WATER ENGINEERING:

Water Engineering has no objections. There is no usable watermain on that stretch of Banwell. The developer will have to decide where to get their water servicing from.

Barabara Rusan – Building

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building.

The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted.

It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

The City of Windsor Building Department can be reached by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

Shannon Deehan – Transportation Planning

- Banwell Road is classified as a Class II Arterial Road according to the Official Plan with a required right-of-way width of 30 meters per Schedule X. The current right-of-way is sufficient, therefore, a conveyance is not required.
- A Transportation Impact Study and Parking Study have been submitted. Comments will be provided in a separate memo.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Driveways must comply with AS-204.
 - The southern driveway must comply with Transport Canada Crossing Grade Standards and no part of the travelled entranceway can be within 30m of the nearest rail of the grade crossing.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Shannon Mills – Engineering

We have reviewed the subject rezoning application and have the following comments:

Sewers

The site may be serviced by a 250mm Polyvinylchloride Pipe (PVC) sanitary sewer and a 675mm reinforced concrete pipe storm sewer located within the Banwell Road right-of-way. A sanitary sampling manhole may be required on any new sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to predevelopment levels, as per the Windsor Essex Regional Stormwater Management Standards Manual.

Right-of-Way

Banwell Road is classified as a Class II Arterial road with a required right-of-way width of 30 meters as per Schedule X of the Official Plan. The current right-of-way is sufficient as per the Banwell Road Environmental Assessment, therefore no conveyance is required. The proposed driveway approach to Banwell Road, at the south end of the property will not be permitted as depicted. All approaches must be perpendicular to the road and be constructed in accordance with AS-204

In summary, we have no objections to the proposed rezoning application, subject to the following requirements:

Site Plan Control Agreement – The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Right-of-Way Permits – The owner agrees to obtain right-of-way permits for sewer

taps, drain taps, flatworks, landscaping, curb cuts, and driveway approaches from the City Engineer, prior to commencement of any construction on the public highway.
City of Windsor | 350 City Hall Square West | Windsor, ON | N9A 6S1
www.citywindsor.ca

Sanitary Sampling Manhole – The owner agrees for all non-residential uses, to install a sanitary sampling manhole accessible at the property line of the subject lands to the City Engineer at all times. The determination of the requirement or interpretation if a sampling manhole exists or exceptions to such, will be to the satisfaction of the City Engineer.

If you have any further questions or concerns, please contact Thomas Huynh, of this department at thuynh@citywindsor.ca, ext. 6555.

Karina Richers – Environmental

In response to the application for a zoning amendment there are no objections. Please also note the following comments for consideration:

Energy Conservation, Air Quality and Climate Change:

Please note PPS 2020 energy conservation and efficiency policies as they relate to long-term economic prosperity (1.7.1 (j)), as well as improved air quality and reduced greenhouse gas emissions (1.8.1). In addition, the City of Windsor Community Energy Plan (approved July 17 2017) aims to improve energy efficiency; modifying land use planning; reducing energy consumption and greenhouse gas emissions; and fostering green energy solutions throughout Windsor, while supporting local economic development.

As per these policies the developer should consider energy efficiency in the building design. This may include but not be limited to increased insulation, energy efficient appliances and fixtures, high efficiency windows and doors.

EV Charging

Due to increased production and escalating demands, consideration for EV charging infrastructure and opportunities to increase resiliency such as providing strategic back-up power capacity is suggested.

In addition, the large scale paving of natural space will increase the urban heat island in the area. It is recommended that the developer consider shade trees, white colour roofs or green roofs to mitigate this impact. For more suggestions please consult the following resources: LEED, Built Green Canada, and EnerGuide.

To promote the use of active transportation, bike racks should be considered.

Landscaping

Consideration for shade trees are recommended to minimize the urban heat island impacts. Consideration of native, drought resistant plants is encouraged to limit watering requirements.

Via Rail – John Walsh *(see letter below)*



VIA Rail Canada

65 Front St. West, Suite G-C021
Toronto, Ontario M5J 1E6

REAL ESTATE

7 December 2022

City of Windsor
Planning & Building Department – Development Division
350 City Hall Square West, Suite 210
Windsor, Ontario
N9A 6S1

Dear Sir/Madam:

**RE: Development Applications ZNG-010/12 & OPA156 by Maple Leaf Homes –
2800 Banwell Road**

We are in receipt of your Liaison Submission dated 21 November 2022 for the above-captioned application.

Upon our review, VIA must advise you that we are not in favour of the change in land use from Business Park to Residential in such close proximity to our freight and passenger train right-of-way due to the obvious incompatibility.

Should the City still decide to progress the subject applications, the attached noise, vibration and safety mitigation measures must be addressed for VIA's Chatham Subdivision.

In addition to the aforementioned measures, it is also noted that the sight-triangle for the Banwell Road and VIA at-grade crossing could be compromised by the proposed development despite the presence of automatic protection devices at the level crossing. Please consult with Transport Canada to ensure compliance with their regulations in this regard.

Kindly keep us informed on the progress of this application.

Yours truly,

A handwritten signature in black ink, appearing to read 'John C. Walsh'.

John C. Walsh, P.Eng.
Sr. Property Manager
Real Estate – Central Region

PRINCIPAL MAIN LINE



- A. Noise berm, or combination berm and acoustic fence, adjoining and parallel to the railway right-of-way and having returns at the ends:
- (i) Minimum total height 5.5 metres above top-of-rail.
 - (ii) Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lb/sq. ft.) of surface area.
- Note: The Railway may consider other measures recommended by an approved Noise Consultant satisfactory to the Railway.
- B. Safety setback of dwellings from the railway right-of-way to be a minimum of 30 metres in conjunction with the safety berm noted below. In the absence of a safety berm, we require a dwelling setback of 120 metres.
- C. Ground-borne vibration transmission to be estimated through site testing and evaluation to determine if dwellings within 75 metres of the Railway right-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec. RMS between 4 Hz. and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, +/- 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec. RMS on and above the first floor of the dwelling.
- D. Safety berm adjoining and parallel to the railway right-of-way with returns at the ends, 2.5 metres above grade is required despite none being required to address the Railway's noise concerns.
- E. The following clause should be inserted in all offers to purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling; "Warning: VIA Rail Canada Inc. or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). VIA will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Developer shall install and maintain at his own expense, a chain link fence of minimum 1.83 metre (6 feet) height along the mutual property line, which shall be maintained by the Owner.
- H. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of VIA Rail.
- I. Pursuant to the Planning Act, the Municipality shall provide this office of the Railway with written notice of the public meeting, by-law and passing of the by-law appropriately zoning the lands hereby proposed for subdivision.
- J. The Owner enter into an Agreement stipulating how VIA Rail's concerns will be resolved and will pay VIA Rail's reasonable costs in preparing and negotiating the agreement.

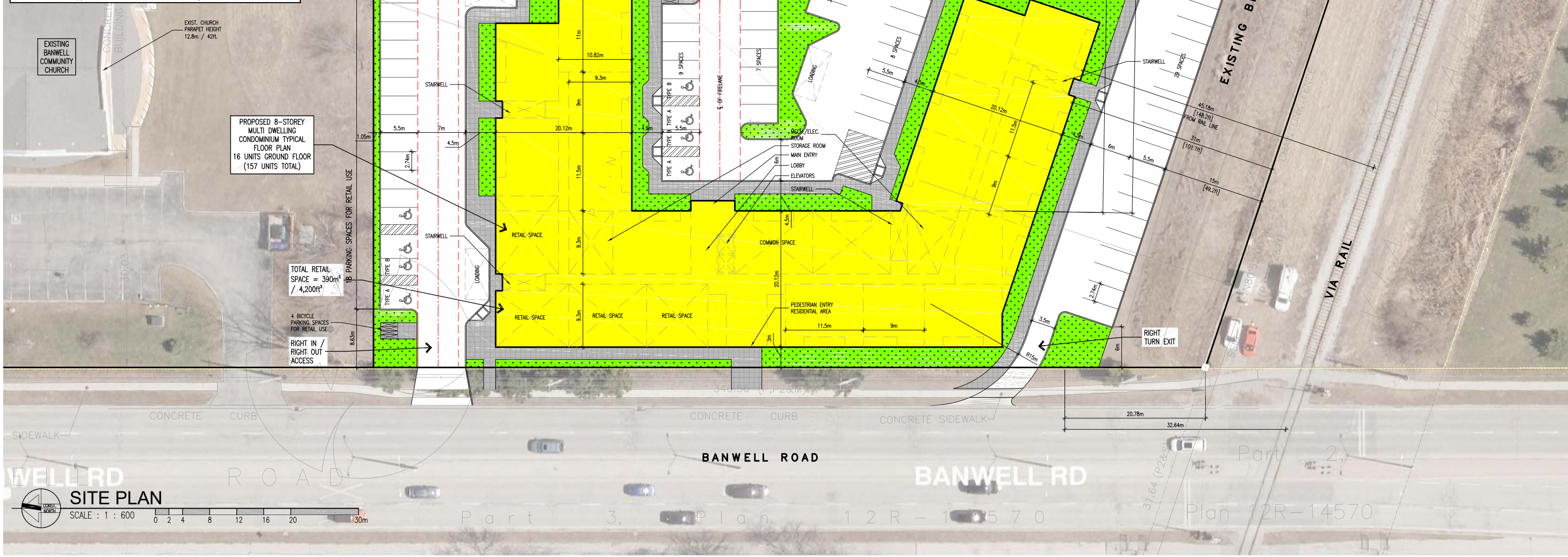
ITEM	SITE DATA MATRIX	OBC REFERENCE	
1	PROJECT DESCRIPTION PROPOSED MULTI-USE, MULTI-STORY RETAIL / RESIDENTIAL DEVELOPMENT 2800 BANWELL ROAD, WINDSOR, ONT.	<input checked="" type="checkbox"/> PART 3 <input type="checkbox"/> PART 9 <input type="checkbox"/> PART 11	
2	ZONING DESIGNATION: MD1.4		
3	EXISTING LAND USE: VACANT		
4	MAJOR OCCUPANCY(S): RESIDENTIAL / RETAIL		
5	BUILDING CLASSIFICATION: GROUP XXXXX, DIVISION XXXXX 3.2.2.XX		
6	SITE AREA	GROSS AREA	
	EXISTING: ±12,960 m ²	EXISTING: 0.0 m ²	EXISTING: 0.0 m ²
	PROPOSED: ±12,960 m ²	PROPOSED: 2,455.6 m ²	PROPOSED: 19,644.8 m ²
7	LOT COVERAGE	MINIMUM LOT WIDTH	BUILDING HEIGHT
	MAXIMUM: XX.X %	REQUIRED: XXX.X m	MAXIMUM: XXX.X m
	PROVIDED: 18.9 %	PROVIDED: 122.9 m	PROVIDED: XXX.X m
8	MINIMUM FRONT YARD DEPTH	MINIMUM REAR YARD DEPTH	MINIMUM SIDE YARD DEPTH
	REQUIRED: XXX.X m	REQUIRED: XXX.X m	REQUIRED: XXX.X m
	PROVIDED: 20.0 m	PROVIDED: 9.7 m	PROVIDED: 15.4 m
9	USE CLASSIFICATION:		
	VEHICLES SPACES (MIN. 2.5m x 5.5m)	BICYCLE SPACES (0.6m x 2.5m)	LOADING SPACES (3.5m x 7.5m)
	EXISTING: 0 SPACES	EXISTING: 0 SPACES	EXISTING: 0 SPACES
	PROPOSED: 226 SPACES	PROPOSED: SPACES	PROPOSED: 3 SPACES
	REQUIRED: 214 SPACES	REQUIRED: 12 SPACES	REQUIRED: 3 SPACES
	TOTAL: 226 SPACES (INCLUDING ACCESSIBLE)	TOTAL: 12 SPACES	TOTAL: 3 SPACES
	ACCESSIBLE TYPE A	ACCESSIBLE TYPE B	VISITOR
	EXISTING: 0 SPACES	EXISTING: 0 SPACES	EXISTING: 0 SPACES
	PROPOSED: 3 SPACES	PROPOSED: 3 SPACES	PROPOSED: 30 SPACES
REQUIRED: 3 SPACES	REQUIRED: 2 SPACES	REQUIRED: 30 SPACES	
TOTAL: 3 SPACES	TOTAL: 3 SPACES	TOTAL: 30 SPACES	
10	LANDSCAPED AREA	CURBING LENGTH	SCREENING FENCE LENGTH
	EXISTING: 0 m	EXISTING: 0 m	EXISTING: 0 m
	PROPOSED: 3,590.8 m	PROPOSED: XXX.X m	PROPOSED: XXX.X m
TOTAL: 3,590.8 m	TOTAL: XXX.X m	TOTAL: XXX.X m	

SUITE COUNT			
FLOOR	1 BED	2 BED	TOTAL
GROUND	4	12	16
2ND-6TH	5/FLOOR	18/FLOOR	115
7TH-8TH	3/FLOOR	10/FLOOR	26
TOTAL	35	122	157 SUITES

Should archaeological deposits be found during construction activities, all work in the area must stop immediately and the City's Manager of Cultural Affairs and the Ontario Ministry of Tourism, Culture and Sport must be notified, and clearance given by the Ministry.

In the event that human remains are encountered during construction, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Ontario Ministry of Tourism, Culture and Sport and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Services must then be notified, and clearance be given by the Ministry of Tourism, Culture and Sport.

A building shall not be located beneath existing above ground electrical conductors. Where a building is to be constructed in proximity to above ground electrical conductors, horizontal clearances between buildings and conductors shall comply with Subsection 3.1.19. of the Ontario Building Code.



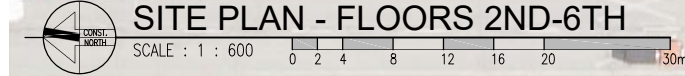
date:	DEC. 2021
comm. no.:	2022-012
dwg. no.:	A1.0a
title:	SITE PLAN
drawn by:	TC
checked by:	SMB / TC
project:	PROP. MULTI-STORY RETAIL/RESIDENTIAL DEVELOPMENT 2800 BANWELL ROAD, WINDSOR, ONT.
client:	MAPLELEAF HOMES
1670 mercer street windsor ontario canada n8x 3p7 ph 519.254.3430 fax 519.254.3642 email: info@ada-architect.ca www.ada-architect.ca	
architectural inc. architects design associates	



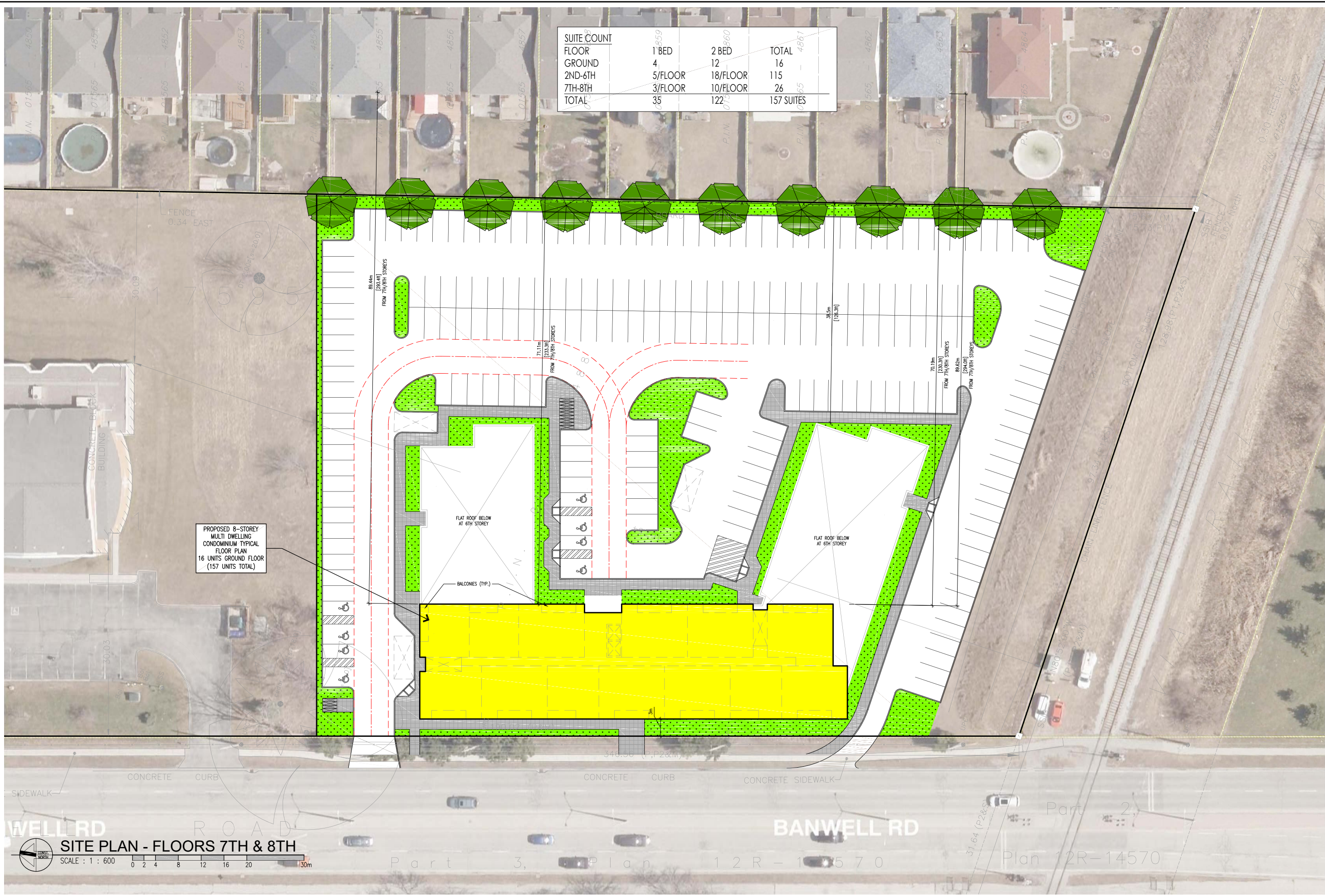
SUITE COUNT			
FLOOR	1' BED	2 BED	TOTAL
GROUND	4	12	16
2ND-6TH	5/FLOOR	18/FLOOR	115
7TH-8TH	3/FLOOR	10/FLOOR	26
TOTAL	35	122	157 SUITES

PROPOSED 8-STORY
MULTI DWELLING
CONDOMINIUM TYPICAL
FLOOR PLAN
16 UNITS GROUND FLOOR
(157 UNITS TOTAL)

WELL RD
SITE PLAN - FLOORS 2ND-6TH



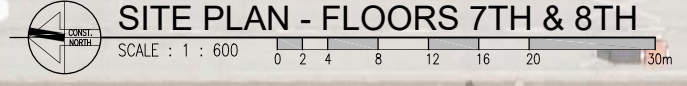
	1670 mercer street windsor ontario canada n8x 3p7 ph 519.254.3430 fax 519.254.3642 email: info@ad-architect.ca www.ad-architect.ca	project: PROP. MULTI-STORY RETAIL/RESIDENTIAL DEVELOPMENT 2800 BANWELL ROAD, WINDSOR, ONT.	title: SITE PLAN FLOORS 2ND TO 6TH	date: DEC. 2021
	client: MAPLELEAF HOMES	drawn by: TC	comm. no.: 2022-012	checked by: SMB / TC



SUITE COUNT			
FLOOR	1 BED	2 BED	TOTAL
GROUND	4	12	16
2ND-6TH	5/FLOOR	18/FLOOR	115
7TH-8TH	3/FLOOR	10/FLOOR	26
TOTAL	35	122	157 SUITES

PROPOSED 8-STORY MULTI DWELLING CONDOMINIUM TYPICAL FLOOR PLAN 16 UNITS GROUND FLOOR (157 UNITS TOTAL)

WELL RD
SITE PLAN - FLOORS 7TH & 8TH



	1670 mercer street windsor ontario canada n8x 3p7 ph 519.254.3430 fax 519.254.3642 email: info@ad-architect.ca www.ad-architect.ca	project: PROP. MULTI-STORY RETAIL/RESIDENTIAL DEVELOPMENT 2800 BANWELL ROAD, WINDSOR, ONT.	client: MAPLELEAF HOMES	title: SITE PLAN FLOORS 7TH & 8TH	date: DEC. 2021
	drawn by: TC	checked by: SMB / TC	comm. no.: 2022-012	dwg. no.: A1.0C	



LOOKING EAST FROM BANWELL RD.



LOOKING NORTH-EAST FROM BANWELL RD.



LOOKING WEST FROM RESIDENTIAL DEVELOPMENT



2300

SENSE

LOOKING SOUTH-WEST WITHIN DEVELOPMENT



2800

SIGNAGE

SIGNAGE

SIGNAGE

SIGNAGE

2800

LOOKING SOUTH-EAST FROM BANWELL



LOOKING NORTH-WEST WITHIN DEVELOPMENT

Excerpts from Reports / Studies received from the Applicant.

A. ROAD & RAIL TRAFFIC and STATIONARY NOISE IMPACT STUDY by JJ Acoustic Engineering Ltd., dated Oct. 24, 2022, Revised Jan. 10, 2023

The Study was prepared consistent with Ontario Ministry of the Environment, Conservation and Park (MOECP NPC 300, “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning” dated August 2013.

This Study has determined that the potential environmental noise impact from road and rail traffic noise is significant. The proposed development will need the following: a requirement for central air-conditioning, noise warning clauses and special building components. Road traffic noise control requirements for the Site were determined based on road traffic volumes provided by the City of Windsor (City) and forecasted to 10 years from the date of this study.

RECOMMENDED NOISE WARNING CLAUSES IN SECTION 2 OF THE STUDY

Warning Clause D: "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Rail Warning Clause: “Warning: Via Rail or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Via will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

6. Recommendations

The road/rail traffic noise impacts were above the NPC 300 requirements. Noise mitigation measures include:

- Warning Clause Type D for all façades.
- Rail Warning Clause for all façades.
- Requirement for Air Conditioning for the entire building.
- A minimum of STC 28 is required for all exterior glazing for the North façade.
- A minimum of STC 31 is required for all exterior glazing for the East façade.
- A minimum of STC 34 is required for all exterior glazing for the South façade.
- A minimum of STC 32 is required for all exterior glazing for the West façade.

The stationary noise impacts from/to the site were evaluated and the sound level predictions were determined to be below the noise limits for all façades.

7. Conclusions

The results of this Study indicate that the potential environmental impact from road and rail traffic noise sources is significant. Mitigation measures will be required including ventilation requirements, special building components and noise warning clauses for each unit.

B. TRAFFIC IMPACT STUDY & PARKING BRIEF, by RC Spencer Associates Inc., Oct. 2022

CONCLUSIONS AND RECOMMENDATIONS

Maple Leaf Homes Ltd. is proposing an eight-storey residential building, with 4200 sq. ft. of first-floor commercial space, to infill 3.2 acres of property recently severed by Banwell Community Church, at 2400 Banwell Road, in Windsor, Ontario. The developer is proposing a total of approximately 218 parking spaces, including eight accessible parking spaces, to service the proposed residential units and retail area. A right-out site egress is proposed at Banwell Road towards the south end of the site (approximately 43m north of the existing rail line) and a right-in-right-out access is proposed at the north end of the site (approximately 20m south of the existing right-in-right-out site access at Banwell Community Church); the subject property will not be interconnected with the church property.

Using recently obtained traffic data and the best available trip generation and distribution methodologies, an analysis was completed to measure the potential operational impact of the proposed development on area traffic operations.

Upon completion of the analysis, it was concluded that:

- Trip generation is very low (approximately one additional vehicle per minute in the critical peak hours); the level of service metrics suggest that the proposed development will have a nominal impact on traffic operations at the intersection of McNorton Street / McHugh Street at Banwell Road;
- All accesses to and from the proposed development pose no undue hazard to area traffic operations; sight lines are clear and safe for right-turn egress at Banwell Road;
- The proposed supply of 218 parking spaces should adequately accommodate the proposed 157 residential units and 4,200 sq. ft. of retail space; the developer's proposed parking supply is consistent with the City's zoning bylaw requirements and is aimed at encouraging increased use of sustainable active transportation and transit options.

Therefore, based on the results of the technical work, it is the engineers' opinion that the proposed development will not adversely impact area traffic operations.

C. **SPECIES AT RISK IMPACT ASSESSMENT**, by Insight Environmental Solutions Inc, Oct. 5, 2022

It is highly unlikely that the SAR turtle species listed by the ORAA would be found within the project area or adjacent lands within 120m. The property does not contain any permanent hydrological features that support the foraging or hibernation habitat of turtles.

As the proposed severance area consists of mown lawn with scattered trees, it does not contain any suitable breeding or overwintering habitat for snakes. A Research Grade record of Eastern Foxsnake was documented on I-naturist within the agricultural drains found on adjacent lands. As such, it is possible that this species could incidentally utilize the subject property and proper mitigation measures for this species should be implemented during the construction phase (**Section 6.0**)

6.0 MITIGATION TO REDUCE IMPACTS TO SPECIES AT RISK AND THEIR HABITAT

The subject property contains poor quality habitat to support the breeding or life processes of the SAR discussed in this report. However, due to the proximity of Parent Relief Drain/Parent Outlet Drain and Research Grade record of an Eastern Foxsnake within this drain from i-Naturalist, it is possible that SAR snakes may incidentally be present within the vicinity of the project area. As such the following mitigation measures are recommended:

- 1) All on-site personnel must be made aware of the potential presence of SAR snakes and SAR turtles, including Eastern Foxsnake and Butler's Gartersnake.
- 2) Temporary reptile exclusion fencing can be used to exclude reptiles from the worksite. It is recommended that netting type erosion control measures not be used for this project. An alternative product such as Curlex Netfree® blanket or the use of riprap over geotextile fabric should be used for erosion control to prevent entanglement of SAR snakes.
- 3) Snake exclusion fencing should be installed following the recommendations of the Species at Risk Branch Best Technical Note: Reptile and Amphibian Exclusion Fencing (2013) document.
- 4) Construction machinery and equipment that is left idle for over 1 hour or is parked overnight on the property between April 1st to November 30th must be surveyed for the presence of SAR snakes before (re)ignition. This visual examination should include all lower components of the machinery, including operational extensions and running gear.
- 5) Any SAR individual that is present on the property should be reported to the Ministry of Environment, Conservation and Parks (MECP) within 48 hours of the observation or the next working day, whichever comes first.
- 6) If an SAR snake is incidentally encountered, the snake must be allowed to disperse from the project site under its own ability, and project machinery and equipment must maintain a minimum operating distance of 30 meters from the individual. MECP must be contacted if this cannot be done.
- 7) If an injured or deceased SAR is found, the specimen must be placed in a non-airtight container maintained at an appropriate temperature and MECP staff must be contacted immediately.

7.0 CONCLUSION

Based on Species at Risk information gathering efforts and review of aerial photography by Insight Environmental Solutions Inc., it is argued that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.

Insight Environmental Solutions Inc. trusts that the material presented in this report will satisfy the requirements to move forward with the proposed activities. The data and conclusions contained in this letter are based upon work performed by qualified professionals in accordance with accepted scientific methods and protocols. The information should be interpreted and implemented only in relation to the specific project as identified. This report was prepared on behalf of Architectural Design Associates Inc., and the undersigned accepts no responsibility for future use by other parties.

APPENDIX G

DRAFT

AMENDMENT NO. 156

TO THE

OFFICIAL PLAN

CITY OF WINDSOR

Part D (Details of the Amendment) of the following text, and attached map of the City of Windsor Official Plan constitute Amendment No. 156.

Also included, but not constituting part of the Amendment, are explanations of Purpose, Location, Background and Implementation of the Amendment, Appendix I (Results of Public Involvement)

A. PURPOSE:

The primary purpose of this recommended amendment is to allow residential use on the 1.295 hectares land on the northeast corner of VIA Rail and Banwell, designated as PART 2 on Plan 12R-29004, by converting the subject employment land to a non-employment designation that would permit residential use and allow the development of a multi-storey, multi-unit dwelling south of the existing church building. The secondary purpose is to allow a mixed-use development containing commercial and residential uses on PART 2, Plan 12R-29004.

B. LOCATION:

The amendment applies to the 1.295 ha land abutting the VIA Rail corridor, located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor, described as Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004.

Ward: 7

Planning District: East Riverside

ZDM: 15

C. BACKGROUND:

The subject land is designated Business Park on Schedule ER-2: Land Use Plan, Secondary Plan for East Riverside Planning Area, OP Vol. 2. The Business Park designation in the East Riverside Secondary Plan permits some commercial uses, but does not permit Residential Use. The applicant is requesting a Mixed Use designation to permit a Residential Use along with commercial use

The applicant proposes to change the land use designation of the 1.295 ha land abutting the VIA Rail Corridor (designated as PART 2 on Plan 12R-29004), from Business Park to Mixed Use to permit Residential and commercial uses on the property. The East Riverside Planning District has one Mixed Use designation and it is the “Banwell Road Mixed Use Corridor”. The policies of the Banwell Road Mixed Use Corridor permit the residential and commercial uses, but does not permit mid-block vehicular access. In addition, the Banwell Road Mixed Use designation permits a maximum building height of 4-storeys.

Consequently, the applicant also requests site-specific policies to permit (i) an increase in maximum building height from 4 storeys to 8 storeys and (ii) mid-block vehicular access along Banwell Road. The applicant is proposing an 8-storey residential building (condo development) with 157 residential units and 390m² commercial unit on the 1.295 ha land located on the northeast corner of VIA Rail and Banwell intersection. Two new mid-block vehicular access driveways are also proposed.

The recommended amendment seeks to change the land use designation from Business Park to Banwell Road Mixed Use designation. The recommended amendment will allow residential intensification on the subject land.

D. DETAILS OF THE AMENDMENT:

- I. THAT the City of Windsor Official Plan Volume II – Secondary Plan, East Riverside Planning Area **BE AMENDED** by changing the land use designation of the land located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor, described as Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, from ***Business Park to Banwell Road Mixed Use Corridor***,
- II. THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.X EAST SIDE OF BANWELL ROAD, BETWEEN MCNORTON STREET AND VIA RAIL CORRIDOR

1.X.1 The property described as Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor, is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.X.2 Notwithstanding the policy in section 2.7.5.5 of the Official Plan, Volume II, a maximum building height of 20m shall be permitted on the subject property.

1.X.3 Policy 2.7.5.6 of the Official Plan, Volume II, *Exterior Lot Line Development* shall not apply to a development on a property for which the east limit of Banwell Road is the only exterior lot line.

E. IMPLEMENTATION:

- i. Amend Schedule D: Land Use, in Volume 1: The Primary Plan to add OPA #156.
- ii. Amend Schedule A: Planning Districts & Policy Areas, in Volume 1: The Primary Plan to add as Note: Special Policy Area - **“EAST SIDE OF BANWELL ROAD, BETWEEN MCNORTON STREET AND VIA RAIL CORRIDOR”**
- iii. This amendment shall be implemented through amendment to the Zoning By-law 8600 as recommended in Report Number S 13/2023 (Z-010/22; ZNG-6701).
- iv. Site Plan Control shall be an additional implementation tool for this Official Plan Amendment (OPA #156).

APPENDIX I

The following are the results of public notification of the amendments and the outcome of public meetings. Comments relate to the Official Plan amendment and the associated rezoning.

A public meeting of the Development & Heritage Standing Committee (DHSC), the statutory meeting, was held on *(insert date later)*. Below is an extract from the minutes of the DHSC meeting.

Following the *(insert date later)* DHSC meeting, another public meeting (Council meeting) was held on *(insert date later)* as noted below.

DEVELOPMENT & HERITAGE STANDING COMMITTEE MEETING: *(insert date later)*
Extract from the minutes of the DHSC meeting

COUNCIL MEETING: *(insert date later)*

A meeting of City Council was held on *(insert date later)*, at which time the Official Plan Amendment application (File # OPA 156; OPA/6702) was considered along with the accompanying Zoning By-law Amendment application (File No. Z-010/22; ZNG/6701). The recommended OPA #156 was *(insert Council decision)* by CRxxx/2023, and the recommended amendment to the zoning by-law was *(insert Council decision)*, by the same CRxxx/2023.

APPENDIX H

B Y - L A W N U M B E R -2023

A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

WHEREAS it is deemed expedient to further amend By-law Number 8600 of the Council of The Corporation of the City of Windsor, cited as the "City of Windsor Zoning By-law" passed the 31st day of March, 1986, as heretofore amended:

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. By-law Number 8600 is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of the by-law and made part thereof, so that the zoning district symbol of the lands described in Column 3 shall be changed from that shown in Column 5 to that shown in Column 6:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	15	Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor	156	MD1.4	HCD2.2

2. That subsection 1 of Section 20, of said by-law, is amended by adding the following paragraph:

“H460 EAST SIDE OF BANWELL ROAD, BETWEEN MCNORTON STREET AND VIA RAIL CORRIDOR

For the land comprising Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, a *Combined Use Building* is subject to the following additional regulations:

- a) Sections 15.2.5.4 and 15.2.5.15 of by-law 8600 shall not apply;
- b) The following additional provisions shall apply:
 - .3 Lot Coverage – maximum - 35%
 - .4 Building Height – maximum - 20.0 m
 - .5 Front Yard Depth – minimum - 6.0 m
 - .6 Building Setback – minimum

From the *rear lot line* to the nearest part of the building

 - (a) 10m or less in height - 7.5 m
 - (b) Above 10m in height - 22.5 m
 - .8 Landscape Open Space Yard – minimum - 35% of *lot area*
 - .13 Dwelling Unit Density – dwelling units per hectare – maximum - 110 units per ha
 - .90 A *parking space* is prohibited in any *front yard* and within that section of the required *rear yard*, 2.5m from the rear lot line.
 - .95 A new mid-block vehicular access is prohibited along the east limit of Banwell Road, between McNorton and the VIA Rail Corridor.
- c) Non-residential use shall have a minimum gross floor area of 350 m² and shall be located at street level along the west wall of the building fronting onto Banwell Road;
- d) A minimum separation of 30.0 m shall be maintained between the railway right-of-way and a residential, commercial, institutional or recreational *use*;
- e) An earth berm having a minimum height of 2.50 m and slopes of 2.5 to 1 or greater, shall be constructed continuously adjacent to the common boundary line between the lot and the railway right of way and maintained in good practice; and

- f) A chainlink fence having a minimum height of 1.830 m shall be erected continuously along the common boundary line between the lot and the railway right-of-way.
[ZDM 15; ZNG/6701]

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Section 1, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	15	Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor.	156	S.20(1)H460

4. That the holding (H) symbol BE REMOVED when the applicant/owner submits an application to remove the holding (H) symbol and the following conditions are satisfied:
- (a) The applicant/owner submit a water servicing report for the subject development, to the satisfaction of the City Engineer and ENWIN Ltd.;
 - (b) The applicant/owner obtain any required easement(s) associated with water servicing access from existing watermain on McNorton Street or Tranquility Avenue, per the recommendations contained in the water servicing report; and
 - (c) The applicant/owner obtain easement(s) for vehicular access through the northerly lands containing the existing church building.

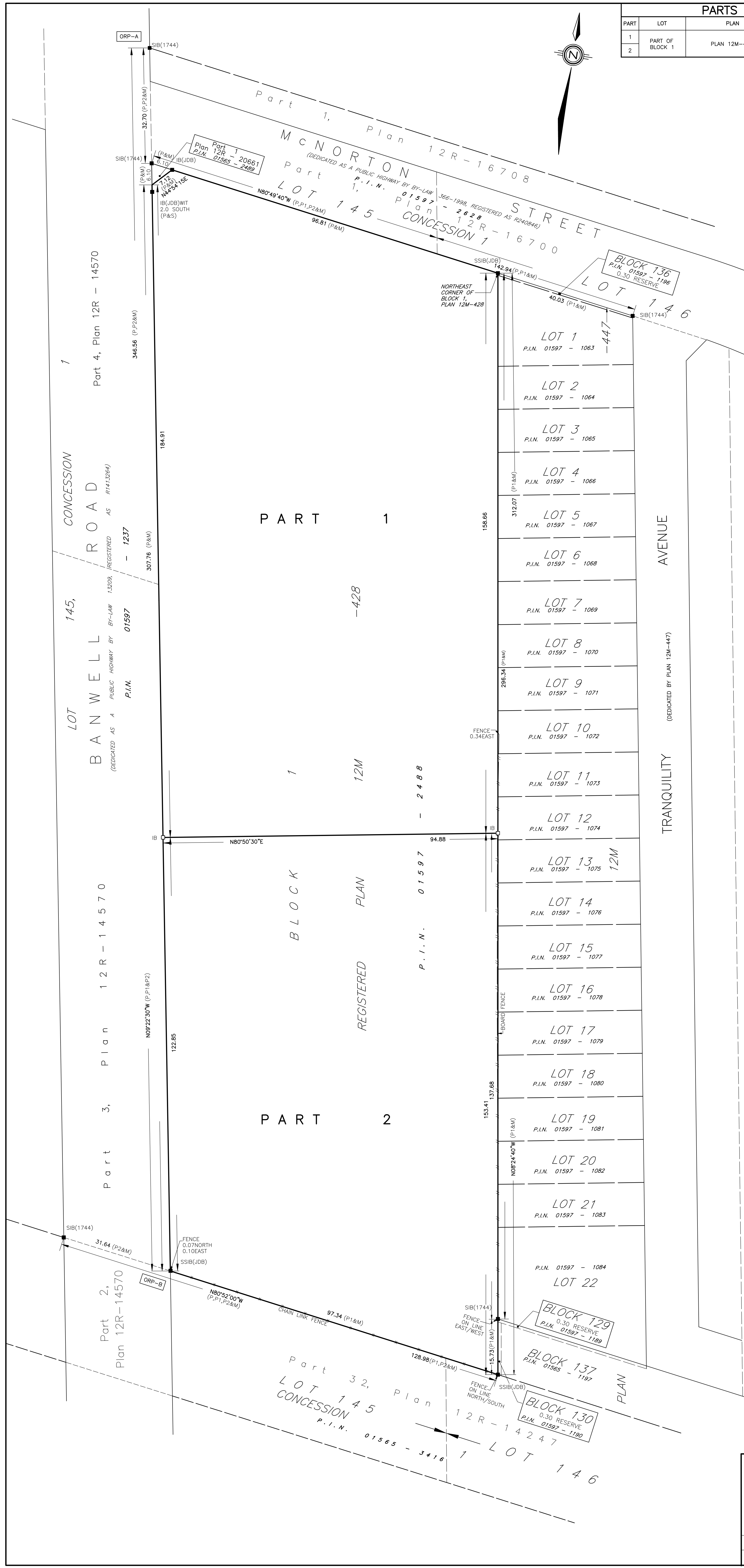
DREW DILKENS, MAYOR

CLERK

First Reading - , 2023
Second Reading - , 2023
Third Reading - , 2023

PARTS SCHEDULE				
PART	LOT	PLAN	P.I.N.	AREA
1	PART OF BLOCK 1	PLAN 12M-428	ALL OF 01597-2488	1.683 Ha.
2				1.295 Ha.

PLAN 12R-29004
 Received and deposited
 May 4th, 2022
 Christopher Holloway
 Representative for the
 Land Registrar for the
 Land Titles Division of
 Essex (No.12)



PLAN OF SURVEY
 OF
 PART OF BLOCK 1
 REGISTERED PLAN 12M-428
 IN THE
 CITY OF WINDSOR
 COUNTY OF ESSEX, ONTARIO
 VERHAEGEN LAND SURVEYORS

SCALE = 1:500
 0 5.00 10.00 20.00 30.00 50.00 METRES
 THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 915mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500

"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS) (2010.0).
 DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999879.

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- WIT DENOTES WITNESS
- M DENOTES MEASURED
- S DENOTES SET
- L DENOTES PERPENDICULAR
- D DENOTES DEED
- OU DENOTES ORIGIN UNKNOWN
- ORP DENOTES OBSERVED REFERENCE POINT

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

- (P) DENOTES PLAN
- (JDB) DENOTES J.D. BARNES LIMITED
- (1744) DENOTES VERHAEGEN LAND SURVEYORS
- (S/P) DENOTES SET PROPORTIONALLY
- (P1) DENOTES PLAN 12R-20661
- (P2) DENOTES PLAN 12M-428
- (1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
- (O) DENOTES ORIGIN UNKNOWN
- (P1) DENOTES PLAN 12M-447

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
 COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	N4686745.71	E343268.30
ORP-B	N4686403.84	E343324.77

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISON, A ROTATION OF 01°01'30" CLOCKWISE WAS APPLIED TO (P), (P1) AND (P2) TO CONVERT TO GRID BEARINGS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE 12th DAY OF APRIL, 2022.

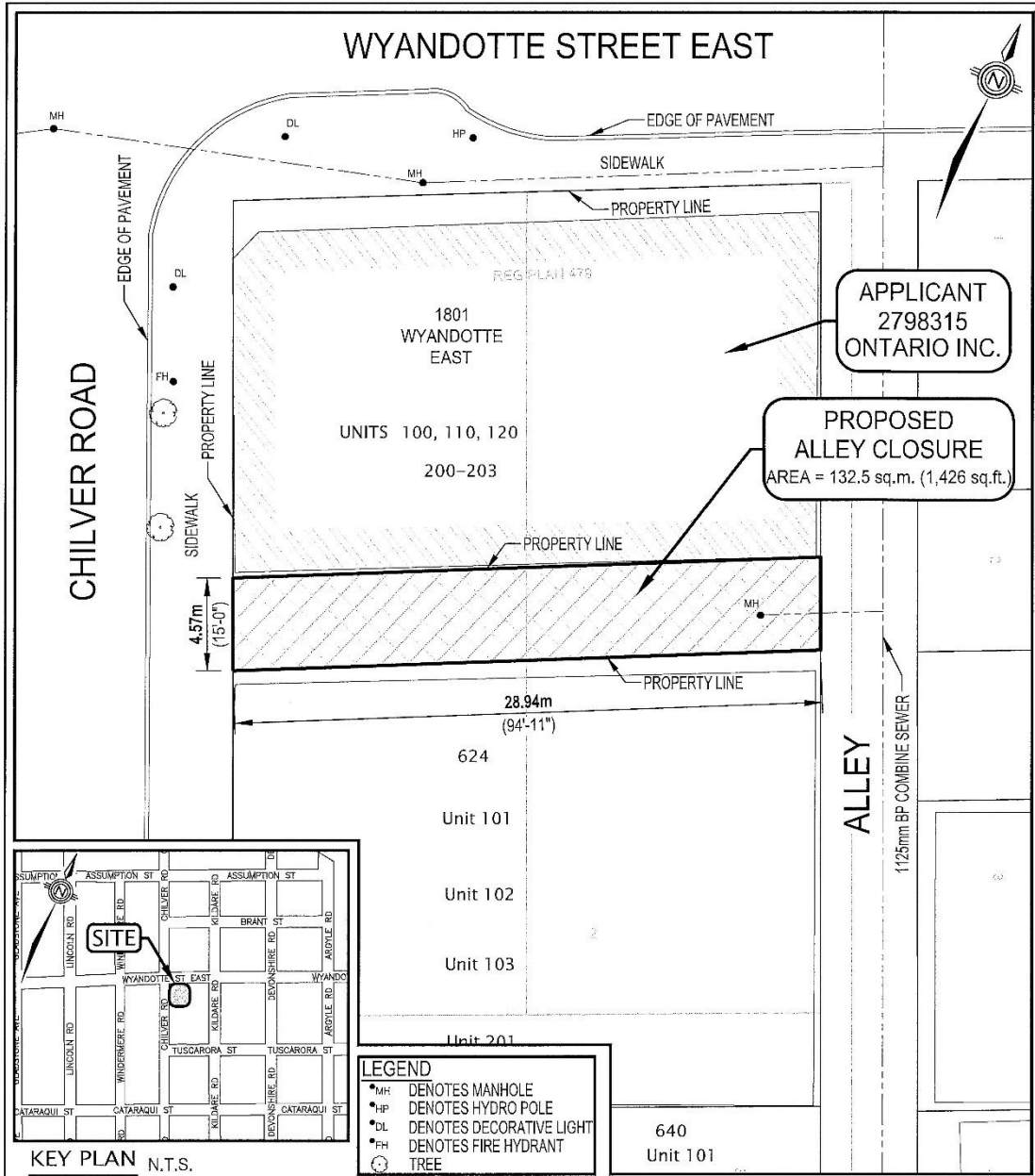
DATE APRIL 28, 2022
 Roy A. Simone
 ROY A. SIMONE
 ONTARIO LAND SURVEYOR

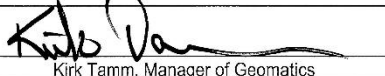
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2163239.

VERHAEGEN SURVEYING
 LAND SURVEYORS MAPPING
 A Division of GIS
 J. D. Barnes Limited
 944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
 T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: A.J.M.	CHECKED BY: R.A.S	REFERENCE NO.: 21-47-629-01
FILE: E-12M-428-BLOCK 1		CAD Date: April 28, 2022 1:53 PM CAD File: 21-47-629-01.dwg

APPENDIX "A"
Drawing No. CC-1821



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT Proposed Closure Of The East/West Alley Abutting 1801 Wyandotte St. East Between Kildare Rd And Chilver Rd And North Of Tuscarora St.			
 Kirk Tamm, Manager of Geomatics	SCALE: 1:250	DATE: NOVEMBER 2022	REVISED: -
	DWN BY: GP	CHKD BY: PJU / MM	REVISION NO.: -
			DWG. NO. CC-1821

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6884)

1:1,000

APPLICANT : 2798315 ONTARIO INC

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: OCTOBER, 2022



APPENDIX "C"**Consultations with Municipal Departments and Utility Companies****BELL CANADA WSP**

Bell Canada requests easement protection for existing aerial facilities. Requested easement width is 1.5m on either side of aerial structure for a total of 3m to span the length of the closure area.

[Charleyne Hall, Manager, Bell Canada External Liaison]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing to close the E/W alley abutting 1801 Wyandotte St. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing has been attached for reference.

Please Note:

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

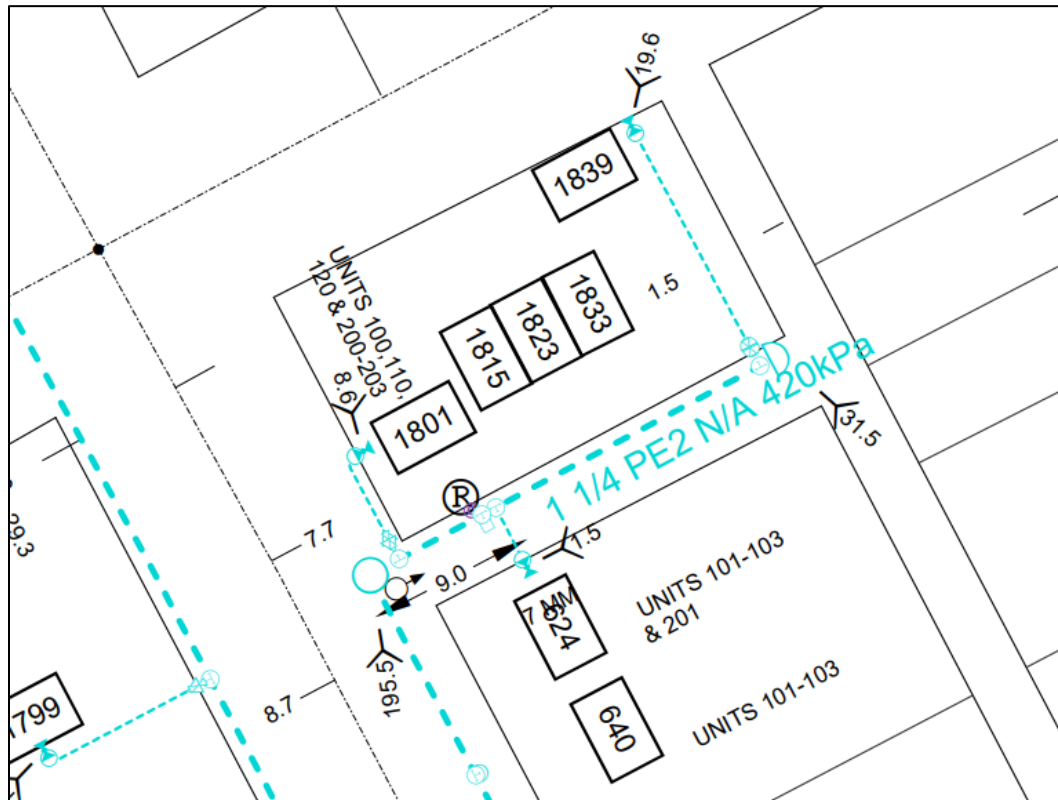
Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead

- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

[Jose Dellosa, Drafter Estimator]



ENVIRONMENTAL SERVICES

November 25, 2022

There are two different type of collection in this alley: City collection and Private collection. For the City collection we have set everything up to collect on Chilver, so from our perspective there is no longer any objection to the alley closing. However, I have no jurisdiction on the private collection. Those businesses will need to contact their contractor to advise of the location change (your blue area below). The North/South alley has a tight exit on to Wyandotte, but in my opinion it should not be an issue for the private sector collection.

September 12, 2022

In terms of waste collection, we do collect in the E/W alley. However, it may be possible to move collection to Chilver. We would have to look at it a bit more closely, and the abutting homeowners/businesses would need to be made aware of that requirement. There may be opposition to such a move on their part.

[Anne-Marie Albidone, Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

If no open alley exists, we will require a minimum 10 ft wide easement (5 ft each side of the pole line) to accommodate the pole, anchors and existing overhead plant.

Also, please note communications may also require easements (i.e.: Bell, Cogeco)

[Jeremy Allossery, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting CD2.2, \$20.00 per sq/ft without easements and \$10.00 per sq/ft with easements.

[Denise Wright, Lease Administrator]

MNSi

MNSi requires an aerial easement through the subject lands.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

Parks D&D has no comments for this SAA/6884 LIAISON.

[Sherif Barsom, Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objections from a landscape architectural perspective

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject alley to be closed is approximately 30 m long, 4 m wide, and composed of asphalt. A 300 mm diameter vitrified clay combined sewer runs underneath the east portion of the alley. There is a combined sewer manhole within the proposed closure area. If the alley closure is approved, an easement will be required over the municipal sewer. The alley drains to a catch basin in the center of the alley. If the alley is closed, the catch basin and lead pipe will be owned and maintained by the new property owner. Drainage must be maintained by the future owner. There is a hydro pole within the alley, an easement will also be required for utilities. There is a driveway approach at the west end of the subject closure. A permit will be required by the property owners to keep and maintain the driveway approach or to remove the redundant approach off Chilver Road to City Standards. There are multiple garbage and recycling bins in the alley. If the alley is closed, the property owner(s) will need to work with WDS to determine how garbage can be collected at the curb. The subject alley is deemed indispensable by CR 146/2005; however, Public Works has no concerns if the alley is closed subject to the easements and the conditions noted above.

[Adam Pillon, Manager of Right-of-Way]

PUBLIC WORKS - OPERATIONS

September 12, 2022

In addition to what you have mentioned below regarding utilities, sewers, garbage pick up etc., there are quite a few properties that use the rear for parking including 621 Kildare. Are they looking to "close" the north/south portion of the alley or the east/west portion? Either way, it does not appear that it is feasible at this time.

September 13, 2022

If it is the East/West portion, a sewer easement would be required and drainage of the existing portion of the alley would need to be maintained or suitably altered.

[Roberta Harrison, Coordinator Maintenance]

PUBLIC WORKS - TRAFFIC

There is one overhead door at the rear of 1801 Wyandotte. However since this unit belongs to the requestor, there are no objections.

There are many garbage cans and larger metal garbage bins which may end up being displaced to the north/south alley, and cause access issues. Should consider a contingency for No Parking signs as delivery vans were observed using the east/west alley at time of visit.

The existing curb cut and apron would need to be removed and new barrier curb installed. If alley is closed, corner clearance should be reviewed.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

TELUS has no underground infrastructure in the area of your proposed work.

[Meghna Patel, Permit Coordinator]

TRANSPORTATION PLANNING

No objections for the proposed closure.

[Shannon Deehan, Transportation Planner]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this section of alley within the Walkerville neighbourhood to permit use of the space for a building expansion or patio area. The alley in question is a paved laneway currently accessible to vehicular traffic but its closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area. The closure will still leave other options available to the police for such purposes. To ensure the space can be established and then more importantly maintained in a safe condition, appropriate lighting should be considered that allows ongoing visibility of the space during night time conditions. The end result from this closure will create an area of enhanced positive activity generation (a core principle of good CPTED - crime prevention through environmental design) that supports public safety.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (September 14, 2022)

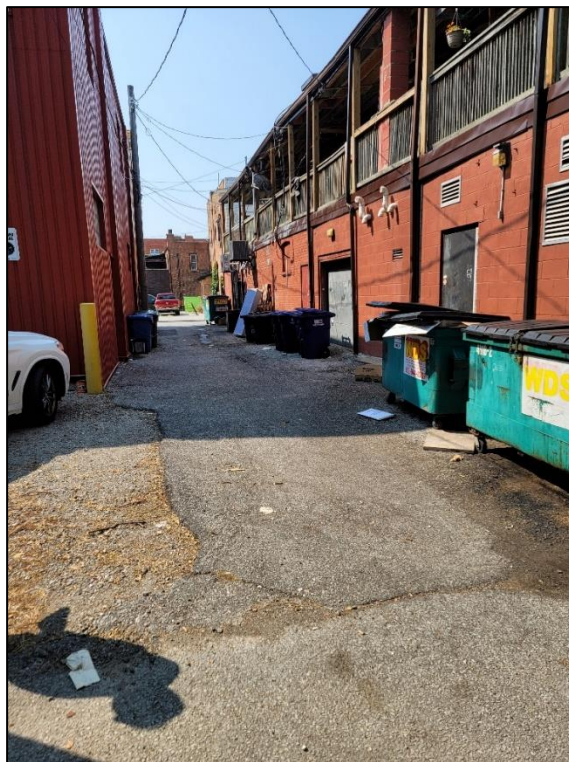


Figure 1 - Alley looking west towards Chilver Road (1801-1833 Wyandotte Street East on right)

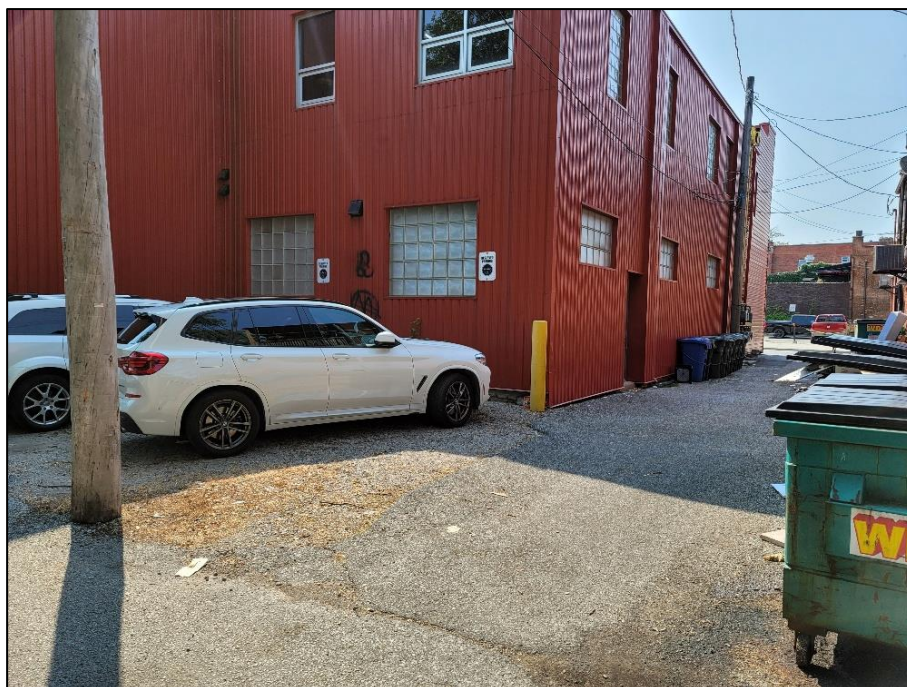


Figure 2 - Alley looking west towards Chilver Road (624-634 Chilver Road on left)



Figure 3 - Alley looking west towards Chilver Road (1801-1833 Wyandotte Street East on right)



Figure 4 - Catchbasin within alley (1801-1833 Wyandotte Street East on left)



Figure 5 - Alley looking north towards rear exit of Kona Sushi restaurant at 1801 Wyandotte Street East



Figure 6 - Looking east towards alley from Chilver Road (616 Chilver Road on left)



Figure 7 - Looking east towards alley from Chilver Road (1801-1833 Wyandotte Street East on left)

APPENDIX "E"

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

Currently streets and alleys fall into four classifications on the basis of their usefulness:

- 1) Alleys that are **indispensable**. These would be alleys serving commercial properties and properties fronting on heavily traveled streets i.e. major arterial routes and alleys which contain sewers and must remain accessible for servicing; alleys or streets which serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive; and, alleys which contain Fire Department connections that are deemed to be necessary for firefighting access.
- 2) Alleys that, **have some usefulness**, are nevertheless dispensable and may or may not be a complete liability.
- 3) Alleys that appear to serve **no useful purpose**, either now, or anticipated. Such alleys are in residential areas and locations where generally the lots are wide enough for side drives, or those alleys abutting parks and other parcels of land that do not require any servicing from the alley. Remnant or stub-end streets which are dead-ended and do not serve as access to other streets.
- 4) Alleys lying in Holding zones and other similar undeveloped areas where the alley system is **clearly obsolete** and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent.

Suitability for Closing:

Following are the criteria and suitability for closing alleys in each of the above classifications.

- 1) Indispensable alleys should **not be closed**, conveyed, reduced or otherwise jeopardized through minority interests unless a suitable substitute alley is opened in lieu thereof. They are essential from the viewpoint of fire protection, police protection, emergency services (i.e. ambulance) and loading or unloading of goods, refuse collection, servicing of blocked sewers and utility services. Without such alleys, the above noted services would at least be more costly if not impossible to complete or adequately access; and would noticeably interfere with street traffic, thereby reducing the access capacity of the adjacent arterial, collector, or street for business.
- 2) Alleys having some usefulness should **be considered for closing** only upon request of abutting owners rather than by encouragement of the City.
- 3) Alleys that serve no useful purpose should **be closed** if at all possible, and in fact the owners abutting thereon should be encouraged to accept conveyance.
- 4) Alleys that are clearly obsolete should **not be closed** unless there is a municipal need or specific development proposals acceptable to the City are submitted.

DRAINAGE REPORT & PLAN. 5TH CON. DRAIN
FARMER TWP. SAN-SOUTH.

To the Reeve and municipal councillors of the township of Sandwich South, Gentlemen.

In accordance with instructions from your honorable body I have examined and made a survey of the 5th concession drain and cutoff branch in your township and beg to report thereon as follows.

I find that the main drain in its present condition is not deep enough to give ample drainage to the lands depending on same for an outlet. I also find that the cutoff branch is badly filled and grown up with brush and weeds and in need of improvement.

I also find that the East end of the Lennon drain in the township of Sandwich West is badly filled up with earth, weeds brush and rubbish for 30 rods West of Howard avenue to where the ditch is clean and has a good fall.

I also find that the pipes under the tracks of the W.E. & L.S.R.R. Co's right of way on the 6th concession road and also on the North townline are not sunk deep enough so as not to cause a block to the said 5th concession drain.

I therefore recommend that the 5th concession drain and cutoff branch in the township of Sandwich South and also 30 rods on the East end of the Lennon drain in the township of Sandwich West be cleaned out and otherwise improved. Said improvement to be made in strict accordance with the profile and specifications of same attached hereto.

I also recommend that a 12 inch tile drain be sunk in the bottom of the said 5th concession drain on Howard avenue from the North townline South 1330 feet to where said 5th concession drain crosses said Howard avenue. Said tile drain to be constructed in accordance with the profile and specifications of same attached hereto.

I also recommend that the pipes under the W.E. & L.S.R.R. Co's right of way on the 6th concession road and also on the North townline be lowered at least 12 inches. I estimate the cost

of lowering said ~~pie~~ pipes, which is rendered necessary by the construction and operation of said railway at the sum of \$150.00. This sum I have assessed against the Essex, Windsor & Lake Shore Rapid Railway Company to be born and paid by it; in case it does not exercise its option to lower the said pipes within a reasonable time and without any unnecessary delay.

I have in the estimates provided \$186.40 to pay for damages (if any) caused by spreading the earth on lands and crops. I have also provided \$133.00 to pay for moving and putting back fences and also \$65.00 to pay for road bridges all to be paid as given on the said specifications.

I find the cost of cleaning out and improving said drains all works connected therewith and all expenses, together with the sum of ~~330.~~ \$339.32 which this drain owes the township of Sandwich South, to be \$2909.00 of this amount I have assessed the roads in the township of Sandwich South for benefit with the sum of \$498.65 and for outlet for the waters from said roads with the sum of \$294.10. The lots and parts of lots that will in any way be affected by said improvement I have assessed for benefit with the sum of \$1245.45 and for outlet for the waters from said lands with the sum of \$720.80, all as is set forth in the schedule of assessments attached hereto.

This drain shall be kept in repair by a tax on the lots and parts of ~~2~~ lots and roads now assessed in accordance with the Municipal Drainage Act.

All of which is respectfully submitted.

Sgd.



Engineer

Essex, July, 20th, 1925.

Specifications of the proposed improvement to the 5th concession drain and cutoff branch and part of the Lennon drain townships of Sandwich South and Sandwich West.

Side slopes as follows. Give the land side a 1 1/4 to 1 slope while the road side shall not be touched except to give what you deepen it a 1 1/4 to 1 slope. On the cutoff branch give the side the earth is taken out on a 1 1/4 to 1 slope; while the other side shall have a 1 1/4 to 1 slope for what you deepen it. Bottom widths on main drain and cutoff 3 feet and on Lennon drain 4 feet.

The earth taken from the said drain shall be disposed of as follows. Where the drain is on the road east the earth all in the fields keep back 5 feet from the edge of the finished drain and grade evenly over 30 feet. In passing every man's house and yard the earth shall be disposed of as will be directed by the commissioners in charge. On the cutoff branch east the earth to the opposite side to that which the fence is on keep back 5 feet from the edge of the finished drain and grade evenly over 30 feet. On the Lennon drain some of the owners requires earth for grading so the excavated material shall be disposed of as will be directed by the commissioners in charge of the repairs.

The following named owners shall receive the sums placed after their names for moving and putting back fences.

Charles Esping	6th	Pt. Lots 12-13	\$ 23.60
Mrs T. Lyons	"	S. 1/2 N. 1/2 13	\$ 4.60
Frank Lyons	"	N. 1/2 N. 1/2 13	\$ 7.60
Edward Dumouchelle	"	S. W. 1/4 14	\$ 12.20
Dr. J. M. Young	"	N. W. Pt. 14	\$ 17.40
E. C. Kenning	"	W. Pt. 15	\$ 14.40
Henry Dumouchelle	6th	E. Pt. 15	\$ 22.00
Blake Bedford	"	W. Pt. 15	\$ 23.20
Rev. J. Tulley	"	N. W. Pt. 15	\$ 2.00
Cross fences			\$ 6.00

The following named owners shall receive the sums placed after their names for damages (if any) caused by spreading the earth on lands and crops.

Charles Esping	6th	Pt.12-13	\$ 25.60
Mrs T.Lyons	"	S.1/2 N.1/2 13	\$ 4.60
Frank Lyons	"	N.1/2 N.1/2 13	\$ 7.60
Edward Dumouchelle	"	S.W.1/4 14	\$ 12.20
Dr.J.M.Young	"	N.W.Pt.14	\$ 17.40
E.C.Kenning	"	W.Pt.15	\$ 14.40
Henry Dumouchelle	5th	E.Pt.15	\$ 22.00
Blake Bedford	"	W.Pt.15	\$ 23.20
Rev.J.Tulley	"	N.W.Pt.15	\$ 2.00
Gilbert Hamlin	"	N.W.Pt.15	\$ 3.60
Ernest Dislippe	"	N.W.Pt.15	\$ 1.20
Joe Hennin	"	N.W.Pt.15	\$ 3.20
Mose Morand	"	E.Pt.N.1/2 14	\$ 27.60
Berkley Co.	1133	32-40,15,20,21	\$ 9.60
Henry Smallwood	"	31	\$ 0.60
James A.Jones	"	29,30	\$ 1.20
Dr.O.C.Baker	"	27,28	\$ 1.20
F.R.Grones	"	26	\$ 0.60
George Bates	"	25	\$ 0.60
Maggie Annal	"	24	\$ 0.60
James A.Collins	"	23	\$ 0.60
Myra Celline Moses	"	22	\$ 0.60
F.E.Brown	"	14	\$ 0.60
W.J.Turner	"	12,13	\$ 1.20
P.J.McConnell	"	10,12	\$ 1.20
J.H.Leschied	"	8,9	\$ 1.20
E.A.Archer	"	6,7	\$ 1.20
W.G.Parks	"	5	\$ 0.60
Mildred Ford	"	4	\$ 0.60
L.R.Cummings	"	1	\$ 1.80

The following named owners requires bridges to connect their lands with the travelled portion of the highway.

Charles Esping	6th	S.W.1/4 13	\$ 30.00
Frank Lyons	"	N.1/2 N.1/2 13	\$ 35.00

Put the ditch the full depth at each stake and a level and even bottom between stakes. No road or farm ditch shall in any way be filled up. If the contractor removes any bridges in the repairs of said drain he shall put them back within 24 hours after their removal in as good shape as he found them. If the contractor removes any fences he shall put them back in as good shape as he found them taking into consideration the material he has to deal with. All brush, trees and rubbish that encroach at all on the sides or bottom of the drain shall be taken out and burnt to ashes.

The tile on Howard ave. shall be sunk to the depth as shown on the annexed profile. The earth taken to dig the trench shall be used to cover the tile to a depth of 20 inches.

The above work shall all be completed to the full satisfaction of the commissioners in charge of the repairs.

Estimates for cleaning out and improving the 5th concession drain and cutoff branch for same Sandwich South township.

Main drain.

From stake 0 to stake 5=60 rods @ \$0.75 per rod-----	\$ 45.00
From " 5 to " 20=180 " @ \$1.25 " " -----	\$ 225.00
From " 20 to " 34=168 " @ \$1.00 " " -----	\$ 168.00
From " 34 to " 57+8=284 " @ \$1.35 " " -----	\$ 383.40
To 1320 feet of 12 inch tile in position-----	\$ 380.00
From stake 64+4 to stake 67=32 rods @ \$1.00 per rod-----	\$ 32.00
Cost of excavation main drain	\$ 1233.40

On cutoff branch

From stake 20 to stake 23+5=281 rods @ \$1.10 per rod----	\$ 309.10
Total cost of excavation	\$ 1542.50
To spreading earth on lands and crops-----	\$ 186.40
To moving and putting back fences-----	\$ 135.00
To removing earth off road-----	\$ 6.00
To bridges to connect land with the road-----	\$ 65.00
To brushing and grubbing-----	\$ 40.00
To amount that this drain owes the township-----	\$ 339.52
To lowering pipes under tracks of W.E.A.L.S.R.R.-----	\$ 150.00
Cost of construction-----	\$ 2462.22
To survey, plans, profiles, estimates, assessments, etc.-----	\$ 160.00
To paid men assisting, stakes, clerk, expenses, etc.-----	\$ 38.50
To new profiles, estimates, assessments, etc.-----	\$ 32.50
To extra work for clerk-----	\$ 60.00
To publishing bylaw-----	\$ 45.00
To court of revision-----	\$ 90.78
Total cost	\$ 2909.00

Schedule of lots and parts of lots and roads in the township of Sandwich South assessed for cleaning out and improving the 5th con. drain and branch for same and part of Lennon drain township of Sandwich West; together with the amount that each lot and part of lot and road should bear and pay towards said improvement.

	Lots and parts of lots	acres	value of benefit	value of outlot liability	value of injuring liability	names of owners
	W.Pt.12	48 1/2	126.10	126.00		Charles Esping
	S.W.1/4 13	35	91.00	77.00		" "
	S1/2 N1/2 13	14	36.40	26.60		Mrs T.Lyons
	N1/2 N1/2 13	21	54.60	35.70		Frank Lyons
	S.W.1/4 14	40	104.00	58.00		Edward Dumouchelle
	N.W.Pt.14	34	85.00	62.90		Dr.J.M.Young
	W.Pt.15	18	45.00	27.90		E.C.Kenning
	E.Pt.15	48	120.00	52.80		Henry Dumouchelle
	Pt.N.E.Pt.15	1/2	2.00	1.25		Joe McCarthy
	Pt.N.E.Pt.15	1/2	2.00	1.25		Pat Dumouchelle
	W.Pt.15	50	112.50	37.50		Blake Bedford
	N.W.Pt.15	1	2.75	1.25		Rev.Joe Tulley
	N.W.Pt.15	1 1/4	3.00	1.25		Gilbert Hamlin
	N.W.Pt.15	1/4 "	1.25	1.25		David Long
	N.W.Pt.15	1	2.75	1.25		Ernest Deslippe
	N.W.Pt.15	1	9.90	1.00		Joe Hennin
	S.W.Pt.15	5	34.60	2.25		Mrs Verbridge
	E.Pt.N.1/2 16	88	154.00	48.40		Mose Morand
an	1	2/5	7.20	1.00		Mose Morand
08	2	2/5	7.70	1.00		Ferdine Morand
	3	1/3	6.40	1.00		Leo Russette
	4,5	1/2	8.80	1.00		Dr.R.Morand
	6	1/4	4.40	1.00		J.W.Marshall
	Carried forward		\$1021.35	\$ 566.55		

Assessment on Sandwich South continued.

n.	Lots and parts of lots	acres	value of benefit	value of outlet liability	value of injuring liability	names of owners.
	Brought forward		\$ 1021.35	\$ 506.55		
108	7	1/4	4.40	1.00		Wm. Lockwood
	8	1/4	4.40	1.00		Ernest Soullier
	9	1/3	6.00	1.00		Gilbert Morand
	10	1/3	6.00	1.00		Mose Morand
	11	1/5	4.00	1.00		Geo W. Dickens
	12	1/4	4.60	1.00		Gilbert Morand
	13,14	1/2	11.30	1.00		John M. Vicary
	15,16	1/2	10.00	1.00		F.M. Caldwell
	17---36	5	8.75	2.00		Mose Morand
143	1-----5	1	1.25	1.25		John W. Stuart
	6-----10	1	1.25	1.25		G.B. Colthburst
	11---14	2/3	1.25	1.25		C.F. Hundey
	15---18	2/3	1.25	1.25		John Ion
	19---23	1	1.25	1.25		Thomas Pinfold
	24---28	1	1.25	1.25		Stephen Luce
	Park lot	1	1.25	1.25		" "
	29---33	1	1.25	1.25		Karol Dika
	34---37	1	1.25	1.25		Laura Hundey
	38---42	1	1.25	1.25		C.F. Hundey
	43---46	2/3	1.25	1.25		Frank G. Wells
	47---51	1	1.25	1.25		Karol Dika
	52---60	1 1/2	1.90	1.90		D.A. Bagen
	61---64	2/3	1.25	1.25		Bert Payne
	65---69	1	1.25	1.25		G.S. Jones
	70---74	1	1.25	1.25		F.T. Drayson
	75---79	1	2.50	1.25		F.A. Steer
	80---88	1 1/2	4.50	1.90		W.M. Masters
	89---102	2 1/3	7.00	3.85		Herbert Hasto
	103---114	3	6.00	2.50		John W. Humphries
	Carried forward		\$1121.45	\$ 605.70		

The following named owners requires bridges to connect their lands with the travelled portion of the highway.

Charles Esping	6th	S.W.1/4 13	\$ 30.00
Frank Lyons	"	N.1/2 N.1/2 13	\$ 35.00

Put the ditch the full depth at each stake and a level and even bottom between stakes. No road or farm ditch shall in any way be filled up. If the contractor removes any bridges in the repairs of said drain he shall put them back within 24 hours after their removal in as good shape as he found them. If the contractor removes any fences he shall put them back in as good shape as he found them taking into consideration the material he has to deal with. All brush, trees and rubbish that encroach at all on the sides or bottom of the drain shall be taken out and burnt to ashes.

The tile on Howard ave. shall be sunk to the depth as shown on the annexed profile. The earth taken to dig the trench shall be used to cover the tile to a depth of 20 inches.

The above work shall all be completed to the full satisfaction of the commissioners in charge of the repairs.

Assessment on Sandwich South continued.

n.	Lots and parts of lots	acres	value of benefit	value of outlet liability	value of injuring liability	names of owners
	Brought forward		\$1121.45	605.70		
33	1	1/6	1.25	1.25		L.R.Cummings
	2,3	2/7	1.25	1.25		Berkley Co.
	4	1/6	1.25	1.25		Mildred Ford
	5	1/6	1.25	1.25		W.G.Parks
	6,7	1/3	2.00	1.25		E.A.Archer
	8,9	1/3	2.00	1.25		J.H.Leschied
	10,11	1/3	2.00	1.25		P.J.McConnell
	12,13	1/3	2.00	1.25		W.T.Turner
	14	1/6	1.25	1.25		P.E.Brown
	15-----21	1 1/4	3.50	1.55		Berkley Co.
	22	1/6	1.25	1.25		Myra M.Osese
	23	1/6	1.25	1.25		James A.Collins
	24	1/6	1.25	1.25		Maggie Annal
	25	1/6	1.25	1.25		Geo Bates
	26	1/6	1.25	1.25		F.R.Groves
	27,28	1/3	2.00	1.25		Dr.O.C.Baker
	29,30	1/3	2.00	1.25		James A.Jones
	31	1/6	1.25	1.25		Henry Smallwood
	32-----40	1 1/2	4.50	2.25		Berkley Co.
	41-----47	1	1.25	1.25		" "
	48,49	1/3	1.25	1.25		Beulah G.Wigle
	50	1/6	1.25	1.25		S.F.Lankin
	51,52	1/3	1.25	1.25		A.Belair Jr.
	53,54	1/3	1.25	1.25		A.Belair Sr.
	55	1/6	1.25	1.25		W.G.Roswell
	56	1/6	1.25	1.25		Geo Webber
	57	1/6	1.25	1.25		R.C.Schuchard
	58	1/6	1.25	1.25		D.Reid
	59	1/6	1.25	1.25		W.Reid
	61-----63	1/2	1.25	1.25		Berkley Co.
	Carried forward		\$1168.95	644.60		

Assessment on Sandwich South continued.

Lots and parts of lots	acres	value of benefit	value of outlet liability	value of injuring liability	names of owners
Brought forward		\$1168.95	\$ 644.50		
64	1/6	1.25	1.25		Hugh Ross
60,65	1/6	1.25	1.25		Wm.Crawford
66	1/4	1.25	1.25		W.L.Eastman
67	1/6	1.25	1.25		H.Pringle
68	1/6	1.25	1.25		Frear Turner
69	1/6	1.25	1.25		Dr.O.C.Baker
70	1/6	1.25	1.25		W.Mason
71	1/6	1.25	1.25		R.Mason
72	1/6	1.25	1.25		Elizabeth Lawson
73	1/6	1.25	1.25		Olive Lawson
74	1/6	1.25	1.25		Grace G.Clue
75	1/6	1.25	1.25		Lottie Wigle
76	1/6	1.25	1.25		Harry G.Axford
77	1/6	1.25	1.25		A.Gignae
78	1/6	1.25	1.25		W.Butt
79	1/6	1.25	1.25		J.O.Ross
80	1/6	1.25	1.25		E.Wigle
81	1/5	1.25	1.25		A.R.Glasby
82	1/5	1.25	1.25		D.Jones
83	1/6	1.25	1.25		Patrieia Primeau
84	1/6	1.25	1.25		Berkley Co.
85	1/6	1.25	1.25		L.T.Clue
88	1/6	1.25	1.25		Annie L.Jones
86,87	1/3	1.25	1.25		Grace G.Clue
89---91	1/2	1.25	1.25		John P.Muxworthy
92	1/6	1.25	1.25		John Hossios
93	1/6	1.25	1.25		A.C.W.Jones
94----102	1 1/2	1.90	1.90		Berkley Co.
103	1/6	1.25	1.25		Agnes Parks
104,105	1/3	1.25	1.25		G.A.Ward
Carried forward		\$1207.10	\$ 682.65		

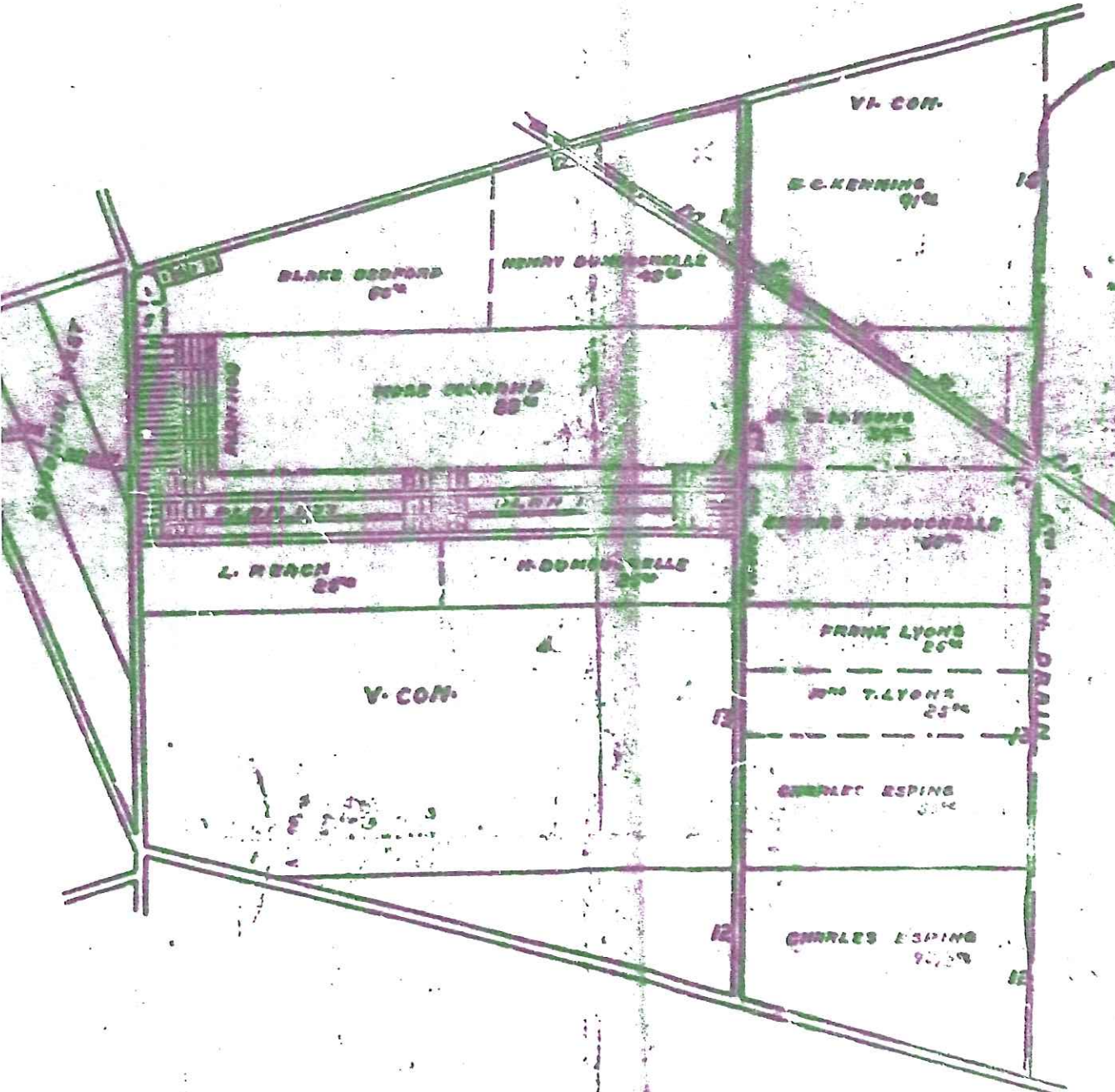
Assessment on Sandwich South continued.

n.	Lots and parts of lots	acres	value of benefit	value of outlet liability	value of injuring liability	names of owners
	Brought forward		\$1207.10	\$ 682.65		
3	106	1/8	1.25	1.25		Maud Lyons
	107----117	1 2/3	2.10	2.10		Berkley Co.
6th	Pt.14-15	9.9	30.00	29.80		M.C.R.R.Co.
	Pt.14-15	2	5.00	5.00		W.E.&I.S.R.R.Co.
	On lots for benefit		\$1245.45			
	On lots for outlet			\$ 720.80		
	Road North Talbot	2	26.50	24.50		Sandwich South Tp.
	th concession road	10 1/4	162.50	105.25		" " "
	orth Townline	6 1/2	81.25	76.60		" " "
	oward Ave.	2 1/2	97.50	22.50		Essex County
	streets & Alleys	12	130.90	65.25		Sandwich South Tp.
	On roads for benefit		\$ 498.65			
	On roads for outlet			\$ 294.10		
	On W.E.&I.S.R.R.Co. lowering pipes		\$150.00			

P.L.E.V.
 SHOWING THE LOTS OF THE
 27th CON. DRILL AND LOT OF THE
 SANDWICH SOUTH-SIDE OF WEST

J. P. [Signature]
 ENGINEER

RESEY LINE 1871/1872



Appendix 'A' - Location Map



LOCATION MAP

 SUBJECT PROPERTY : 101 ERIE STREET EAST



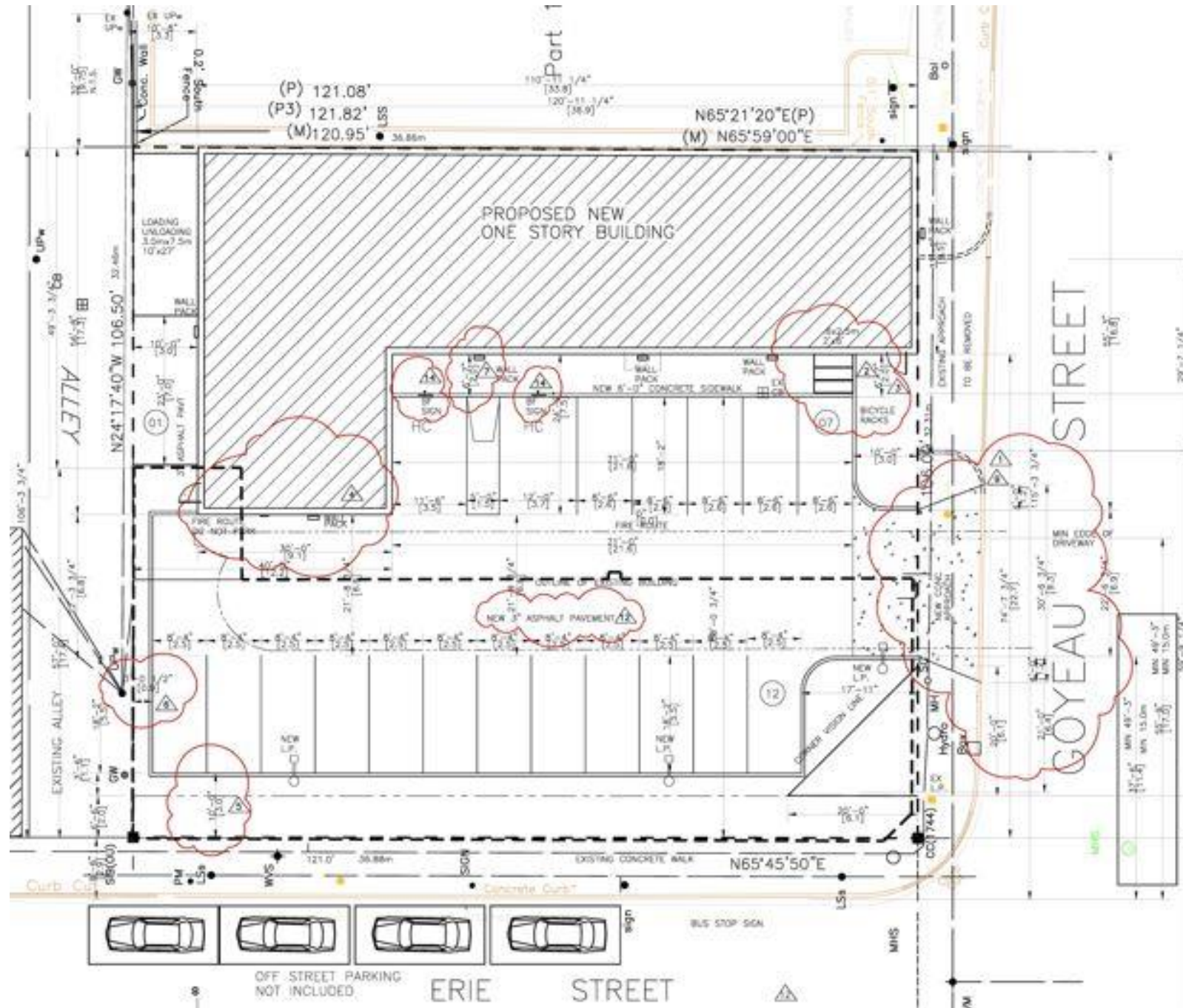
Appendix 'A' – Existing Condition (Google Earth)



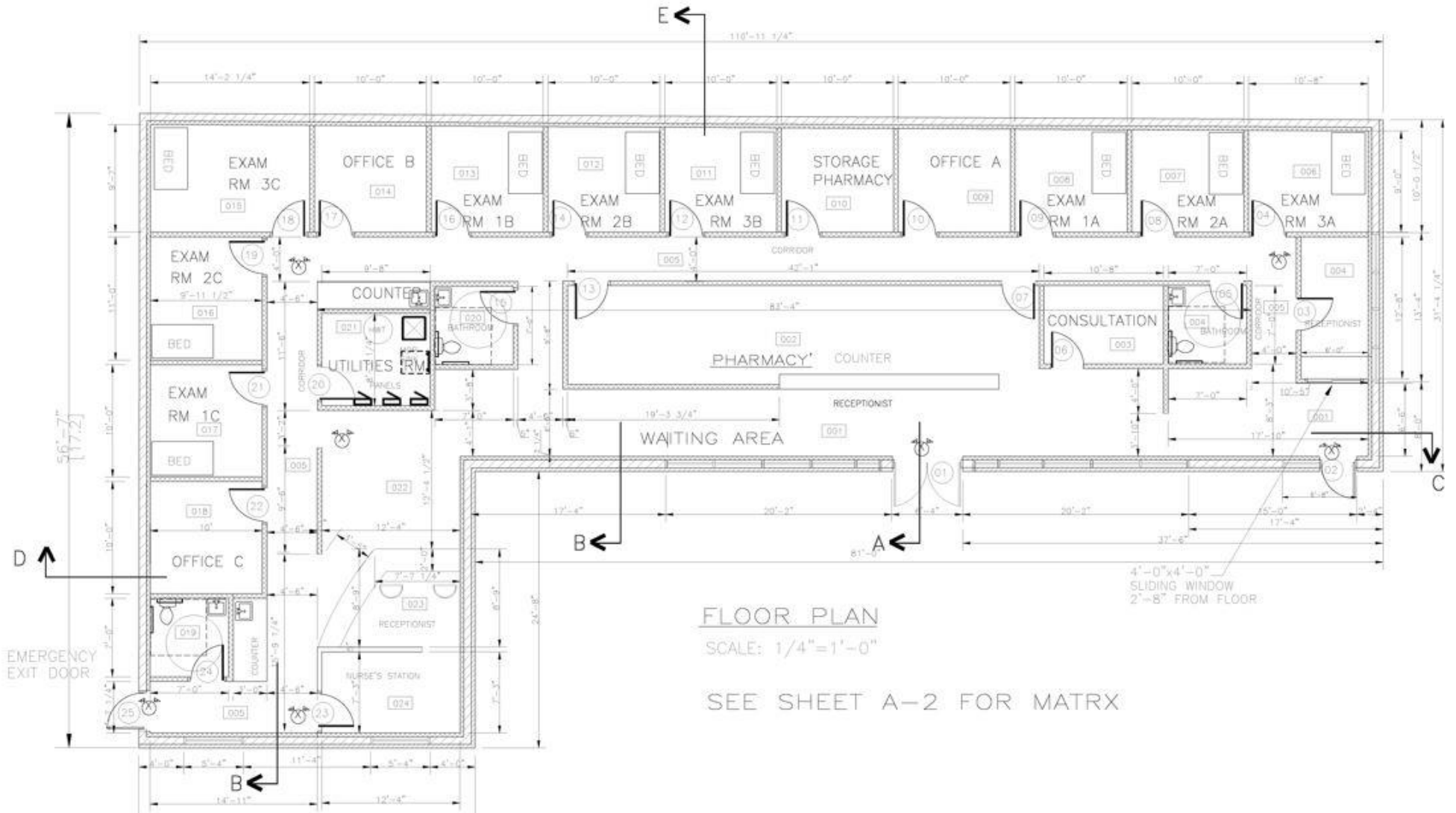
Appendix 'A' – Existing Condition (Google Earth)



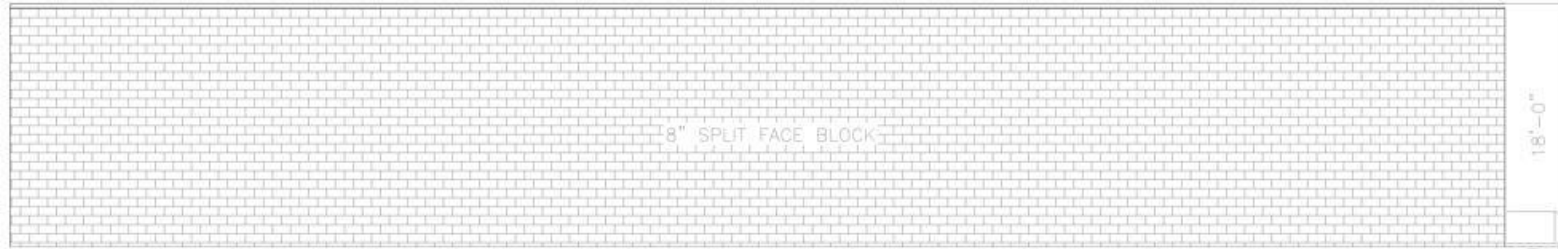
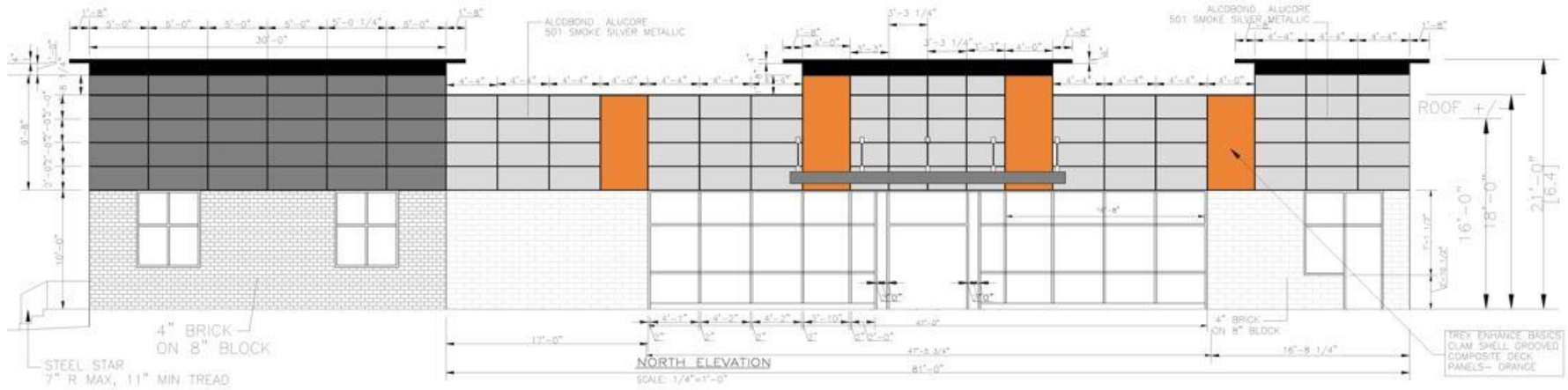
Appendix 'B' - Proposed Development



Appendix 'B' - Proposed Development



Appendix 'B' - Proposed Development



NOTE : EXTERIOR REGULAR STANDARD BLOCK IS NOT ALLOWED UNDER 8600 BYLAW ALL SIDES OF NEW BUILDING ARE VISIBLE FROM THE STREETS



ZIAD EL-BAB, ENGINEER
674 GAUTHIER
TECUMSEH ONTARIO
N8N3P8 CANADA
CELL - 313938876
MOBILE - 519796986

DATE	REV. NO.	ISSUED FOR
SEP.15.22		APPLICATION
AUG.28.22		APPLICATION
NOV.30.22		APPLICATION

Project:
NEW COMPLE
101 ERIE
WINDSOR ONT,
OWNER

ELEVATIONS

Drawing Title:

Project Number	Scale	Date	Drawn By	Checked By
	AS NOTED			

Drawing No.
A-2



REPORT: PLANNING RATIONALE REPORT (PRR)
MUNICIPALITY: CITY OF WINDSOR
MUNICIPAL ADDRESS: 1850 NORTH SERVICE ROAD
DEVELOPMENT: ZBA
DATE: JUNE 24, 2022 (rev)

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1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a planning rationale report regarding the feasibility of a Zoning By-law Amendment (ZBA) for lands known as 1850 North Service Road, Windsor.

HD Development Group (the Owner) is proposing the development of the vacant 4.07 ha site with a new development comprising 387 unit residential condominiums in 5 buildings on site. There will be connection to municipal services and on site parking provided with 491 parking spaces, 5 loading spaces, and 26 bike parking spaces. The development will comprise 5 buildings with a medium profile of 6 storeys (20.7 m) in height and will result in a lot coverage of 20% with 43 % landscaped open space.

This planning rationale report will demonstrate the consistency of the development proposal with the Provincial Policy Statement (PPS) 2020 and how the proposed residential land use conforms with City of Windsor's residential housing policies, supports healthy community initiatives, and provides for healthy, walkable community policies and is considered compatible with the neighbourhood.

Jackie Lassaline, BA MCIP RPP, Lassaline Planning Consultants has prepared this planning rationale report to support, explain and justify the Zoning By-law Amendment (ZBA) application.

1.1 APPLICATION INFORMATION

The landowner, 1433311 ONTARIO INC. (HD Development Group), has applied for:

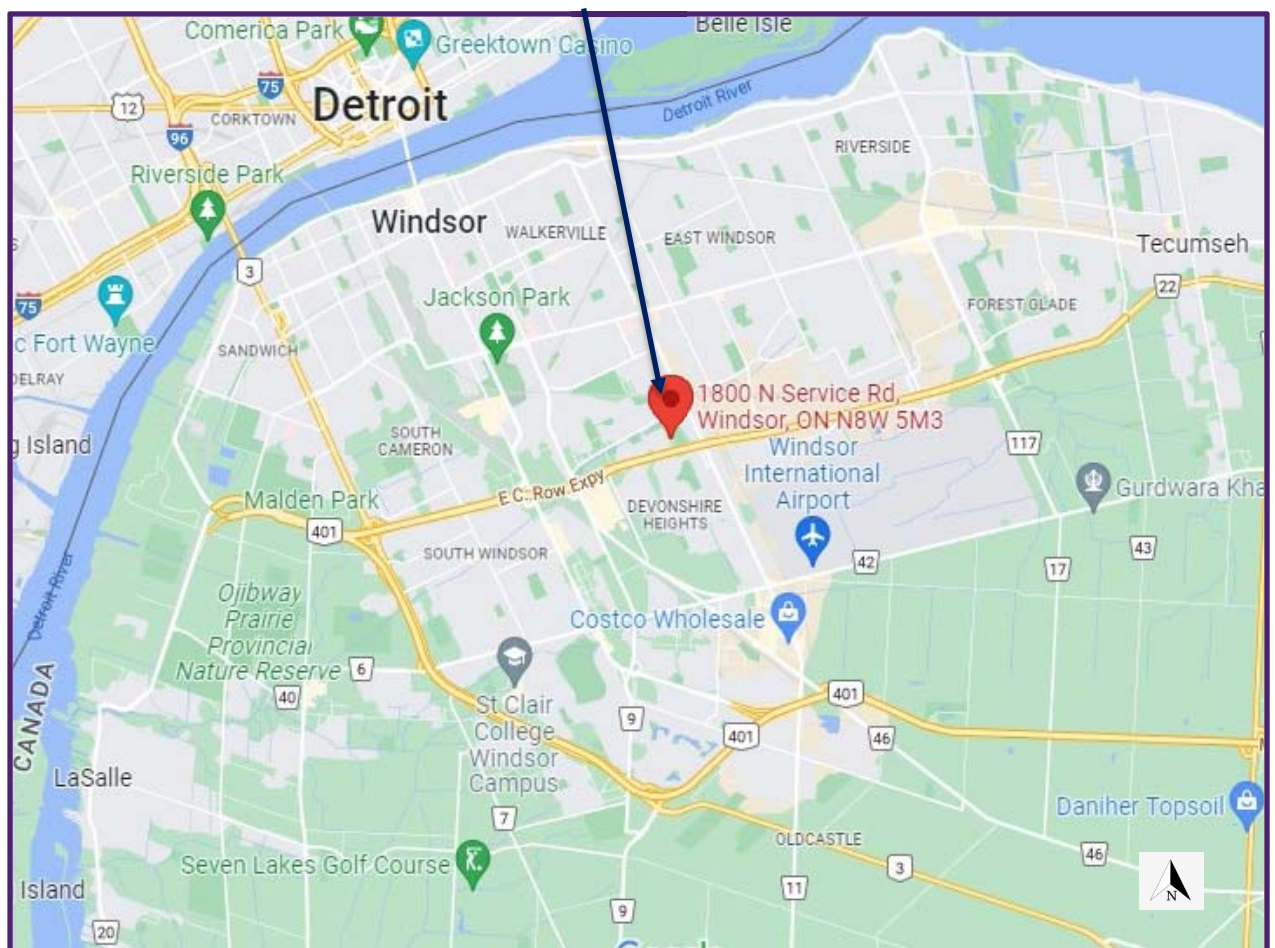
- 1) a Zoning Bylaw Amendment (ZBA) to have the subject 4.07 ha property rezoned from 'Green District (GD1.2)' to a 'Residential District 3.3 (RD3.3)' zone in the City of Windsor's Comprehensive Zoning Bylaw 8600 (CZB). The ZBA purports to provide an appropriate residential regulatory framework for the subject lands;
- 2) an exemption for the development from ICB Bylaw 03-2020 whereby Council passed an Interim Control Bylaw 03-2020 that imposed the prohibition of multiple dwellings;
- 3) a Plan of Condominium will be requested in anticipation of the condominium progressing through Condominium Act review;
- 4) Site Plan Control will be applied for after the passing of the regulatory ZBA.

2.0 SITE AND SURROUNDING LAND USES

Originally, the subject site was the soccer playing field associated with the Fogolar Furlan Italian Club located on North Service Road, in the City of Windsor. The site underwent a consent to sever in 2020 to create the 4.07 ha vacant parcel for the purposes of providing lands for residential development.

The subject site is located at 1850 North Service Road, in the urban settlement area of the City of Windsor. The site is within the 'Remington Park' neighbourhood of WARD 10, beside the Fogolar Furlan Italian Club.

FIGURE 1 – LOCATIONAL MAP: 1850 NORTH SERVICE ROAD



2.1 LEGAL DESCRIPTION AND OWNERSHIP

The subject lands are presently owned by 5054545 Ontario Inc. and are known as HD Development Group.

The subject lands have a legal description of:

Part Lot 95, Concession 2 Sandwich East Parts 1 and 2, 12R28716; S/T R786174E, S/T SE8811; S/T an easement and Right of Way in favour of Pts 3 and 4 12R28716 For Pedestrian and Vehicular Access, Servicing and Supply of Utilities as set out in CE1040237; Windsor.

2.2 TOPOGRAPHY AND PHYSICAL FEATURES OF THE SITE

The site is presently used as a soccer sports field and manicured lawn. The subject lands are located between the Fogolar Furlan Club and the rear yards of the single detached residences along Byng Road.

There is a manicured berm along the frontage of North Service Road with trees lining the top of the berm that will be incorporated as landscaping for the front yard of the subject development.

There are no natural hazards or human made hazards on the site. There are no water courses, ditches, or significant natural features present on the site. The site is not situated on a flood plan.

2.3 SIZE AND SITE DIMENSION

The subject site is a large rectangular shaped parcel with a road frontage along North Service Road. The site has an area of 4.07 ha with 143.87 m frontage on North Service Road.

FIGURE 2 – SITE AERIAL: PROPOSED DEVELOPMENT SITE



2.4 EXISTING STRUCTURES

The site is presently vacant of buildings with only some metal soccer goal posts on the site that will be removed during the development of the property. There are no other existing buildings or structures on the site.

2.5 VEGETATION AND SOIL

As a greenspace/parkland and soccer pitch associated with the Fogolar Furlan facility, there is only some scrub bushes and trees on the periphery of the property.

FIGURE 3 – SITE PHOTO: LOOKING NORTH FROM NORTH SERVICE ROAD



FIGURE 4 – SITE PHOTO: LOOKING NORTH/EAST FROM PARKING LOT



Myler Consulting Biologists have completed a Species At Risk (SAR) investigation of the property and it was determined there are no species at risk or endangered species of flora or fauna at the subject site.

There are planted amenity trees in the berm along North Service Road that will be maintained. The site is mainly comprised of open manicured lawn and sports field. Landscaping plan prepared by an OLA will be provided at the time of Site Plan Control submission.

2.6 MUNICIPAL SERVICES

The subject property has direct access to sanitary sewers along the northern edge of the property along Udine Park and will provide for access to connect to service the development. Please refer to attached **APPENDIX B- SANITARY SEWER STUDY**

The site also has direct access to storm water sewers along the southern edge of the property along the rear yards of the properties of Byng Road. A Storm Water Management design includes details for a storm pond for the holding and slow release of storm water. This pond will be a dry pond and will only contain water at time of a significant storm event. **APPENDIX C – STORM WATER MANAGEMENT REPORT**

Residents of the new residences will have nearby access to a Transit Windsor Bus Route 14 Parent, which stops on North Service Road at Conservation, a 9 minute walk away. The site is also nearby a multi-use pathway for pedestrians and cyclists, which runs through Urdine Park to the north. The development proposes to create a pathway from the site to the existing multi-use trail for the benefit of pedestrians and cyclists, which will facilitate active transportation.

2.7 NEARBY AMENITIES

The proposed new 5 building condominium complex provides for a needed residential housing infill development that will help to reduce the impacts of climate change by promoting residential densification and facilitating active transportation by walking and cycling. The subject site is accessible to existing Transit Windsor municipal bus routes, with a nearby stop at North Service Road and Conservation Road.

The proposed development is less than a 5 minute drive to access the EC Row Expressway and a one minute drive to access Walker Road.

The subject site is adjacent to greenspace at Urdine Park and is a walkable distance to Jennifer Park and Remington Park. The proposed development is also within a short walk of nearby elementary schools, places of worship, and other recreational and cultural amenities:

- Chartwell Oak Park Terrace retirement residence (adjacent)
- St Christopher Catholic Elementary School (10 min walk)
- J.A. McWilliam Elementary School (16 min walk)
- Spiritual Assembly of the Baha'i (20 min walk)
- Our Lady of Perpetual Help Catholic Elementary School (24 min walk)
- Central Park Athletics (30 min walk)
- Walker Homesite Park (19 min walk)
- Holy Cross Greek Orthodox Church (12 min walk)
- Hellenic Cultural Centre (12 min walk)
- Bait ul Ehsaan Mosque (26 min walk)

The subject site is accessible to bike trails along North Service Road to the south and at Urdine Park through to the north, promoting active transportation by cycling. The following recreational and commercial amenities are less than a 10 minute bike ride away:

- Devonshire Mall (7 min)

- Optimist Community Centre (10 min)
- W.F. Chrisholm Public Library (9 min)
- Metro groceries (7 min)

2.8 SURROUNDING LAND USES

The subject site is located within a residential neighbourhood with a wide variety of existing low, medium, and high density residential housing:

- a) North** - Udine Park (GD1.1). Low density residential area beyond (RD1.2).
- b) East** - Low density Residential area (RD1.1). Medium density Residential area beyond (RD2.2 and HRD2.1).
- c) South** - E.C. Row Expressway, J.A. McWilliam Elementary School beyond (1D1.1)
- d) West** - Fogolar Furlan Italian Club and treed yard, Windsor Hall banquet club (GD1.2), Chartwell Oak Park Terrace retirement residence (RD3.4) and low residential area beyond (RD1.2).

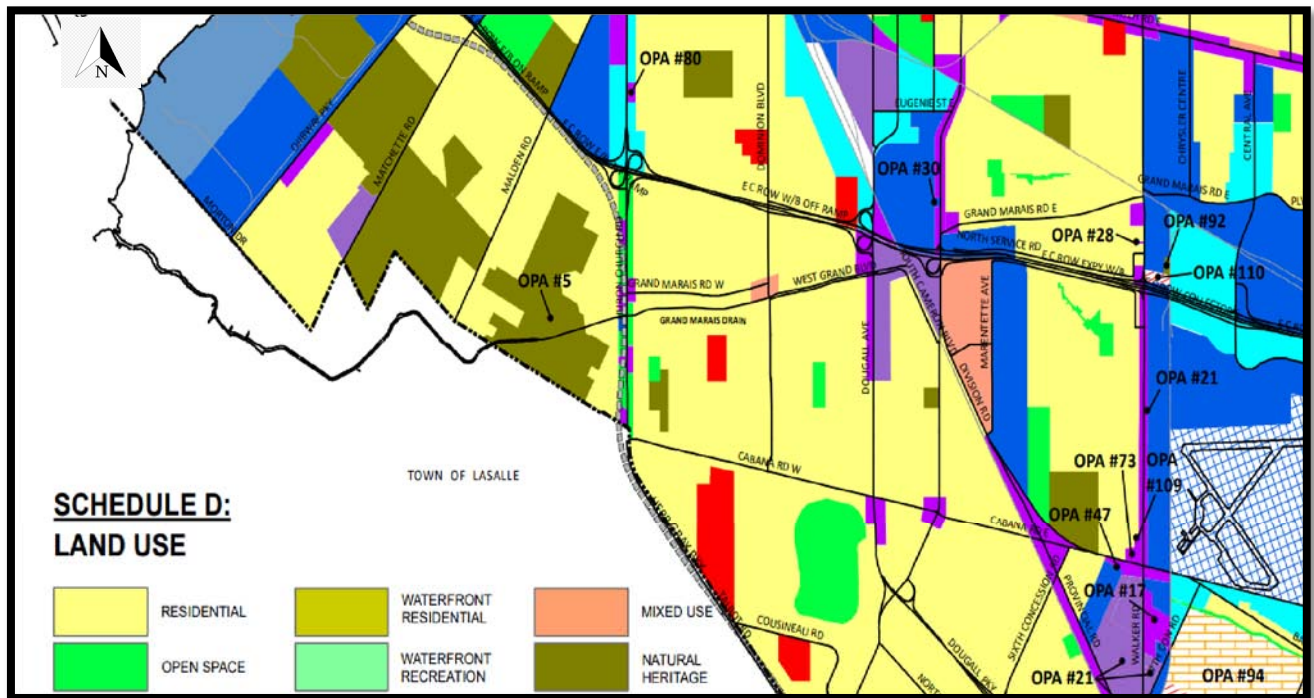
FIGURE 5 – NEIGHBOURHOOD AERIAL: 1850 NORTH SERVICE RD



3.0 DEVELOPMENT PROPOSAL

The Official Plan designates the subject site as “Residential” on Schedule D: Land Use schedule of the Official Plan for the City of Windsor. The proposed land use of residential is a permitted use in the ‘Residential’ designation. It is my professional opinion that an amendment to the Official Plan policies are not required to support the proposed residential development in the residential designation.

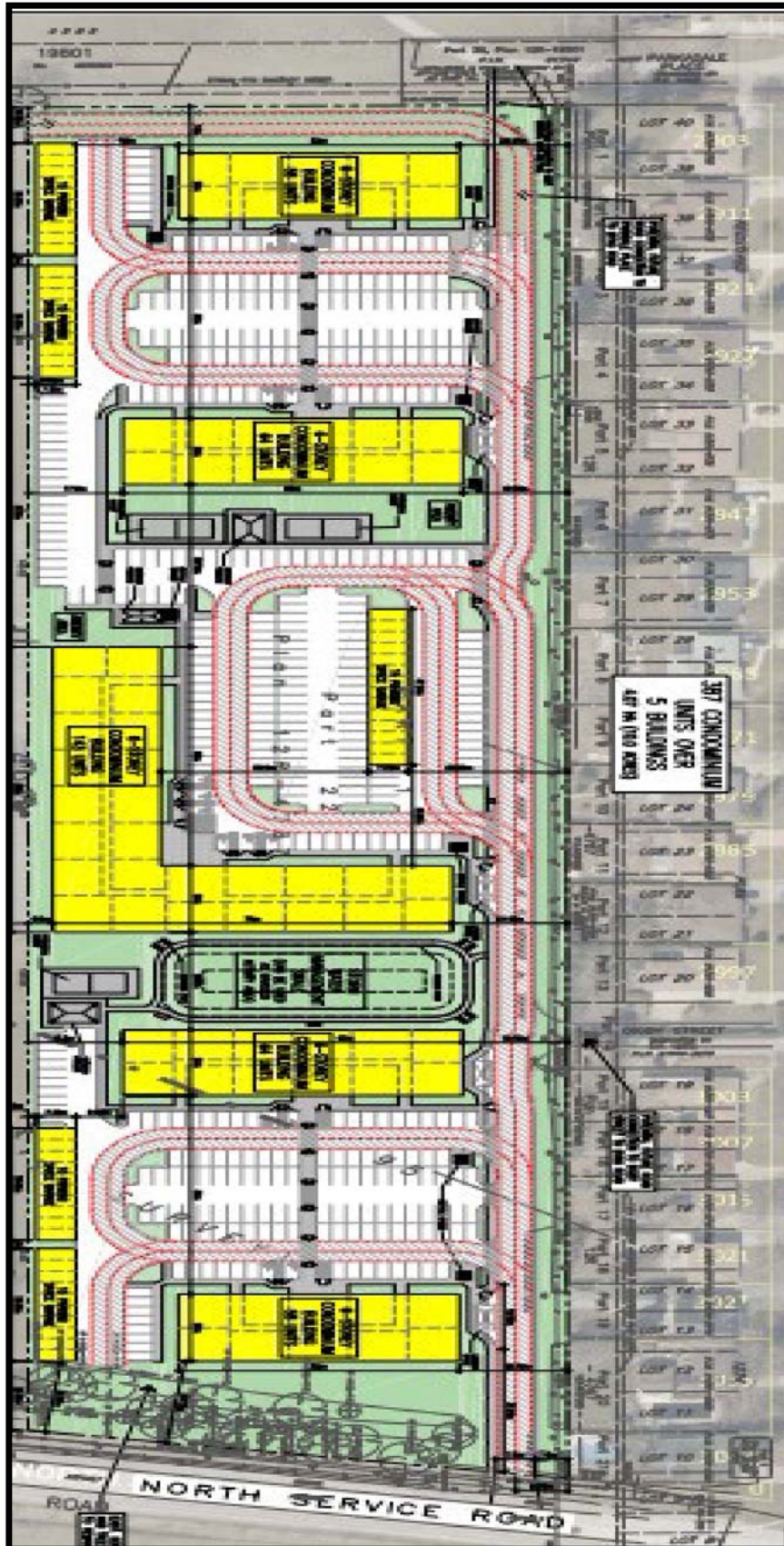
FIGURE 6 – CITY OF WINDSOR OFFICAL PLAN SCHEDULE D: LAND USE



A ZBA is required to establish a regulatory framework for the subject lands to address the uniqueness of the proposed infilling development. The proposed ZBA purports to change the regulatory framework applied to the property from ‘Green District GD1.2’ to a ‘Residential District 3.3 (RD3.3)’ to support the proposed development of the site as a complex of 5 condominium buildings with a total of 387 units and associated parking and amenities.

The presently vacant lands are comprised of 4.07 ha area and are proposed to be developed with 5 residential condominium buildings at 6 storeys each building: Building A with 58 units; Building B with 64 units; Building C with 143 units; Building D with 64 units; and Building E with 58 units for total of 387 condominium units. The total Ground Floor Area (GFA) of the 5 buildings consists of 8,735 m² GFA will result in a building lot coverage of 21.5 %.

FIGURE 7 – SITE PLAN



The parking is proposed at 495 regular parking spaces, comprised of 6 Type A Barrier Free (BF) spaces, 8 Type B BF spaces, 26 bike spaces, and 5 loading spaces. Approximately 54 parking spaces will be covered in parking garages associated with residential units.

The neighbourhood provides for a mix of uses with predominantly residential use and a seniors complex in close proximity. With the design of the site and the design of the buildings, regard for compatibility as an infill development in an established neighbourhood has been the primary design focus.

Design features have been addressed in multiple approaches that will be positive for the neighbourhood and demonstrates the compatibility of the proposed buildings as an infilling development within the existing neighbourhood. Buildings have been oriented laterally in an east west direction providing for balconies on the north and south building faces away from the existing residences on the east side of the buildings. The proposed residential buildings have been designed with the 'ends' of 4.5 of 5 buildings facing the existing residences. The building ends are not habitable rooms or balconies but rather comprise interior stairwells thereby eliminating by design the new owners 'overlooking' the backyards of the existing residents. Please refer below to **FIGURE 5 and FIGURE 6 AERIAL SITE VIEWS.**

The buildings have been located to the furthest points on the west of the property to provide for substantial distance separation to the existing residences. The existing fencing and landscaping buffer will also assist in providing separation distance to the existing residences.

The development will provide for condominiums in a medium profile building, an alternative housing style and tenure that supports diversity and housing alternatives in the City. The ability for young adults to purchase a condominium is a more affordable alternative to the present single detached residences presently in the housing market. As well, the condominium development will support the need for senior residents within the community to age in place as an alternative tenure and style to the single detached residence. The provision of condominiums in the medium density complex will support diversity of housing that is necessary for a vital and healthy community.

FIGURE 8 – SITE AERIAL VIEW – NORTH-EAST CORNER



architectural design associates 1670 Mercer St. Windsor, Ontario N8X 3P7 Tel: 519.254.3430 ada-architect.ca

Site Aerial View - North-East Corner

HD development group DESIGN | BUILD

FIGURE 9 – SITE AERIAL VIEW – SOUTH-EAST CORNER



architectural design associates 1670 Mercer St. Windsor, Ontario N8X 3P7 Tel: 519.254.3430 ada-architect.ca

Site Aerial View - South-East Corner

HD development group DESIGN | BUILD

Landscaped open space has been allocated at 41% as extensive amenity space for the residents. Outdoor amenities include extensive grassed area, trees and landscaping, 4 outdoor pavilions, 3 outdoor pickleball courts, and proposed walking paths, landscaping and benches surrounding the dry storm water management pond/swale with the intent to create a significant gathering place/outdoor amenity space for the residents.

The existing treed berm along North Service Road will be retained. A pedestrian connection will be created to the existing municipal multi-use trail through Urдинe Park. The proximity of the complex to recreational greenspace, schools, and public transit will promote active transportation within the City of Windsor. The proposed landscaping with the development of gathering places, outdoor pavilions, pickleball courts, and an outdoor amenity area will encourage residents to develop a sense of community and place. The proposed development is accessible by public transportation to amenities throughout the City such as Devonshire Mall, St. Clair College, and the University of Windsor.

The massing and height of the buildings are medium profile and in my professional opinion are compatible with the adjacent mixed density and use neighbourhood. The buildings provide for a transition between single detached and other densities and uses within the neighbourhood.

The residential condominium complex will provide an alternative form of housing style and tenure from the typical single detached residences common in Windsor, creating a needed diversity of housing options within the City. The condominium complex will provide a new housing choice identified as the 'Missing Middle.'

3.1 PROPOSED ZONING BYLAW AMENDMENT (ZBA)

Subject site is designated 'Residential' on Schedule A of the Official Plan for the City of Windsor. An Official Plan Amendment (OPA) is not being requested as the subject site is already appropriately designated 'Residential' in the City of Windsor Official Plan.

The owner, HD Development Group, is proposing to develop the subject site for a complex of 387 condominium units in 5 buildings of 6 storeys with 495 associated parking spaces and extensive landscaping. The subject lands are currently zoned 'Green District (GD1.2)' in the CZB 8600. A ZBA is requested to change the current zoning of 'GD1.2' to a 'Residential District (RD 3.3)' to ensure compliance with zoning By-laws regulations.

The condominium development is proposed to consist of large-scale high-profile buildings with a density of 95 units per hectare. It is proposed that the new development be designated 'Residential RD 3.3' in the CZB 8600 to ensure compliance with zoning regulations. Refer to **SECTION 6.0 CITY OF WINDSOR ZONING BYLAW REVIEW**.

3.2 SANITARY SEWER STUDY

Aleo Associates Inc., 325 Devonshire Road, Suite 500, Windsor ON N8Y 2L3, is a qualified engineering firm to provide a professional opinion regarding the Sanitary Sewer Study and determine availability and capacity for the proposed residential development. Please refer to report referenced 'Sanitary Sewer Study 1850 North Service Rod 2022.06.24'.

Conclusion by Aleo Associates relating to the Sanitary Sewer Study determined that there is sufficient capacity in the municipal sewer system to accommodate the proposed development:

"This is a significant increase in the total peak sewage flow rate, however, the capacity in the municipal sewer system to support the development exists. The sanitary sewer system will have 64% of its capacity utilized post-development which still allows for additional development within this drainage area in the future. Therefore, there is sufficient capacity available in the municipal sanitary sewer to support the proposed condominium development without affecting the municipal system or surrounding properties."

3.3 STORM WATER MANAGEMENT STUDY

Aleo Associates Inc., 325 Devonshire Road, Suite 500, Windsor ON N8Y 2L3, is a qualified engineering firm to provide a professional study regarding Storm Water Management Report (SMWR) . Please refer to report referenced 'Storm Sewer Study 1850 North Service Rod 2022.06.24'.

Conclusion by Aleo Associates relating to the management of Storm Water on site:

"The proposed development consists of five, six story multi-unit residential buildings with surrounding parking lot and landscape areas. An 85% impervious percentage will be used for the developed site. A new storm connection will be made to the municipal storm trunk sewer to provide a deeper outlet for the site drainage design than what the existing outlet elevation currently provides at the

existing catch basin. The existing site storm connection will be abandoned to City of Windsor standards.

A flow restrictor will be installed at the outlet to restrict the post development flows to the pre-development release of 44 L/s. The runoff rate of the existing pre-developed condition is being maintained as part of the proposed development and therefore there will not be any effect on the receiving storm sewer system or surrounding properties.

A storm detention scheme will be carried out during the detailed design phase and will be completed to conform to the Windsor-Essex Region Stormwater Management Standards. Storage will be provided through surface storage on the parking lot surface, in a large detention pond which was incorporated into the site plan design, and in underground storm pipe and structures.

Stormwater quality control will be accomplished by incorporating an oil and grit separator unit at the outlet to treat stormwater captured from the site before it is released to the municipal sewer system. The level of treatment will be normal (70% TSS removal).”

3.4 SPECIES AT RISK

Myler Ecological Consulting, 7 Olive Crescent, Stoney Creek, ON L8G 2T2, is a qualified firm to provide a professional opinion regarding the presence and significance of SAR.

EXECUTIVE SUMMARY AND RECOMMENDATIONS:

- Myler’s observations confirmed an absence of natural habitat and natural vegetation communities on the site that could support SAR occurrences.
- None of the listed SAR plant species was observed.
- The observed conditions on the site were unsuitable for their occurrence and, except for common suburban songbirds, for wildlife in general, both common species and SAR.
- Accordingly, the proposed severance and condominium development can be completed in compliance with the Endangered Species Act without impact to

SAR or SAR habitat and without the need to employ avoidance or mitigation measures to protect SAR.

- However, to maintain compliance with the Migratory Birds Convention Act, should removal of any of the planted amenity trees on the site be required, it would be best to avoid the active bird nesting season (approximately late March to late August). Otherwise, tree removals during the nesting season should be conducted under the guidance of a qualified biologist who will search for active nests and identify temporary avoidance and temporary buffers if required.

3.5 TRAFFIC STUDY

Paradigm Transportation Solutions Limited, 5A-150 Pinebush Rd, Cambridge ON N1R 8J8, is a qualified transportation engineering firm that undertook a traffic study relating to the proposed development.

EXECUTIVE SUMMARY AND RECOMMENDATIONS:

Based on the investigations carried out, it is concluded that:

- ▶ **Existing Traffic Conditions:** All study area intersections are currently operating within acceptable levels of service;
- ▶ **Proposed Development:** The full build-out of the site is forecast to generate 103 and 130 trips during weekday AM and PM peak hours, respectively;
- ▶ **2030 Background Traffic Conditions:** All study area intersections are forecast to operate at acceptable levels of service;
- ▶ **2030 Total Traffic Conditions:** All study area intersections are forecast to operate at acceptable levels of service; and
- ▶ **Remedial Measures:**
 - **Left-Turn Lane Warrants:** It was found that no left-turn lanes are forecast to be warranted.

Recommendations:

Based on the findings of this study, it is recommended that no improvements to the transportation network be required for the approval of the proposed development.

3.6 NOISE STUDY

JJ Acoustic Engineering Ltd., JJ-00392 NIS1 is a qualified Noise Engineering firm that undertook a noise study relating to the proposed development.

“This Study has determined that the potential environmental noise impact from road traffic noise is significant. The proposed development will need the following: a requirement for central air-conditioning, noise warning clauses and special building components. Road traffic noise control requirements for the Site were determined based on road traffic volumes provided by the City of Windsor (City) and forecasted to 10 years from the date of this study.

Recommendations: The road traffic noise impacts were above the NPC 300 requirements. Noise mitigation measures include:



Building #1 • Warning Clause Type C for the East and South façades. • Requirement for Air Conditioning for the entire building. These have been summarized in Attachment B under Table B1.

Building #2 • Warning Clause Type C for the East façade. • Warning Clause Type D for the South façade. • Requirement for Air Conditioning for the entire building. • A minimum of

STC 29 is required for all exterior glazing for the South façade. These have been summarized in Attachment B under Table B1.

Building #3 • Warning Clause Type C for the North façades. • Warning Clause Type D for the East, South, and West façades. • Requirement for Air Conditioning for the entire building. • A minimum of STC 33 is required for all exterior glazing for the South façade. • A minimum of STC 30 is required for all exterior glazing for the East and West façades. These have been summarized in Attachment B under Table B1

Building #4 • Warning Clause Type C for the North façade. • Warning Clause Type D for the East, South, and West façades. • Requirement for Air Conditioning for the entire building. • A minimum of STC 29 is required for all exterior glazing for the East façade. • A minimum of STC 35 is required for all exterior glazing for the South façade. • A minimum of STC 31 is required for all exterior glazing for the West façade. These have been summarized in Attachment B under Table B1.

Building #5 • Warning Clause Type C for the North façade. • Warning Clause Type D for the East, South, and West façades. • Requirement for Air Conditioning for the entire building. • A minimum of STC 32 is required for all exterior glazing for the East façade. • A minimum of STC 37 is required for all exterior glazing for the South façade. • A minimum of STC 34 is required for all exterior glazing for the West façade.

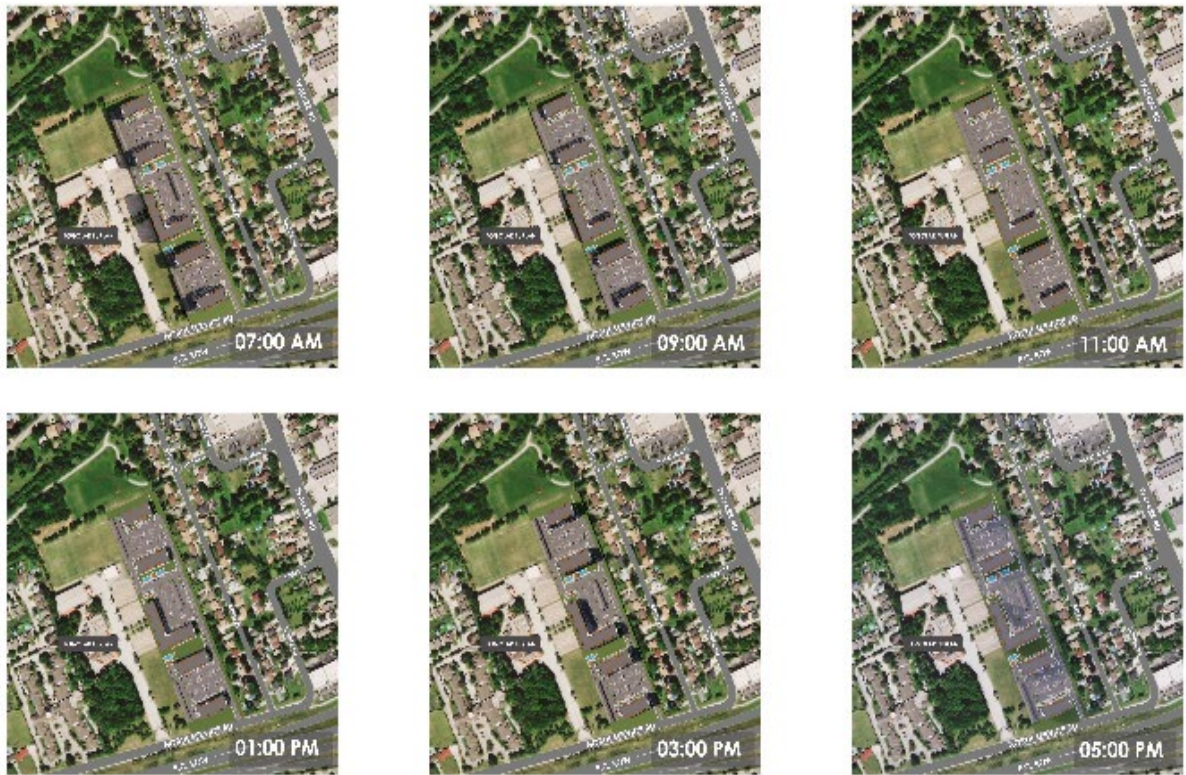
Outdoor Living Area: • Warning Clause Type A • OLA #5 is over noise limit in its current placement, JJAЕ advises to remove from Site Plan. • OLA #6 is over noise limit in its current placement, JJAЕ advises to remove from Site Plan. These have been summarized in Attachment B under Table B1.”

3.7 SHADOW STUDY

JUNE (SUMMER):

As shown in the Shadow Study, Figure 7 – June (Summer) shows that due to the building orientation and location, the buildings do not result in shadows on the adjacent residences during the summer months. The location of the buildings to the west of the property, the orientation of the buildings east and west, and the low profile of the buildings results in no negative impact on the adjacent residences with shadows.

FIGURE 10 – SHADOW STUDY – JUNE (SUMMER):



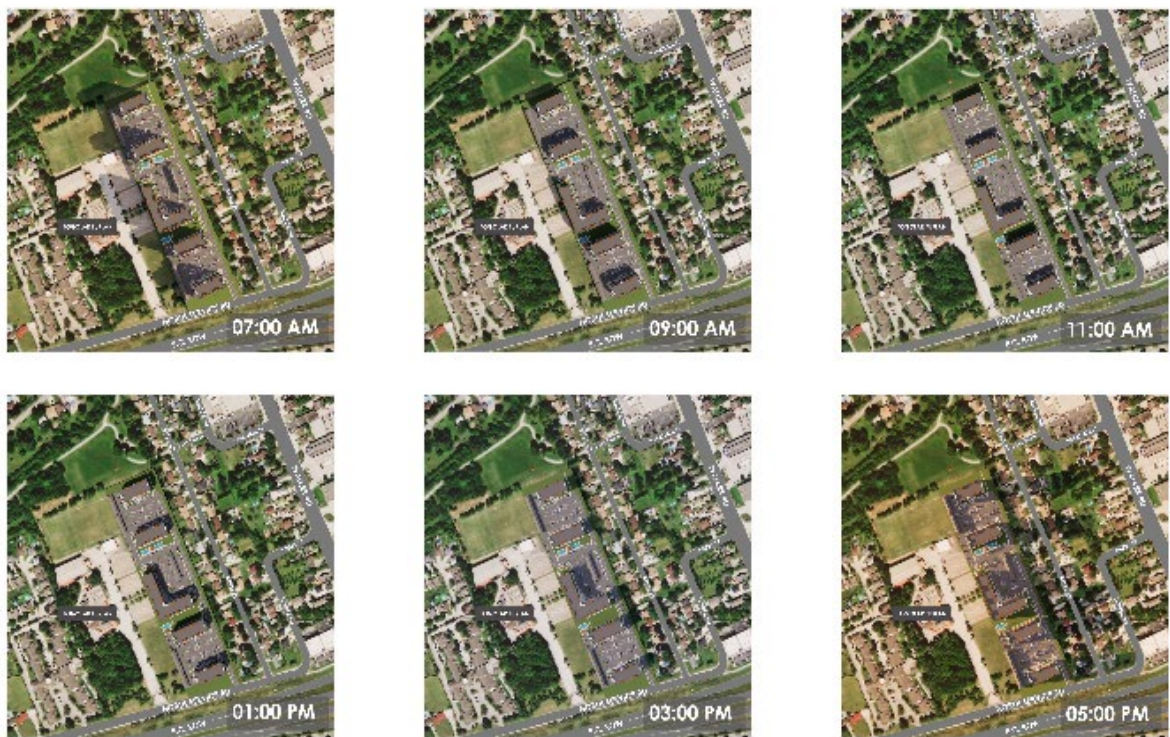
Shadow Study
June 21st - Summer



MARCH (SPRING):

As shown in the Shadow Study, Figure 8 – March (Spring) shows that there is only a minor time late afternoon after 5:00 pm that shadow falls on the adjacent residential neighbourhood. This shadow study shows that the location of the buildings to the west of the property, orientation of the buildings east and west on the parcel, and the medium profile of the building has a positive impact in the reduction of the impact of shadows on the adjacent neighbours.

FIGURE 11 – SHADOW STUDY – MARCH (SPRING)



Shadow Study
March 20th - Spring



3.8 BUILDING RENDERINGS

BUILDING A & E



FRONT - NORTH EAST CORNER



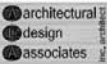
FRONT - NORTH WEST CORNER



REAR - SOUTH EAST CORNER



REAR - SOUTH EAST CORNER

 <p>1670 mercer street richmond ontario canada n9c 3p7 ph: 919.254.3420 fax: 919.254.3442 www.architecturaldesignassociates.com</p>	<p>DATE: 2022/05/25</p> <p>PROJECT: ZBA</p>	<p>PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT [ADDRESS TBD]</p> <p>CLIENT: HD DEVELOPMENTS</p> <p>DRAWN BY: BUILDING A & E - RENDERS</p>	<p>DATE: 2022/05/25</p> <p>PROJECT: ZBA</p> <p>PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT [ADDRESS TBD]</p> <p>CLIENT: HD DEVELOPMENTS</p> <p>DRAWN BY: BUILDING A & E - RENDERS</p>	<p>DATE: 2022/05/25</p> <p>PROJECT: ZBA</p> <p>PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT [ADDRESS TBD]</p> <p>CLIENT: HD DEVELOPMENTS</p> <p>DRAWN BY: BUILDING A & E - RENDERS</p>	<p>DATE: 2022/05/25</p> <p>PROJECT: ZBA</p> <p>PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT [ADDRESS TBD]</p> <p>CLIENT: HD DEVELOPMENTS</p> <p>DRAWN BY: BUILDING A & E - RENDERS</p>
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SPC
3.2

BUILDING A & E



FRONT - NORTH EAST CORNER



FRONT - NORTH WEST CORNER



REAR - SOUTH EAST CORNER



REAR - SOUTH EAST CORNER

<p>1670 mercer street windsor ontario canada n6a 3z7 ph: 519.243.4300 fax: 519.243.3962</p>	<p>date: 2022/05/24</p>	<p>project title: PROPOSED RESIDENTIAL DEVELOPMENT (ADDRESS TBD)</p>	<p>sheet no: 3.4</p>
	<p>client: HO DEVELOPMENTS</p>	<p>date: MAY 2022</p>	<p>sheet title: BUILDING B & D - RENDERS</p>

SPC 3.4

BUILDING C



FRONT - NORTH WEST CORNER



FRONT - NORTH WEST CORNER



REAR - NORTH - FRONT ENTRANCE



REAR - SOUTH EAST CORNER

<p>1670 mercer street windsor ontario canada n6a 3z7 ph: 519.243.4300 fax: 519.243.3962</p>	<p>date: 2022/05/24</p>	<p>project title: PROPOSED RESIDENTIAL DEVELOPMENT (ADDRESS TBD)</p>	<p>sheet no: 3.7</p>
	<p>client: HO DEVELOPMENTS</p>	<p>date: MAY 2022</p>	<p>sheet title: BUILDING C - RENDERS</p>

SPC 3.7

3.9 OPEN HOUSE

Please refer to APPENDIX C – OPEN HOUSE INFORMATION

- * Notice was prepared and hand delivered to the neighbours along Byng;
- * Open House was held on May 10, 2022 at the Fogolar Furlon facility, Windsor Room;
- * There was a significant turn out of approximately 24-26 neighbours and Councillor Morrison;
- * Most neighbour's issues were based on an existing traffic concern: With shift work at Chrysler's, there are peak periods of excess traffic using Byng St as a 'short cut' – concern is that the new residents will utilize Byng as a 'short cut' adding more traffic;
- * The residents wanted to know range of prices of condos – some were interested in 'aging in place' by purchasing a unit and selling their single detached residence;
- * Concern was raised about privacy – explained about the orientation of the building – were more concerned about 'any' neighbour;
- * Concern was raised about the de-valuation of their homes.
- * Most left with positive response and supportive of the measures taken to ensure compatibility of the development with their existing residence.

4.0 PROVINCIAL POLICY STATEMENT (PPS)

When reviewing a planning application to determine if the requested Zoning Bylaw Amendment (ZBA) makes sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statements (PPS): "The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It (PPS) recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."

"Section 1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

COMMENT:

In my professional opinion, the proposed ZBA will authorize the proposed new development that will create an efficient and effective use suited and compatible with the existing neighbourhood.

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

COMMENT:

The condominium buildings will provide for an alternative style and tenure of housing than the standard single detached residence. The ZBA will facilitate the provision of a variety and diversity of housing needed within a community to support a healthy community. The residential buildings will be developed as condo ownership providing for an alternative housing style and tenure while supporting a diversification of housing styles and tenures. The condominium as infilling housing within an older residential neighbourhood will provide alternative housing for neighbours to 'age in place' as a next stage housing alternative to their single detached residence.

- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

COMMENT:

There are no environmental or health issues associated with the proposed development of the existing vacant lands. The property is an infilling parcel that will support, in my professional opinion, the efficient and effective utilization of municipal services.

- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

COMMENT:

The subject lands are located within the urban area of the settlement area within the City of Windsor. The ZBA authorizes an infilling residential development within an established residential neighbourhood; the buildings are distance separated from the existing residences, provide a neighbourhood transition in a mixed density and mixed use neighbourhood; the medium density residences that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood. In my professional opinion, the proposed development will not result in the unnecessary expansion of the urban settlement area.

- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

COMMENT:

The proposed development is infilling in a vacant, under utilized field within an established residential neighbourhood. The development will allow for an infilling development of medium density residential development that will utilize existing municipal services. The utilization of the vacant property for the development of 387 residential condominium units, in my professional opinion, will result in with an appropriate intensification of use.

COMMENT:

Site services are available to the site. As noted in the Engineering report, there is municipal capacity to accommodate the proposed land use and the development will not result in an expansion of municipal infrastructure. In my professional opinion, the site location will allow for an efficient and effective development while providing for a cost effective utilization of existing municipal infra-structure.

The site is located near municipal bus route and has direct access to the Edward Charles Expressway (EC ROW), an expressway providing access across Windsor. In my opinion, the proposal supports the establishment of alternative housing tenure and style while supporting intensification of land use in an appropriate area while supporting wise management and cost effective utilization of municipal services such as the transit system, walking trail and bike trail infrastructure of municipal services, and efficient utilization of existing municipal services.

In my professional opinion, the proposed residential development of the property is consistent with and supports the cost-effective intensification of the property as infilling development while minimizing land consumption and supports the efficient and effective utilization of municipal infrastructure.

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

COMMENT:

Building accessibility will be established in compliance with the OBC for all the residential units.

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs

COMMENT:

As noted in the Sanitary Sewer Study (Appendix B) and the Storm Water Management Report (Appendix C) there is capacity available in the municipal infrastructure to accommodate the proposed 387 residential unit condos. In my professional opinion, the proposed new condo development can be considered an efficient and effective utilization of municipal infrastructure.

h) promoting development and land use patterns that conserve biodiversity; and

COMMENT:

In my professional opinion, the proposed development assists with the conservation and preservation of biodiversity by providing for wise intensification of land use with redevelopment of existing lands as infilling in an urban centre.

i) Preparing for the regional and local impacts of a changing climate.

COMMENT:

The building is located within a neighbourhood providing services and commodities within walking distance. There are employment opportunities within walking distance to the site, supporting the work/live initiative. There is a bus service, trail system, and the EC ROW within close proximity that will reduce the dependence on the vehicle while supporting walking, biking and healthy community initiatives of the Municipality and Province.

“Section 1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

COMMENT:

The subject lands were designated for residential development and are located within a residential neighbourhood. The proposed residential condominium development is permitted by the OP and will be authorized by the proposed ZBA.

In my professional opinion, the proposed development provides for an efficient and effective utilization of municipal services; provides for an intensification of an appropriate land use; and will provide for suitable and compatible residential development that will provide for alternative housing tenure and style.

“Section 1.1.3.4 Settlement Areas

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

COMMENT:

The development of the subject lands supports, promotes and facilitates an appropriate land use for the neighbourhood while allowing for an intensification of land use and providing needed residential condominium units as alternative tenure and style of housing. There are no public health issues or risks associated with the proposed development.

“Section 1.1.3.6

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

COMMENT:

In my professional opinion, the proposed development will provide for a compact built form with appropriate intensification of land use as an infilling residential development in a neighbourhood of mixed uses and mixed residential densities resulting in an efficient and effective use of the subject lands.

COMMENT:

In my professional opinion, the requested ZBA is consistent with the 2020 PPS by supporting the sound and efficient managed intensification and growth associated with the residential development of the land use for the subject site. Providing for a ZBA regulatory framework that support the development of these lands for residential condominiums as an infilling development of a compatible development for the community, in my professional opinion supports the Healthy Community initiatives and is therefore consistent with the Provincial Policy Statements.

5.0 CITY OF WINDSOR OFFICIAL PLAN

The City of Windsor Official Plan provides policies directing land use within the entirety of the municipality of Windsor. The policies are consistent with the Provincial Policy Statements and provides additional policy direction for development within the City of Windsor. The subject lands are designated 'Residential' in the Official Plan and as shown on Schedule D Land use Plan for the City of Windsor. The following review places the proposal in context of the policy framework of the Official Plan for the City.

"2. Glossary

DEVELOPMENT PROFILE *Development Profile refers to the height of a building or structure. There are four development profiles described in the Plan: City of Windsor Official Plan1 Volume 1 1 Glossary 2 - 2 (a) Low Profile development is a building or structure generally no greater than fourteen (14) metres in height. Low Profile Housing development is further classified as follows; (i) small scale forms: single detached, semi-detached, duplex, and row and multiplexes with up to 8 units; and (ii) large scale forms: buildings with more than 8 units; (b) Medium Profile development is a building or structure generally no less than fourteen (14) metres in height and generally no greater than twenty six (26) metres in height; (c) High Profile development is a building or structure generally no less than twenty (26) metres in height and generally no greater than fifty eight (58) metres in height; (d) Very High Profile development is a building or structure generally greater than fifty eight (58) metres in height.*

COMMENT:

The proposed 387 residential condominium units are proposed to be constructed in 5 buildings as shown on the attached Site Plan. Each building is proposed at 6 storeys in height with 20.7 m in height. The buildings and development can be considered medium profile as infilling within a neighbourhood of mix uses and profiles.

"3.2.1.2 NEIGHBOURHOOD HOUSING VARIETY

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands.

COMMENT:

The proposed residential condominium development will provide for an alternative housing style and tenure than the standard single detached residence providing a diversity of housing. The condominium housing provides for an opportunity for some of the long established residents within the neighbourhood to remain within their neighbourhood and ‘age in place’, a positive opportunity voiced by attendees of the Open House. In my professional opinion, the proposal conforms with the policy direction to provide for housing variety.

“3.2.1.4 COMMUNITY DESIGN

The design of buildings and spaces will respect and enhance the character of their surroundings, incorporating natural features and creating interesting and comfortable places. Streets, open spaces and the greenway system will serve as public amenities connecting and defining neighbourhoods and contributing to Windsor’s image. New development in Windsor will accommodate the needs of pedestrians, cyclists and other recreational activities.”

COMMENT:

The site plan has been designed with the neighbourhood aspect in consideration. There has been a link to the trail system through the development. There are amenities designed for the site such as landscaping, buffering, etc that will benefit both the residents and the neighbourhood, providing for conformity of the development with this OP policy.

“3.2.3.5 ENERGY EFFICIENCY

Windsor will encourage the design and construction of energy efficient buildings and landscapes to reduce air, water and land pollution.”

COMMENT:

Efforts will be made in the design of the buildings and an increase in landscaping to facilitate energy efficiencies. The development proposal, in my professional opinion, conforms with energy efficiency policies of the Official Plan.

“6. Land Use

“6.0 Preamble *A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations. As such, the Land Use chapter of this Plan promotes a compact urban form and directs compatible development to appropriate locations within existing and future neighbourhoods. This chapter of the Official Plan provides goals, objectives and policies for the land use designations identified on Schedule D: Land Use and Schedule E: City Centre Planning District and should be read in conjunction with the other parts of the Plan.*

COMMENT:

The provision of residential condominiums as alternative housing as infilling in an existing residential neighbourhood supports the healthy community by providing for diversification. The neighbourhood provides for walkability, amenities and a diversifications of uses and residential densities. Compatibility with the neighbourhood was the key element in design features of the proposal. In my professional opinion the development is compatible with the neighbourhood as an infilling development and conforms with this policy of the OP.

“6.2.1.2 TYPES OF DEVELOPMENT PROFILE

For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:

- (a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;*
- (b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and**
- (c) High Profile developments are buildings or structures generally no greater than fourteen (14) storeys in height.”*

COMMENT:

The development proposal is for a medium profile building in a neighbourhood of mix profiles. The design of the buildings to provide for buffering, setback, and building orientation also ensures compatibility as an infill development within the existing neighbourhood.

“6.3 Residential

The lands designated as “Residential” on Schedule D: Land Use provide the main locations for housing in Windsor outside of the City Centre Planning District. In order to develop safe, caring and diverse neighbourhoods, opportunities for a broad range of housing types and complementary services and amenities are provided. The following objectives and policies establish the framework for development decisions in Residential areas.

COMMENT:

The proposed condominium development will provide for an alternative form of housing tenure and style than the typical style of housing in the neighbourhood. The diversification supports rejuvenation of the neighbourhood. Significant amenities such as landscaping, link to the municipal trail system are to be provided on site for the residents benefit as well as the neighbourhood.

The proposed development in my professional opinion conforms with the policy of the Official Plan that supports and encourages diversification in housing to ensure a healthy and prosperous community.

“6.3.1 Objectives

6.3.1.1 RANGE OF FORMS & TENURES

To support a complementary range of housing forms and tenures in all neighbourhoods.”

COMMENT:

The proposed residential condominiums provide for an alternative form of housing tenure and style in the neighbourhood. The condominium form of housing will allow for some existing residents to remain in the neighbourhood and ‘age in place’. The proposed development, in my opinion, conforms with this policy of the Official Plan.

“6.3.1.2 NEIGHBOURHOODS

To promote compact neighbourhoods which encourage a balanced transportation system.”

COMMENT:

The subject site is located fronting on North Service Road with direct access to the EC ROW, a major city wide collector road system. The development being proposed will connect with the existing municipal trail located at the north end of the property. There is a municipal bus system within close walking distance to the site. The proposed development will support a balanced transportation system and in my professional opinion, the proposed development conforms with the policy direction.

“6.3.1.3 INTENSIFICATION, INFILL & REDEVELOPMENT

To promote selective residential redevelopment, infill and intensification initiatives.”

COMMENT:

The proposed development will be locating on an under-utilized vacant parcel within a mixed use neighbourhood. The medium profile development will provide for residential use as an infill development on municipal services and with consideration for compatibility to the existing residential development located adjacent to the site. The intensification can be considered well managed intensification providing for a compatible development with the neighbourhood.

“6.3.2.4 LOCATIONAL CRITERIA

Residential development shall be located where:

- (a) there is access to a collector or arterial road;*
- (b) full municipal physical services can be provided;*
- (c) adequate community services and open spaces are available or are planned;*
and
- (d) public transportation service can be provided.”*

COMMENT:

The subject site fronts on North Service Road with direct access to the EC Row, a major collector road within the City of Windsor.

The infilling development will provide for wise management of the existing municipal infra structure and services. The SWM Report and Sanitary Sewer Study provided by the Civil Engineer provides a professional opinion that there is sufficient services and capacity to support the development proposal.

The development is proposed with a significant 41 % landscaped open space while providing connections to municipal trail, extensive landscaping, a gathering place, pickle ball courts, and outdoor pavilions.

Based on the locational criteria, the proposed development location conforms with the relevant policy of the Official Plan to ensure appropriate criteria is met for a sound development and a healthy neighbourhood and community.

“6.3.2.5 EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:

- (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - (i) within or adjacent to any area identified on Schedule C: Development Constraint Areas and described in the Environment chapter of this Plan;*
 - (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*
 - (iii) within a site of potential or known contamination;*
 - (iv) where traffic generation and distribution is a provincial or municipal concern; and*
 - (v) adjacent to heritage resources.**
- (b) in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area;*
- (c) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas;*
- (d) provided with adequate off street parking;*
- (e) capable of being provided with full municipal physical services and emergency services; and*
- f) facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate.”*

COMMENT:

Based on all studies completed and included with this PRR, there are no environmental hazards on site; no negative impact resulting from the traffic that will be generated by the development; all noise impact can be mitigated through architectural or design features; and there are no development constraints associated with the property.

The proposed development is a residential infilling of a medium profile building within a neighbourhood of mix of profiles and uses. The lot size and configuration provides opportunities to support the inclusion of a medium profile building while providing for increased setbacks, appropriate orientation of buildings and buffering to support a compatible new development within an older neighbourhood.

The infilling development will provide for a variety of housing style and tenure to the neighbourhood and the community that supports a healthy community. The condominium style of housing will allow some existing residents stay within their established neighbourhood and 'age in place'. The housing style also provide for a style of housing that is considered the 'missing middle' of the community.

The proposed development is a wise utilization of an under-utilized parcel with the efficient and effective use of municipal services.

The proposed development, in my professional opinion, conforms with this policy by providing for an appropriate and compatible development within the existing

"8.7.2.3 INFILL DEVELOPMENT

Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:

- (a) massing;*
- (b) building height;*
- (c) architectural proportion;*
- (d) volumes of defined space;*
- (e) lot size;*
- (f) position relative to the road; and*
- (g) building area to site area ratios.*
- (h) the pattern, scale and character of existing development; and,*
- (i) exterior building appearance."*

COMMENT:

The large lot has been utilized to provide for a significant setback of the buildings from the existing residences on the east. Landscaping and buffering have been utilized to further buffer and provide separation of the new development from the existing residences.

Significantly the buildings have been designed with an east/west orientation so that the non-habitable portion (stairway) of the buildings are facing the existing residences providing privacy of use for the existing residences to the east.

As demonstrated in the rendering and the elevations prepared by ADA Architects, the medium profile buildings are of a high quality design that will be a positive attribute to the neighbourhood. The buildings will provide a vibrancy to a property that has been vacant and under utilized. The vibrancy of the new building will help to rejuvenate a neighbourhood that has not recently seen change.

The Shadow Study shows that the new buildings will not create a shadow or negative impact on the enjoyment of the sunshine on the adjacent residences.

The medium profile buildings provide for a nice transition and separation between the existing residences and the commercial use of the Fogolar Furlon and the institutional Chartwell senior's home.

The buildings provide for a diversity of housing style as well as tenure needed within a community to support the healthy community created through diversity.

In my professional opinion, policy directions have been regarded in the design of the proposed development and that the proposal is a sound, compatible development with the neighbourhood.

COMMENT:

In my professional opinion, the requested ZBA conforms with the relevant policies of the Official Plan for the City of Windsor based on the evaluation noted above.

6.0 CITY OF WINDSOR ZONING REGULATIONS

The subject lands are zoned 'Green District GD1.2' in the CBZ 8600 for the City of Windsor. The land use of residential is not a permitted use in the 'Green District GD1.2' zone presently applied to the subject lands. The change of use from a Green District does not comply with the existing regulatory framework applied to the property.

Zoning By-law Amendment (ZBA) is requested to rezone the subject lands to 'Residential RD 3.3' zone under the CZB 8600 for the City of Windsor will ensure compliance of the proposed development of the site as 5 large scale high profile residential building of 6 storeys high at a density of 95 units per hectare.

PROVISION	GREEN DISTRICT GD1.2	RESIDENTIAL R3.3	PROPOSED DEVELOPMENT
LOT AREA	1,850 m ²	1,825 m ² for first 19 units 45 m ² each additional unit (18,385 m ² for 387 units)	4.07 ha 40,703 m ²
LOT FRONTAGE	N/A	45 m	143 m
FRONT SETBACK	N/A		21 m
REAR SETBACK	N/A		11.4 m
INTERIOR SIDE YD	N/A		19.7 m (east)
LANDSCAPED OPEN SPACE	N/A	35% (min)	41%
LOT COVERAGE	25%	35% (max)	20%
PARKING	N/A	1.25 sp x 387 = 484 spaces	491 spaces
BICYCLE PARKING	N/A	26 spaces	26 spaces
DWELLING UNIT DENSITY	N/A	180 units/ ha	95 units/ha
MAXIMUM MAIN BUILDING HEIGHT	14 m	24 m	20.7 m

COMMENT:

After review and evaluation of the CZB for the City of Windsor, the proposed site development complies with the 'Residential District 3.3 (RD3.3)' regulations without modification to recognize site specific provisions.

It is therefore my professional opinion that a ZBA to establish the (RD3.3) zone regulatory framework for the subject lands meets the intent of the CZB for the City of Windsor.

7.0 SUMMARY

In my professional opinion, the requested Zoning Bylaw Amendment (ZBA) purports to apply 'Residential' specific regulatory framework to allow for an appropriate land use for the subject site.

The condominium buildings will provide for an alternative style and tenure of housing than the standard single detached residence within the mixed use and mixed density neighbourhood. The ZBA will facilitate the provision of a variety and diversity of housing needed within a community to support a healthy community. The residential buildings will be developed as condo ownership providing for an alternative housing style and tenure while supporting a diversification of housing styles and tenures accommodating a healthy community. The condominium as infilling housing within an older residential neighbourhood with a mix of housing styles and densities that will provide alternative housing. In addition, the condo style and tenure of housing will provide the neighbours an alternative option for them to continue within their neighbourhood and to 'age in place' as a next stage housing alternative to their single detached residence.

In my professional opinion, the residential condominiums have been designed with respect for the existing adjacent residences and with the location of the buildings on the property, the orientation of the buildings, the beautiful design, separation spacing, extensive landscaping, provision of amenities and parking on site, and the medium profile aspect of the buildings will result in a suitable and compatible development within the existing neighbourhood.

The proposed residential condo development will support the rejuvenation of the existing neighbourhood; will provide for a compatible development as an infilling development; will provide an aesthetically pleasing development; will provide for alternative style and tenure of housing to assist the existing residents to age in place; will provide for an efficient and effective infilling and utilization of municipal services; and will provide for needed alternative residential housing style and tenure supporting the diversification of housing accommodation in the City of Windsor.

In my professional opinion, the requested ZBA makes sound planning and the necessary amendment is supportable.

7.2 CONCLUSION

Given the foregoing assessment and my evaluation of the proposal in relation to the PPS 2020, the City of Windsor Official Plan and the Comprehensive Zoning By-law, in my professional opinion the proposed Zoning By-law Amendment (ZBA) is consistent with policies of the PPS, OP, and regulations found in the Zoning By-law.

In addition, it is my professional opinion that the proposed Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of site while also implementing the proposals included in this Planning Justification Report dated May 27, 2022.

In summation, the proposal conforms with the proposed Zoning Bylaw Amendment (ZBA) that will appropriately establish a regulatory framework under the 'Residential District 3.3 (RD3.3)' zone. The ZBA provides a regulatory framework to authorize for needed residential accommodation and supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) conforms with the established policy framework of the OP;
- 3) maintains the intent of the City of Windsor CZB and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB;
- 4) makes sound planning.

I hereby certify that this report was prepared by Jackie Lassaline RPP MCIP, a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994.

Lassaline Planning Consultants Inc.



Jackie Lassaline BA MCIP RPP
Principal Planner

APPENDIX A: ZONING

9.2 GREEN DISTRICT 1.2 (GD1.2)

9.2.1 PERMITTED USES

Child Care Centre

Club

Private Park

Public Park

Any use accessory to the preceding uses

9.2.5 PROVISIONS

.2	Lot Area – minimum	1,850.0 m ²
.3	Lot Coverage – maximum	25.0%
.4	Building Height – maximum	
	<i>Lot having a lot area of less than 0.5 ha</i>	9.0 m
	<i>Lot having a lot area of 0.5 ha or more</i>	14.0 m

APPENDIX B:

12.3 RESIDENTIAL DISTRICT 3.3 (RD3.3)

12.3.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following existing dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.3.5 PROVISIONS

- | | | |
|-----|--|------------------------------|
| .1 | Lot Frontage – minimum | 45.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 23 <i>dwelling units</i> | 1,825.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 37.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | c) For the first 19 <i>dwelling units</i> | 1,825.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 45.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 30.0 m |
| | <i>Interior Lot</i> | 24.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> | 225 units per ha |
| | For any other <i>lot</i> | 180 units per ha |
| .50 | A <i>Lodging House</i> for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the <i>Single Unit Dwelling</i> provisions of Section 10.1.5 and further, the whole of the <i>building</i> shall be used for a <i>Lodging House</i> , including any <i>accessory use</i> . [ZNG/5630] | |
| | (AMENDED by B/L 95-2019, Sept. 27/2019) | |
| .55 | An addition to an existing <i>Double Duplex Dwelling</i> , existing <i>Duplex Dwelling</i> , existing <i>Semi-Detached Dwelling</i> or an existing <i>Single Unit Dwelling</i> and any use accessory to the foregoing uses, shall comply with the provisions of Section 11.2.5. | |

OPEN HOUSE

MAY 10, 2022 | 5 PM – 7 PM

FOGOLAR FURLAN CLUB – WINDSOR HALL NORTH



We are hosting a community information meeting to discuss the proposed 387-unit multi-residential development at 1850 North Service Road (next to Fogolar Furlan Club).

You are invited to attend the open house to learn about the project. We will be there and will be happy to answer any of your questions.



HD development group

DESIGN | BUILD

**FOR MORE
INFORMATION REGARDING
THE OPEN HOUSE**

**PHONE:
519-966-6200**

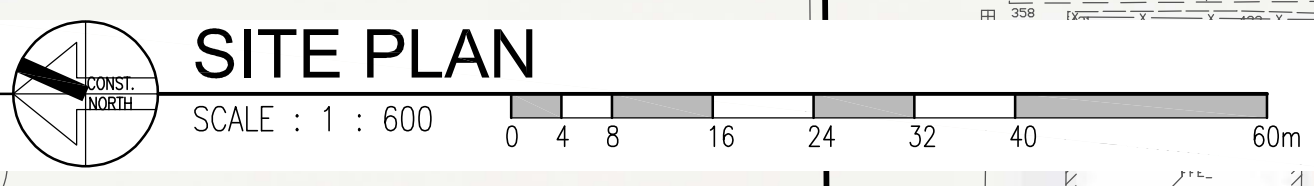
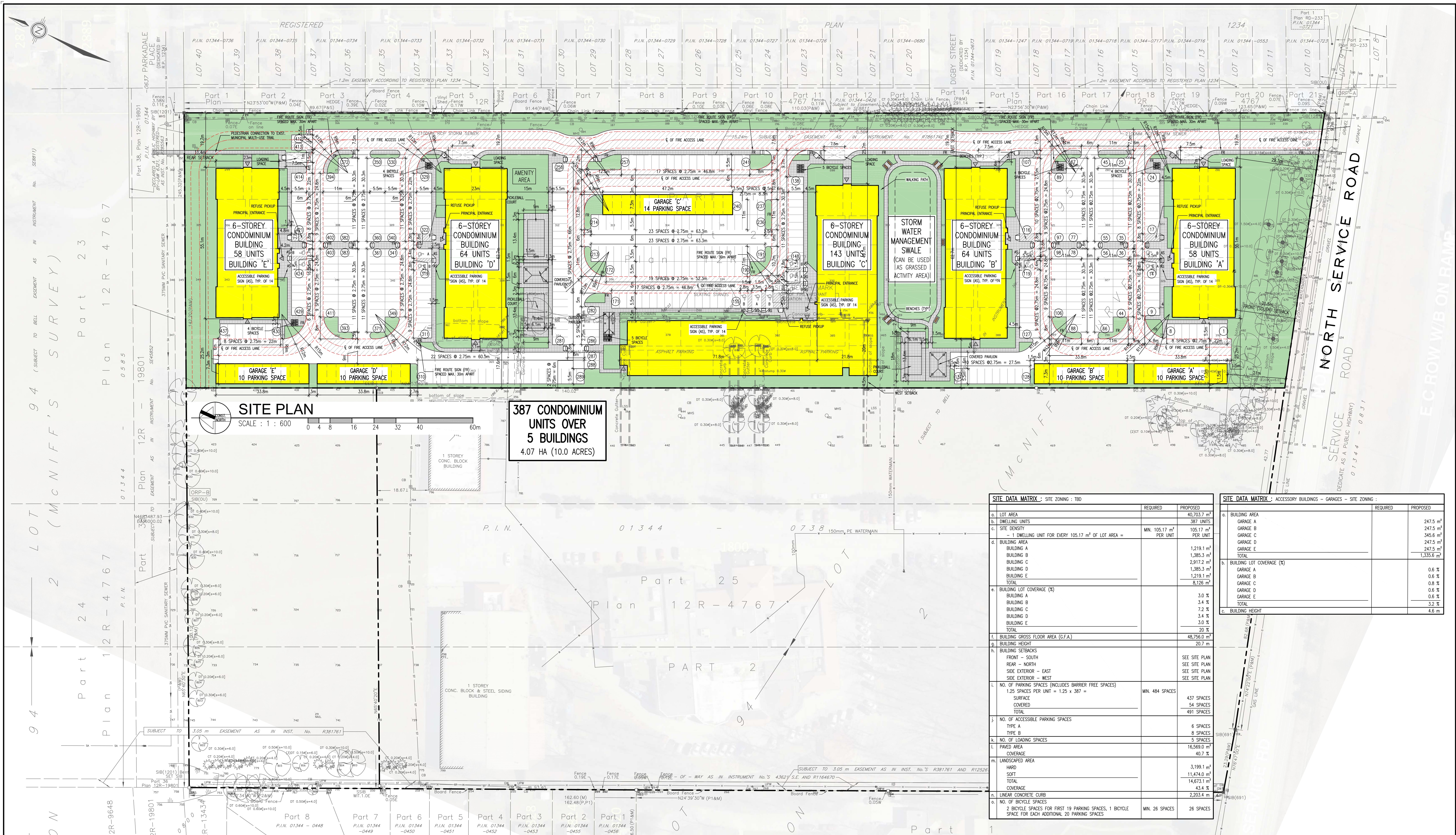
**EMAIL:
info@HDdevelopmentgroup.com**

Fogolar Open House Attendant List - May 10th, 2022

#	Name	Address	Email	Phone Number
1	Y. HANLIN	1875 BUNG RD	Sanjour Fogolar (Sanjour)	519-941-1510
2	DEBORAH	2947 BUNG RD	DAVID DE ROO & COMPANY PHOTOGRAPHY	519-250-8674 519-265-0174
3	A. PETER OLSSON	2932 BUNG RD	ASTORIA COMMUNITY	519-818-5100
4	GUARDIAN SOCIETY	5365 OLD ASTOR	ASTORIA COMMUNITY	519-818-5100
5	PATRICIA MARTINEZ	8997 BUNG	ASTORIA COMMUNITY	519-965-8311
6	BRUCE WILSON	774 WILSON	ASTORIA COMMUNITY	519-998-1335
7	BRUCE WILSON	774 WILSON	ASTORIA COMMUNITY	519-966-1891
8	LISA WELING	8927 BUNG	ASTORIA COMMUNITY	519-966-6016
9	LISA WELING	8927 BUNG RD	IMMEDIATE COMMUNITY	519-559-0816
10	LESLIE CRUTCHER	1945 GRAND MARISE	HELIOROUTER.COM	519-172-0485
11	SAI FURUA	1975 GRAND MARISE	SAEHEALTH.COM	519-291-9644
12	MARGA GREELY	3911 BUNG	SAEHEALTH.COM	519-296-9200
13	KIRBY SHAW	2947 BUNG	KENTYSHAW.COM	519-830-1008
14	STOLBY S. AZIBAO	2945 BUNG	KENTYSHAW.COM	519-966-6448
15	STOLBY S. AZIBAO	2945 BUNG	KENTYSHAW.COM	519-448-845
16	ANNONY WILSON	2993 BUNG RD		519-820-6255
17	DAN STEIGER	2993 BUNG RD		519-300-6255
18	MAURITEN RUDOWICZ	3027 BUNG RD		519-966-0583
19	RITA LEAVER	3953 BUNG RD		519-946-0257
20	R. THOMAS	288 BUNG RD		
21	JIM M. JOHNSON	2920 GLENWOODS		
22	MIKE FOLE	2921 BUNG		519-516-7558
23	FRED WARSOW	2928 BUNG		
24	STANLEY WASSON	2928 BUNG RD		

Fogolar Open House Attendant List - May 10th, 2022

#	Name	Address	Email	Phone Number
24	Lynne Pronger	1141 St. Annis	lynn.pronger@quadco.de	519-566-7188
25	Darrell Johnston	3011 Bymg		
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				



387 CONDOMINIUM UNITS OVER 5 BUILDINGS
4.07 HA (10.0 ACRES)

SITE DATA MATRIX - SITE ZONING: TBD		REQUIRED	PROPOSED
a. LOT AREA			40,703.7 m ²
b. DWELLING UNITS			387 UNITS
c. SITE DENSITY	- 1 DWELLING UNIT FOR EVERY 105.17 m ² OF LOT AREA =	MIN. 105.17 m ² PER UNIT	105.17 m ² PER UNIT
d. BUILDING AREA			
BUILDING A			1,219.1 m ²
BUILDING B			1,385.3 m ²
BUILDING C			2,917.2 m ²
BUILDING D			1,385.3 m ²
BUILDING E			1,219.1 m ²
TOTAL			8,126 m ²
e. BUILDING LOT COVERAGE (%)			
BUILDING A			3.0 %
BUILDING B			3.4 %
BUILDING C			7.2 %
BUILDING D			3.4 %
BUILDING E			3.0 %
TOTAL			20 %
f. BUILDING GROSS FLOOR AREA (G.F.A.)			48,756.0 m ²
g. BUILDING HEIGHT			20.7 m
h. BUILDING SETBACKS			
FRONT - SOUTH			SEE SITE PLAN
REAR - NORTH			SEE SITE PLAN
SIDE EXTERIOR - EAST			SEE SITE PLAN
SIDE EXTERIOR - WEST			SEE SITE PLAN
i. NO. OF PARKING SPACES (INCLUDES BARRIER FREE SPACES)			
1.25 SPACES PER UNIT = 1.25 x 387 =		MIN. 484 SPACES	
SURFACE COVERED			437 SPACES
TOTAL			491 SPACES
j. NO. OF ACCESSIBLE PARKING SPACES			
TYPE A			6 SPACES
TYPE B			8 SPACES
k. NO. OF LOADING SPACES			5 SPACES
l. PAVED AREA			
COVERAGE			16,569.0 m ²
TOTAL			40.7 %
m. LANDSCAPED AREA			
HARD			3,199.1 m ²
SOFT			11,474.0 m ²
TOTAL			14,673.1 m ²
COVERAGE			43.4 %
n. LINEAR CONCRETE CURB			2,203.4 m
o. NO. OF BICYCLE SPACES			
2 BICYCLE SPACES FOR FIRST 19 PARKING SPACES, 1 BICYCLE SPACE FOR EACH ADDITIONAL 20 PARKING SPACES		MIN. 26 SPACES	26 SPACES

SITE DATA MATRIX - ACCESSORY BUILDINGS - GARAGES - SITE ZONING:		REQUIRED	PROPOSED
a. BUILDING AREA			
GARAGE A			247.5 m ²
GARAGE B			247.5 m ²
GARAGE C			345.6 m ²
GARAGE D			247.5 m ²
GARAGE E			247.5 m ²
TOTAL			1,335.6 m ²
b. BUILDING LOT COVERAGE (%)			
GARAGE A			0.6 %
GARAGE B			0.6 %
GARAGE C			0.8 %
GARAGE D			0.6 %
GARAGE E			0.6 %
TOTAL			3.2 %
c. BUILDING HEIGHT			4.6 m

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A associates inc. architect

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ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

stamp:	date (yyy/mm/dd): issued for:	
	2022/05/25 ZBA	

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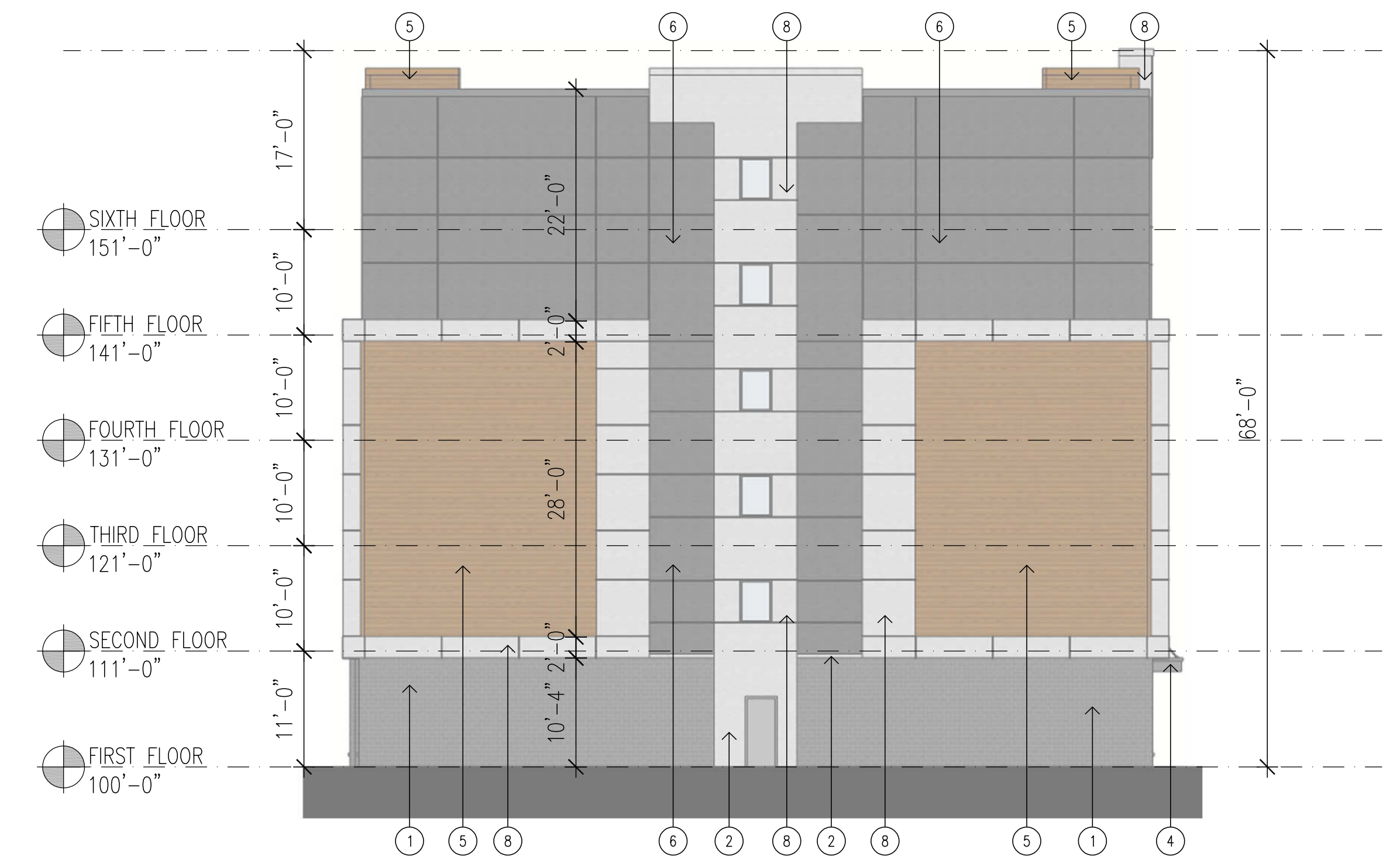
project:
PROPOSED RESIDENTIAL DEVELOPMENT
[ADDRESS TBD]
client:
HD DEVELOPMENTS
drawing title:
PROPOSED SITE PLAN

scale: 1:600
drawn by: TK
checked by: SMB
date: MAY, 2022
comm. no.: 2021-062
sheet no.: **SPC 1.0**



FRONT ELEVATION

SCALE : 3/32" = 1'-0" 0 2 4 8 16 32 FEET



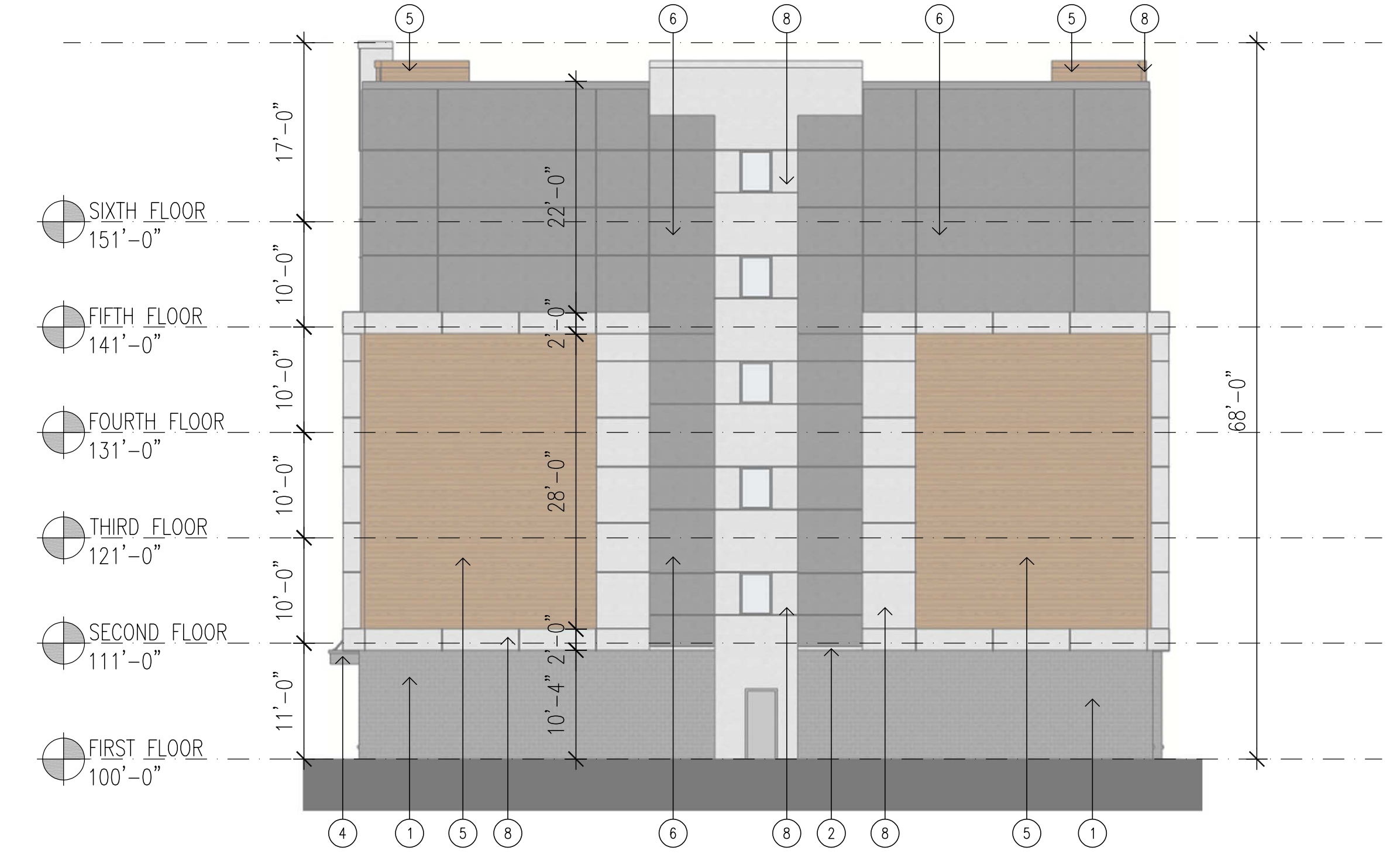
LEFT ELEVATION

SCALE : 3/32" = 1'-0" 0 2 4 8 16 32 FEET



REAR ELEVATION

SCALE : 3/32" = 1'-0" 0 2 4 8 16 32 FEET



RIGHT ELEVATION

SCALE : 3/32" = 1'-0" 0 2 4 8 16 32 FEET



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[ADDRESS TBD]

client:

HD DEVELOPMENTS

drawing title:

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FRONT - NORTH EAST CORNER



FRONT - NORTH WEST CORNER



REAR - SOUTH EAST CORNER



REAR - SOUTH EAST CORNER

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client:

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drawing title:

BUILDING A & E - RENDERS

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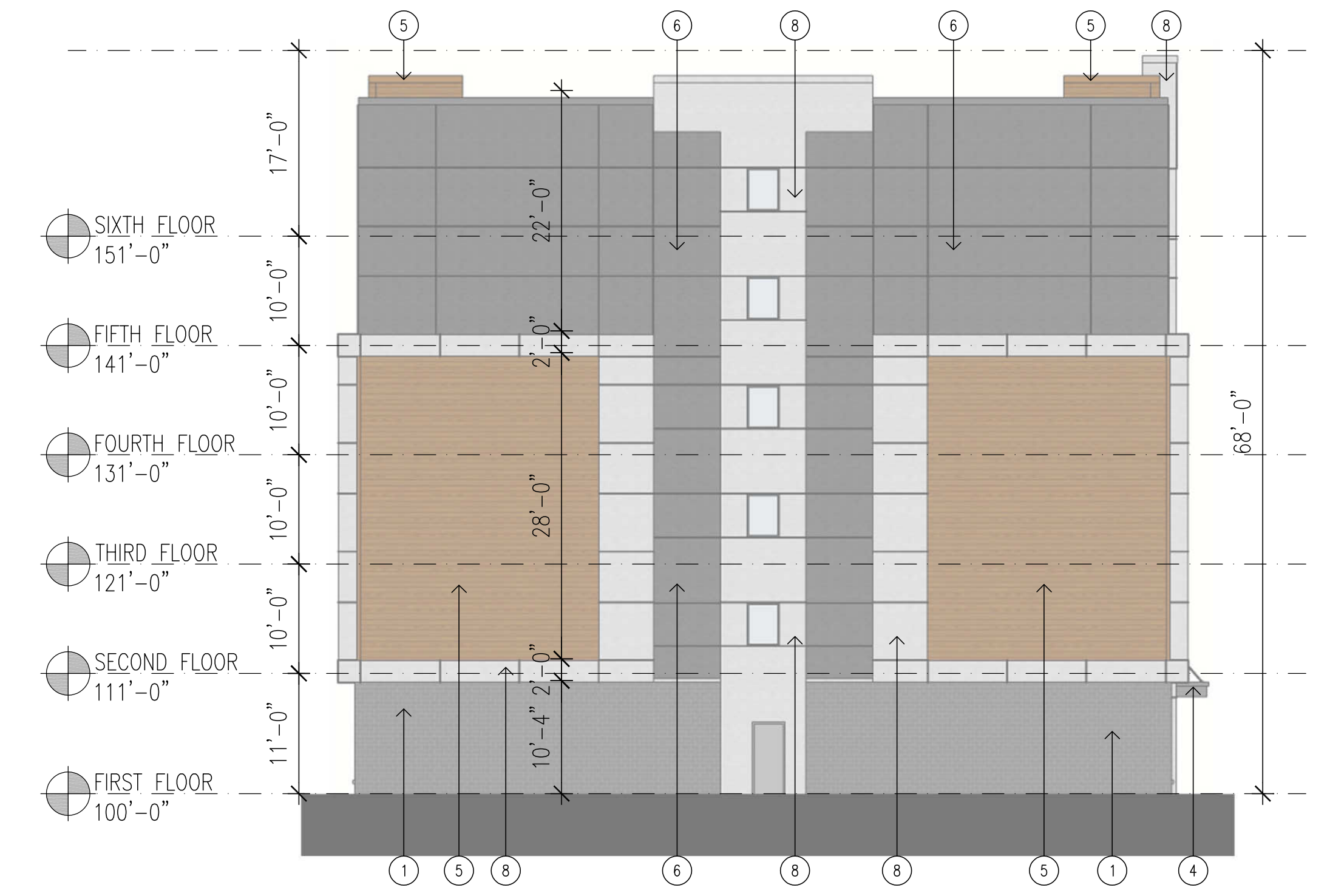
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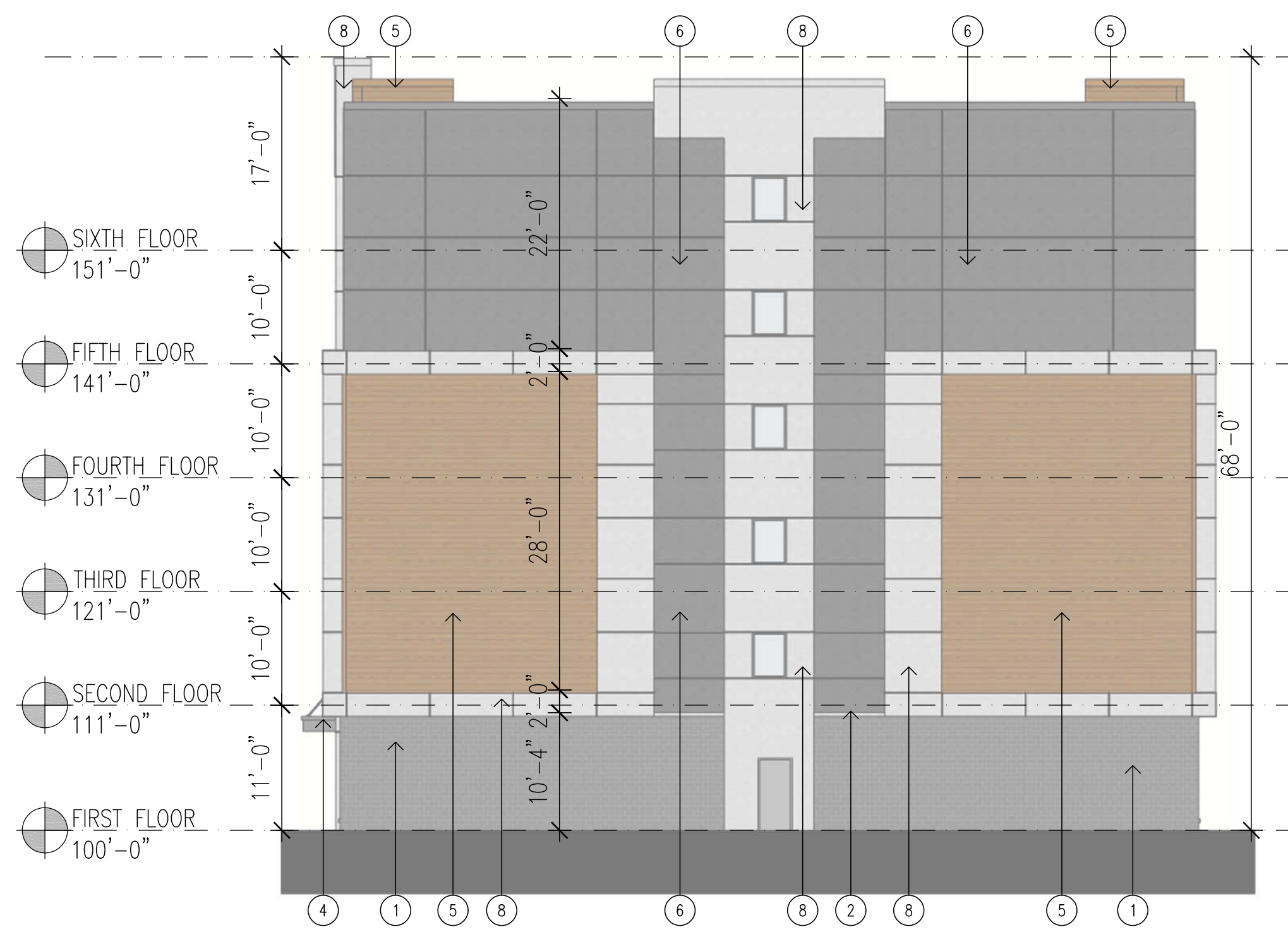
FRONT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET



LEFT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET



RIGHT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET



REAR ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET

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client:

HD DEVELOPMENTS

drawing title:

BUILDING B & D - ELEVATIONS

scale: AS SHOWN

drawn by: TK

checked by: SMB

date: MAY, 2022

comm. no.: 2021-062

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FRONT - NORTH EAST CORNER



FRONT - NORTH WEST CORNER



REAR - SOUTH EAST CORNER



REAR - SOUTH EAST CORNER

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HD DEVELOPMENTS

drawing title:

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scale:

drawn by: TK

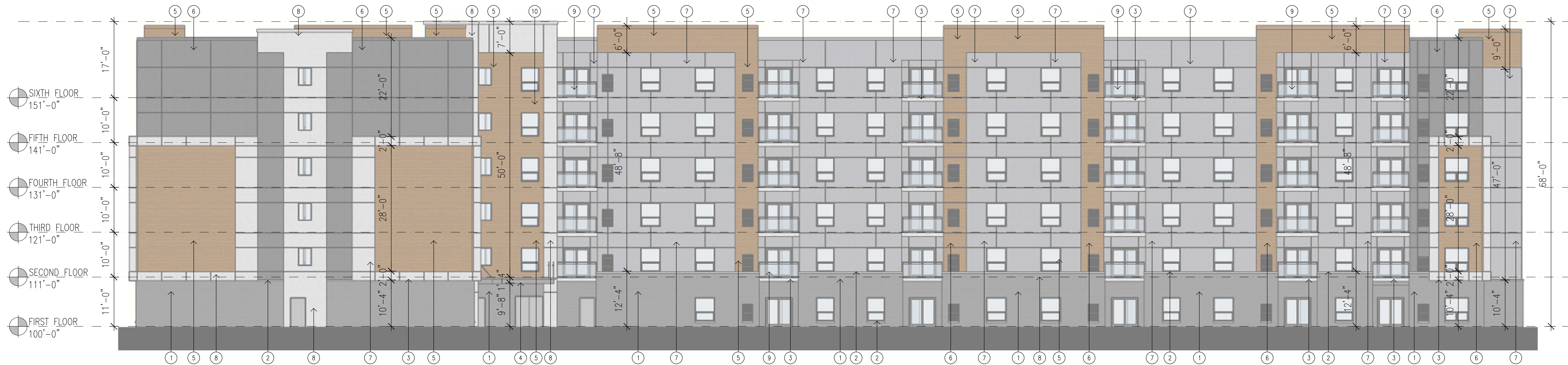
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FRONT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET



RIGHT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET

EXTERIOR FINISH SCHEDULE		
IDEN. NO.	FINISH DESCRIPTION	COLOUR
1	BRICK	DARK GREY
2	PRECAST SILL	LIGHT GREY
3	CONCRETE BALCONY	LIGHT GREY
4	ACM	CHARCOAL
5	SIDING	
6	E.I.F.S. 01	CHARCOAL
7	E.I.F.S. 02	LIGHT GREY
8	E.I.F.S. 03	WHITE
9	ALUM./GLASS BALCONY GUARDRAIL SYSTEM	
10	SPANDREL PANEL	GREY



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project:

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[ADDRESS TBD]

client:

HD DEVELOPMENTS

drawing title:

BUILDING C - ELEVATIONS

scale: AS SHOWN

drawn by: TK

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date: MAY, 2022

comm. no.: 2021-062

sheet no.:

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3.5**



REAR ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET



LEFT ELEVATION

SCALE : 3/32" = 1'-0"
0 2 4 8 16 32 FEET

EXTERIOR FINISH SCHEDULE		
IDEN. NO.	FINISH DESCRIPTION	COLOUR
①	BRICK	DARK GREY
②	PRECAST SILL	LIGHT GREY
③	CONCRETE BALCONY	LIGHT GREY
④	ACM	CHARCOAL
⑤	SIDING	
⑥	E.I.F.S. 01	CHARCOAL
⑦	E.I.F.S. 02	LIGHT GREY
⑧	E.I.F.S. 03	WHITE
⑨	ALUM./GLASS BALCONY GUARDRAIL SYSTEM	
⑩	SPANDREL PANEL	GREY

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project:

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[ADDRESS TBD]

client:

HD DEVELOPMENTS

drawing title:

BUILDING C - ELEVATIONS

scale: AS SHOWN

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FRONT - NORTH WEST CORNER



FRONT - NORTH WEST CORNER



REAR - NORTH - FRONT ENTRANCE



REAR - SOUTH EAST CORNER

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project:

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client:

HD DEVELOPMENTS

drawing title:

BUILDING C - RENDERS

scale:

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sheet no.:

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APPENDIX C - Extracts from Zoning By-law 8600

SECTION 3 – DEFINITIONS

3.10 DEFINITIONS

DWELLING means a *building* or *structure* that is occupied for the purpose of human habitation. A *correctional institution, hotel, motor home, recreational vehicle, tent, tent trailer, or travel trailer* is not a *dwelling*.

MULTIPLE DWELLING means one *dwelling* containing a *minimum* of three *dwelling units*. A *double duplex dwelling, semi-detached dwelling, stacked dwelling, or townhome dwelling* is not a *multiple dwelling*.

DWELLING UNIT means a unit that consists of a self-contained set of rooms located in a *building* or *structure*, that is used or intended for use as residential premises, and that contains kitchen and bathroom facilities that are intended for the use of the unit only.

YARD means an open space, which is located on the same *lot* as a *building* or other *structure*, and is unoccupied and unobstructed from ground to sky except for any encroachments not prohibited by this by-law.

LANDSCAPED OPEN SPACE YARD means a *yard* used for *landscaped open space, patios, terraces, decks and pedestrian walkways*.

SECTION 9 - GREEN DISTRICTS 1 (GD1.)

9.2 GREEN DISTRICT 1.2 (GD1.2)

9.2.1 PERMITTED USES

Child Care Centre

Club

Private Park

Public Park

Any use accessory to the preceding uses

9.2.5 PROVISIONS

.2	Lot Area – minimum	1,850.0 m ²
.3	Lot Coverage – maximum	25.0%
.4	Building Height – maximum	
	<i>Lot having a lot area of less than 0.5 ha</i>	9.0 m
	<i>Lot having a lot area of 0.5 ha or more</i>	14.0 m

SECTION 12 - RESIDENTIAL DISTRICTS 3. (RD3.)

12.3 RESIDENTIAL DISTRICT 3.3 (RD3.3)

12.3.1 PERMITTED USES

Lodging House

Multiple Dwelling

Religious Residence

Residential Care Facility

Any of the following *existing* dwellings:

Double Duplex Dwelling

Duplex Dwelling

Semi-Detached Dwelling

Single Unit Dwelling

Any use accessory to any of the preceding uses

12.3.5 PROVISIONS

- | | | |
|-----|---|------------------------------|
| .1 | Lot Frontage – minimum | 45.0 m |
| .2 | Lot Area – minimum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> : | |
| | a) For the first 23 <i>dwelling units</i> | 1,825.0 m ² |
| | b) For each additional <i>dwelling unit</i> | 37.0 m ² per unit |
| | For any other <i>lot</i> : | |
| | c) For the first 19 <i>dwelling units</i> | 1,825.0 m ² |
| | d) For each additional <i>dwelling unit</i> | 45.0 m ² per unit |
| .3 | Lot Coverage – maximum | 35.0% |
| .4 | Main Building Height – maximum | |
| | <i>Corner Lot</i> | 30.0 m |
| | <i>Interior Lot</i> | 24.0 m |
| .8 | Landscaped Open Space Yard – minimum | 35.0% of <i>lot area</i> |
| .13 | Dwelling Unit Density – <i>dwelling units</i> per hectare – maximum | |
| | For a <i>corner lot</i> having a minimum <i>lot frontage</i> of 45.0 m on each of the <i>exterior lot lines</i> | 225 units per ha |
| | For any other <i>lot</i> | 180 units per ha |

- .50 A *Lodging House* for the accommodation of 10 persons or less, and any use accessory thereto, shall comply with the *Single Unit Dwelling* provisions of Section 10.1.5 and further, the whole of the *building* shall be used for a *Lodging House*, including any *accessory use*.

[ZNG/5630]

(AMENDED B/L 95-2019 Sept 27/2019)

- .55 An addition to an existing *Double Duplex Dwelling*, existing *Duplex Dwelling*, existing *Semi-Detached Dwelling* or an existing *Single Unit Dwelling* and any use accessory to the foregoing uses, shall comply with the provisions of Section 11.2.5.

APPENDIX D - COMMENTS

CANADA POST - Bruno DeSando

This development, as described, falls within our centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

CITY OF WINDSOR - ASSET PLANNING - Jennifer Nantais, Environmental & Sustainability Coordinator

The Environmental Sustainability and Climate Change team request an energy strategy.

In response to the application there are no objections. Please also note the following comments for consideration:

Energy Conservation, Air Quality and Climate Change:

Please note PPS 2020 energy conservation and efficiency policies as they relate to long-term economic prosperity (1.7.1 (j)), as well as improved air quality and reduced greenhouse gas emissions (1.8.1). In addition, the City of Windsor Community Energy Plan (approved July 17 2017) aims to improve energy efficiency; modifying land use planning; reducing energy consumption and greenhouse gas emissions; and fostering green energy solutions throughout Windsor, while supporting local economic development.

As per these policies the developer should consider energy efficiency in the building design. This may include but not be limited to increased insulation, energy efficient appliances and fixtures, high efficiency windows and doors.

EV Charging

Due to increased production and escalating demands, consideration for EV charging infrastructure and opportunities to increase resiliency such as providing strategic back-up power capacity is suggested.

In addition, the large scale paving of natural space will increase the urban heat island in the area. It is recommended that the developer consider shade trees, white colour roofs or green roofs to mitigate this impact. For more suggestions please consult the following resources: LEED, Built Green Canada, and EnerGuide.

To promote the use of active transportation, bike racks should be considered.

Landscaping

Consideration for shade trees are recommended to minimize the urban heat island impacts. Consideration of native, drought resistant plants is encouraged to limit watering requirements.

Windows

The City of Windsor has recently been designated a Bird Friendly City. In order to make structures safer and prevent window collisions it is recommended that bird safe window treatments be considered. See FLAP Canada [recommendations](#).

CITY OF WINDSOR - ENGINEERING DEPARTMENT - RIGHT-OF-WAY DIVISION - Amy Kurek, Technologist I

SEWERS – The site may be serviced by a 375mm PVC sanitary sewer located approximately 7m north of the northerly property line, and a 1200mm reinforced concrete pipe storm sewer located approximately 5m west of the easterly property line. Prior to any approvals, the owner shall provide a Servicing Study analyzing the capacity of the proposed outlets and analyzing the added impact based on the proposed development. Stormwater Management satisfying the requirements of the Windsor/Essex Region Stormwater Management Standards Manual shall be provided. This property is within the Conservation Authority's regulated area and as such, ERCA clearance is required. Existing connections shall be video inspected for proposed reuse at the cost of the Owner and utilized if possible in order to minimize work within the right-of-way. Any redundant connections shall be abandoned as per Best Practice BP 1.3.3.

RIGHT-OF-WAY – The Official Plan classifies North Service Road as a Class 2 collector road with a required right-of-way width of 26.2 m. North Service Road currently has a right-of-way width of 26.2 m, therefore; a land conveyance is not required. The owner will be required to provide cash contribution for the future construction of sidewalks and curb and gutter.

In summary we have no objection to the proposed rezoning, subject to the following requirements (requirements will be enforced at the time of Site Plan Control):

Site Plan Control Agreement - The applicant enters into an agreement with the City of Windsor for all requirements under the General Provisions of the Site Plan Control Agreement for the Engineering Department.

Development Agreement – The applicant(s) shall agree to enter into a Development Agreement with the Corporation of the City of Windsor with the General Provisions of Council Resolutions 233/98 and any other specific requirements.

Servicing Study – The owner agrees, at its own expense, to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall review the proposed impact and recommend mitigating measures and implementation of those measures.

Curbs and Gutters – The Owner further agrees, at the discretion of the City Engineer, to:

1. Construct at their own expense and according to City of Windsor Standard Specifications, a concrete curb and gutter along the entire North Service Road frontage of the subject lands. All work to be to the satisfaction of the Corporation's City Engineer; or
2. Pay to the Corporation, prior to the issuance of a construction permit, the sum of \$8,632.20 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

It will be up to the discretion of the City Engineer whether a cash contribution will be allowed in lieu of curb and gutter construction by the Owner.

Sidewalks -The owner(s) agrees, to:

1. Construct at their expense and according to City of Windsor Standard Specifications, a concrete sidewalk along the entire North Service Road frontage of the subject lands. All work to be to the satisfaction of the City Engineer; or
2. Pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$16,545.05 being the Owner's contribution towards the future construction of a concrete sidewalk on the North Service Road frontage of the subject lands.

It will be up to the discretion of the City Engineer whether or not a cash contribution will be allowed in lieu of sidewalk construction by the Owner.

ERCA Requirement – The owner(s) further agrees to follow all drainage and flood proofing recommendations of the Essex Region Conservation Authority (ERCA) may have with respect to the subject land, based on final approval by the City Engineer. If applicable, the Owner will obtain all necessary permits from ERCA with respect to the drainage works on the subject lands.

Sewer Easement – *Prior to the issuance of a construction permit*, the owner shall gratuitously convey to the Corporation a 6m wide easement on North Service Road and the northerly property line for the purposes of construction and/or maintenance.

CITY OF WINDSOR - OPERATIONS DEPARTMENT - Anne Marie Albidone, Manager, Environmental Services

No concerns from Environmental Services

CITY OF WINDSOR - PLANNING DEPARTMENT - HERITAGE PLANNING - Tracy Tang, Planner II – Revitalization & Policy Initiatives

There is no apparent built heritage concern with this property and it is located on an area of low archaeological potential. The Applicant is notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Building Department, the City's Manager of Culture and Events, and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the MHSTCI and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the MHSTCI.

Contacts:

Windsor Planning & Development Department:

519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca

Windsor Manager of Culture and Events (A):

Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711,
mstaadegaard@citywindsor.ca

Windsor Police: 911

Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI)

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca

Ontario Ministry of Government & Consumer Services (MGCS)

A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures,
1-416-212-7499, Crystal.Forrest@ontario.ca

CITY OF WINDSOR - PLANNING DEPARTMENT – LANDSCAPE ARCHITECT - Stefan Fediuk

Pursuant to the application for a zoning amendment (Z 021/22) to change the zoning from Green District 1.2 (GD1.2) to a Residential District 3.3 (RD3.3) with a site specific exception to allow a residential development on the subject, please note no objections. Please also note the following comments:

Zoning Provisions for Parking Setback: Please include a site-specific zoning provision in conjunction with the amendment for change of permitted use, specifying preservation or enhancement of the existing earth berm and vegetative screening along the North Service Road frontage as a buffer for the condominium development from the E.C Row Expressway.

Tree Preservation: The Topographic plan of Survey and the Planning Rationale Report have identified the existing trees and that the existing trees located on top of the earth berm are to be preserved as part of the overall landscaping of the site. This effort is to be considered in the overall tree planting requirements of the Site Plan Control process.

Climate Change: The proposed site plan identifies a storm water management swale in the center of the development. Provision of Low Impact Design features (i.e. trees and shrubs) around the periphery of the SWM area will help to slow and reduce the amount of storm water runoff entering the SWM area, provide shade for the spectators and users of the proposed activity area, while helping to reduce the impacts of climate change.

Parkland Dedication: All requirements will be determined at the time a Site Plan application is received

CITY OF WINDSOR - PLANNING DEPARTMENT - SITE PLAN CONTROL - Jackie Cabral

The development proposal is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Where preceding development applications are required, inclusive of Official Plan and Zoning By-law Amendments, request for Site Plan Control Pre-Consultation may be made following completion of the requisite Development and Heritage Standing Committee meeting at <https://ca.cloudpermit.com/login>.

CITY OF WINDSOR - TRANSIT WINDSOR - Jason Scott

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Walkerville 8. The closest existing bus stops to this property are located on Walker at Parkdale SW Corner and Walker at Digby SW Corner. They are approximately 350 metres and 475 metres away each. The one at Parkdale falls within the 400 metre walking distance guideline to a bus stop whereas the one at Digby doesn't. It would depend where on the property people are coming from to access the bus to determine if they would fall within that guideline or not. This will be maintained with our Council approved Transit Master Plan.

CITY OF WINDSOR - TRANSPORTATION PLANNING - Rania Toufeili, Policy Analyst

- North Service Road is classified as a Class II Collector Road with a required right-of-way width of 26.2 meters according to Schedule X. The existing right-of-way along the frontage of the subject property is sufficient, therefore, a conveyance is not required.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
 - Driveway width must comply with AS-203 and AS-204 with straight flares.
 - Raised curbs are not allowed within the right-of-way.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- The applicant is to make a contribution towards the construction of sidewalks as required by Engineering Right-of-Way.
- All parking must comply with Zoning By-Law 8600.
- A Transportation Impact Study (TIS) has been received for this development. This study still needs to be reviewed and comments will be provided in a separate memo.

CITY OF WINDSOR - TRANSPORTATION PLANNING - Shannon Deehan, Transportation Planner I, & Jeff Hagan, Transportation Planning Senior Engineer

We have reviewed the Transportation Impact Study for the above-noted application "1850 North Service Road, Windsor, Transportation Impact Study" dated March 2022, by Matthew Brouwer (P. Eng.) of Paradigm Transportation Solutions Limited.

The report is satisfactory in its current form. Overall, the TIS establishes that the traffic impacts of the proposed development can be accommodated by the existing surrounding road network with no off-site improvements.

ENBRIDGE – WINDSOR MAPPING

After reviewing the provided drawing at 1850 North Service Rd E. and consulting our mapping system, please note that Enbridge Gas has active infrastructure in the proposed area. A PDF drawing is available for reference. *Please Note:*

1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1 m (3.3 ft) is required. Please ensure that this minimum separation requirement is maintained, and that the contractor obtains locates prior to performing any work and utilizes safe excavation practices while performing any work in the vicinity.

Also, please note the following should you find any abandoned infrastructure in the area:

- Any pipe that is excavated, please assume that it is live
- If during the course of any job, any pipe is found that is not on the locate sheet and is in conflict with your work, please call our emergency number (1-877-969-0999), and one of our Union Gas representatives will respond to determine if that plant is in fact live or dead
- Please note that our Enbridge Gas representative will respond to the live or dead call within 1-4 hours, so please plan your work accordingly

ENWIN UTILITIES

Hydro Engineering: No Objection to Re-zoning.

However please note the following distribution and services:

- Overhead 120v street light duplex, adjacent to the south limit of the property
- Underground 120/240v triplex, at the southwest corner of the property

Proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

We recommend referring to the Occupational Health and Safety Act for minimum safe limits of approach during construction and the Ontario Building Code for adequate clearance requirements for New Buildings and/or Building Additions.

Water Engineering: Water Engineering has no objections to the rezoning.

ESSEX REGION CONSERVATION AUTHORITY (ERCA)

The following is provided as a result of our review of the Zoning By-Law Amendment Z-021/22 ZNG/6784.

Delegated Responsibility to Represent the Provincial Interest in Natural Hazards (PPS) and Regulatory Responsibilities of the Conservation Authorities Act

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Grand Marais Drain. The property owner will be required to obtain a Permit or Clearance from the Essex Region Conservation Authority prior to any future construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

The municipal drain typically has an unregistered working space, and the municipality has the right to use it to maintain or repair the drain. In addition, specific building setbacks from a municipal drain are applicable. Please contact your local municipality's drainage superintendent for more information. Furthermore, please contact our Water Resources Engineer, Tian Martin, at tmartin@erca.org to obtain any ERCA setback requirements from the drain.

Watershed Based Resource Management Agency

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

Section 1.6.6.7 PPS, 2020 - Stormwater Management

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development of this site. We recommend that the municipality ensure through the Site Plan Control process that the release rate for any future development is controlled to the capacity available in the existing storm sewers/drains. In addition, that stormwater quality and stormwater quantity are addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the Windsor-Essex Region Stormwater Management Standards Manual.

We request to be included in the circulation of the Site Plan Control and/or Plan of Condominium application. We reserve to comment further on stormwater management concerns until we have had an opportunity to review the specific details of the proposal through the site plan approval stage and/or Plan of Condominium process.

The Turkey Creek Watershed Hydrologic and Hydraulic Modeling study applies to this property.

Planning Advisory Service to Planning Authorities - Natural Heritage Policies of the PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

We note that the subject property is adjacent to (within 120 m of) a natural heritage feature that may meet the criteria for significance under the PPS. Section 2.1.8 of the PPS, 2020 states – “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”

Notwithstanding the above noted references to the PPS policies, we note that the proposed development is either adequately setback and/or physically separated from the natural heritage feature by existing development or infrastructure. Therefore, we do not anticipate any negative impacts associated with the proposal. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

Final Recommendation

With the review of the background information provided and the aerial photograph, the ERCA advises that the property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any future construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Specific building setbacks from a municipal drain are applicable for this site. Please contact your local municipality's drainage superintendent for more information. Furthermore, please contact our Water Resources Engineer, Tian Martin, at tmartin@erca.org to obtain any ERCA setbacks.

We request to be included in the circulation of the Site Plan Control and/or Plan of Condominium application. We reserve to comment further on stormwater management concerns until we have had an opportunity to review the specific details of the proposal through the site plan approval stage and/or Plan of Condominium process.