

Development & Heritage Standing Committee Meeting Agenda

Date: Monday, May 1, 2023

Time: 4:30 o'clock p.m.

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Ward 1 – Councillor Fred Francis

Ward 4 – Councillor Mark McKenzie

Ward 7 – Councillor Angelo Marignani

Ward 9 – Councillor Kieran McKenzie

Ward 10 – Councillor Jim Morrison (Chairperson)

Anthony Arbour

Joseph Fratangeli

Daniel Grenier

John Miller

Charles Pidgeon

Robert Polewski

Khassan Saka

William Tape

ORDER OF BUSINESS

- | Item # | Item Description |
|---------------|--|
| 1. | CALL TO ORDER

READING OF LAND ACKNOWLEDGEMENT
We [I] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land. |
| 2. | DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF |
| 3. | REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS |
| 4. | COMMUNICATIONS |
| 5. | ADOPTION OF THE PLANNING ACT MINUTES |
| 5.1. | Minutes of the April 5, 2023 Development & Heritage Standing Committee (<i>Planning Act Matters</i>) (SCM 128/2023) |
| 6. | PRESENTATION DELEGATIONS (PLANNING ACT MATTERS) |
| 7. | PLANNING ACT MATTERS |
| 7.1. | Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act –CDM 001-23 [CDM6972] 781 Erie Inc. (Randy Saccucci) 781 Erie St – Ward 4 (S 42/2023) |
| 7.2. | Zoning Bylaw Amendment Z 004-23 [ZNG-6950] Supreme Homes Group (John Atwan) 1334-1336 Lincoln Ave- Ward 4 (S 49/2023) |
| 7.3. | Zoning Bylaw Amendment Z 005-23 [ZNG-6951] Supreme Homes Group (John Atwan) 2609 Pillette Ave - Ward 5 (S 50/2023) |

- 7.4. City Initiated Zoning By-law Amendment - Remove Maximum Gross Floor Area - main Building Provisions for Townhome Dwellings in RD2.3 Zone (**S 48/2023**)
- 7.5. Rezoning – SRC United Inc (Stan Mancebo) – 936 Wyandotte Street West – Z 030-22 [ZNG-6864], Ward 3 (**S 47/2023**)
- 7.6. Official Plan Amendment and Zoning By-law Amendment –2836369 Ontario Limited (The VanGuard Team at Manor Reality)– 691 Ouellette Ave – Z044 [ZNG-6941] & OPA 165 [OPA-6942], Ward 3 (**S 44/2023**)

8. **ADOPTION OF THE MINUTES**

- 8.1. Adoption of the Development & Heritage Standing Committee minutes held March 6, 2023 (**SCM 90/2023**)
- 8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 5, 2023 (**SCM 127/2023**)

9. **PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)**

10. **HERITAGE ACT MATTERS**

- 10.1. 436 Askin Avenue - Heritage Permit Request (Ward 2) (**S 25/2023**)
Clerk's Note: Administration submitting an Additional Information Memo regarding Report S 25/2023 - 436 Askin Avenue - Ward 2 (**AI 7/2023**) (*attached*)

11. **ADMINISTRATIVE ITEMS**

- 11.1. Closure of north/south alley between University Avenue East and 245 Parent Avenue and part of east/west alley between Marentette Avenue and 867 Chatham Street East, Ward 4, SAA-6623 (**S 32/2023**)
- 11.2. Closure of south half of Pall Mall Street right-of-way, west of Alexandra Avenue; North/South alley between Northwood Street and Alexandra Avenue, Ward 10, SAS-6577 (**S 97/2023**)
- 11.3. Sandwich Town CIP Application; 511 Brock Street; JD LOUIE CORP. (C/O: Jennifer Wong); REIGNS 740 INC; C/O: Sital Singh Garha - Ward 2 (**S 43/2023**)
- 11.4. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 1364722 Ontario Limited (King Holdings) for 930 Marion Avenue (Ward 4) (**S 45/2023**)

12. **COMMITTEE MATTERS**

13. **QUESTION PERIOD**

14. **ADJOURNMENT**

Item No. 5.1



Committee Matters: SCM 128/2023

Subject: Minutes of the April 5, 2023 Development & Heritage Standing Committee (Planning Act Matters)

**Development & Heritage Standing Committee
(Planning Act Matters)**

**Date: Wednesday April 5, 2023
Time: 4:30 pm**

Members Present:

Councillors

Ward 4 - Councillor Mark McKenzie
Ward 7 - Councillor Angelo Marignani
Ward 9 – Councillor Kieran McKenzie
Ward 10 – Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 1 – Councillor Fred Francis

Members

Member Anthony Arbour
Member Daniel Grenier
Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant
Pablo Golob, Planner II – Development Review

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Michael Cooke, Manager of Planning Policy / Deputy City Planner
Brian Nagata, Planner II – Development Review
Adam Szymczak, Planner III – Zoning
Jeff Hagan, Transportation Planning Senior Engineer
Shannon Mills, Technologist III
Clare Amicarelli, Transportation Planning Coordinator
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

MINUTES

Development & Heritage Standing Committee Wednesday April 5, 2023

Page 2 of 13

1. CALL TO ORDER

Following the reading of the Land Acknowledgement, the Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the March 6, 2023 Development & Heritage Standing Committee Minutes (Planning Act Matters)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Kieran McKenzie

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 6, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 101/2023

MINUTES

Development & Heritage Standing Committee
Wednesday April 5, 2023

Page 3 of 13

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

7. PLANNING ACT MATTERS

7.1 Z-045/22 [ZNG/6943] – FG Residences Inc. 3565 Forest Glade Drive – Rezoning Ward 8

Brian Nagata (author), Planner II – presents item.

Karl Tanner (agent), Dillon Consulting – available for questions.

Sydney Bailey (agent), Dillon Consulting – available for questions.

Councillor Kieran McKenzie asks the Agents if they are in support of the recommendations in Appendix F and if they will add those items into the finalized plans. Ms. Bailey answers that they are in support of the recommendations and they plan to build those items into the detailed design stage as part of the Site Plan Control process.

Councillor Kieran McKenzie asks Mr. Nagata if it is common practice to review mitigating factors to make a determination if a project should move forward. Mr. Nagata answers that it is common practice to review all mitigating factors and adds that he also reviewed other developments in the area for comparison.

Councillor Kieran McKenzie asks Mr. Nagata where the ingress would be. Mr. Nagata answers that it would be off of Forest Glade Drive and Meadowbrook Lane.

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 489**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the northwest corner of Forest Glade Drive and Meadowbrook Lane, known municipally as 3565 Forest Glade Drive (legally described as Part of Lots 125 & 126, Concession 2; Parts 15 to 28, Reference Plan 12R-22621), and shown on Figure 2 herein, by deleting and replacing site specific provision Section 20(1)67 with the following:

67. NORTH SIDE OF FOREST GLADE DRIVE, BETWEEN LAUZON PARKWAY AND MEADOWBROOK LANE

- (1) For the lands comprising of Part of Lots 125 & 126, Concession 2, Parts 1 to 12, 30 & 31, Reference Plan 12R-22621, known municipally as 3575 Forest Glade Drive (PIN No.

MINUTES

Development & Heritage Standing Committee

Wednesday April 5, 2023

Page 4 of 13

01381-0106 & Roll No. 070-740-00110) and 3585 Forest Glade Drive (PIN No. 01381-0104 & Roll No. 070-740-00120), a *Motor Vehicle Dealership* shall be an additional permitted use.

(2) For the lands comprising of Part of Lots 125 & 126, Concession 2; Parts 15 to 28, Reference Plan 12R-22621, known municipally as 3565 Forest Glade Drive (PIN No. 01381-0103 & Roll No. 070-740-00100), a *Multiple Dwelling* shall be an additional permitted use and shall be subject to the following additional provisions:

- a) Lot Coverage - maximum 35.0% of lot area
- b) Main Building Height - minimum 4 storeys
- c) Main Building Height - maximum 30.0 m
- d) Accessory Building Height - maximum 5.50 m
- e) Building Setback from 0.30 m reserve abutting Forest Glade Drive 6.0 m
- f) Building Setback - minimum
 - i. From north interior lot line abutting 3181 Meadowbrook Lane (P.I.N. No. 01381-0094) 70.0 m
 - ii. From east interior lot line abutting 0 Forest Glade Drive (P.I.N. No. 01381-0051) 3.0 m
 - iii. From west interior lot line abutting 3575 Forest Glade Drive 13.0 m
- g) Landscaped Open Space Yard - minimum 25.0% of lot area
- h) Notwithstanding Section 24.40.1.5: Table 24.40.1.5, the required number of Loading Spaces for a Multiple Dwelling with a Gross Floor Area Over 15,000 m² to 22,500 m² shall be two (2).
- i) Notwithstanding Section .3 of Section 25.5.20.1: Table 25.5.20.1 - Parking Area Separation, the minimum separation from the north interior lot line abutting 3181 Meadowbrook Lane shall be a minimum of 3.00 metres.
- j) A minimum *Parking Area Separation* of 3.00 metres shall be provided between *Parking Space* rows, save and except a *Parking Space* row that is accessed from 3575 Forest Glade Drive.
- k) A *Parking Area*, *Parking Space* and *Loading Space* shall be prohibited from being located between a *Main Building* wall and Forest Glade Drive and a *Main Building* wall and the Meadowbrook Lane.
(ZDM 15; ZNG/6943)

II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:

- a. Noise Study completed in accordance with the applicable policies set forth under sections 5.4.5 and 10.2.11 of the Official Plan to evaluate the potential impacts of noise associated with Forest Glade Drive, Lauzon Parkway and the Ford Motor Co. Windsor Engine Plant on the proposed Multiple Dwelling and recommend abatement measures where warranted to ensure that the indoor sound level limits set forth under

MINUTES

Development & Heritage Standing Committee

Wednesday April 5, 2023

Page 5 of 13

the Ministry of the Environment, Conservation and Parks' *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* document are met.

- b. Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendment to the Zoning By-law 8600 to reflect the site plan for which approval is being sought.

III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:

- a. Centralized mail facility for Canada Post.
- b. Mitigation measures identified in the aforesaid Noise Study (if applicable), subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
- c. Servicing and right-of-way requirements of the City of Windsor - Engineering Department - Right-of-Way Division contained in Appendix F of this report and measures identified in the Sanitary Servicing Memo prepared by Dillon Consulting and dated November 11, 2022, subject to the approval of the City Engineer and the Essex Region Conservation Authority.
- d. Transportation requirements of the City of Windsor Transportation Planning Division contained in Appendix F of this report and measures identified in the Transportation Impact Study prepared by Dillon Consulting Limited and dated December 16, 2022, subject to the approval of the City Planner, City Engineer, or Transportation Planning Senior Engineer.
- e. Urban Design requirements based on comments from the Landscape Architect contained in Appendix F of this report.

IV. THAT the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:

- a. Comments from the Asset Planning Department contained in Appendix F of this report.
- b. Comments from the Essex Region Conservation Authority contained in Appendix F of this report.
- c. Environmental Evaluation Report based on comments from the Landscape Architect contained in Appendix F of this report.

Carried.

Report Number: S 29/2023

MINUTES

Development & Heritage Standing Committee Wednesday April 5, 2023

Page 6 of 13

Clerk's File: Z/14530

7.2 Z-035/22 [ZNG/6871] – 100023127 Ontario Inc. 1985 Westcott Road & 3740-3790 Tecumseh Road East – Rezoning Ward 5

Pablo Golob (author) – Planner II – presents item.

Marianne Dean (area resident) – 1977 Westcott Rd. – has concerns with parking, noise, light and air pollution and safety issues.

Joel Gerber (architect) – Joel Gerber Architect – is available for questions. Mr. Gerber states that he is willing to not put up a screening fence abutting the alley if it is recommended.

Selina Leung (architect) – available for questions.

Councillor McKenzie asks Mr. Gerber to address the parking capacity on the site. Mr. Gerber answers that it was a recommendation by the Planning Department.

Councillor McKenzie asks Mr. Golob to address the parking capacity recommendation. Mr. Golob answers that Administration considered the balance of policies between parking requirements and proposed enhancements to the site. In order to address Administration's concerns for non-compliant parking areas and pedestrian safety, the recommendation was made.

Councillor McKenzie asks Mr. Golob if there is sufficient parking capacity along Westcott Rd. in order to accommodate the residents. Mr. Golob answers that based on the elements of Transit and employment centres in close proximity and the proposed bicycle parking, the proposed parking reduction was justified.

Councillor McKenzie asks Mr. Golob to speak about the fence concern. Mr. Golob states that a 3-foot screening fence is required per zoning by-law provisions.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 490**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 426 & E Pt Lot 425, Registered Plan 1071; Pt Lots 365 to 367, Registered Plan 961 (known municipally as 1985 Westcott Road & 3740-3790 Tecumseh Road East; Roll No. 010-370-15900-0000), by adding a site specific provision to Section 20(1) as follows:

4XX. NORTHWEST CORNER OF TECUMSEH RD. E. AND WESTCOTT ROAD

MINUTES

Development & Heritage Standing Committee Wednesday April 5, 2023

Page 7 of 13

For the lands comprising of Lot 426 & E Pt Lot 425, Registered Plan 1071; Pt Lots 365 to 367, Registered Plan 961, a *Multiple-Dwelling* with a maximum of 24 *dwelling units* shall be permitted in addition to the following site specific provisions:

- | | |
|--|------------------|
| a) Parking Area Separation from a building wall containing a habitable room window | Minimum – 1.53 m |
| b) Parking Area Separation from an Alley | Minimum – 0.0 m |
| c) Parking Aisle Width | Minimum – 5.50 m |
| d) Required Number of Parking Spaces | Minimum – 8 |
| e) Required Number of Visitor Parking Spaces | Minimum – 0 |

[ZDM11; ZNG/6871]

II. THAT the Site Plan Approval Officer **BE DIRECTED:**

- To incorporate the Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division in Appendix D to Report S 34/2023 into an approved site plan and executed and registered site plan agreement.
- To review and consider the comments from municipal departments and external agencies in Appendix D to Report S 34/2023.

Carried.

Report Number: S 34/2023
Clerk's File: Z/14488

7.3 Z-014/22 [ZNG/6736] & OPA 157 [OPA/6737] – University Residential Land Corp. 0 Huron Church Road – Rezoning Ward 2

Pablo Golob (author) – Planner II – presents item.

Terry Kennedy (area resident) – Westcott Rd. – has various concerns with the proposed development.

David French (agent) – Storey Samways Planning Ltd. – is available for questions.

MINUTES

Development & Heritage Standing Committee

Wednesday April 5, 2023

Page 8 of 13

Councillor Marignani asks about the water mitigation concerns regarding the subterranean water streams. Mr. Golob answers that from the studies that were provided there were no concerns and that detail design would be looked at in the Site Plan Control stage.

Councillor Kieran McKenzie asks Mr. French about the TIS study and raises concerns with the impact of traffic on surrounding roads. Mr. French answers that the report provided has an Additional Memo that requires an access agreement through the University Plaza. Mr. French adds that the agreement is forthcoming. Mr. Pablo adds that the secondary access onto Tecumseh Rd. is critical and is recommending a Holding symbol be put in place until the agreement is complete prior to Site Plan approval.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 491**

1. THAT Schedule "A" of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West.
2. THAT Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.X East side of Huron Church Road, situated immediately northeast of the corner of Huron Church Road and Tecumseh Road West (0 Huron Church Road);
 - 1.X.1 The property described as Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan;
 - 1.X.2 Notwithstanding the "Mixed Use Node" designation of the subject land on Schedule D: Land Use in Volume I: The Primary Plan, residential uses in excess of four stories in height shall be permitted;
 - 1.X.3 Notwithstanding Section 7.2.6.4(b)(iv) in Volume I – The Primary Plan, two direct right-in / right-out vehicular access points to Huron Church Road shall be permitted.
3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, by adding site specific exceptions to Section 20(1) as follows:

MINUTES

Development & Heritage Standing Committee

Wednesday April 5, 2023

Page 9 of 13

4XX. EAST SIDE OF HURON CHURCH ROAD, SITUATED IMMEDIATELY NORTHEAST OF THE CORNER OF HURON CHURCH ROAD AND TECUMSEH ROAD WEST

For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road:

- a) A *Combined Use Building* and *Multiple Dwelling* shall be additional permitted uses.
- b) Notwithstanding Section 24.20.5.1, for a *Combined Use Building – Dwelling Units*, or *Multiple Dwelling containing a minimum of 5 Dwelling Units*, a *Parking Rate* of 1.15 parking space for each *dwelling unit* shall be permitted.
- c) Notwithstanding Section 24.40.1.3, for a *Combined Use Building* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2
- d) Notwithstanding Section 24.40.1.5, for a *Multiple Dwelling* with 9 or more *dwelling units*, the total number of required *loading spaces* shall be 2

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road, identified as Parcel “A”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 46.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “B”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 37.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “C”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 34.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “D”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 28.0 m

[ZDM 4; ZNG/6736]

MINUTES

Development & Heritage Standing Committee

Wednesday April 5, 2023

Page 10 of 13

4. THAT, at the discretion of the City Planner, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:
- a) Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 to reflect the site plan for which approval is being sought;
 - b) Detailed tree survey to the satisfaction of the City Forester;
 - c) Detailed Landscape Plan to the satisfaction of the Landscape Architect;
 - d) Archaeological Assessment – Entered Into Register verification letter from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries, to the satisfaction of the Heritage Planner.
5. THAT the Site Plan Approval Officer **BE DIRECTED**:
- a) To incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
 - 1) Noise mitigation measures identified in Section 5 of the Acoustical Report, prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner;
 - 2) Measures identified in the Stormwater Management and Sanitary Sewer Study prepared by Baird AE and dated March 29, 2022, subject to the approval of the City Planner and City Engineer;
 - 3) Transportation Impact Study requirements of the City of Windsor Transportation Planning Division, contained in Appendix E of this report, and measures identified in Section 6 of the Traffic Impact Study prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner, City Engineer, or Transportation Planning Senior Engineer;
 - 4) Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division contained in Appendix F of this report, including an easement for access across the abutting lands to the south, subject to the approval of the City Engineer
 - b) To review and consider the comments from municipal departments and external agencies in Appendix E to Report S 35/2023.
6. THAT Zoning By-law 8600 **BE AMENDED** by placing an “H” holding symbol on the subject parcel that shall be removed when the following conditions have been satisfied:
- a) The owner submits an application to remove the “H” holding symbol;
 - b) The owner registers an access agreement on title of the subject lands and the commercial plaza property for the provision of access easements across the abutting commercial plaza to the south for the benefit of the subject lands, to the satisfaction of the City Planner. [ZDM 4; ZNG/6736]

Carried.

Report Number: S 35/2023

MINUTES

Development & Heritage Standing Committee
Wednesday April 5, 2023

Page 11 of 13

Clerk's File: Z/10891

7.4 Z-038/22 [ZNG/6900] – Lusi Lorini 921 Ellrose Avenue – Rezoning Ward 5

Adam Szymczak (author) – Planner III – is available for questions.

Mario Lorini (applicant) – is available for questions.

Paul Bezaire (agent) – is available for questions.

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 492**

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 64, Registered Plan 531 (known municipally as 921 Ellrose Avenue; Roll No. 010-030-02400), situated on the west side of Ellrose Avenue, south of Ontario Street, changing the zoning by adding a site specific exception to Section 20(1) as follows:

458. **WEST SIDE OF ELLROSE AVENUE, SOUTH OF ONTARIO STREET**

For the lands comprising of Lot 64, Registered Plan 531, one *duplex dwelling* shall be an additional permitted use and a *duplex dwelling* or a *single unit dwelling* shall be subject to the appropriate provisions in Section 10.2.5 and the following additional provisions:

- | | |
|-----------------------------|----------------------|
| a) Lot Width – minimum | 9.0 m |
| b) Lot Area – minimum | 270.0 m ² |
| c) Parking Spaces – minimum | 1 |
- [ZDM 10; ZNG/6900]

Carried.

Report Number: S 140/2022
Clerk's File: Z/14507

7.5 Z-011/23 [ZNG/6993] – JBM Capital Inc. 2601 Lauzon Parkway – Rezoning Ward 8

Adam Szymczak (author) – Planner III – is available for questions.

Paul Bezaire (agent) – available for questions.

MINUTES

Development & Heritage Standing Committee Wednesday April 5, 2023

Page 12 of 13

Moved by: Councillor Angelo Marignani
Seconded by: Member Robert Polewski

Decision Number: **DHSC 493**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Farm Lot 124, Concession 2, designated as Part Block A, Registered Plan 1644, Parts 5 & 6 Plan 12R-10031 and Parts 3 to 5, Plan 12R-27242 (part of municipal address 2601 Lauzon Parkway; Roll No. 070-670-56925), situated on the east side of Enterprise Way, north of Hawthorne Drive, changing the zoning by deleting and replacing Section 20(1)448 as follows:

448. EAST SIDE OF ENTERPRISE WAY, NORTH OF HAWTHORNE DRIVE

For the lands comprising Part of Block A, Registered Plan 1644, designated as Part 3 and Part 4 on Reference Plan 12R27242, the following additional provisions shall apply:

1. For a *multiple dwelling*, Section 20(1)97(i) shall not apply to a *multiple dwelling*; and the minimum front yard depth shall be 6.0 m.
2. A *townhome dwelling* shall be an additional permitted use and the following additional provisions shall apply to a *townhome dwelling*:
 - a) Sections 12.2.5.8, 12.2.5.13, and 20(1)97 shall not apply
 - b) Lot Frontage – minimum 20.0 m
 - c) Lot Area – per dwelling unit – minimum 200.0 m²
 - d) Lot Coverage – maximum 45.0%
 - e) Main Building Height – maximum 18.0 m
 - f) Building Setback from any *lot line* - minimum 6.0 m

[ZDM 15; ZNG/6660; ZNG/6993]

2. THAT a Transportation Impact Statement and Servicing Study **BE SUBMITTED** by the applicant, along with any other required support studies, at Site Plan Control; and,

3. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, if required, in the site plan approval and site plan agreement for the proposed development:
- (a) Easement requests from Utility Companies, as noted in Appendix D to report S 77/2022;
 - (b) Enbridge Gas minimum separation requirements, as noted in Appendix D to report S 77/2022;
 - (c) Reciprocal Access and Services Agreement;
 - (d) Parkland Conveyance; and
 - (e) Record of Site Condition.

Carried.

Report Number: S 36/2023
Clerk's File: Z/14545

MINUTES

Development & Heritage Standing Committee
Wednesday April 5, 2023

Page 13 of 13

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 5:48pm

Ward 10 – Councillor Jim Morrison
(Chairperson)

Thom Hunt
(Secretary)

Subject: Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act –CDM 001-23 [CDM6972] 781 Erie Inc. (Randy Saccucci) 781 Erie St – Ward 4

Reference:

Date to Council: May 1, 2023
Author: Jim Abbs
Senior Planner - Subdivisions
519 255 6543 x6317
jabbs@citywindsor.ca

Planning & Building Services
Report Date: March 22, 2023
Clerk's File #: Z/14557

To: Mayor and Members of City Council

Recommendation:

THAT the application of 781 Erie Inc. for an exemption under Section 9(3) of the Condominium Act for approval of a plan of condominium (Standard Condominium), comprised of a total of 12 dwelling units and 1 commercial unit, as shown on the attached Map No. CDM-001/23-1 and CDM-001/23-2 on a parcel legally described as; Lots 249 and 250, Registered Plan 360; City of Windsor; located at 781 Erie Street East **BE APPROVED** for a period of three (3) years.

Executive Summary:

N/A

Background:**Application Information:**

Location: South West corner of Erie Street East and Marentette Avenue

Ward: 4 **Planning District:** Walkerville **ZDM:** 7

Applicant: 781 Erie Inc. (Randy Saccucci)

Proposal:

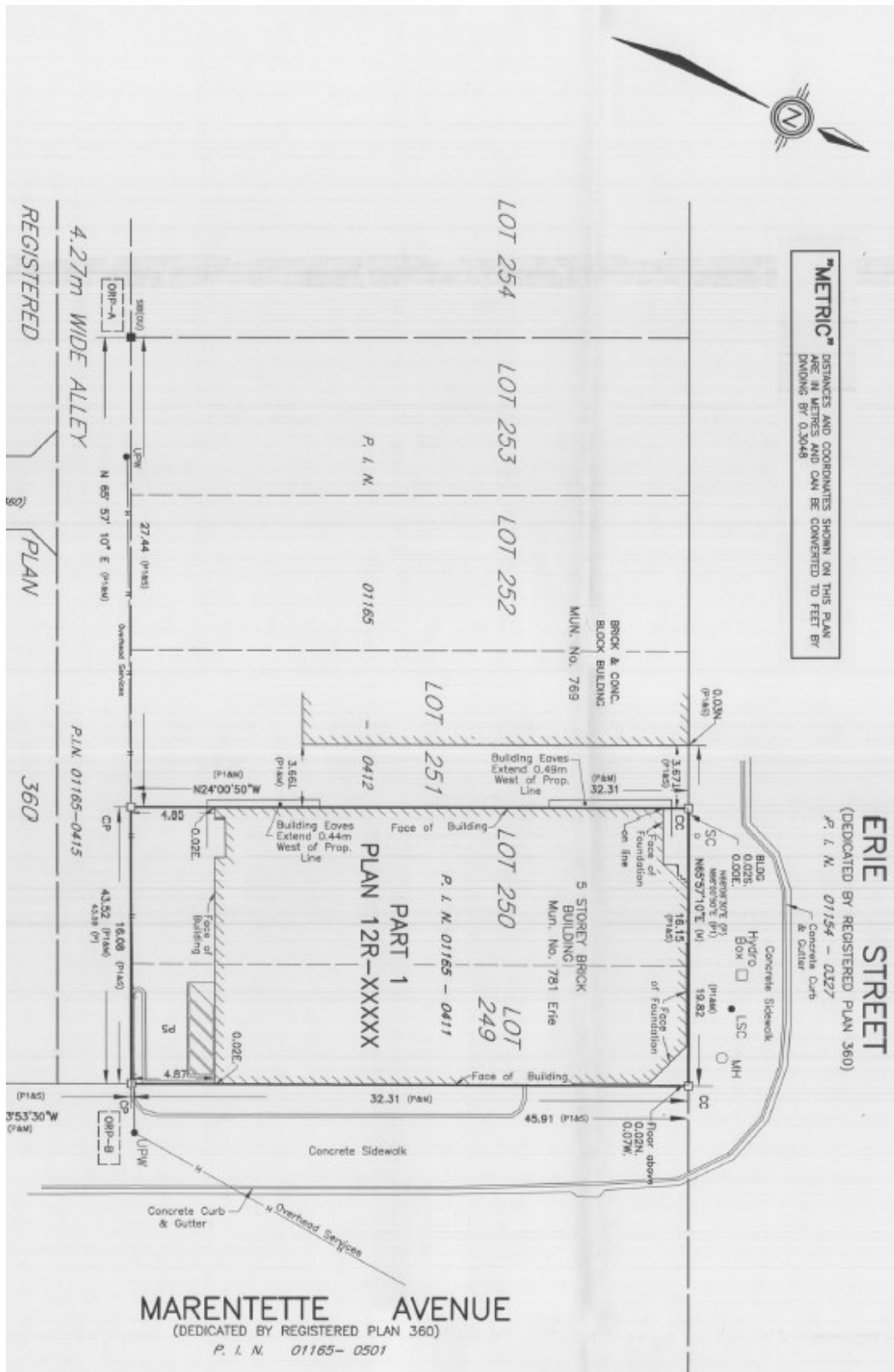
The applicant is applying for an exemption under Section 9(3) of the *Condominium Act* for approval of a plan of condominium for in an existing Building to create 12 dwelling units and 1 commercial unit in a mixed use building.

The subject site has received Site Plan Approval (File SPC-025/17) registered as instrument CE947378, on May 29, 2020 which permitted a total of 12 dwelling units and 1 commercial unit within a newly constructed mixed use building. The Site Plan agreement covers a range of municipal and agency requirements to be completed by the owner including items such as the provision of landscaping, parking, parkland conveyance, levies and lighting, all required prior to the issuance of a construction permit.

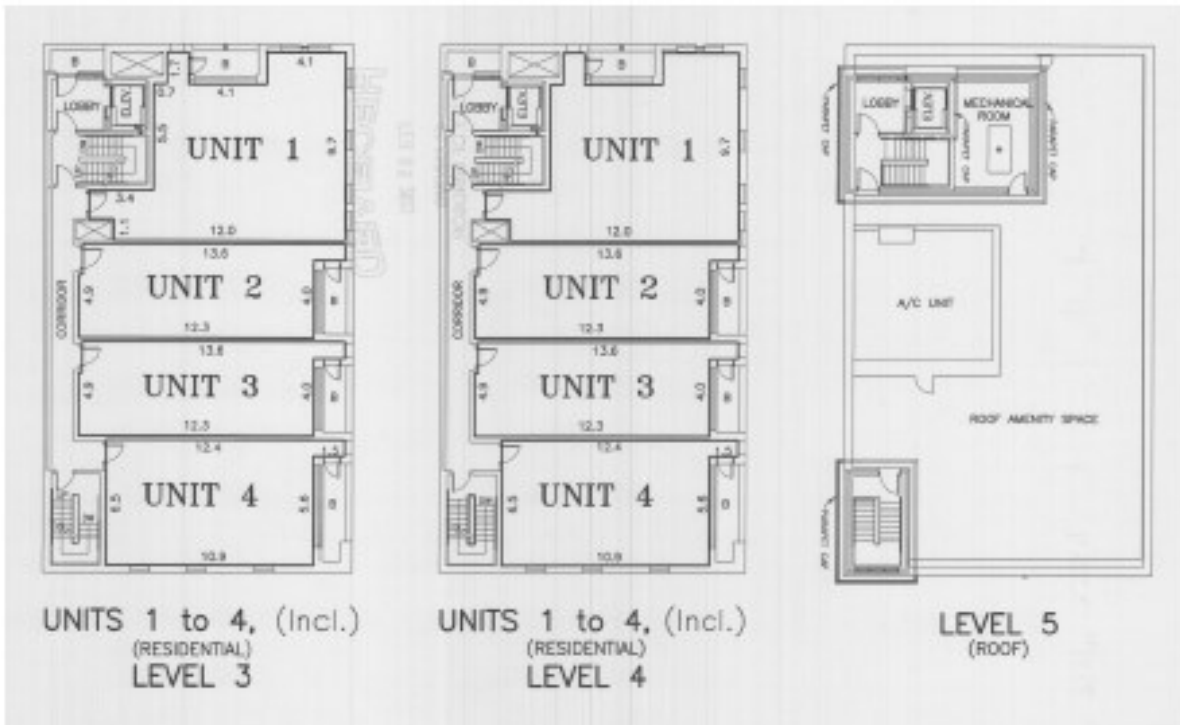
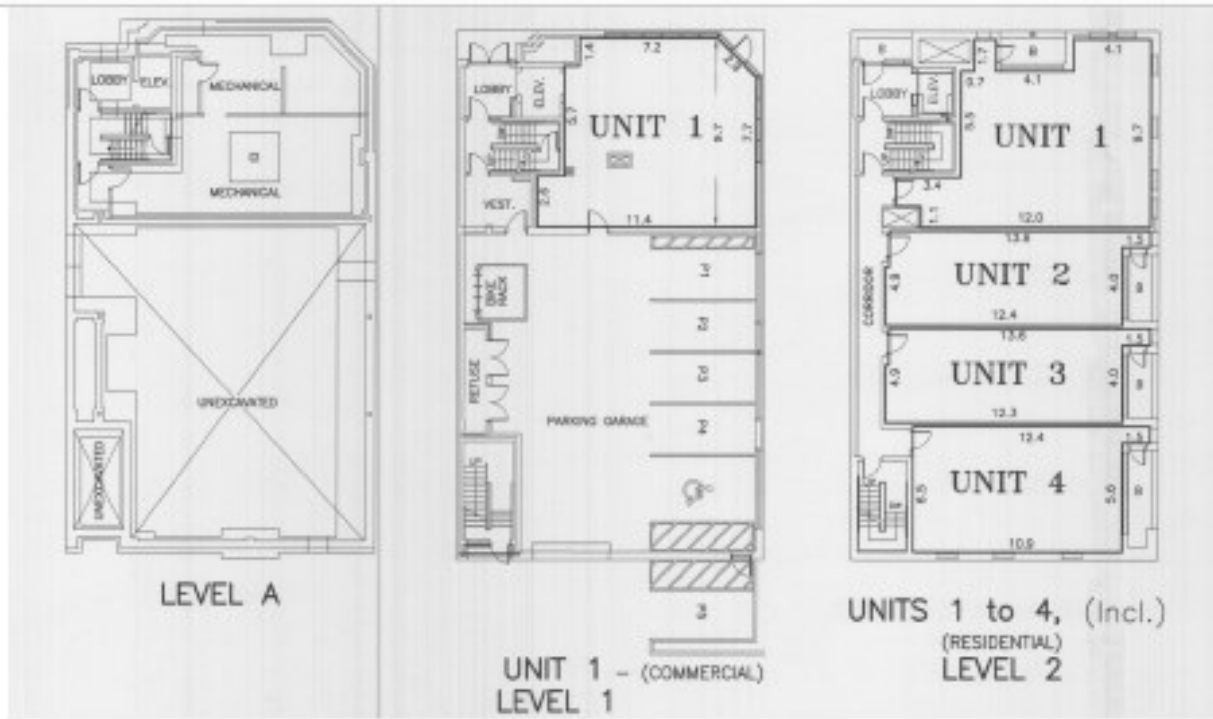


Figure 1: Location Map

Plan of Condominium:



CDM-006/21-1



CDM-001/22-2

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Mixed Use Corridor	Commercial District 2.2 (CD2.2) & S 20(1)419	Combined Use Building (Under Construction)	Vacant Parcel
LOT WIDTH	LOT DEPTH	AREA	SHAPE
16.51m	32.31m	520.7 m ²	rectangular
All measurements are for the entire parcel and are approximate.			

Neighbourhood Characteristics:

North side of subject lands contains: Mixed Use, Residential, Institutional (church)

East side of the subject lands contains: Parking lot, Mixed Use, Residential

West side of the subject lands contains: Residential Area, Mixed Use

South side of the subject lands consists of: Residential Area, Mixed Use

The closest existing transit route is Central 3. The closest existing bus stop is located on Erie at Louis SE Corner. This bus stop is approximately 40 metres from this property, falling well within 400 metre walking distance guideline to a bus stop. The bus stop will be maintained by Council approved Transit Master Plan.

Discussion:

Planning Analysis:

Statutory Regulations:

Under Section 9 of the Condominium Act, an owner may request approval of a plan of condominium subject to Section 51 of the Planning Act (subdivisions). As such, the usual approval process for plans of subdivision is invoked, i.e. review by municipal and provincial agencies, draft plan approval, a condominium agreement and final registration.

The Condominium Act also provides that owners can be exempted from the above mentioned Planning Act provision if the approval authority (i.e. the City of Windsor) is of the opinion that "such exemption is appropriate in the circumstances". The reasons for exemptions are not specified, but usually applicants can be exempted if the following conditions are satisfied:

- (i) that all municipal requirements and conditions have been addressed (for example by an approved application for rezoning and/or site plan control); and

- (ii) that the building(s) is suitable for a condominium by virtue of design and amenities.

The proposed condominium complies with the above conditions.

Official Plan:

The subject property is designated “Mixed Use Corridor” on Schedule D of the City of Windsor Official Plan. The designation is intended to accommodate a mix of uses intended to support the creation of complete communities. The proposed development conforms with this policy.

The City of Windsor has policies in the Official Plan for approval of a plan of condominium with exemption under Section 9 of the Condominium Act. Applications for exemptions may be considered by Council if:

- (a) a residential building is constructed or a building permit for its construction has been issued;
- (b) the development has received site plan control approval; and
- (c) the development (new proposed units) do not contain any occupied residential rental units.

The proposed condominium complies with the above conditions.

Zoning By-Law

The property is zoned Commercial District (CD) 2.2.with a site specific provision to permit a hotel on the site The Combined Use Building is permitted under the CD2.2 zone category. Building permits have been issued and construction of the building is nearing completion.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Municipal and agency requirements have been addressed and implemented through the site plan control approval process, and the registration of a site plan agreement. (File SPC-025/17) registered as instrument CE947378, on May 29, 2020)

Public Notice:

No public notification is required where exemptions are requested and the development is properly zoned for the permitted use.

Conclusion:

The application has been processed and evaluated with regard to both the Planning Act and the Condominium Act, as well as the City of Windsor Official Plan. It conforms to the City of Windsor Official Plan and complies with the zoning regulations contained in Bylaw 8600. Municipal requirements regarding this development have been addressed in the site plan control agreement. The draft plan of condominium is consistent with the approved site plan (File SPC-025/17 registered as CE947378, on May 29, 2020)

It is recommended that this application for approval be exempted from Section 51 of the Planning Act (per Section 9(3) of the Condominium Act). This means that the owner can proceed directly to registration following submission of an approved final plan of condominium.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Michael Cooke MCIP RPP, Manager of Planning Policy/Deputy City Planner

Thom Hunt, City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP OC

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development and Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
781 Erie Inc. (Randy Saccucci)	5831 Wyandotte Street E Windsor ON N8S 1M7	rsaccucci@4cprojectmanagement.com
Miller Canfield LLP (Giacomo Ramieri)	100 Ouellette Avenue, Suite 1300 Windsor ON N9A 6T3	ramieri@millercanfield.com

Appendices:

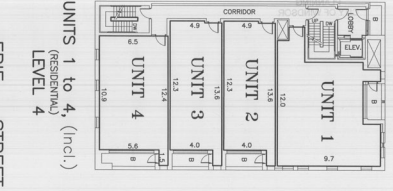
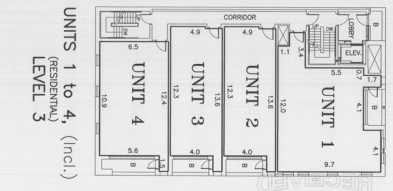
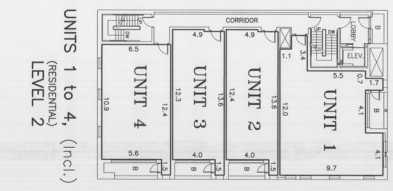
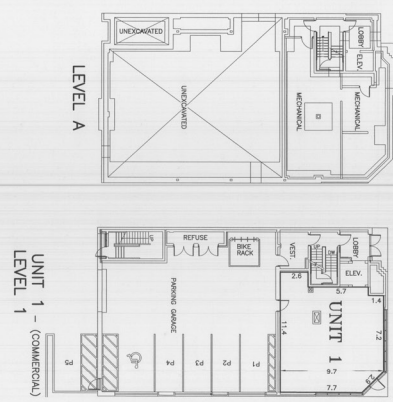
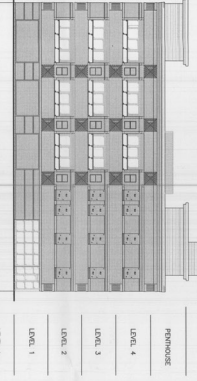
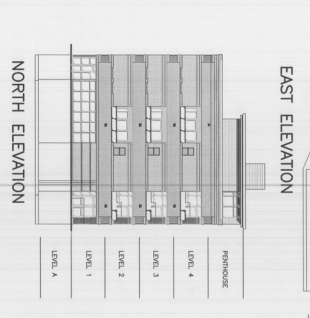
- 1 Proposed Draft Plan of Condominium

SITE INFORMATION

LEVEL	NUMBER OF UNITS PER UNIT	NUMBER OF UNITS PER UNIT	NUMBER OF UNITS PER UNIT
LEVEL 1	1	1	1
LEVEL 2	4	4	4
LEVEL 3	4	4	4
LEVEL 4	1	1	1

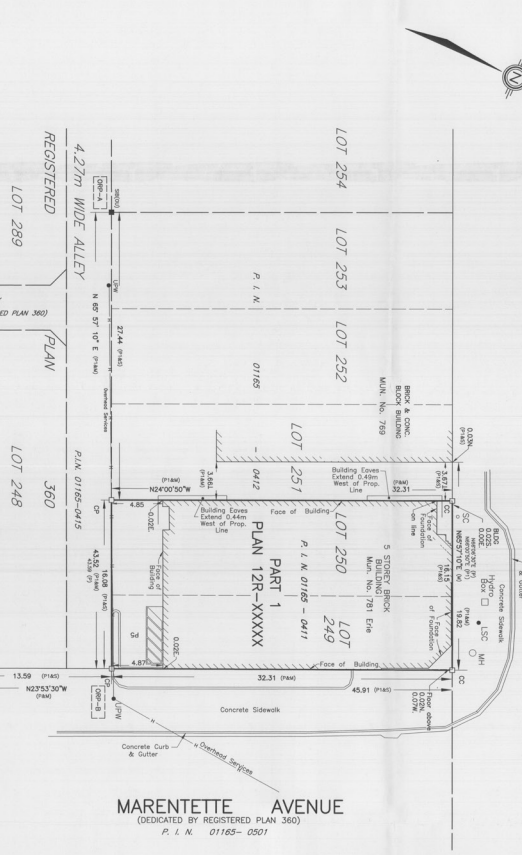
UNIT INFORMATION

UNIT	NUMBER OF UNITS PER UNIT	NUMBER OF UNITS PER UNIT	NUMBER OF UNITS PER UNIT
UNIT 1	1	1	1
UNIT 2	4	4	4
UNIT 3	4	4	4
UNIT 4	1	1	1



ADDITIONAL INFORMATION REQUIRED UNDER THE CONDOMINIUM ACT, 1998 AND SECTION 51 (17) OF THE PLANNING ACT, 1990

A) ON SHED PLAN
 B) ON SHED PLAN
 C) ON SHED PLAN
 D) ON SHED PLAN
 E) ON SHED PLAN
 F) ON SHED PLAN
 G) ON SHED PLAN
 H) ON SHED PLAN
 I) ON SHED PLAN
 J) ON SHED PLAN
 K) ON SHED PLAN
 L) ON SHED PLAN



ERIE STREET
(DEDICATED BY REGISTERED PLAN 360)
R. L. N. 01/54 - 02/7

MARENQUETTE AVENUE
(DEDICATED BY REGISTERED PLAN 360)
R. L. N. 01/65 - 05/07

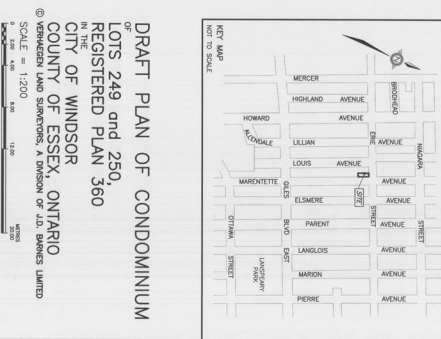
"METRIC" DIMENSIONS AND CONCENTRIC SYSTEM ON THIS PLAN ARE IN MILLIMETERS AND MUST BE CONVERTED TO FEET BY DIVIDING BY 25.4

VERHAEGEN SURVEYING
 A DIVISION OF J.D. BANKS LTD.
 1-888-888-8888
 22-47-480-00
 2022-10-20 1:05 PM

SURVEYOR'S CERTIFICATE
 I HEREBY AUTHORIZE THE TITLES OF THIS SHED PLAN FOR THE APPLICANT'S PROJECT AS SHOWN ON THIS PLAN.
 781 ERIE INC.

OWNERS AUTHORIZATION
 I HEREBY AUTHORIZE THE TITLES OF THIS SHED PLAN FOR THE APPLICANT'S PROJECT AS SHOWN ON THIS PLAN.
 781 ERIE INC.

LEGEND AND NOTES
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.



PLAN OF CONDOMINIUM

APPLICANT: 781 ERIE INC. (RANDY SACCUCCI)

ADDRESS: 781 ERIE STREET EAST

SCALE: N.T.S.

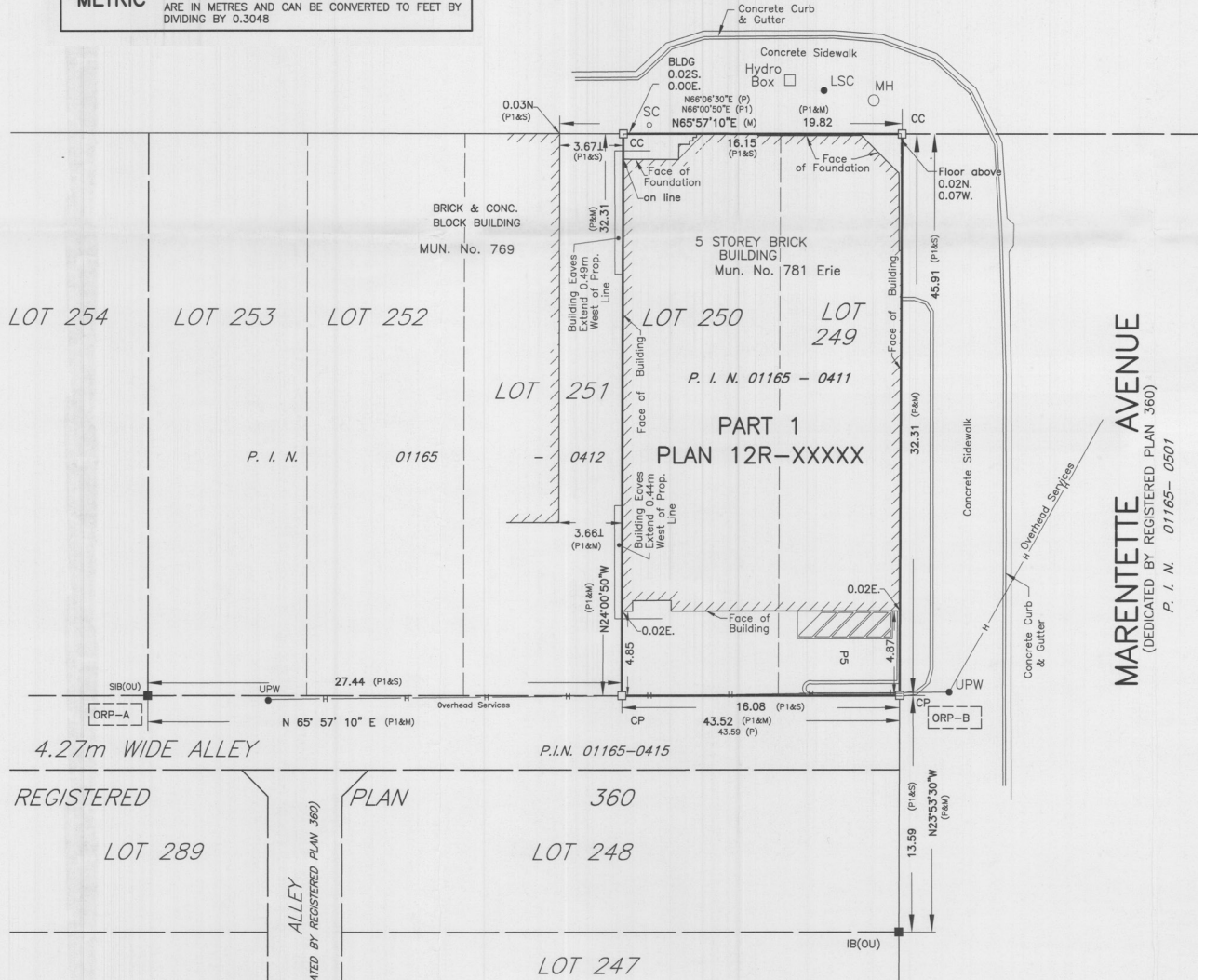
DATE: MAR. 2023

FILE NO: CDM-001/23-1



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

ERIE STREET
 (DEDICATED BY REGISTERED PLAN 360)
 P. I. N. 01154 - 0327



MARENTETTE AVENUE
 (DEDICATED BY REGISTERED PLAN 360)
 P. I. N. 01165-0507

PLAN OF CONDOMINIUM SITE PLAN

APPLICANT: 781 ERIE INC. (RANDY SACCUCCI)

ADDRESS: 781 ERIE STREET EAST

SCALE: N.T.S.

DATE: MAR. 2023

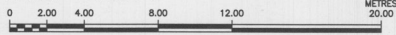
FILE NO: CDM-001/23-2

Development & Heritage Standing Committee - Monday, May 1, 2023

DRAFT PLAN OF CONDOMINIUM
OF
LOTS 249 and 250,
REGISTERED PLAN 360
IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO

© VERHAEGEN LAND SURVEYORS, A DIVISION OF J.D. BARNES LIMITED

SCALE = 1:200



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) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999920.

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CP DENOTES CONCRETE NAIL IN ASPHALT
- PB DENOTES PLASTIC BAR
- WIT DENOTES WITNESS MEASURED SET
- S DENOTES SET
- JDB DENOTES J.D. BARNES LIMITED

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.

- (S/P) DENOTES SET PROPORTIONALLY
- (P) DENOTES REGISTERED PLAN 360
- (P1) DENOTES PLAN BY (1744) DATED MAY 18, 2016, (B-6464)
- (1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
- LS DENOTES LIGHT STANDARD CONCRETE
- MH DENOTES MANHOLE
- (U) DENOTES ORIGIN UNKNOWN
- SC DENOTES SEWER CLEANOUT
- UPW DENOTES UTILITY POLE WOOD

- DENOTES BOUNDARIES OF THE CONDOMINIUM
- DENOTES UNIT BOUNDARIES
- DENOTES EXTERIOR FACE OF THE STRUCTURAL WALLS
- B DENOTES BALCONY
- ♿ DENOTES BARRIER-FREE PARKING SPACE

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	4686435.94	333270.69
ORP-B	4686453.69	333310.46

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

THE RESULTANT TIE BETWEEN ORP-A AND ORP-B IS N65°57'10"E, 43.52m.
FOR BEARING COMPARISON, A ROTATION OF 02° 06' 30" CLOCKWISE WAS APPLIED TO (P) TO CONVERT TO GRID BEARINGS.

OWNER'S AUTHORIZATION

I HEREBY AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL.

781 ERIE INC.

DATE _____ ED COPE
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

SURVEYOR'S CERTIFICATE

THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN.

DATE **DECEMBER 15, 2022**

Andrew S. Mantha
ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

SITE INFORMATION

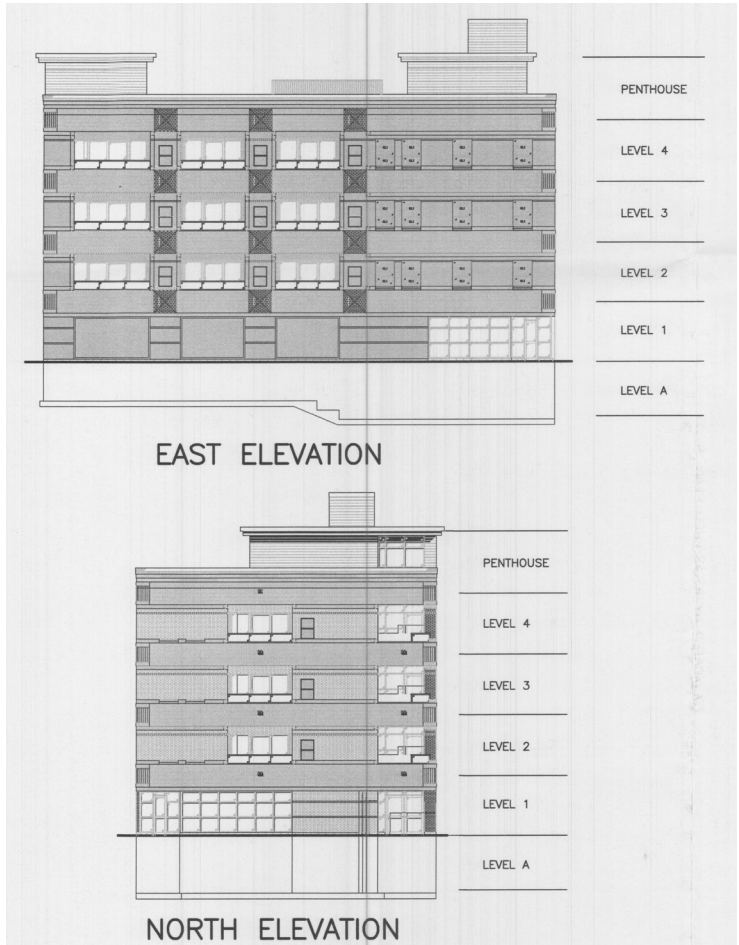
LEVEL	NUMBER OF COMMERCIAL UNITS PER LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF PARKING SPACES	NUMBER OF BARRIER FREE PARKING SPACES
LEVEL A				
LEVEL 1	1		5	1
LEVEL 2		4		
LEVEL 3		4		
LEVEL 4		4		
TOTAL	1	12	5	1

SITE AREA

0.0521 HECTARES / 0.128 ACRES
12 RESIDENTIAL UNITS
DENSITY
230.8 RESIDENTIAL UNITS PER HECTARE
93.8 RESIDENTIAL UNITS PER ACRE

ADDITIONAL INFORMATION REQUIRED UNDER THE CONDOMINIUM ACT, 1998 AND SECTION 51 (17) OF THE PLANNING ACT, 1990.

- A) ON DRAFT PLAN
- B) ON DRAFT PLAN
- C) ON DRAFT PLAN
- D) RESIDENTIAL CONDOMINIUM UNITS
- E) ON DRAFT PLAN
- F) ON DRAFT PLAN
- G) ON DRAFT PLAN
- H) MUNICIPAL WATER
- I) SANDY LOAM
- J) ON DRAFT PLAN
- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) ON DRAFT PLAN



PLAN OF CONDOMINIUM SITE DATA & ELEVATIONS

APPLICANT: 781 ERIE INC. (RANDY SACCUCCI)

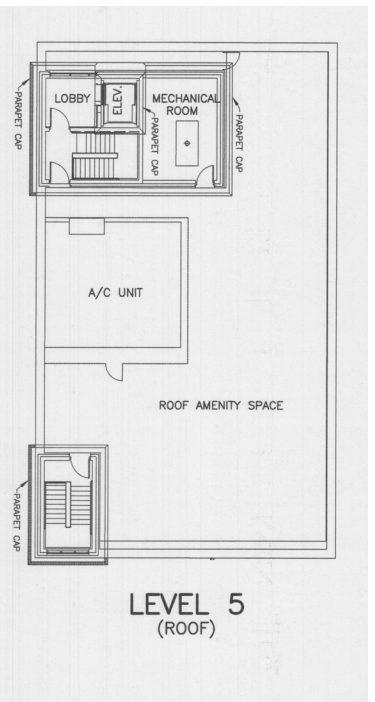
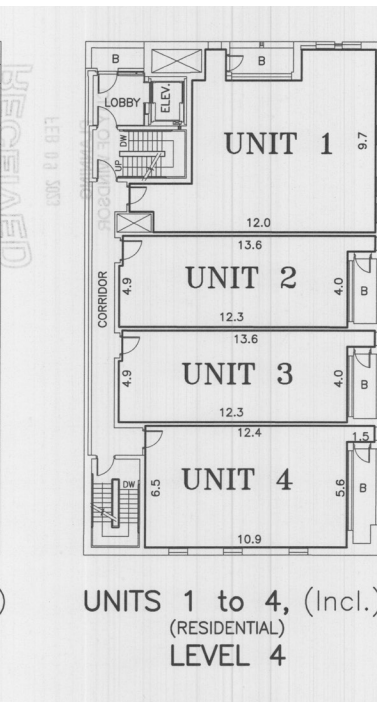
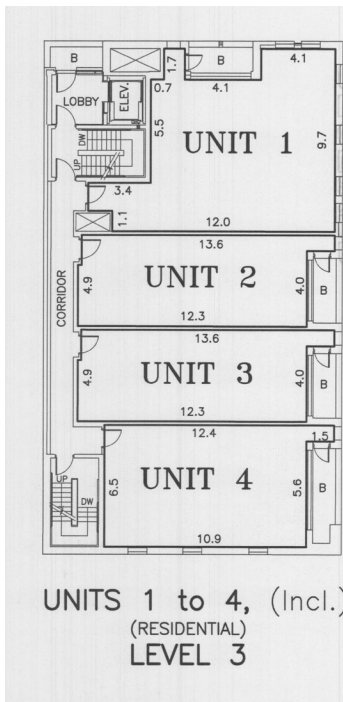
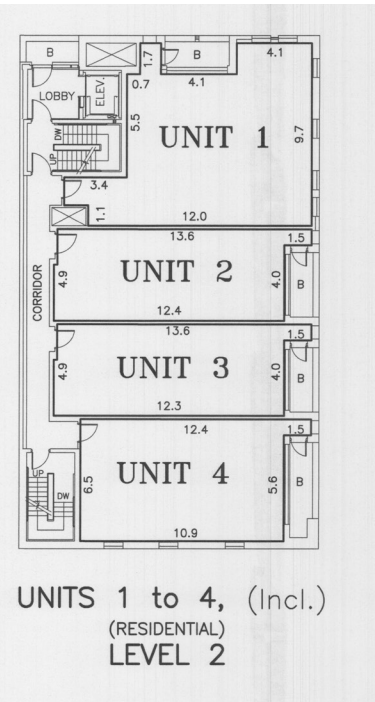
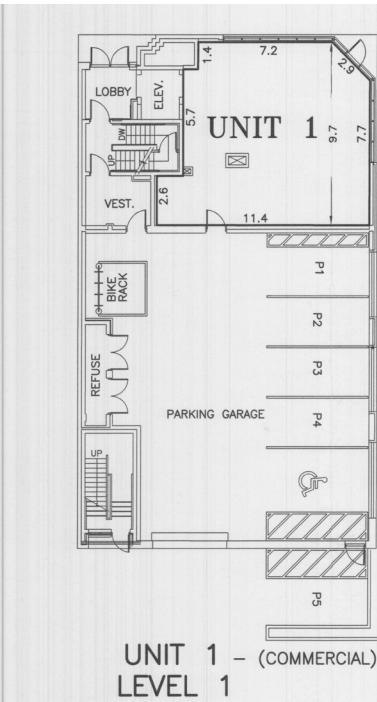
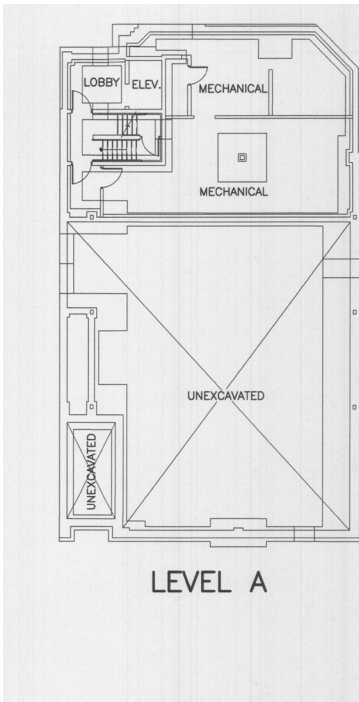
ADDRESS: 781 ERIE STREET EAST

SCALE: N.T.S.

DATE: MAR. 2023

FILE NO: CDM-001/23-3

Development & Heritage Standing Committee - Monday, May 1, 2023



PLAN OF CONDOMINIUM FLOOR PLANS

APPLICANT: 781 ERIE INC. (RANDY SACCUCCI)

ADDRESS: 781 ERIE STREET EAST

SCALE: N.T.S.

DATE: MAR. 2023

FILE NO: CDM-001/23-4

Subject: Zoning Bylaw Amendment Z 004-23 [ZNG-6950] Supreme Homes Group (John Atwan) 1334-1336 Lincoln Ave- Ward 4

Reference:

Date to Council: May 1, 2023

Author: Jim Abbs

Senior Planner

519-255-6543 x6317

jabbs@citywindsor.ca

Planning & Building Services

Report Date: April 13, 2023

Clerk's File #: Z/14540

To: Mayor and Members of City Council

Recommendation:

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Lot 11, Plan 628 by adding site specific regulations as follow:

468. East Side of Lincoln Avenue, South of Ottawa Street

For the lands comprising of Lot 11, Plan 628, One Multiple Dwelling containing a maximum of three dwelling units on the subject parcel shall be an additional permitted use, and the following site specific regulations shall apply:

Lot Width – as existing

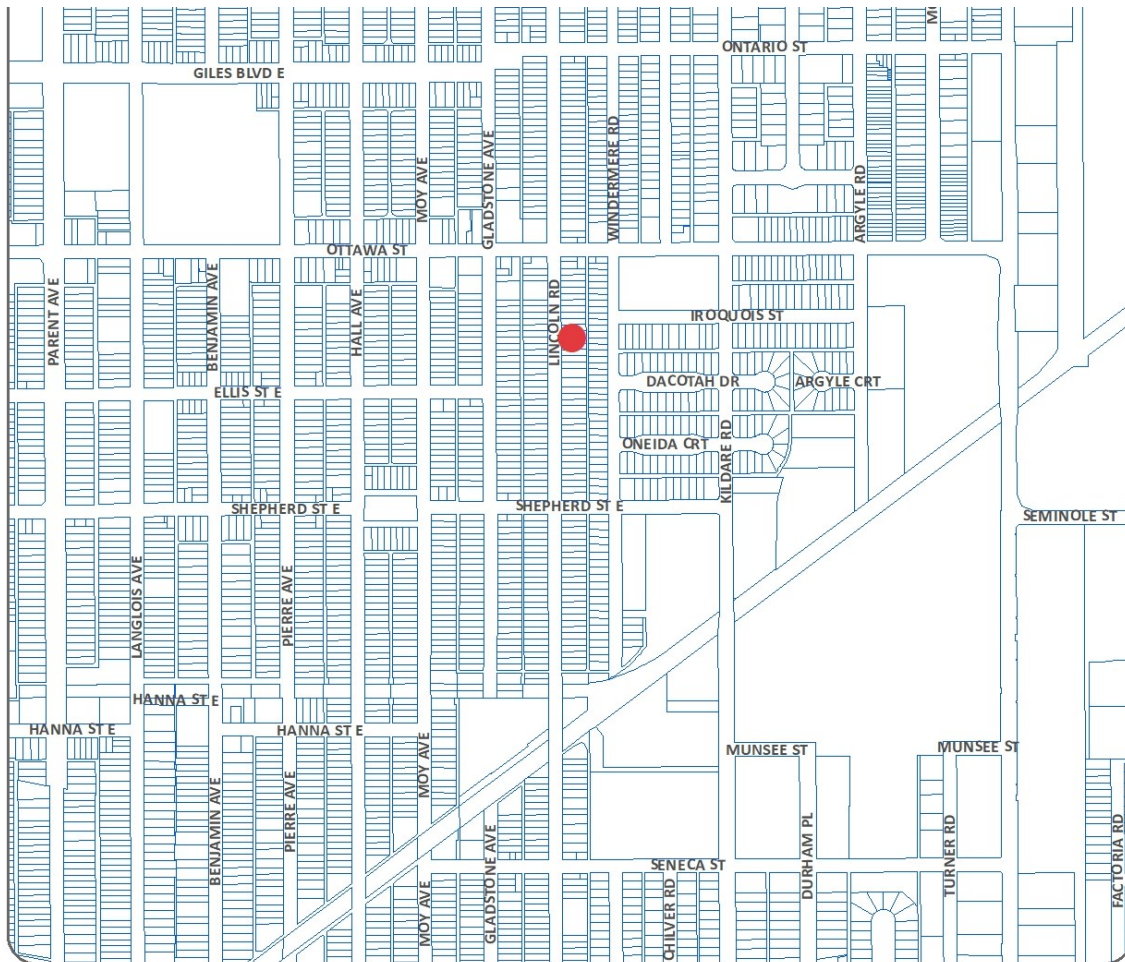
Lot Area – as existing

(ZDM 7; ZNG/6832)

Executive Summary:

N/A

Background:



KEY MAP - Z-004/23, ZNG-6950

● SUBJECT LANDS

Application Information

Location: Lot 11, Plan 628, municipally known as 1334 Lincoln Ave.

Applicant: Supreme Homes Group (John Atwan)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning from Residential District 2.1 (RD2.1) to Residential District 2.2 (RD2.2) to allow the construction of a One Multiple Dwelling containing a maximum of three dwelling units on the subject parcel. The former residential duplex was destroyed by fire and has since been demolished.

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	RD2.1	Vacant parcel	Duplex Dwelling
FRONTAGE	DEPTH	AREA	SHAPE
9.14 m	36.58 m	334.45m ²	Rectangle
Note: All measurements are approximate.			



PART OF ZONING DISTRICT MAP 7

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Supreme Homes Group (John Atwan)



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2023
FILE NO. : Z-004/23, ZNG/6950

Neighbourhood Characteristics



NEIGHBOURHOOD MAP - Z-004/23, ZNG/6950



SUBJECT LANDS

Generally the area is characterised as residential with both single detached and duplex dwellings. The Ottawa Street BIA is to the north of the site, providing a walkable commercial area. A school is in close proximity to the site (École Élémentaire L'envolée). A paved alley is available and used for access to 3 parking spaces provided at the rear of the site.

North: Residential & Commercial Area

East: Residential Area

West: Residential Area, Commercial Parking Lot

South: Residential Area

Transit Windsor Bus: The closest existing bus stops are located on Ottawa at Lincoln and Lincoln at Ottawa, approximately 90-100 metres away falling within Transit Windsor's 400 metre walking distance guidelines to a bus stop.

Discussion:

Provincial Policy Statement (PPS) 2020

The recommended amendment to Zoning By-law 8600 is consistent with the PPS. The recommended amendment to allow the construction of a Multiple Dwelling containing 3 units is consistent with PPS policies described in this section.

PPS provides policy direction for appropriate development. This policy direction takes into consideration efficient use of land and resources, accommodating an appropriate mix of residential uses, supporting active transportation/transit while preparing for the impacts of climate change. The PPS recognizes that land use are to be managed to meet the full range of current and future needs, while protecting public safety and natural environment.

The proposed multiple dwelling use contributes to building of a strong healthy community as per policy 1.1.1. (a to g) of PPS. The proposed amendment is consistent with the PPS as follows:

- The subject parcel is connected to municipal services.
- The proposed additional dwelling represents an effective and appropriate re-use of the existing lot.
- The subject site complements the surrounding neighbourhood of residential uses.
- The proposed additional dwelling unit's accessibility will be established in compliance with Ontario Building Code (OBC).
- There are no impacts on the natural environment, public health and safety.

The subject lands are within the urban area of the settlement for the City of Windsor. The proposed amendment would permit a higher density of residential units, making a more efficient use of land within the existing built up area.

The PPS recommends accommodating affordable, market-based range, and a mix of residential types including multiple-unit housing, affordable housing such as the proposed multiple dwelling unit. The subject site is located near a transit route which provides an opportunity to promote transit ridership.

The applicable PPS sections promote the vitality of the existing settlements recognizing the importance of long-term prosperity of the community while making use of existing infrastructure.

In my opinion, the proposed development is an efficient use of an vacant parcel and promotes a healthy, liveable and safe community. The recommended amendment to Zoning By-Law 8600 represents a planning decision that is consistent with the PPS.

Official Plan

The Official Plan, Schedule D: Land Use designates the subject land as “Residential”.

The permitted uses in the Residential land use include low, medium and high profile dwelling units. The proposed development is a low profile form complying with the Official Plan policies. The majority of houses fronting Lincoln near the subject property contains dwellings with 1 to 2 units. The proposed use integrates well with the surrounding residential and commercial areas.

Section 6.3.1.3 Intensification Infill & Redevelopment promote selective residential redevelopment, infill and intensification initiatives similar to the subject proposal.

Section 3.3.3 Neighbourhood policies (policy 3.3.3) denotes that the residential areas are the most basic component on Windsor’s urban structure, facilitating a range of “low-to-medium density residential” built forms.

The Residential policies (Sections 6.3.2.4 and 6.3.2.5) stipulate location and evaluation criteria for Residential development. The proposed development meets the locational criteria that includes access to a collector road, full services, adequate open spaces and community services, and public transportation service.

The land use policies associated with the Residential Land Use designation support a complementary range of housing forms and tenures in all neighbourhoods, promote compact neighbourhoods that encourage a balanced transportation system, promote selective residential redevelopment, infill and intensification initiatives. The proposed development is a compatible residential housing type that will contribute to the diversity of housing forms in the neighbourhood. The built form in terms of mass and height will not exceed current bylaw regulations.

The recommended Zoning By-law Amendment conforms to the Official Plan.

Zoning

The Zoning Bylaw 8600 designates the zoning for the subject property as 'Residential District 2.1 (RD2.1).

The applicant is requesting a change to the RD 2.2 zone category that would provide for a wider range of uses on the site, while not dealing with the non complying conditions resulting from the small size of the lot relative to the regulations of the RD2.2 zone in the existing lot (minimum Lot Width and minimum Lot Area).

Rather than change the applicable zone category to the RD2.2 zone, the Planning Department recommends applying a site specific provision that would recognise the requested use, and the size of the existing lot and leave in place the regulations of the RD2.1 zone to ensure that the form of the building constructed on the site is similar to other structures permitted within the area zoned RD2.1.

The reductions in minimum lot width and minimum lot area are for the lot as existing; they will have no adverse impact on the proposed development or on surrounding uses.

Many of the lots in area are of similar size to the subject site and contain structures that are of similar form and are used in a similar manner to the proposed development. Other than the proposed use, the lot width and the lot area requirements, the applicant has endeavoured to prepare a development complies with all other regulations of the zoning bylaw so that the form of the building will have the same impact in the area as any other new structure.

The proposed 3 unit dwelling is compatible with the other residential uses that currently exist in the area.

Other than the existing lot width and area, no other changes to the regulations have been requested. The recommended Zoning By-law amendment provides for an appropriate more intense use of an existing lot.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

Climate Change Adaptation:

The proposed construction of a new dwelling provides an opportunity to increase resiliency for the development and surrounding area.

Financial Matters:

N/A

Consultations:

Comments from the municipal departments and external agencies are attached as Appendix A: There are no objections from Municipal Departments to the proposed amendment.

Public Notice

The official notice will be advertised in the Windsor Star newspaper as required by the Planning Act.

A courtesy notice has been mailed to all properties within 120 m (400 feet) of the subject site, prior to the Development Heritage & Economic Standing Committee (DHESC) meeting.

Conclusion:

The recommended site-specific amendment to Zoning By-law 8600 is consistent with the Provincial Policy Statement 2020 as it provides a gently intensified use of an existing lot within an existing walkable neighbourhood. The proposed development in the Ottawa Street area provides and promotes a healthy, liveable and safe community. The recommended Zoning By-law Amendment maintains conformity with the Official Plan as the proposed 3 unit multiple dwelling is a compatible residential housing type and will contribute to the diversity of housing forms in the neighbourhood. The subject Zoning By-law Amendment constitutes good planning as it provides for an appropriate more intense use of an existing lot.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Michael Cooke, MCIP RPP

Manager, Planning Policy

Thom Hunt, MCIP RPP

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

Jelena Payne, Commissioner of Economic Development & Innovation

Onorio Colucci, Chief Administrative Officer

Approvals:

Name	Title
Michael Cooke, MCIP RPP	Manager of Planning Policy/Deputy City Planner
Thom Hunt, MCIP RPP	City Planner, Executive Director of Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Supreme Homes Group ATTN: John Atwan	8535 Riverside Dr. Windsor ON N8S 1G1	supremehomesgroup@gmail.com

Appendices:

- 1 Z 004-23 Liaison Comments

APPENDIX D – Consultation

Zoning Coordinator – Zaid Zwayyed

Below is the zoning review for the proposed development at 1334-1336 Lincoln Ave:

- **Proposed Zoning Designation: RD2.2 (11.2)**
- **Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:**
Existing duplex to be demolished and construction of a new multiple dwelling with three dwelling units
- **Proposed Use:**
Multiple Dwelling with Three Dwelling Units
- **Zoning Provisions (11.2.5):**
 - **Minimum Lot Width (11.2.5.4.1):**
 - 18.0 m (Required)
 - 9.14 m (Provided)
 - **Minimum Lot Area (11.2.5.4.2):**
 - 540.0 m² (Required)
 - 334.45 m² (Provided)
 - **Maximum Lot Coverage (11.2.5.4.3):**
 - 45.0 % (Required)
 - 42.85 % (Provided)
 - **Maximum Main Building Height (11.2.5.4.4):**
 - 9.0 m (Required)
 - 7.40 m (Provided)
 - **Minimum Front Yard Depth (11.2.5.4.5):**
 - 6.0 m (Required)
 - 7.21 m (Provided)
 - **Minimum Rear Yard Depth (11.2.5.4.6):**
 - 7.50 m (Required)
 - 8.00 m (Provided)
 - **Minimum Side Yard Width (11.2.5.4.7):**
 - 1.20 m (Required)
 - 1.20 m (Provided)
- **Section 5 - General Provisions**
Complies
- **Section 24 - Parking, Loading and Stacking Provisions**
 - **Multiple Dwelling (3 Units) – Required parking (24.20.5.1):**
 - 3 spaces (Required):
 - 3 spaces (Provided)

Transit Windsor – Jason Scott

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Ottawa 4 & Walkerville 8. The closest existing bus stops to this property are located on Ottawa at Lincoln and Lincoln at Ottawa, approximately 90-100 metres away falling well within our 400 metre walking distance guidelines to a bus stop. This will be maintained with our Council approved Transit Master Plan.

Barsom Sherif – Landscape Architect

After reviewing the submitted documents and drawings, Parks D&D has no issue with this LIAISON: Z 004/23 [ZNG/6950] - SUPREME HOMES GROUP (JOHN ATWAN) - 1334-1336 LINCOLN AVENUE, except for request of protecting the existing trees on City ROW: LITTLELEAF LINDEN within the site construction processes.

Clare Amicarelli – Transportation Planning

- Lincoln Rd is classified as a Class II Collector Road with a required right-of-way width of 24 meters per Schedule X. The existing right-of-way along the frontage of the subject property is not sufficient, however, a land conveyance is not required at this time.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

ENWIN

HYDRO ENGINEERING:

No Objection with respect to Re-zoning

Please note ENWIN has the following hydro distribution:

- Existing 16kV primary overhead hydro distribution along the west side of the N/S alley behind the above noted address.
- Existing 120/240V secondary overhead hydro distribution along the west side of the N/S alley behind the above noted address.

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

WATER ENGINEERING:

Water Engineering has no objections. There is an existing 25mm water service to this property.

Barbara Rusan – Building Department

Comments from the City of Windsor, Building Department relating to the subject line matter are as follows:

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 reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

Thomas Huynh – Engineering

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

Sewers

The site may be serviced by a 300mm vitrified clay pipe combined sewer located within Lincoln Rd right-of-way and a 600mm Brick combined sewer located in the alley between Lincoln Rd and Windermere Rd. If possible existing connections should be utilized. 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. Drainage and lot grading should be considered, demonstrating that the new parking areas are drained to private property. The applicant will be required to submit site servicing drawings.

Right-of-Way Lincoln Rd is classified as Class 2 Collector Road requiring a 24m width according to the Official Plan. The current width is 20m and is not sufficient however, a conveyance is not required at this time. This proposal includes use of the alley located at the rear of the subject property. Alley contribution as per the 2022 User Fee Schedule is required for the purpose of maintenance in the amount of \$2,285.

In summary we have no objection to the proposed development, subject to the following requirements:

Alley Contribution – The owner agrees, prior to the issuance of a Building Permit, to contribute \$2,285.00 (\$250 per linear meter), payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.

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

Subject: Zoning Bylaw Amendment Z 005-23 [ZNG-6951] Supreme Homes Group (John Atwan) 2609 Pillette Ave - Ward 5

Reference:

Date to Council: May 1, 2023

Author: Jim Abbs

Senior Planner

519-255-6543 x6317

jabbs@citywindsor.ca

Planning & Building Services

Report Date: April 13, 2023

Clerk's File #: Z/14542

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 14, Part of Lot 13, and Part of Closed Alley Plan 1160, more particularly described as PART 2, 12R-28714, from Residential District 1.2 (RD1.2) to Residential District (RD) 2.1;
- II. **THAT** subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Lot 11, Plan 628 by adding site specific regulations as follow:

468. **West Side of Pillette Avenue, South of Rose Street**

For the lands comprising of Lot 14, Part of Lot 13, and Part of Closed Alley Plan 1160, more particularly described as PART 2, 12R-28714, the following site specific regulations shall apply:

Maximum Gross Floor Area– 470 m²

(ZDM 11; ZNG/6951)

Executive Summary:

N/A

Background:



KEY MAP - Z-005/23, ZNG-6951



● SUBJECT LANDS

Application Information

Location: Lot 14, Part of Lot 13, and Part of Closed Alley Plan 1160, more particularly described as PART 2, 12R-28714, municipally known as 2609 Pilette Road.

Applicant: Supreme Homes Group (John Atwan)

Proposal: The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning from Residential District 1.2 (RD21.2) to Residential District 2.1 (RD2.1) to allow the construction of a Semi Detached Dwelling.

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	RD1.2	Vacant	Vacant
FRONTAGE	DEPTH	AREA	SHAPE
16.57 m	32.58 m	539.85m ²	Rectangle
Note: All measurements are approximate.			

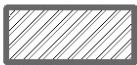


PART OF ZONING DISTRICT MAP 11

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Supreme Homes Group (John Atwan)



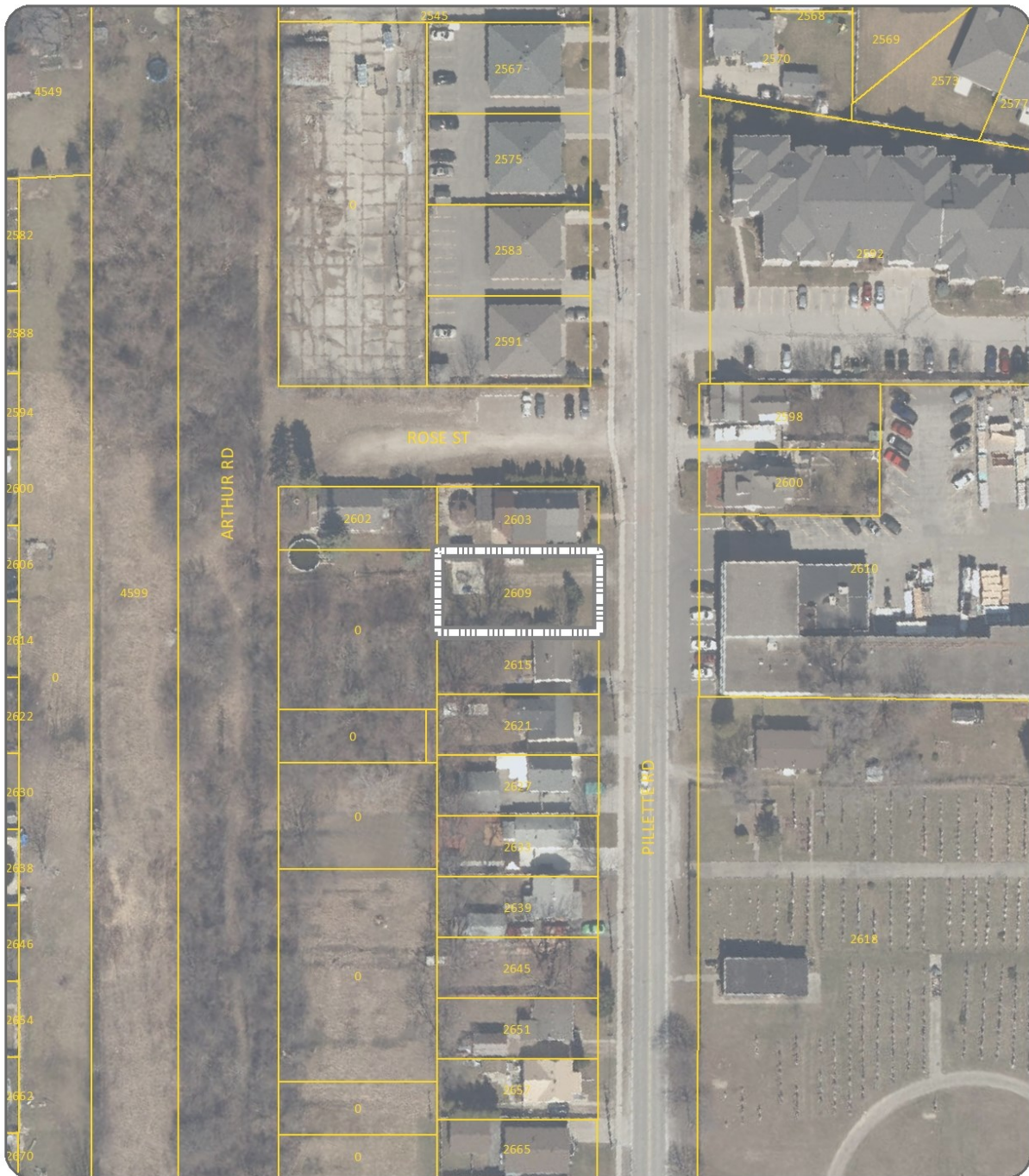
SUBJECT LANDS



PLANNING & BUILDING DEPARTMENT

DATE : JANUARY, 2023
FILE NO. : Z-005/23, ZNG/6951

Neighbourhood Characteristics



NEIGHBOURHOOD MAP - Z-005/23, ZNG/6951



SUBJECT LANDS

The area is characterised by a mix of uses that include residential uses with single detached, 4 unit Multiple Dwelling and Multiple Dwelling (3 storey apartment

building), a Commercial use (Retail Store) and a Cemetery. The lands to the west are the site are currently vacant and are expected to eventually be developed for residential purposes.

Transit Windsor Bus: The closest existing bus stop to this property is located at Pillette Road at Grand Marais on the southwest corner. This bus stop is approximately 70 metres from the subject property and is well within the 400 metre walking distance guideline to a bus stop. This will be maintained with the Transit Master Plan.

Discussion:

Provincial Policy Statement (PPS) 2020

The recommended amendment to Zoning By-law 8600 is consistent with the PPS. The recommended amendment to allow the construction of a Semi-detached Dwelling containing 2 units is consistent with PPS policies described in this section.

PPS provides policy direction for appropriate development. This policy direction takes into consideration efficient use of land and resources, accommodating an appropriate mix of residential uses, supporting active transportation/transit while preparing for the impacts of climate change. The PPS recognizes that land use are to be managed to meet the full range of current and future needs, while protecting public safety and natural environment.

The proposed multiple dwelling use contributes to building of a strong healthy community as per policy 1.1.1. (a to g) of PPS. The proposed amendment is consistent with the PPS as follows:

- The subject building is connected to municipal services.
- The proposed additional dwelling represents an effective and appropriate re-use of the existing lot.
- The subject site complements the surrounding neighbourhood of residential uses.
- The proposed additional dwelling unit's accessibility will be established in compliance with Ontario Building Code (OBC).
- There are no impacts on the natural environment, public health and safety.

The subject lands are within the urban area of the settlement for the City of Windsor. The proposed amendment would permit a slight increase in density of residential units, making a more efficient use of land within the existing built up area.

The PPS recommends accommodating affordable, market-based range, and a mix of residential types including multiple-unit housing, affordable housing such as the

proposed semi detached dwelling. The subject site is located near a transit route which provides an opportunity to promote transit ridership.

The applicable PPS sections promote the vitality of the existing settlements recognizing the importance of long-term prosperity of the community while making use of existing infrastructure.

In my opinion, the proposed development is an efficient use of an existing parcel and promotes a healthy, liveable and safe community. The recommended amendment to Zoning By-Law 8600 represents a planning decision that is consistent with the PPS.

Official Plan

The Official Plan, Schedule D: Land Use designates the subject land as “Residential”.

The permitted uses in the Residential land use include low, medium and high profile dwelling units. The proposed development is a low profile form complying with the Official Plan policies. The majority of houses fronting Pillette Road near the subject property contains dwellings with 1 to 4 units, as well a 44 unit Multiple Dwelling. The proposed use is compatible with the surrounding residential and commercial uses.

Section 6.3.1.3 Intensification Infill & Redevelopment promote selective residential redevelopment, infill and intensification initiatives similar to the subject proposal.

Section 3.3.3 Neighbourhood policies (policy 3.3.3) denotes that the residential areas are the most basic component on Windsor’s urban structure, facilitating a range of “low-to-medium density residential” built forms.

The Residential policies (Sections 6.3.2.4 and 6.3.2.5) stipulate location and evaluation criteria for Residential development. The proposed development meets the locational criteria that includes access to a collector road, full services, adequate open spaces and community services, and public transportation service.

The land use policies associated with the Residential Land Use designation support a complementary range of housing forms and tenures in all neighbourhoods, promote compact neighbourhoods that encourage a balanced transportation system, promote selective residential redevelopment, infill and intensification initiatives. The proposed development is a compatible residential housing type that will contribute to the diversity of housing forms in the neighbourhood. The built form in terms of mass and height will not exceed current bylaw regulations.

The recommended Zoning By-law Amendment conforms to the Official Plan.

Zoning

The Zoning Bylaw 8600 identifies the zoning for the subject property as ‘Residential District 1.2 (RD1.2).

The applicant is requesting a change to the RD 2.1 zone category that would provide for a wider range of uses on the site that would include a Semi Detached Dwelling, and an

increase in the Maximum Gross floor area for a dwelling. The Maximum Gross floor area was introduced to the RD2.1 zone as a result of the Residential Interim Control Bylaw study. The regulation for Maximum Gross Floor Area was applied to all types of dwellings equally, and results in a Semi Detached dwelling that contains 2 units being limited to the size of one single detached dwelling. The requested increase in Maximum GFA would result in proposed Semi detached dwelling being larger than permitted by the bylaw, however each of the Semi detached units would be smaller than the Maximum GFA for a single detached dwelling.

The proposed semi detached dwelling is compatible with the other residential uses that currently exist in the area.

The recommended Zoning By-law amendment provides for an appropriate more intense use of an existing lot.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods while using currently available infrastructure such as sewers, sidewalks, and public transit helps to mitigate development impact.

Climate Change Adaptation:

The proposed construction of a new dwelling provides an opportunity to increase resiliency for the development and surrounding area.

Financial Matters:

N/A

Consultations:

Comments from the municipal departments and external agencies are attached as Appendix A: There are no objections to the proposed amendment.

Public Notice

The official notice will be advertised in the Windsor Star newspaper as required by the Planning Act.

A courtesy notice has been mailed to all properties within 120 m (400 feet) of the subject site, prior to the Development Heritage & Economic Standing Committee (DHSC) meeting.

Conclusion:

The recommended site-specific amendment to Zoning By-law 8600 is consistent with the Provincial Policy Statement 2020 as it provides a gently intensified use of an existing lot within an existing walkable neighbourhood. The proposed development provides and promotes a healthy, liveable and safe community. The recommended Zoning By-law Amendment maintains conformity with the Official Plan as the semi detached dwelling is a compatible residential housing type and will contribute to the diversity of housing forms in the neighbourhood. The subject Zoning By-law Amendment constitutes good planning as it provides for an appropriate more intense use of an existing vacant parcel.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Michael Cooke, MCIP RPP, Manager, Planning Policy

Thom Hunt, MCIP RPP, City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

Jelena Payne, Commissioner of Economic Development & Innovation

Onorio Colluci, Chief Administrative Officer

Approvals:

Name	Title
Michael Cooke, MCIP RPP	Manager of Planning Policy/Deputy City Planner
Thom Hunt, MCIP RPP	City Planner, Executive Director of Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Supreme Homes Group ATTN: John Atwan	8535 Riverside Dr. Windsor ON N8S 1G1	supremehomesgroup@gmail.com

Appendices:

- 1 Z 005-23 Liaison Comments

APPENDIX D – Consultation

Zoning Coordinator – Zaid Zwayyed

As requested, below is the zoning review for the proposed development at 2609 Pillette Avenue:

- **Proposed Zoning Designation: RD2.1 (11.1)**
- **Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:**
Vacant lot
- **Proposed Use:**
Semi-detached Dwelling
- **Zoning Provisions (11.1.5):**
 - **Minimum Lot Width (11.1.5.1):**
 - 15.0 m (Required)
 - 16.57 m (Provided)
 - **Minimum Lot Area (11.1.5.2):**
 - 450.0 m² (Required)
 - 539.02 m² (Provided)
 - **Maximum Lot Coverage (11.1.5.3):**
 - 45.0 % (Required)
 - 44.90 % (Provided)
 - **Maximum Main Building Height (11.1.5.4):**
 - 9.0 m (Required)
 - 6.33 m (Provided)
 - **Minimum Front Yard Depth (11.1.5.5):**
 - 6.0 m (Required)
 - 6.0 m (Provided)
 - **Minimum Rear Yard Depth (11.1.5.6):**
 - 7.50 m (Required)
 - 8.80 m (Provided)
 - **Minimum Side Yard Width (11.1.5.7):**
 - 1.20 m (Required)
 - 1.20 m (Provided)
 - **Maximum Gross Floor Area (11.1.5.8):**
 - 400.0 m² (Required)
 - 469.74 m² (Provided)

- **Section 5 - General Provisions**

Complies

* Notes on section 5 compliance:

- Consultation with ERCA is required per section 5.40 of ZBL/8600

- **Section 24 - Parking, Loading and Stacking Provisions**
 - **Semi-detached Dwelling– Required parking (24.20.5.1):**
 - 2 space (Required):
 - 2 spaces (Provided)

* Notes on section 24 compliance:

- The applicant must show the proposed front yard paving to confirm the percentage of paved surfaces.

Transit Windsor - Jason Scott

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Central 3. The closest existing bus stop to this property is located on Pillette at Grand Marais Southwest Corner. This bus stop is approximately 70 metres from this property falling well within our 400 metre walking distance guideline to a bus stop. This will be maintained with our Council approved Transit Master Plan.

ERCA – Kathleen Schnekenburger

The City of Windsor has received an Application for Zoning By-Law Amendment for the subject property. The applicant proposes to construct a semi-detached dwelling which will contain 2 residential units. 2 parking spaces will be provided on the property, one in the garage and another on the driveway. The applicant requests a zoning by-law amendment to convert the existing zoning (RD1.2) to Residential District 2.1 (RD2.1) to permit the desired use. The following is provided as a result of our review of Zoning By-Law Amendment Z005-23.

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 from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

FINAL RECOMMENDATION

The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration.

Barsom Sherif – Landscape Architect

No concerns.

Heritage Planning – Tracey Tang

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.

Contacts:

Windsor Planning & Building 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

Ontario Ministry of Citizenship and Multiculturalism

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

Windsor Police: 911

Ontario Ministry of Government & Consumer Services

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

Building Department – Barbara Rusan

Comments from the City of Windsor, Building Department relating to the subject line matter are as follows:

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

Transportation Planning – Clare Amicarelli

- Pillette Ave is classified as a Class 1 Collector Road with a required right-of-way of 26 meters per the Official Plan. The current right-of-way is not sufficient, however, a conveyance is not required at this time.
- All parking must comply with zoning by-law 8600, otherwise a parking study may be required.
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Engineering

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

Sewers

The site may be serviced by a 250mm PVC sanitary sewer and a 375mm concrete storm sewer located within the Pillette Avenue right-of-way. If possible existing connections should be utilized. 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.

Right-of-Way

Pillette Avenue is classified as Class 1 Collector Road requiring a 26m width according to the Official Plan. The current width is 20.1m, however, a land conveyance is not being

requested at this time. Pillette Avenue is deficient in curb and gutter and the applicant will be required to pay to the corporation contribution to curb and gutter as per the current User Fee Schedule (\$60 per LM of frontage)

Additional notes to the applicant

The property has a lot width of 16.53 metres and a single car garage for each unit with doors adjacent to each other is being proposed. The maximum curb cut and driveway width will be 7.0 metres. Leadwalks from the driveway to the front steps will be limited in order to not exceed 50% hard surface in the required front yard. If the intent is to sever the property and individual connections to each unit are provided; each unit will be permitted a curb cut and driveway width of up to 4.0 metres assuming any proposed leadwalks do not result in hard surface exceeding 50% within the required front yard.

At the time of permit application, a site plan including the right of way to the road will be required showing the layout and dimensions of the driveway and any leadwalks. City of Windsor | 350 City Hall Square West | Windsor, ON | N9A 6S1
www.citywindsor.ca

In summary we have no objection to the proposed development, subject to the following requirements:

Curbs and Gutters – The Owner further agrees, at the discretion of the City Engineer, to:
Pay to the Corporation, prior to the issuance of a construction permit, the sum of \$ 981.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

ENWIN

HYDRO ENGINEERING:

No Objection, provided adequate clearances are achieved and maintained.

Please note the following.

- 1- ENWIN has 120/240V overhead secondary conductors going across the front of property
- 2- ENWIN has 16kV overhead primary conductors going across the front of property
- 3- There are midspan secondary conductors going through the 2609 Pillette Rd property to a pole behind the property. ENWIN will be rerouting that span of secondary conductor.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

WATER ENGINEERING:

Water Engineering has no objections. There is no water service to this property.

Subject: City Initiated Zoning By-law Amendment - Remove Maximum Gross Floor Area - Main Building Provisions for Townhome Dwellings in RD2.3 Zone

Reference:

Date to Council: May 1, 2023
Author: Laura Strahl MCIP, RPP
Senior Planner
519-225-6543 ext. 6396
Planning & Building Services
Report Date: April 13, 2023
Clerk's File #: Z2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by deleting the Gross Floor Area – main building maximum of 400 m² for Townhome Dwelling in section 11.3.5.8.

Executive Summary:

N/A

Background:

The purpose of this report is to make refinements to zoning provisions by removing the maximum gross floor area provision for townhomes within the Residential District 2.3 (RD2.3) zone that was implemented by By-law 101-2022.

The Mutli-Residential Interim Control By-law Study (MRICBL Study) was initiated when Council passed the Interim Control By-law on July 13, 2020, which temporarily prohibited the use of all lands, buildings and structures for a group home, shelter, lodging house and/or dwelling with five or more dwelling units, unless exempted in the Interim Control By-law, in order to allow the City to conduct a study. On June 7, 2021, Council passed By-law 99-2021 to extend By-law 103-2020 for an additional year.

This allowed administration to review and implement the findings of the study. The City retained consultants (Altus Group, Municipal Planning Consultants and The Planning Partnership) to conduct the study and make recommendations.

The main purpose of the Multi-Residential Interim Control By-law (MRICBL) Study was to determine the following:

- The appropriate locations within the city that can accommodate additional residential density;
- How to appropriately guide growth to those geographic areas;
- The extent to which a designated area can accommodate growth;
- How to ensure compatibility within the existing neighbourhood context; and
- The MRICBL Study also includes a review of Group Homes, Lodging Houses and Shelters to bring in compliance with the Human Rights Code.

One of the recommendations was to reduce the as of right permissions in the zoning by-law of maximum building height and introduce maximum gross floor area to ensure the compatibility of new residential development within existing residential neighbourhoods.

On July 11th 2022 Council approved By-law 101-2022 being a by-law to amend Zoning By-law 8600, as a result of the Multi-Residential Interim Control By-law Study (MRICBL Study). By-law 101-2022 including the change in maximum building height and introduction of maximum gross floor area.

After further evaluation it has been determined that the maximum gross floor area provisions should not apply in the RD2.3 Zone for townhomes. This would revert the provisions for a Townhome Dwelling back to the way the zoning by-law read before By-law 101-2022 was implemented.

Discussion:

The maximum gross floor area for townhome dwelling is too restrictive in the Residential District RD2.3 Zone as the zoning by-law defines a townhome dwelling as follows:

***Townhome Dwelling** means one dwelling vertical divided into a row of three or more dwelling units attached by common interior walls, each wall having a minimum area above grade of 10.0 sq. m. and may include, where permitted by Section 5.99.80, additional dwelling units. A semi-detached dwelling is not a townhome dwelling.*

By this definition, the max gross floor area of 400 sq. m would apply to the entire building, not to each townhome dwelling unit, therefore restricting the size to an unreasonable size for a townhome dwelling containing three or more dwelling units. The RD2.3 zone was created for development within the East Riverside Planning District. The RD2.3 zone was developed specifically for this area, and therefore the provisions that applied before By-law 101-2022 were appropriate for ensuring compatibility of new residential development within the zone.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters related to provincial interest related to land use planning and development and sets policies for regulating the development and use of land in Ontario.

The vision of the PPS focus on growth and development within urban settings and that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient land use patterns. Planning authorities are encouraged to permit and facilitate a range of options, including residential intensification, to respond to current and future needs. Land use patterns should promote a mix of housing, including opportunities for intensification that support a broad range of housing options.

Policies 1.1.1 of the PPS stipulates:

“Healthy, livable 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;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit, 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;

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;”

Policy 1.1.3.2 of the PPS stipulates:

“Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed.”

The proposed amendment to the Zoning By-law is minor in nature as it is removing a provision to revert back to the way the zoning by-law read before By-law 101-2022. Townhomes are part of a mix of housing options within the City and will contribute to the missing middle style of housing.

The amendment is consistent with the PPS.

City of Windsor Official Plan

The RD2.3 Zone is located mainly in East Riverside. The areas to which it applies are designated Residential on Schedule D – Land Use Plan. The proposed amendment is not making any change to the type of land use, but rather reverting back to the provisions that existed prior to By-law 101-2022.

The proposed amendment is consistent with the City of Windsor Official Plan.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Required notice of the statutory public meeting was advertised in the Windsor Star, on April 7th, 2023.

Conclusion:

It is the Planner's opinion that the recommended amendment to Zoning By-law 8600 is consistent with the Provincial Policy Statement and represents good planning.

The recommendation above is to remove the Gross Floor Area – Main Building maximum provision for townhomes in the RD2.3 zone.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Nail Robertson, Manager of Urban Design and Deputy City Planner

Thom Hunt, Executive Director of Planning, City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP

Approvals:

Name	Title
Neil Robertson	Manager of Urban Design
Thom Hunt	City Planner
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development and Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A - Notice of Passing - Zoning By-law Amendment 101-2022

**PLANNING ACT, R.S.O. 1990
Section 34(18)**

**NOTICE OF PASSING OF A ZONING BY-LAW
To Amend Zoning By-Law 8600
By The Corporation of The City of Windsor**

TAKE NOTICE that the Council of The Corporation of the City of Windsor passed By-law Number **101-2022** on **July 11, 2022**.

THE LAST DATE for filing a notice of appeal is: **Tuesday, August 2, 2022**.

ANY NOTICE OF APPEAL:

- (a) Must be filed with the City Clerk of the City of Windsor;
- (b) Must set out the reasons for the appeal; and
- (c) Must be accompanied by the fee required by the Tribunal (**\$1,100.00 per person/per appeal**) prescribed under the Ontario Land Tribunal (OLT) The fee is made payable to the **'Minister of Finance' and must be a certified cheque or money order.**

If you wish to appeal to the Ontario Land Tribunal (OLT), a copy of the prescribed submission form is available from the OLT website at <https://olt.gov.on.ca/appeals-process/>

ONLY INDIVIDUALS, CORPORATIONS AND PUBLIC BODIES may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

NO PERSON OR PUBLIC BODY shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at the public meeting or written submissions to the Council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

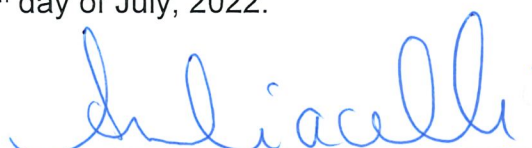
PLEASE BE ADVISED THAT Council considered written and oral submissions related to the Official Plan Amendment or Zoning By-law Amendment before adoption. No edits were made to the Official Plan Amendment or Zoning By-law Amendment as a result of the written and oral submissions.

FURTHER BE ADVISED that the lands to which the Zoning Amendment applies is also the subject of an application under The Planning Act, R.S.O. 1990 for the following:

- (a) Official Plan Amendment (OPA/6757 OPA 159)
- (b) Plan of Subdivision Application (Not applicable)
- (c) Minister's Zoning Order (Not applicable)
- (d) Application for a Consent (Not applicable)

A COPY OF BY-LAW 101-2022 together with an explanation of the purpose and effect of the by-law describing the lands to which the by-law applies and a key map showing the location of the lands to which the by-law applies, are attached.

DATED at the City of Windsor this 15th day of July, 2022.



ANNA CIACELLI, DEPUTY CITY CLERK
WINDSOR, ONTARIO

SCHEDULE 1

This is a copy of By-law 101-2022

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

Passed the 11th day of July, 2022.

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. That By-law 8600 be amended by adding to Section 3.10 the following:

GROSS FLOOR AREA – MAIN BUILDING means the total combined floor area in square metres of the *main building* on a *lot*, excluding the *cellar* of any *building*, measured from the outside face of the exterior walls of the *main building*.

2. That the said by-law be further amended by deleting Section 10.1.5.4 and substituting the following therefor:

.4 Main Building Height - maximum	9.0 m	9.0 m	9.0 m	
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3.

That the said by-law be further amended by adding to Section 10.1.5.8 the following:

.8 Gross Floor Area – Main Building- maximum	400 m ²	400 m ²	400 m ²	
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4.

That the said by-law be further amended by deleting Section 10.2.5.4 and substituting the following therefor :

.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m	
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5.

That the said by-law be further amended by adding to Section 10.2.5.8 the followings:

.8 Gross Floor Area – Main Building - maximum	400 m ²	400 m ²	400	2
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6. That the said by-law be further amended by deleting Section 10.3.5.4 and substituting the following therefor :

.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m	
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7.

That the said by-law be further amended by adding to Section 10.3.5.8 the following :

.8 Gross Floor Area – Main Building- maximum	400 m ²	400 m ²	400 m ²	
--	--------------------	--------------------	--------------------	--

8.

That the said by-law be further amended by deleting Section 10.4.5.4 and substituting the following therefor:

.4 Main Building Height – maximum	9.0 m	9.0 m	9.0 m	
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9.

That the said by-law be further amended by adding to Section 10.4.5.8 the following:

.8 Gross Floor Area – Main	400 m ²	400 m ²	400 m ²	
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Building - maximum

10. Delete and substitute 10.5.5.4 as follows

.4 Main Building Height – maximum 9.0 m

K.

Add Section 10.5.5.8 as follows:

.8 Gross Floor Area – Main Building - maximum 400 m²

L.

Delete and substitute 11.1.5.4 as follows

.4 Main Building Height – maximum 9.0 m 9.0 m 9.0 m

M.

Add Section 11.1.5.8 as follows:

.8 Gross Floor Area – Main Building - maximum 400 m² 400 m² 400 m²

N

Delete Section 11.2.5 and substitute with a new Section 11.2.5 as follows:

11.2.5 PROVISIONS

.1 Duplex Dwelling

.1 Lot Width – minimum 12.0 m
.2 Lot Area – minimum 360.0 m²
.3 Lot Coverage – maximum 45.0%
.4 Main Building Height – maximum 9.0 m
.5 Front Yard Depth – minimum 6.0 m
.6 Rear Yard Depth – minimum 7.50 m
.7 Side Yard Width – minimum 1.20 m
.10 Gross Floor Area – Main Building – maximum 400 m²

.2 Semi-Detached Dwelling

.1 Lot Width – minimum 15.0 m
.2 Lot Area – minimum 450.0 m²
.3 Lot Coverage – maximum 45.0%
.4 Main Building Height – maximum 9.0 m
.5 Front Yard Depth – minimum 6.0 m
.6 Rear Yard Depth – minimum 7.50 m
.7 Side Yard Width – minimum 1.20 m
.10 Gross Floor Area – Main Building – maximum 400 m²

.3 Single Unit Dwelling

.1 Lot Width – minimum 9.0 m
.2 Lot Area – minimum 270.0 m²
.3 Lot Coverage – maximum 45.0%
.4 Main Building Height – maximum 9.0 m
.5 Front Yard Depth – minimum 6.0 m
.6 Rear Yard Depth – minimum 7.50 m
.7 Side Yard Width – minimum 1.20 m
.10 Gross Floor Area – Main Building – maximum 400 m²

.4 Double Duplex Dwelling or Multiple Dwelling

.1 Lot Width – minimum 18.0 m
.2 Lot Area – minimum 540.0 m²
.3 Lot Coverage – maximum 45.0%
.4 Main Building Height – maximum 9.0 m
.5 Front Yard Depth – minimum 6.0 m
.6 Rear Yard Depth – minimum 7.50 m
.7 Side Yard Width – minimum 1.80 m

.5 Townhome Dwelling

.1 Lot Width – minimum 20.0 m
.2 Lot Area – per *dwelling unit* – minimum 200.0 m²
.3 Lot Coverage – maximum 45.0%
.4 Main Building Height – maximum 9.0 m
.5 Front Yard Depth – minimum 6.0 m
.6 Rear Yard Depth – minimum 7.50 m
.7 Side Yard Width – minimum 1.50 m

- O. Delete and substitute 11.3.5.4 as follows
- | | | | | |
|----|--------------------------------|-------|-------|-------|
| .4 | Main Building Height – maximum | 9.0 m | 9.0 m | 9.0 m |
|----|--------------------------------|-------|-------|-------|
- P. Add Section 11.3.5.8 as follows:
- | | | | | |
|----|--|--------------------|--------------------|--------------------|
| .8 | Gross Floor Area – Main Building - maximum | 400 m ² | 400 m ² | 400 m ² |
|----|--|--------------------|--------------------|--------------------|
- Q. Delete and substitute 11.4.5.4 as follows
- | | | | | |
|----|--------------------------------|-------|-------|--|
| .4 | Main Building Height – maximum | 9.0 m | 9.0 m | |
|----|--------------------------------|-------|-------|--|
- R. Add Section 11.4.5.8 as follows:
- | | | | | |
|----|---|--------------------|--------------------|--|
| .8 | Gross Floor Area – Main Building- maximum | 400 m ² | 400 m ² | |
|----|---|--------------------|--------------------|--|
- S. Delete Section 5.2.20.1

DREW DILKENS, MAYOR

CITY CLERK

First Reading - July 11, 2022
 Second Reading- July 11, 2022
 Third Reading - July 11, 2022

SCHEDULE 2

1. By-law 101-2022 has the following purpose and effect:

The Official Plan Amendment and Zoning By-law Amendment implement the findings of the Multi-Residential Interim Control Bylaw Study. The land use policies and zoning provisions direct intensification to areas within the City where present and future residents will be in proximity to goods and services, public transportation and employment areas. It will build strong, more complete neighbourhoods within the City while balancing intensification and infill within existing neighbourhoods.

To achieve this, the amendments to the City of Windsor Official Plan identify the location of, and direct intensification to, mixed use centres, mixed use corridors, and mixed use nodes. They identify mature neighbourhoods where intensification should be encouraged in a manner that is compatible with the existing neighbourhood. Urban design guidelines are also proposed.

The amendments to Zoning By-law 8600 implement the direction in the official plan. The Zoning By-law Amendment reduces the maximum building height from 10 metres to 9 metres in the RD1.1, RD1.2, RD1.3, RD1.4, RD1.5, RD2.1, RD2.2, RD2.3, and RD2.4. It will also limit the total maximum gross floor area to 400m² (~4,305 ft²) for the main building and eliminate the minimum dwelling unit size from the Zoning By-law. These changes are intended to make sure that the scale and height of new development is more consistent with what is currently found within many neighbourhoods.

Subject: Rezoning – SRC United Inc (Stan Mancebo) – 936 Wyandotte Street West – Z 030-22 [ZNG-6864], Ward 3

Reference:

Date to Council: 2023-05-01
Author: Laura Strahl MCIP, RPP
Senior Planner
519-225-6543 ext. 6396
Planning & Building Services

Planning & Building Services
Report Date: 2023-04-11
Clerk's File #: Z/14487

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Part Lot 3, Plan 420 Windsor (known municipally as 936 Wyandotte Street West; Roll No. 040-150-02500) situated on the north side of Wyandotte Street West between Crawford Avenue and Oak Street by adding the following site specific exception to Section 20(1):

“469. NORTH SIDE OF WYANDOTTE STREET WEST, BETWEEN CRAWFORD AVENUE AND OAK STREET

For the lands comprising Part Lot 3, Registered Plan 420, a *dwelling* with a maximum of 3 *dwelling units* within an *existing building* shall be an additional permitted use and shall be subject to the following additional provisions:

- a) Section 15.2.5.9 shall not apply
- b) Section 15.2.5.15 shall not apply
- c) Section 24.20.5 shall not apply
- d) Subject to the satisfaction of the Chief Building Official, the following noise mitigation measures are a requirement of building permit issuance:
 - 1) The following buildings components shall have a Minimum STC Rating as indicated:
 - Exterior Wall – 27
 - Window – 21 (operable thick double/triple paned)

Window – 24 (sealed thick double glazed)

2) Installation of Central Air Conditioning

[ZDM 3; ZNG/6864]

- II. **THAT** Part Lot 3, Plan 420 Windsor (known municipally as 936 Wyandotte Street West; Roll No. 040-150-02500), **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning). The Class 4 area classification applies to new noise sensitive residential units created after the subject site has been rezoned.
- III. **THAT** the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification for the subject lands that incorporates noise mitigation measures to BASF Canada Inc.
- IV. **THAT** the owner of the property **BE DIRECTED** to include the following Warning Clauses from NCP-300 in future offers to Purchase, and agreements of Purchase or Sale or Lease:
 - (a) Type D: This dwelling unit has been equipped with central air conditioning in order to 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. Air conditioning units are to be installed in a noise insensitive area.
 - (b) Type E: Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible.
 - (a) Essex Terminal Railway and Canadian Pacific Railway Company, or its assigns or successors in interest has or have a right-of-way within 300 meters 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). ETR and CP 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.

Executive Summary:

N/A

Background:

Application Information

Location: North side of Wyandotte Street West between Crawford Avenue and Oak Street

936 Wyandotte Street West

Roll No. 040-150-02500

Ward: 3

Planning District: Riverwest Planning District

Zoning District Map: 3

Applicant: SRC United Inc. (Stan Mancebo)

Agent: Stuart Miller (MMA Architect Inc.)

Proposal: The subject property located at 936 Wyandotte Street West contains an existing two storey building. The applicant indicates that the property contains 1 vacant commercial unit and 1 residential unit on the main floor and 1 residential unit on the second storey. The applicant is proposing to convert the vacant ground floor commercial unit to a residential unit.

The property is currently zoned Commercial District 2.2 (CD2.2) which requires residential units to be located above a non-residential use. The applicant has applied for a site specific provision to allow for a multiple dwelling building (three dwelling units), no parking and no amenity space.

Upon consultation with the Building Department it has been determined the building contains 1 commercial unit and 1 residential unit (not two as the applicant has indicated). A Building Permit is required to create additional separate tenant space. The applicant is required to obtain a Building Permit to legalize additional tenant space. If the subject zoning by-law amendment application is approved, a Building Permit will also be required to convert the commercial unit to a residential unit.

Site Information

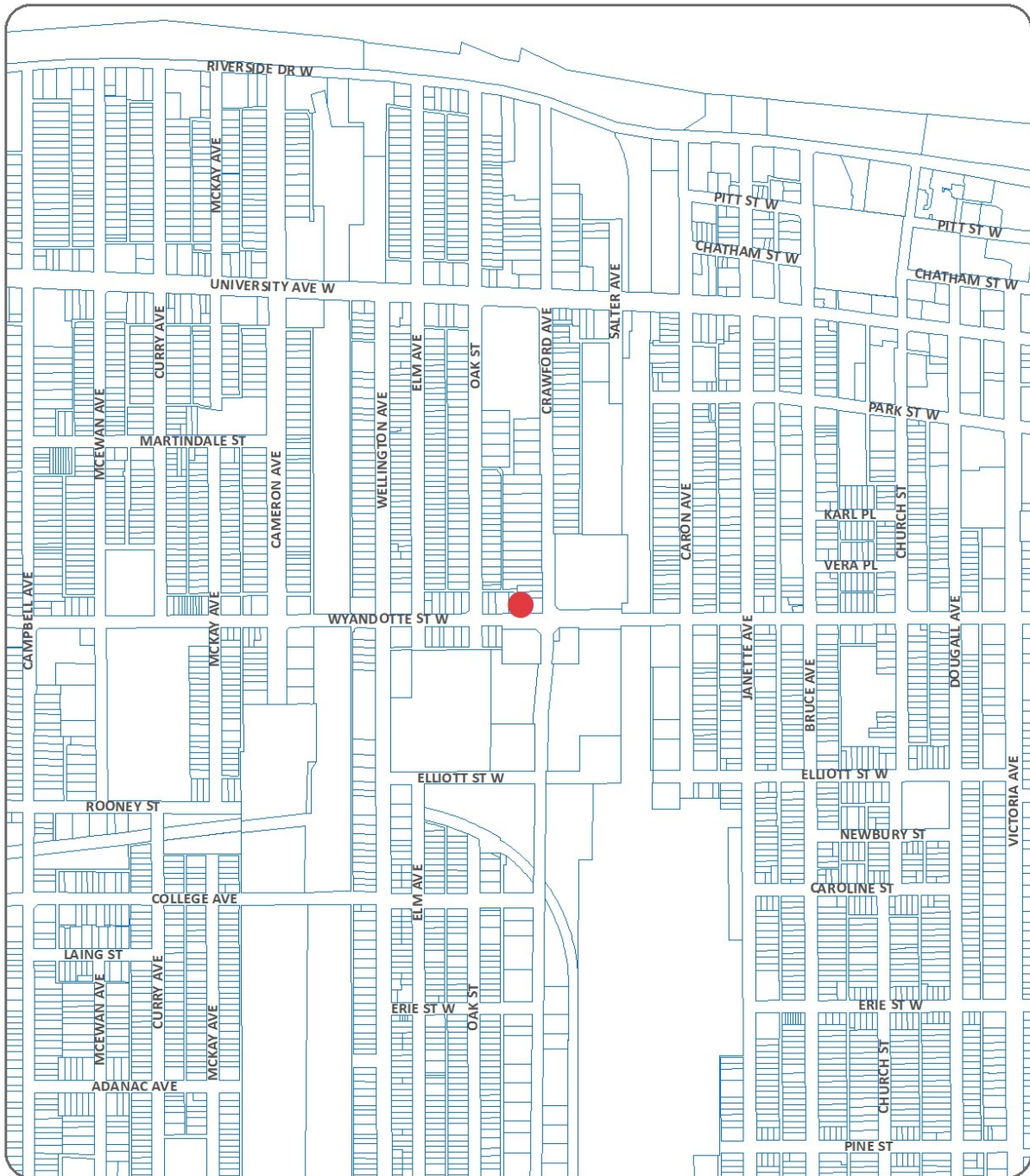
Official Plan	Zoning	Current Use	Previous Use
Mixed Use Corridor	Commercial District 2.2	Combined Use Building, vacant ground floor commercial	Grocery store and residential
Lot Frontage	Depth	Area	Shape
9.75 m	15.24 m	148.59 sq m	Rectangular
<i>All measurements are approximate</i>			

Neighbourhood Characteristics

The subject property is located along Wyandotte Street West, which is west of Downtown Windsor. The property is located midblock and an alley runs north/south along the western property line. Commercial uses are located east (vacant commercial building), west (restaurant) and across the street (Tim Horton's). The land uses north of the subject property are low density residential. Travelling east and west along Wyandotte Street you will find a mix of low density residential, high density residential (new 154 unit residential building at the north east corner of Wyandotte Street West and Crawford Avenue) and a mix of commercial. Commercial vacancies and high turn over of commercial uses are present along this section of Wyandotte Street West.

Wyandotte Street West is identified as a Class II Arterial Road on Schedule F: Roads and Bikeways of the City of Windsor Official Plan, Volume I. Schedule G: Civic Image identifies Ouellette Avenue as a Mainstreet. The closest existing transit route to the subject property is the Crosstown 2 that runs along Wyandotte Street West.

Figure 1: Key Map



KEY MAP - Z-030/22, ZNG-6864



● SUBJECT LANDS

Figure 2: Subject Parcel – Rezoning

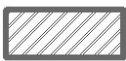


PART OF ZONING DISTRICT MAP 3

N.T.S.

REZONING

Applicant: SRC United



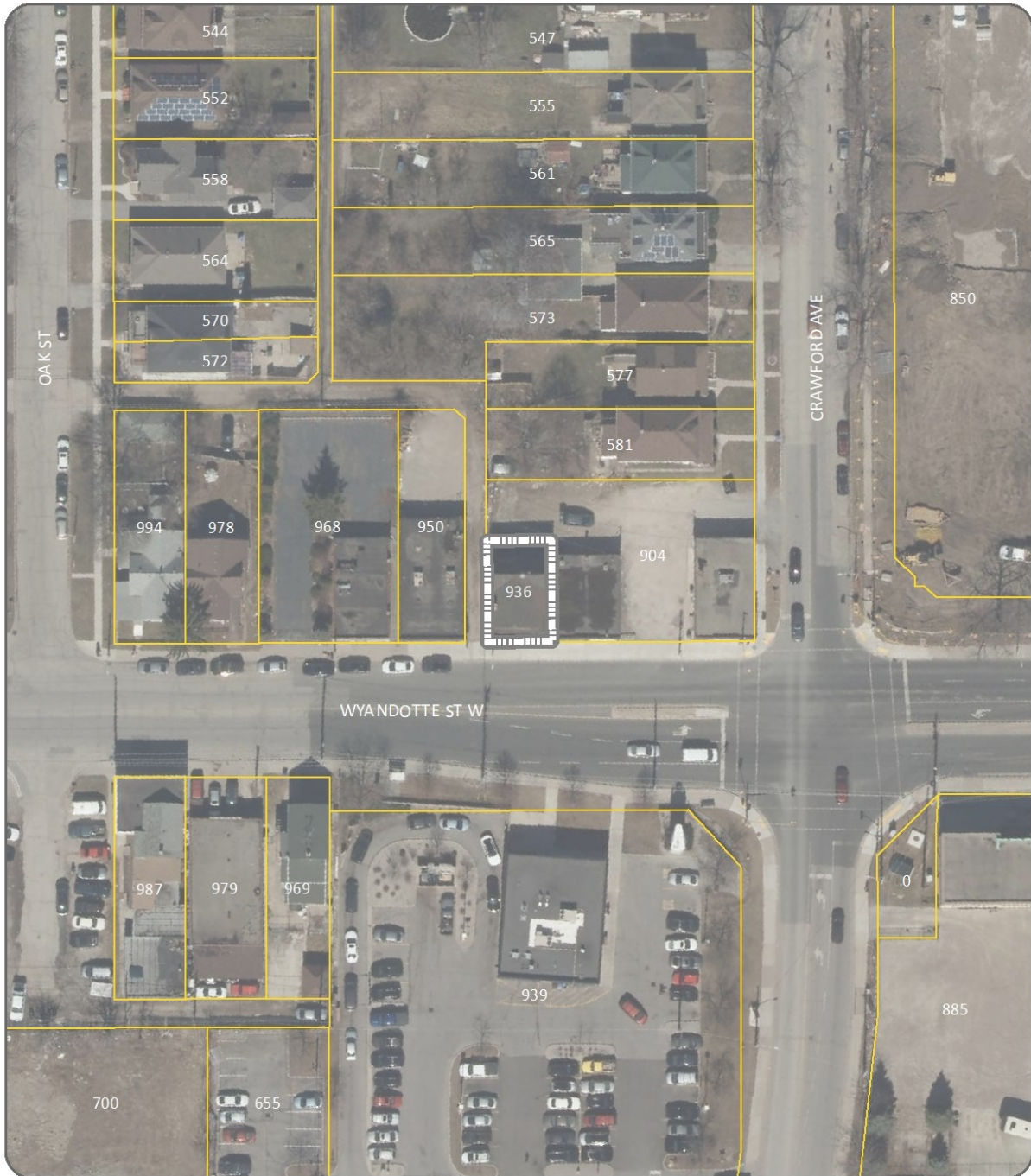
SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : DECEMBER 2022
FILE NO. : Z-030/22, ZNG/6864

Figure 3: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-030/22, ZNG-6864



SUBJECT LANDS

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to planning. The *Planning Act* requires that all land use decisions be consistent with the PPS. The following is an overview of the applicable PPS policies and how the recommendations in this report are consistent with the PPS.

Part IV: Vision for Ontario's Land Use Planning System of the PPS includes a new addition to the 2020 PPS, which stipulates that '*planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.*' The subject proposal proposes an additional residential unit within existing building which contributes to a range of housing options. In addition, recent changes to the PPS in Section 1.1.1 specifically mention multi-unit housing as a housing type to accommodate an appropriate range and mix of housing.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

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;*
- 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;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- 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;*
- 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;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and,*
- i) preparing for the regional and local impacts of a changing climate.*

The proposed amendment will permit three unit residential building, making more efficient use of the land within the existing built-up area and promote the reuse of a vacant building in the core. Additionally, the proposed development is along existing transit route which will increase the viability of those routes.

The proposed amendments are consistent with Section 1.1.1. of the PPS.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The proposed amendments are within a settlement area therefore will contribute to the vitality and regeneration of existing the settlement areas.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and,*
- g) are freight-supportive.*

The proposed development will make more efficient use of the land and the existing resources as the commercial unit has been vacant for many years. Therefore, the proposed development will make more efficient use of existing municipal infrastructure. Increased residential units within the area will increase the demand for transit.

1.1.3.2 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.

The City of Windsor Official Plan amended its Official Plan through Official Plan Amendment 159 which identified areas where residential intensification shall be directed. The Wyandotte Street corridor was identified as an area to direct mixed use development including stand alone residential in appropriate places. This proposal supports those policies by making use of an existing building for residential purposes along the corridor.

The conversion of the existing vacant commercial unit to a multiple dwelling building with increased density is consistent with the PPS.

City of Windsor Official Plan

The subject property is located within the Riverwest Planning District as identified on Schedule A: Planning Districts & Policy Areas. The subject property is identified as “Mixed Use Corridor” land use designations Schedule D: Land Use to Volume I of the City of Windsor Official Plan.

The proposal is outlined in the Planning Justification Report submitted by the applicant, contained in Appendix C.

The application requires a zoning by-law amendment to recognize existing conditions and to permit residential uses on the ground floor, no parking and no amenity space. The proposal is consistent with the policies of the City of Windsor Official Plan, as described below:

Mixed Use Corridor Land Use: The subject property is located within the ‘Mixed Use Corridor’. Section 6.5.3 of the City of Windsor Official Plan, Volume I contains the land use policies for this land use designation, that permits residential uses as stand alone building.

The proposed conversion of a vacant commercial unit to a residential unit is consistent with these policies.

SECTION 11.6.3 OF OP VOL. 1 – 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.

To support the application for a zoning by-law amendment the applicant was requested to undertake a Noise Study to evaluate the noise from the nearby roadways, rail yard, and stationary noise sources such as BASF Canada Inc. located southeast of the proposed development. The Noise Study is included as Appendix D to this report and recommends the following building component requirements and warning clauses:

Table 7: Summary of Warning Clauses and Building Component Requirements

POR	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
All	N	Type D, E, ETR/CP Rail	Minimum STC Rating for the following Building Components: Exterior Wall – 27 Window – 21 (operable thick double/triple paned) Window – 24 (sealed thick double glazed)	Installation of Central Air Conditioning

The building component requirements have been included in the recommended site specific zoning exemptions and will be implemented at the time of Building Permit. Warning Clauses are typically implemented at time of Site Plan Control, however recent changes to the Planning Act exempt residential development under 10 residential units from Site Plan Control. A recommendation has been included to direct the owner to include the recommended warning clauses in Offers to Purchase, and agreements of Purchase or Sale or Lease.

Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300)

NPC-300 was created for the purposes of both Environmental Approval of stationary noise sources by the MOECP and for land use approvals by a municipality. One of the goals of NPC-300 is the attempt to resolve conflicts between stationary noise sources, such as industrial or commercial activity, and noise sensitive land uses, such as residential.

One of the substantial changes is the introduction of a Class 4 area, which is a tool to allow a municipality to approve a noise sensitive land use with relaxed noise limit levels in an area of existing stationary noise sources to promote intensification.

NPC-300 defines a Class 4 area as an area or specific site which:

- Is an area intended for development with new noise sensitive land use that is not yet built;
- Is in proximity to existing, lawfully established stationary sources(s); and,
- Has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use process.

An area with existing noise sensitive land uses cannot be classified as a Class 4 area.

The Class 4 Area designation is a new acoustical environment area where relaxed (higher) daytime and night time sound level limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered.

NPC-300 identifies a number of considerations to apply to a proposed Class 4 area and associated new noise sensitive land uses, including, but not limited to:

- Submission of a satisfactory noise impact assessment which includes noise measures;
- Appropriate notification to prospective purchasers that the dwelling is located in a Class 4 area, which may include, but is not limited to, agreements for noise mitigation registered on title, and appropriate warning clauses in future agreements of purchase and sale;
- Providing a copy of the approved noise impact assessment and Class 4 area designation confirmation to surrounding owners of the stationary noise sources;

Once a site is designated a Class 4 area, it remains as such, subject to the continuing presence of the stationary sources. Adjacent Class 1 or Class 2 areas are not reclassified until they are redeveloped and meet the requirements of a Class 4 area. Where a municipality designates a site a Class 4 area, the relaxed noise levels would apply to the Ministry's Environmental Compliance Approval of the stationary source.

To utilize the Class 4 area noise levels, a municipality must provide formal confirmation of the Class 4 area designation. The confirmation is issued at the discretion of the municipality. NPC-300 does not specify how a municipality confirms the Class 4 area designation, but it does note that generally this designation occurs by implementing policies in an Official Plan or provisions in a Zoning By-law Amendment. Other municipalities provide confirmation through Council approval of amendments to the Official Plan or Zoning By-law, by Council Resolution, or through delegation to Site Plan Approval staff.

Class 4 Classification - Applicant's Land

As mentioned above, existing noise sensitive land uses cannot be classified as Class 4 area. Staff recommend that new residential uses on the subject lands created after the approval of the subject zoning by-law amendment be classified a Class 4 area pursuant to NPC-300.

While the City of Windsor Official Plan does not provide formal or explicit direction regarding Class 4 area classification, it does provide general direction regarding the mitigation of potential negative impacts of sources of noise. Section 5.4.5 Noise and Vibration Policies, requires proponents of development in proximity to existing or proposed sources of noises to evaluate the potential negative impacts. Section 5.4.5.1 specifically states that the City “*shall have regard to provincial legislation, policies and appropriate guidelines*”.

Section 5.4.5.2 requires a noise study subject to the Procedures chapter of the Official Plan. Section 5.4.5.3 lists acceptable mitigation measures such as building construction, glazing, warning clauses, and any other appropriate measures. Section 5.4.5.4 requires that appropriate noise “*abatement measures be implemented by the proponent as a condition of development approval*”. Section 10.2.11 provides the purpose and components of a noise study.

Staff are having regard to NPC-300 in terms of a provincial policy and guideline. Specifically, Sections B9.2 and C4.4 in NPC-300 provide direction regarding Class 4 area classification. The direction in those sections align with Sections 5.4.5 and 10.2.11 of the Official Plan.

The Applicant submitted an Acoustical and Vibration Report (AVR) that concludes subject to the mitigation measures identified in the study, noise levels can be mitigated to levels identified in NPC-300.

The physical noise mitigation measures will be implemented when the commercial unit is converted to residential use through the building permit process. Although NPC 300 recommends that the mitigation measures include development agreements for noise mitigation be registered on title, no development agreements are required in this case. In addition, the Planning Act now excludes this type of development from the purview of site plan control approval (which would incorporate the noise notification provisions into the agreement), so no such agreement can be registered on title. This will be an obligation of the owner of the property to implement in future offers to Purchase, and agreements of Purchase or Sale or Lease.

The recommended Zoning By-law Amendment maintains conformity with the Official Plan, and meets the criteria set out above in s. 11.6.3.3 of the Official Plan.

Zoning By-law

The subject property is currently zoned Commercial District (CD2.2), which permits the residential units above permitted commercial units. The applicant proposes to convert a long standing vacant commercial unit to a residential unit. The current site does not contain parking or amenity space. The streets around the subject land contain on street parking and the property is located on a well traveled bus route, therefore the proposal is not anticipated to create parking concerns. Additionally, the applicant indicates that bicycle parking is provided.

Amenity space is not provided within the existing building, however the property is in close proximity to Gateway Park (approximately 300 m), Central Riverfront Park (approximately 1 km), and Bruce Avenue Park (approximately 550 metres). Additionally,

restaurants (Punjabi Chaap Corner Windsor and MJ's Pizza and Wings located in the same block) and grocery stores (Multi-Foods Supermarket at 799 Crawford Ave).

The proposal will require a building permit to convert a commercial space to residential uses and the applicant will be required to meet the Ontario Building Code for any work on the building.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Appendix B contains comments received from departments and agencies. No objections to the application were received.

Required notice of the statutory public meeting was advertised in the Windsor Star, on April 8th 2023. A courtesy notice was mailed to property owners and tenants within 120 metres of the subject property.

Conclusion:

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, "*shall be consistent with*" Provincial Policy Statement 2020. The requested zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The proposed zoning by-law amendment is consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Neil Robertson, MCIP, RPP

Thom Hunt, MCIP, RPP

Manager of Urban Design

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader.

JP OC

Approvals:

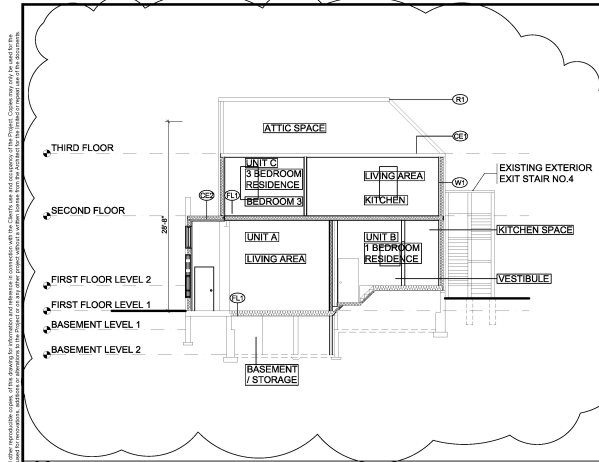
Name	Title
Neil Robertson	Manager of Urban Design
Thom Hunt	City Planner
Wira Vendrasco	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development and Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

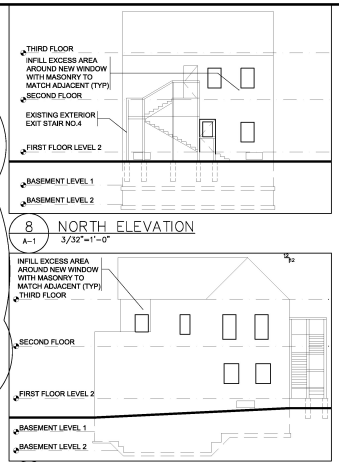
Name	Address	Email
Authorized Agent: Stuart Miller (MMA Architect Inc.)	850 Ouellette Ave Windsor Ontario N9A 4M9	smiller@mma-architect.com
Registered Owner: Stan Mancebo	397 McEwan Ave Windsor Ontario N9B 2E5	stanmancebo@gmail.com
Abutting property owners, tenants/ occupants within 120-meter (400 feet) radius of the subject land		

Appendices:

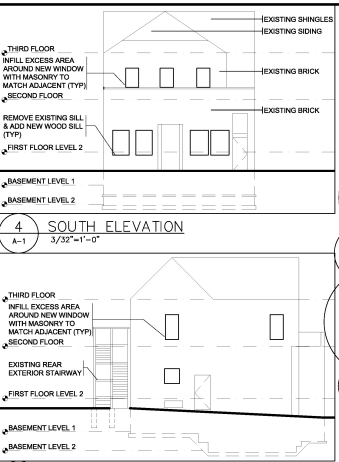
- 1 Appendix A - Elevations
- 2 Appendix B - Circulation Comments
- 3 Appendix C - Planning Justification Report
- 4 Appendix D - Noise Study



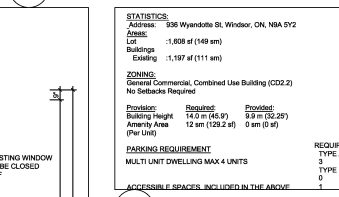
10 LONGITUDINAL BUILDING SECTION
A-1 1/8" = 1'-0"



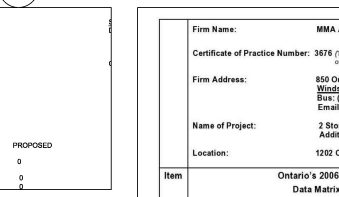
8 NORTH ELEVATION
A-1 3/32" = 1'-0"



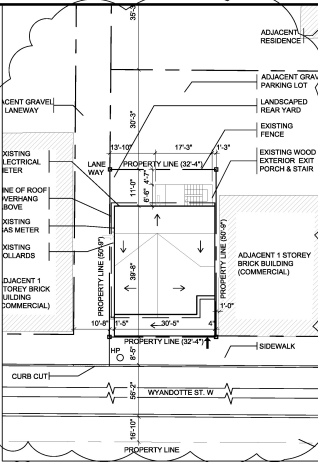
4 SOUTH ELEVATION
A-1 3/32" = 1'-0"



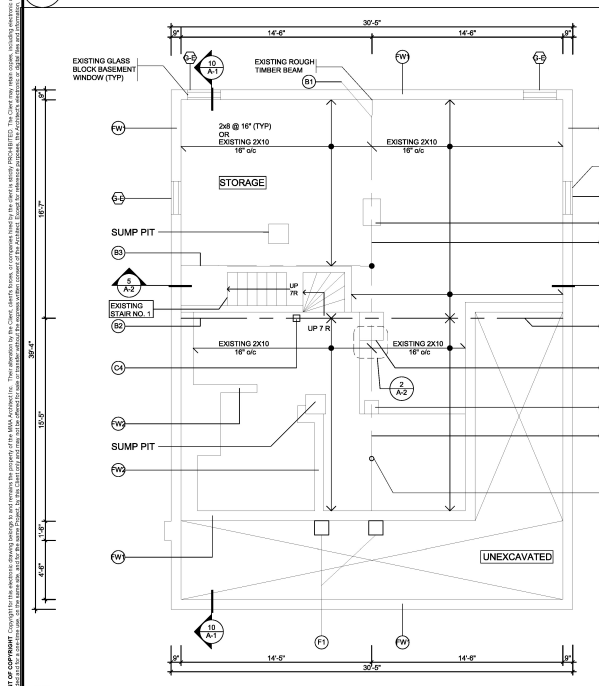
7 EAST ELEVATION
A-1 3/32" = 1'-0"



3 WEST ELEVATION
A-1 3/32" = 1'-0"



2 SITE ROOF PLAN
A-1 1/16" = 1'-0"



9 FOUNDATION PLAN
A-1 1/4" = 1'-0"

STATISTICS
Address: 936 Wyandotte St, Windsor, ON, N8A 5Y2
Acre: 1.808 (78.9m)
Buildings: 1.197 (41.1m)
ZONING: General Commercial, Combined Use Building (C02.2)
No. of Units: 4
PARKING REQUIREMENT: MULTI UNIT DWELLING MAX 4 UNITS
ACCESSIBLE SPACES INCLUDED IN THE ABOVE: 6 NTS

Window Types
G1: 3'-0" x 3'-0" Single Hung
G2: 3'-0" x 4'-0" Single Hung
G3: 2'-0" x 5'-0" Single Hung
G4: 2'-0" x 4'-0" Single Hung
G5: 3'-0" x 5'-0" Single Hung
G6: 2'-0" x 4'-0" Single Hung
G7: 2'-0" x 4'-0" Single Hung
G8: 3'-0" x 5'-0" Single Hung

Door Types
D1: 2'-0" x 6'-8" Bedroom Door
D2: 2'-4" x 6'-8" Bathroom Door
D3: 2'-4" x 6'-8" Small Closet Door
D4: 3'-0" x 6'-8" Exterior Insulated
D5: 3'-0" x 6'-8" Door with 2x6 Window Siding
D6: 3'-0" x 6'-8" Sliding Closet Door

Wall Types
W1: Existing Exterior Brick Veneer Wall
W2: Standard Interior Wall
W3: Fire Rated Interior Wall

Floor Type Schedule
F1: Existing Pier Foundation
F2: Existing Pier Foundation

Roof Type Schedule
R1: Asphalt Shingles, on Plywood Decking, with Protection

6 STATISTICS & SCOPE OF WORK
NTS

Ontario's 2006 Building Code Data Matrix Part 3 or 9

Item	Ontario's 2006 Building Code	IBC Reference
1 Project Description:	<input type="checkbox"/> New <input type="checkbox"/> Part 11 <input type="checkbox"/> Part 3 <input type="checkbox"/> Change of Use <input type="checkbox"/> Addition <input type="checkbox"/> Alteration	11.1 to 11.4 1.1.2 [A] 9.10.1.3
2 Major Occupancy(ies):	<input type="checkbox"/> Group C <input type="checkbox"/> Group R	3.1.2 (1) 9.10.2
3 Building Area (m ²):	Existing: 491 m ² Addition: 27.52 m ² Total: 76.62 m ²	1.4.1.2 [A] 1.4.1.2 [A]
4 Gross Area (m ²):	Existing: 98.2 m ² Addition: 55.04 m ² Total: 153.24 m ²	1.4.1.2 [A] 1.4.1.2 [A]
5 Number of Storeys:	Above grade 2 Below grade 0	1.4.1.2 [A] 9.10.2.1.1 1.4.1.2 [A] & 9.10.2.1.3
6 Number of Streets/Fire Fighter Access 1:	3.2.2.10 & 3.2.5	9.10.20
7 Building Classification:	Group C Residence	3.2.2 9.10.2
8 Sprinkler System Proposed:	<input type="checkbox"/> entire building <input type="checkbox"/> selected compartments <input type="checkbox"/> selected floor areas <input type="checkbox"/> in lieu of roof rating <input type="checkbox"/> not required	3.2.20.85 3.2.2.15 3.2.2.17 INDEX
9 Standpipe required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.9 N/A
10 Fire Alarm required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.4 9.10.18
11 Water Service/Supply is Adequate:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.5.7 N/A
12 High Building:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.6 N/A
13 Construction Restrictions:	<input checked="" type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible <input type="checkbox"/> Both	3.2.20.83 9.10.8
14 Mezzanine(s) Area m ² :	N/A	3.2.1.1 (3)(H) 9.10.4.1
15 Occupant load based on:	<input type="checkbox"/> m ² /person <input type="checkbox"/> design of building	3.1.17 9.9.1.3
16 Barrier-free Design:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain) N/A	3.8 9.5.2
17 Hazardous Substances:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.1.1.2 & 3.3.1.19 9.10.1.3 (4)
18 Required Fire Resistance Rating (FRR):	Floors: N/A Hours Roof: N/A Hours Mezzanine: N/A Hours	Listed Design No. 3.2.20.83 & 3.2.14 9.10.8 9.10.8

5 SCHEDULES
A-1 NTS

1 DATA MATRIX
A-1 NTS

Ontario's 2006 Building Code Data Matrix Part 3 or 9

Item	Ontario's 2006 Building Code	IBC Reference
1 Project Description:	<input type="checkbox"/> New <input type="checkbox"/> Part 11 <input type="checkbox"/> Part 3 <input type="checkbox"/> Change of Use <input type="checkbox"/> Addition <input type="checkbox"/> Alteration	11.1 to 11.4 1.1.2 [A] 9.10.1.3
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14 Mezzanine(s) Area m ² :	N/A	3.2.1.1 (3)(H) 9.10.4.1
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17 Hazardous Substances:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.1.1.2 & 3.3.1.19 9.10.1.3 (4)
18 Required Fire Resistance Rating (FRR):	Floors: N/A Hours Roof: N/A Hours Mezzanine: N/A Hours	Listed Design No. 3.2.20.83 & 3.2.14 9.10.8 9.10.8

1 DATA MATRIX
A-1 NTS

MMA Architect Inc.
850 OUELLETTE AVE.
WINDSOR, ON, N8A 4W9 (519) 973-9054
Fax: (519) 973-9052 Email: info@mma-architect.com

Conversion Unit Designation:
A - 1 Bedroom Residence: 607sf (56m)
B - 1 Bedroom Residence: 450sf (41m)
C - 2 Bedroom Residence: 806sf (75m)
Total: 1,915sf (177m)

GENERAL NOTES:
1) DO NOT SCALE DRAWINGS
2) VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS ARE REQUIRED PRIOR TO BEGGIN AND COMMENCEMENT OF WORK.
3) CONSULT WITH ARCHITECTURAL, STRUCTURAL, MECHANICAL AND ELECTRICAL ENGINEERS PRIOR TO COMMENCEMENT OF WORK.
4) SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE, NOTIFY THE ARCHITECT IMMEDIATELY. NO VARIATIONS PRIOR TO PROCEEDING WITH ANY WORK.
5) ALL WORK SHALL COMPLY OR EXCEED THE REQUIREMENTS OF THE CURRENT BUILDING CODE, FIRE CODE, PLUMBING CODE, ELECTRICAL CODE AND LOCAL BY-LAWS.

Ontario Association of Architects

PROJECT
Conversion of Multi-Use Building
936 Wyandotte St. W Windsor, ONTARIO, N8A 5Y2

DWG. TITLE
Site/Roof plan, Data Matrix Statistics, Scope of Work, First Floor, Foundation plan, Elevations, Schedule, Section & Detail

DATE: JUL 21
SCALE: AS NOTED
DESIGNED BY: CO/SM
DRAWN BY: CO
CHECKED BY: SM
APPROVED BY: SM
PROJECT NO.: 121-112
DWG. NO.: A-1r2

APPENDIX B – COMMENTS

Canada Post – Bruno Desando

No comment.

Sherif Barsom – Parks Design & Development

No comment.

Jose Mejalli – Assessment Management Officer

No objection.

Anne-Marie Albidone – Environmental Services

No comment.

Jason Scott – Transit

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Crosstown 2 providing direct transit access with bus stops located on Wyandotte at Crawford Southwest and Northeast Corners. This will be maintained with our Council approved Transit Master Plan.

Jose Dellosa – Enbridge ****Drawing in Email****

After reviewing the provided drawing at 936 Wyandotte St W. 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

Canadian Pacific Railway Company

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company.

CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. Those guidelines are found at the following website address:

<http://www.proximityissues.ca/>

The safety and welfare of residents can be adversely affected by rail operations. CP is not in favour of residential uses that are not compatible with rail operations. Current operations at this yard include regular freight trains travelling through the yard, 24 hours a day, 7 days a week.

Additional operations include:

- switching and shunting of trains
- material storage
- material delivery

With these operations, engines are constantly idling. The operations are continuous, loud and cause a lot of vibration. There is also the possibility of increasing our operations, including adding or moving track or any other railway related use. We would hope that that City of Toronto supports CP's position on this application and would appreciate being kept apprised of the City's handling.

Stefan Fediuk – Landscape & Urban Design

Pursuant to the application for a zoning amendment (**Z 030/22**) to permit a multiple dwelling building (three dwelling units), no parking and no amenity space on the subject, please also note the following comments:

Zoning Provisions for Parking Setback:

There are no zoning or parking setback requirements as the proposed development is within the existing structure of the subject site.

Climate Change & Tree Preservation:

N/A

Urban Design:

The proposed facade treatments are congruent with existing/former facade fenestration, which align with the datum lines established by the abutting built environment. Therefore, there are no additional requirements from an Urban design perspective.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act.

Tracy Tang – Heritage Planning

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 Utilities Ltd.

HYDRO ENGINEERING:

No Objection to Re-zoning.

WATER ENGINEERING:

Water Engineering has no objections to the rezoning.

Building Department – Barbara Rusan

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 reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

In addition to the above:

A Record of Site Condition would be required if this site formerly had operations related to any of the below highlighted uses.

industrial use, as a garage, as a bulk liquid dispensing facility, including a gasoline outlet, or for the operation of dry cleaning equipment.

Engineering Department – Right-of-Way Division – Rob Perisinotti

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

SEWERS – Video inspections to be submitted and reviewed to verify existing conditions and their locations. Owner to apply for or register for any agreements necessary based on the results of the video inspections. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P1.3.3. The applicant will be required to submit lot grading and site servicing drawings to the satisfaction of the City Engineer.

Right-of-Way - The Official Plan classifies Wyandotte Street West Road as a Class II Arterial Road with a required right-of-way width of 26 meters per Schedule X. The current right-of-way width of this road is sufficient, therefore, no conveyance is required

In summary we have no objection to the proposed rezoning.

If you have any further questions or concerns, please contact Mark Schaffhauser, of this department at mschaffhauser@citywindsor.ca



LASSALINE

PLANNING CONSULTANTS INC.

REPORT: PLANNING RATIONALE REPORT (PRR)
MUNICIPALITY: CITY OF WINDSOR
MUNICIPAL ADDRESS: 936 Wyandotte Street West
DEVELOPMENT: OPA/ZBA
DATE: August 29, 2022

1632 County Road 31
St. Joachim, ON · NOR 1S0
C 519-563-8814 · **E** jackie@lassalineplan.ca

TABLE OF CONTENTS

1.0 INTRODUCTION	3
2.0 SITE AND SURROUNDING LAND USES	4
2.1 LEGAL DESCRIPTION AND OWNERSHIP	5
2.2 TOPOGRAPHY AND PHYSICAL FEATURES OF THE SITE.....	5
2.3 SIZE AND SITE DIMENSION.....	5
2.4 MUNICIPAL SERVICES	6
2.5 BUILDING DETAILS	6
2.6 PARKING AND BIKING.....	8
2.7 SURROUNDING LAND USES.....	9
3.0 DEVELOPMENT PROPOSAL.....	11
3.1 PROPOSED OPA/ZBA.....	13
3.2 SITE PLAN CONTROL.....	15
4.0 PROVINCIAL POLICY STATEMENT (PPS).....	16
5.0 CITY OF WINDSOR OFFICIAL PLAN.....	24
6.0 CITY OF WINDSOR ZONING BY-LAW REGULATIONS.....	31
7.0 SUMMARY AND CONCLUSIONS.....	33

FIGURE 1	LOCATIONAL MAP
FIGURE 2	SITE AERIAL
FIGURE 3	SITE PHOTO A
FIGURE 4	SITE PHOTO B
FIGURE 5	SITE PHOTO C
FIGURE 6	ON STREET PARKING
FIGURE 7	NEIGHBOURHOOD LAND USE
FIGURE 8	SITE CONCEPT PLAN
FIGURE 9	BUILDING CROSS SECTION
FIGURE 10	BUILDING ELEVATIONS

1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a planning rationale report regarding the feasibility of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to support the conversion of an existing low rise, 3 unit mixed use building with 1 commercial unit and 1 residential unit on the main floor with 1 residential unit above. The interior modifications will be to convert the 1 commercial unit to a residential unit to establish a completely residential building with 3 residential apartments.

The property is designated 'Mixed Use' in the Official Plan and zoned 'Commercial District CD2.2 (CD2.2)' in the Comprehensive Zoning By-law 8600 for the City of Windsor. An Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) application is required to support the adaptive re-use of the existing structure conversion to the proposed 3 unit residential building.

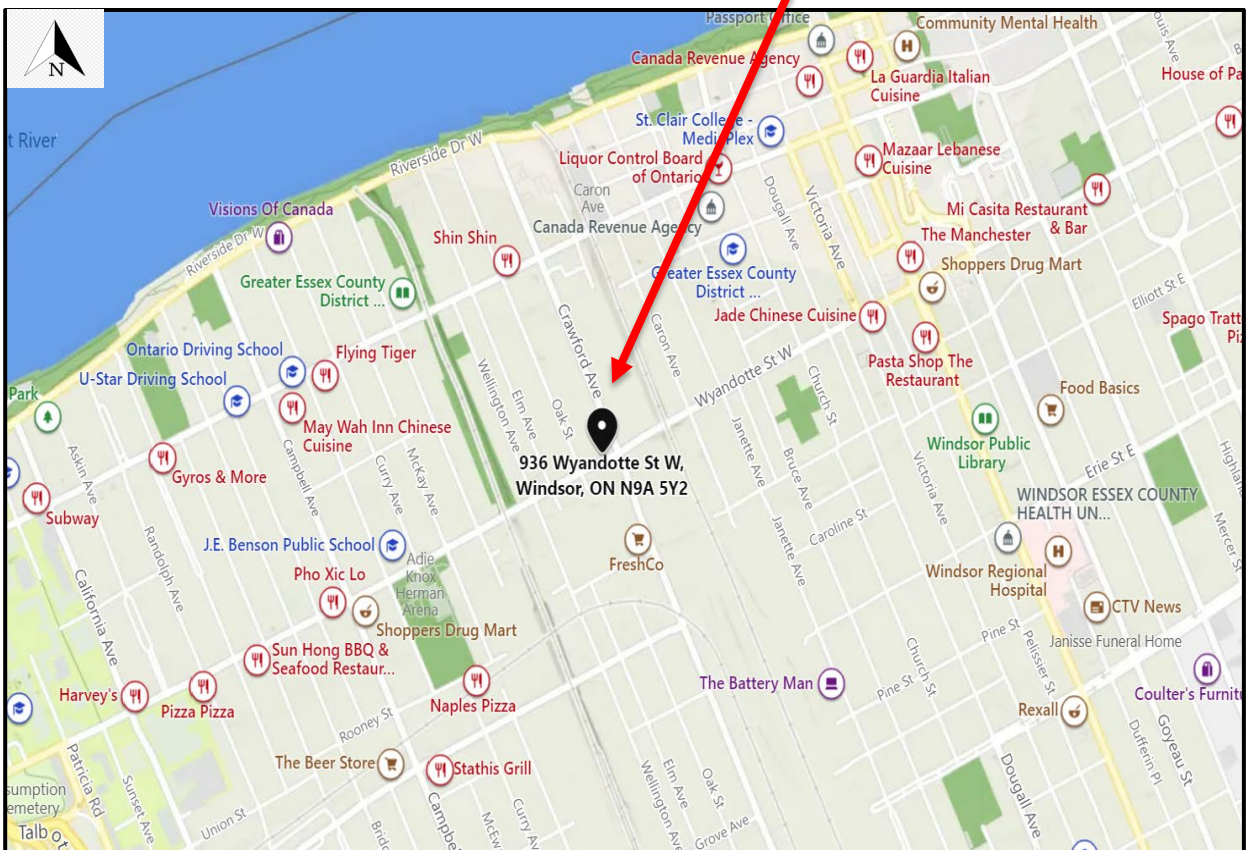
A pre-consultation was held with Stuart Miller, MMA Architects and resulted in a Pre-Submission letter – PS 130/21. Lassaline Planning Consultants has prepared this planning rationale report to support, explain and justify the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) application.

2.0 SITE AND SURROUNDING LAND USES

The subject property is presently designated 'Mixed Use' on Schedule D: Land Use of the Official Plan and zoned 'Commercial District 2.2 (CD2.2) in Comprehensive Zoning By-law 8600 for the City of Windsor.

The existing building on site has a main floor commercial unit, a main floor residential unit and a second floor residential use. Proposed is the conversion of the one commercial unit on the main floor to a residential unit on the main floor. The one existing residential unit on the main floor and the second residential unit on the second floor will be updated to result in a total of three residential units in the building.

FIGURE 1: LOCATIONAL MAP - 936 WYANDOTTE ST WEST:



2.1 LEGAL DESCRIPTION AND OWNERSHIP

The property is owned by SRC United c/o of Stanley Mancebo. The legal description: Part Lot 3, Plan 420 Windsor with a PIN Number 01202-0192 (LT)

2.2 TOPOGRAPHY AND PHYSICAL FEATURES OF THE SITE

The subject lands consist of a flat, grassy area. There are no ditches, berms, or swales on the property. There are no natural or human made hazards present on the site. There are no water courses, natural features, or cultural heritage features on the subject site.

2.3 SIZE AND SITE DIMENSION

The site is located with frontage on Wyandotte Ave. with a municipal lane to the west of the lot. The lot has an area of 149 m². As shown below the building is located on three property lines with a 0 m front yard setback; a 0.3 m interior side yard; a 0.5 m interior adjacent to the laneway; and with an existing rear yard of 1.4 m.

FIGURE 2: SITE AERIAL – 936 WYANDOTTE ST WEST



2.4 MUNICIPAL SERVICES

The subject building is connected to municipal sewer and water. There is municipal storm water in the vicinity.

The proposed development site has excellent access to Transit Windsor bus services, as there are two bus stops within a 2 minute walking distance.

Wyandotte St. is an arterial road. The site has pedestrian sidewalks on both sides of the street along Wyandotte St. West and throughout the neighbourhood. There are bike trails locally. Wyandotte St is being upgraded and will be connected in the near future to other existing bike trails.

2.5 BUILDING DETAILS

The subject site and building have existed for a number of years. The building was originally constructed as a 2 storey residence. Approximately 80 + years ago in the history of the older building an addition was added to the front to include a neighbourhood commercial component. The neighbourhood commercial and residential uses ceased approximately 25-30 years ago and the building has been vacant since the cessation.

FIGURE 3: SITE PHOTO A – FRONT ELEVATIONS



FIGURE 4: SITE PHOTO B – EAST SIDE BLDG



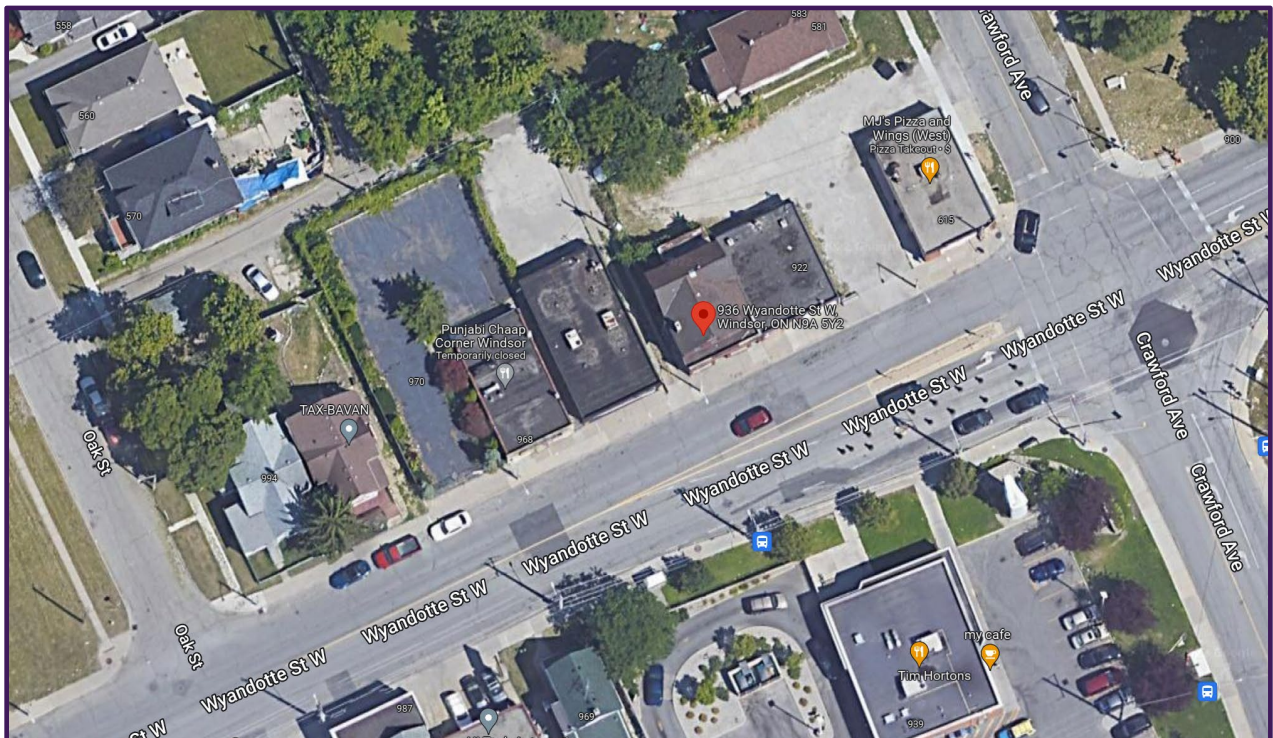
FIGURE 5: SITE PHOTO C – WEST SIDE BLDG



2.6 PARKING AND BIKING

There never has been on-site parking associated with the existing neighbourhood commercial and 2 residential apartment units with the building located on 3 of the 4 lot lines. In accordance with Section 24.20.3.1 Required Parking Spaces – Business Improvement Areas and other defined areas, the subject property does not require parking for the commercial on the main floor. Though the two residential units each required 1 parking space per unit, with the building constructed on the property lines, the property has no available parking for the residential units.

FIGURE 6: ON STREET PARKING



Parking for the commercial use was located at the front of the building on Wyandotte Ave. The proposed conversion of the main floor commercial to residential use will reduce the amount of parking required under the present bylaw.

The City of Windsor Council sees the merits in providing resources and has taken strides to expand additional bike and multi-purpose trails throughout the municipality in support of alternative modes of transportation to the car such as biking and walking. The subject property is located on Wyandotte Street that is experiencing a rejuvenation and will be connected to other existing bike trails. To support tenants who use alternative modes of transportation to the car and to promote the healthy community initiatives, 6 bike parking racks will be provided at the back entrance. In addition, the site is located on a major bus route with two bus stops within minutes of the building.

Through parking relief measures, municipalities have come to recognize the limitations and constraints associated with 'traditional' car parking requirements and the inordinate pressure these 'traditional' requirements place on the use of valuable lands and municipal resources. Other local municipalities, such as the Town of Essex, are now providing regulations for alternatives such as bike spaces as compensation measures to car parking with an effort to support alternative modes of transportation to the car. The land owner will be providing 6 bike parking spaces for the facility to accommodate the proposed tenants and visitors.

The availability of alternative transportation to service historically existing mixed use neighbourhoods and the type of housing to be provided allows for the elimination of the requirement for on site parking. As noted in the Ottawa study:

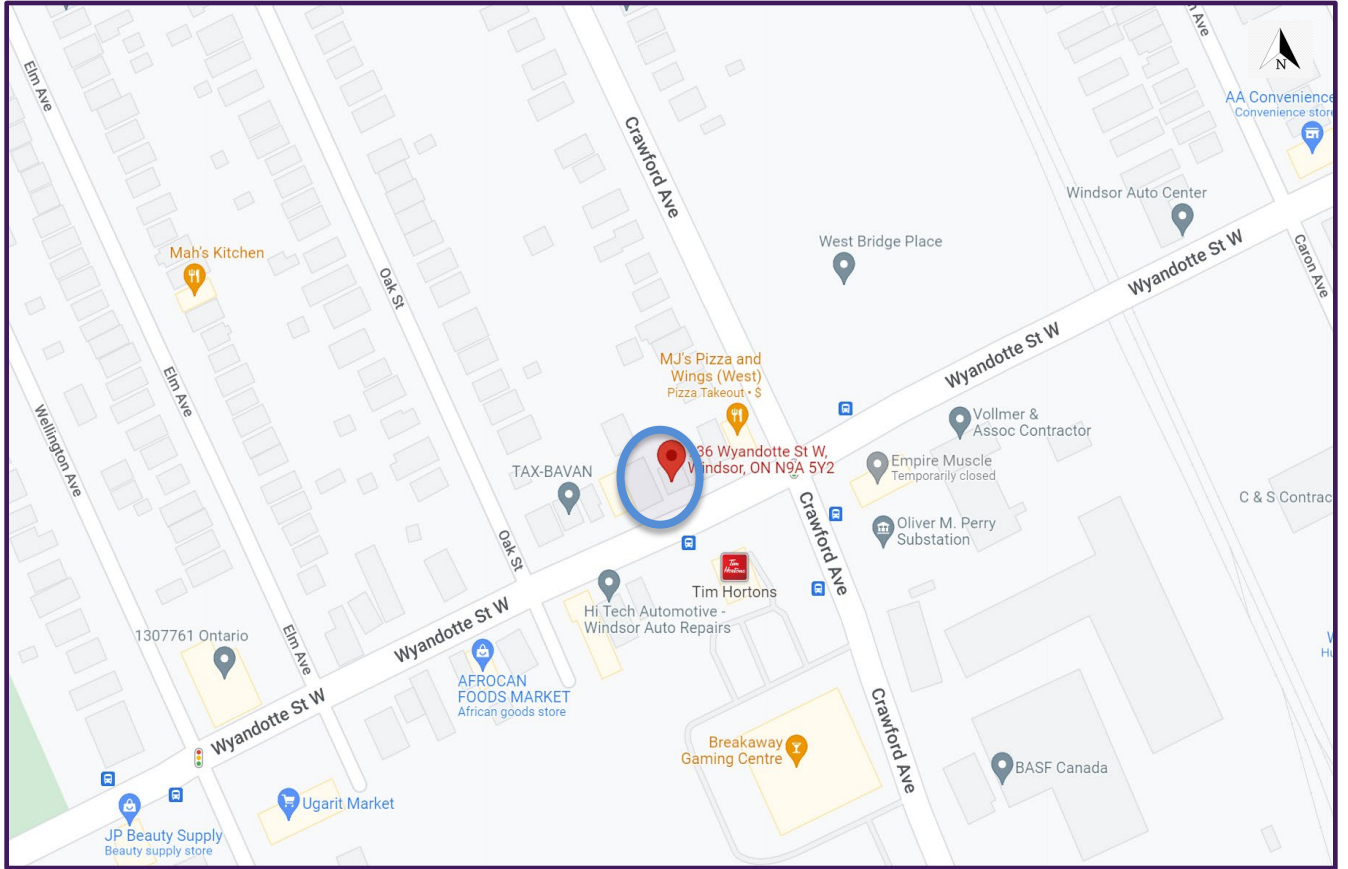
The owner will be re-adapting a building with rental residential units to provide for alternative housing within an established mixed use neighbourhood. The subject building is located in close proximity to commercial amenities, University of Windsor, St. Clair College, and other institutional uses. In my professional opinion and in consideration of the style of housing, it is contemplated that tenants will not own cars but will depend on the municipal bus system, bike trail system, walking, using taxis, or shared driving accommodations.

2.7 SURROUNDING LAND USES

The neighbourhood fronting along Wyandotte Street is a mix of uses of commercial and residential. The neighbourhood behind the subject lot

- a) **North-** residential uses;
- b) **East-** commercial uses and residential uses including a 6 storey residential bldg. known as West Bridge Place;
- c) **South-** commercial uses and residential
- d) **West-** commercial uses and residential uses.

FIGURE 7: NEIGHBOURHOOD LAND USE MAP



3.0 DEVELOPMENT PROPOSAL

The subject property is presently designated 'Mixed Use' on Schedule D:Land Use of the Official Plan and zoned 'Commercial District 2.2 (CD2.2) in Comprehensive Zoning By-law 8600 for the City of Windsor.

Presently the main floor consists of 1 neighborhood commercial unit and 1 residential apartment unit while the second floor contains 1 residential apartment unit. The main floor commercial unit is proposed to be converted to a residential apartment that will see a total of 3 residential apartment units in the building.

The 'Mixed Use' designation of the Official Plan permits a 'Large Scale, Low Profile' residential building containing 9 or more residential units in the building. The owner proposes to adapt the historically existing structure to maintain the unobtrusive, low profile, small scale building by converting the existing commercial main floor interior into a residential apartment for a total of 3 residential apartment units in the building. The proposed building is considered a 'Small Scale, Low Profile' multiple dwelling with 3 residential units within the building.

The 'Mixed Use' designation requires a mix of uses within the building. With the conversion of the only commercial unit to residential, the entire building will be used for residential purposes and is no longer considered a mix of uses. The applicant is requesting an OPA to allow for residential use as a permitted principal use of the existing building.

The site specific Zoning By-law Amendment purports to add a site specific regulatory framework to recognize the proposed 3 unit rental apartment building. Site-specific provisions are requested to recognize:

- 1) Permit Multiple Dwelling;
- 2) Parking Spaces: 0 spaces
- 3) Amenity Space: 0 m²

FIGURE 8 – SITE CONCEPT PLAN

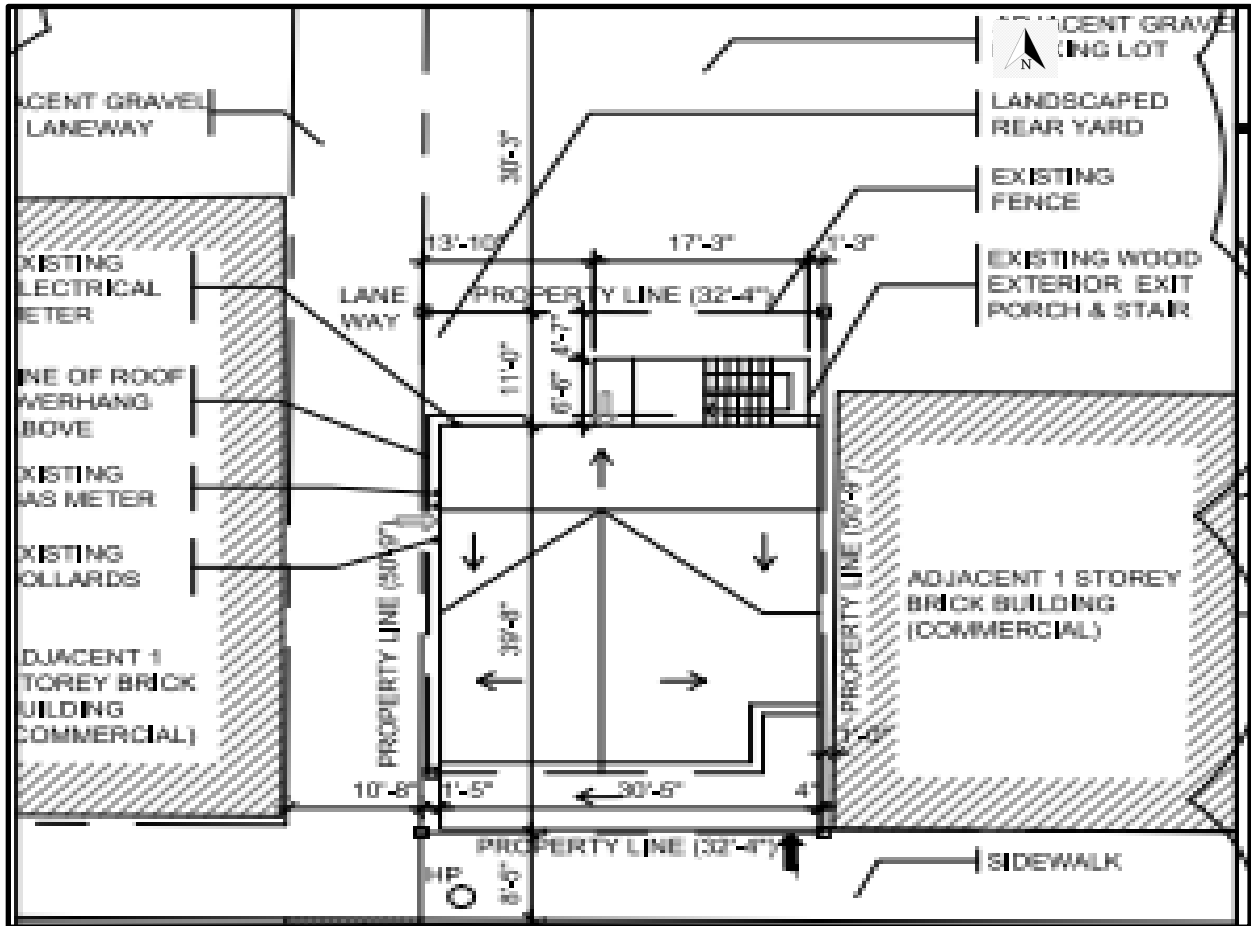


FIGURE 9 – CROSS SECTION

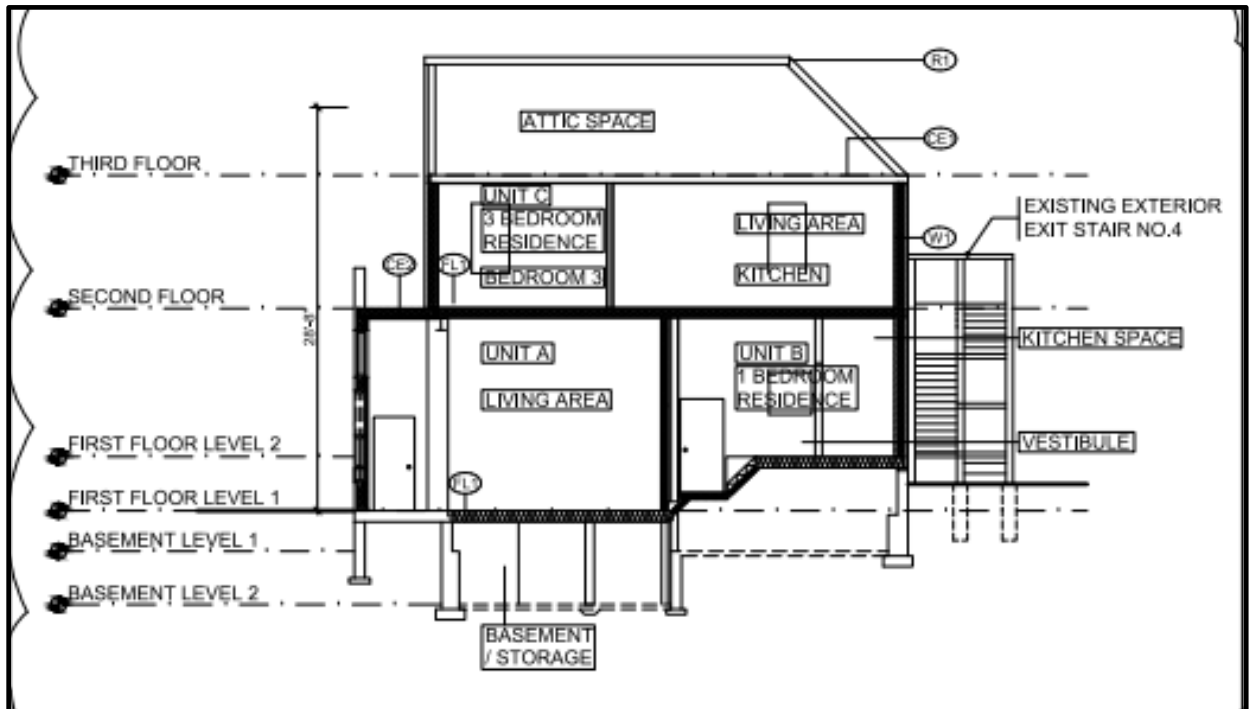


FIGURE 10 – ELEVATIONS



3.1 PROPOSED OPA/ZBA

Official Plan policies for the ‘Mixed Use’ designation allows for ‘Large Scale, Low Profile’ residential structures containing 9 or more residential units. A minor Official Plan Amendment is therefore being requested to permit, on a site specific basis, a ‘Small Scale, Low Profile’ building with 3 residential apartment units in the building.

*“(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;”*

Official Plan policies for the mixed use area recognize and support alternative options to on-site parking when dealing with the re-establishment of historical building profiles and revitalization of buildings and streetscapes.

The minor Official Plan Amendment (OPA) will provide a site specific policy to the site to recognize the existing structure as a 2 storey residential building with three residential units as a Small Scale, Low Profile Residential multiple dwelling.

A Zoning By-law Amendment (ZBA) has been requested to establish site specific regulatory framework to recognize the residential building. The multiple unit residential land use will be additional permitted use under the present '(CD2.2)' regulations on a site specific basis. The Zoning By-law Amendment (ZBA) is required to provide site specific residential regulations to the property as a permitted use.

The site specific by-law will also recognize that there is no existing or proposed on-site parking and that there will be the provision of 6 bike parking provided on site. This will provide for 2 bike parking spaces per unit. Additional site-specific zoning provisions are requested to allow a 0m minimum front yard depth and a 0m minimum exterior side yard width.

It is recommended that the following be considered as site specific provisions:

- 1) Permit Multiple Dwelling;
- 2) Parking Spaces: 0 spaces
- 3) Amenity Space: 0 m²

This report provides the rationale and support for the minor Official Plan Amendment and Zoning Bylaw Amendment that will maintain the 'Mixed Use' designation and the 'Commercial District 2.2 (CD2.2)' zone with a site specific amendment to support the rejuvenation and revitalization of the low profile, small scale building without on-site car parking.

In my professional opinion, the Official Plan Amendment (OPA) will support the provision of residential apartment units through the adaptive re-use of the existing building's main floor commercial to residential with parking alternatives such as the support and use of public transit and bike parking provided on site.

3.2 SITE SERVICNG

The subject site is serviced by existing municipal infrastructure and is located within close proximity to supportive commercial and institutional amenities. The site is well placed for active transportation by foot and bicycle and is in excellent proximity to Transit Windsor bus services, significantly reducing the need for transportation by private vehicle.

4.0 PROVINCIAL POLICY STATEMENT (PPS)

The *Planning Act, R.S.O. 1990, C.P. 13*, as amended, requires that the Council of a local Municipality shall make decisions on development applications which are consistent with the Provincial Policy Statement (PPS), 2020.

The PPS was issued by the Ministry of Municipal Affairs and Housing under the *Planning Act* and provides direction on matters of provincial interest primarily related to land use planning and development. The policies within the PPS apply province-wide and are an integral part of the Ontario's policy led planning system.

The PPS generally aims to encourage the wise use and management of land and other resources, promote the development of healthy and prosperous communities, protect public health and safety, and protect the natural environment. Specifically, the primary directives of the PPS include:

“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:

The building at 936 Wyandotte is existing with full municipal service connections. Both the main floor commercial unit and the residential units have been vacant for a number of years and require upgrading.

The adaptive change of the under utilized commercial space to a new residential unit and the upgrading of the existing residential spaces will result in an efficient and effective utilization of a building that has been experiencing vacancies for a number of years. In my professional opinion, the adaptive re-use makes sound planning.

The neighbourhood is a mix of residential and commercial uses along Wyandotte St. The rejuvenation of the building, improves the viewscape of the street, and will bring life back to the area.

Re-establishing a small scale, low profile residential building will support the provision of alternative housing, provide for sound development, and support adaptive re-use and rejuvenation of existing buildings within the City. In my professional opinion, the requested OPA and ZBA is consistent with the PPS policy.

“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 OPA and ZBA will establish policy and regulatory framework for 3 residential apartment units. The requested OPA and ZBA will ensure residential policy is applied to the property. The policy and regulatory framework will allow for alternative residential rental apartment units.

The requested OPA and ZBA will include residential apartment unit to replace a vacant commercial unit while upgrading the residential units. The City of Windsor has a low vacancy rate for apartment units. The proposed OPA and ZBA will allow for the inclusion of new apartment unit while providing for the upgrading of the existing 2 residential units.

There is a need for alternative residential units as residential apartment units in the City. Rental apartment housing is a housing alternative to single, detached homes.

The existing building will provide alternative housing for some of the residents within the neighbourhood as an alternative housing for them to age in place in their neighbourhood.

The subject building is located within a mixed use neighbourhood that is within walking distance to commercial uses and amenities. These units will meet the needs for rental apartment units within the City. Being within a mixed use neighbourhood, the opportunity to live and work closely is a positive option available for the residents.

The units are located within blocks of the University of Windsor and St. Clair College and are appropriate housing for students being within a mixed use neighbourhood and on a direct bus route.

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

COMMENT:

The subject building has existed for over 100 years at this location and was likely originally a farmhouse when the area was agriculture. There are no negative environmental, public health, or safety concerns with the site. A Record of Site Conditions has been completed showing there were no previous uses that resulted in site contamination.

- 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 site is located within the settlement area of the City of Windsor. In my professional opinion, the use is an appropriate transitional use for the location and compatible with the existing neighbourhood.

- 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 conversion of a vacant commercial to a residential unit and the upgrading of the two existing residential units will support the adaptive re-use and preservation of this sound building. The building is existing in a mixed use neighbourhood and will be adapted to a proposed small scale residential building. The proposal is an efficient, gentle intensification and wise re-use of existing infrastructure and building inventory. The location of the building on an arterial road provides direct access to municipal bus services and will connect to existing bike trails.

In my professional opinion, the adaptive re-use of the existing structure is consistent and supports the cost-effective re-use of the building and minimizes land consumption.

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

COMMENT:

The proposed adaptive re-use will provide for the inclusion of a new residential apartment unit on the main floor of the existing building providing for a small scale, low profile residential building with 3 units. 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:

The proposed new residential building is considered an efficient and effective utilization of municipal infrastructure and provides for needed alternative residential housing. The replacement of one commercial unit with one new residential unit will not negatively impact existing capacity in the municipal service provision.

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

COMMENT:

It is my professional opinion that the proposed development assists with the conservation and preservation of biodiversity by providing for appropriate gentle density through redevelopment of existing infrastructure.

- i) preparing for the regional and local impacts of a changing climate.*

COMMENT:

The proposed OPA and ZBA will provide for the adaptive re-use of an existing building. The building is located within a mixed use neighbourhood providing services and commodities within walking distance to the apartment units.

The existing building is located on municipal transit bus route and will connect to bike trails. There is no space on site for car parking spaces. The land owner will be providing 6 bike parking spots, supporting the biking community within the City.

In my professional opinion the proposal considers the changing climate by reducing the dependence on the vehicle while supporting walking, biking and healthy community initiatives of the City and Province.

“1.1.3.2 Land use patterns within settlement areas shall be based on:

- a) *densities and a mix of land uses which:*
 - 1. *efficiently use land and resources;*
 - 2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - 3. *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - 4. *prepare for the impacts of a changing climate;*
 - 5. *support active transportation;*
 - 6. *are transit-supportive, where transit is planned, exists or may be developed; and*
 - 7. *are freight-supportive; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*

COMMENT:

In my professional opinion, the adaptive re-use is an efficient use of the existing building and municipal infrastructure to provide for appropriate gentle density and needed residential apartment units.

Parking is not available on site. With the additional units proposed, there will be no provision of onsite parking for the 3 residential apartments. The adaptive re-use of the commercial unit to a residential unit and an upgrade of 2 residential units for 3 new residential apartments located on a major bus route and connected to local trails will support municipal transit and promotes energy efficiencies and will support positive impacts on air quality.

The development is located on a bus route, surrounded by sidewalks, fronts on an arterial road with bike lanes within the area. Bike racks will be provided on site to support the biking community. The development has commercial amenities within walking distance.

The proposed development is an efficient use of the existing municipal services and can be considered an appropriate use of the subject lands. There is no need to expand municipal services to accommodate the proposed development.

In my professional opinion, the location of the development and the design features of the building support the healthy, walkable, biking community and active transportation initiatives of the province and the municipality, in my opinion, is consistent with these policies of the PPS. Also, the proposed residential development will provide for alternative development that allows for moderate intensification of use that can be considered is an efficient, effective development for the site and supportive of the PPS policies ensuring compatible new development within the existing neighbourhood.

“1.1.3.3 Settlement Areas

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 are within a mixed use neighbourhood and within walking distance to commercial businesses, and other supportive commodities. The university and college are within a short bus ride or bike ride. The property fronts on an arterial road with two municipal bus routes in less than 5 min walking distance. The OPA/ZBA will support the establishment of a 16 unit residential apartment providing for alternative tenure and style, utilization of vacant lands to provide needed residential accommodation within a mixed use neighbourhood. In my professional opinion, the proposal is consistent with the PPS policy supporting transit supportive development.

“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 facilities an appropriate land use for the neighbourhood while allowing for gentle density of land use and providing needed residential alternative tenure and style of housing. There are no public health issues or risks associated with the proposed development.

“1.4.3 Housing

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

b) *permitting and facilitating:*

1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*

2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3*

c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”*

COMMENT:

The adaptive re-use of the existing low profile, small scale building provides for a gentle density for alternative residential use in a mixed use neighbourhood. The proposed development supports the efficient and effective utilization of an existing vacant building utilizing municipal services.

COMMENT:

In my professional opinion, the requested OPA and ZBA to allow for the conversion of a vacant commercial unit to a residential unit that effectively establishes a low profile, small scale form of residential that is consistent with the PPS 2020.

The OPA and ZBA, in my professional opinion, is consistent with the PPS by supporting the sound and efficient inclusion of alternative, residential apartments in an existing building.

5.0 CITY OF WINDSOR OFFICIAL PLAN

The Official Plan for the City of Windsor is applicable to planning matters for the City. The subject property is presently designated “Commercial Corridor” in the City’s Official Plan. The following sections review City policies as they relate to the request for an OPA and ZBA to support the rezoning of the site from “Commercial District 2.2 (CD2.2)” to a site specific “Medium Density Residential (RD2.5)” designation for the development of a medium profile, 5 storey apartment building with 15 one- and two-bedroom units and 15 associated vehicle parking spaces:

“Section 2 Glossary;

DEVELOPMENT PROFILE refers to the height of a building or structure. There are four development profiles described in the Plan:

- (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;”*

COMMENT:

The existing building profile consists of a two storey building with existing 2 residential units and 1 commercial unit on the main floor. The vacant commercial unit will be converted to a residential rental unit and 2 existing residential units upgraded, resulting in a 2 storey building (approximately 8 m height) with 3 residential units.

In my professional opinion, the 3 residential units in an 8 m high building conforms with the definition of a Low Profile, Small Scale residential building.

“Section 2 Glossary;

MIXED USE LAND USE:

Mixed Use is a land use designation that is further classified as follows: (a) Mixed Use Corridor occupies linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above-grade;”

COMMENT:

The building is historically existing with commercial unit and a residential unit on the main floor with 1 residential unit on the second floor. The commercial unit is not a viable commercial space and are of the age that they require cost prohibitive upgrading and renovations for questionable rental as commercial units.

The building is existing and has been built on an established building line consistent with the other buildings located along Wyandotte St.

“Section 3.2.1.2 Development Strategies

“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

COMMENT:

The 2 existing residential apartments have existed for a number of years and require upgrading. The renovations to the residential units will assist in providing modern, upgraded, alternative housing. The adaptive re-use of the commercial unit to residential units, in my professional opinion, provides for a full tenancy and the proposed renovation will result in an efficient and effective adaptative re-use of existing infrastructure, as intended by the OP.

The rental apartment building will provide for alternative housing and tenure by supporting diversification of the housing market by providing rental accommodation and ownership. The development will support managed appropriate moderate intensification of alternative residential land use. The building is compatible with the neighbourhood.

In my professional opinion, the proposed development consisting of a 4 storey residential building conforms with the OP policy.

“AGING IN PLACE

4.2.1.5 To encourage a mix of housing types and services to allow people to remain in their neighbourhoods as they age.”

COMMENT:

The alternative tenure and style of the 3 unit residential rental building will provide the residents who live in the neighbourhood the opportunity to age in place in their neighbourhood. In my professional opinion, the proposed OPA/ZBA conforms with the Official Plan policy.

“HOUSING MIX

4.2.3.4 To accommodate the appropriate range and mix of housing.”

COMMENT:

The new building converts an existing vacant building within an established mix of use neighbourhood; provides for alternative housing, creates a low profile, small scale residential building that in my opinion, provide a housing tenure and style diversification that is compatible with the neighbourhood. The provision of the rental apartment units conforms with the policy of the Official Plan to support a mix of housing.

“5.3.7 Atmospheric Air Quality Policies: REDUCE AIR POLLUTION

5.3.7.2 Council will contribute to the reduction of air pollution by using the following land use planning approaches:

- (a) increasing opportunities for non-automotive transportation modes including walking, cycling and public transportation in accordance with the Infrastructure chapter of this Plan;*
- (b) regulating development which has the potential to increase atmospheric pollution in accordance with the Land Use chapter of this Plan;*
- (c) improving energy conservation in accordance with the Urban Design chapter of this Plan;*

- (d) *locating compatible residential, commercial and employment uses in a manner that reduces distance and vehicle trips as outlined in the Land Use chapter of this Plan.”*

COMMENT:

The site is located in a mixed use neighbourhood on municipal transit services, is within walking distance to amenities and will be providing bike racks to support non-automotive transportation. There are opportunities with offices and commercial activities in the neighbourhood for live work scenarios. It is my professional opinion that the proposed development conforms with the OP policy supporting the reduction of air pollution.

“6.3 Residential

6.3.1 Objectives: RANGE OF FORMS & TENURES

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

COMMENT:

The proposal conforms with the policy direction to provide alternative housing to meet different housing needs.

COMMENT:

The subject site is located adjacent to a low density residential neighbourhood while being in a mixed use neighbourhood comprising commercial and residential uses. The adaptive re-use of the building will be a positive re-development for the mixed use neighbourhood. The apartment units will provide for an alternative housing tenure and style from the standard single detached residences.

“6.3.1.3 INTENSIFICATION, INFILL & REDEVELOPMENT

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

COMMENT:

The proposed development will provide for gentle or moderate intensification of residential use within the mixed use neighbourhood. The modification of the commercial unit to residential to create 3 rental residential units conforms with the Official plan policy in my professional opinion.

“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:

- a) The subject site fronts on an arterial road;
- b) The building is connected to all municipal services;
- c) There is significant parkland, greenspace, and community services within the neighbourhood;
- d) There are two bus stops in close proximity and municipal trail system along the frontage of the lot.

In my professional opinion, the location of the proposed residential building would conform with the intent of the Official Plan policies.

“6.9 Mixed Use:

The lands designated as “Mixed Use” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community, or region. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.

COMMENT:

The adaptive re-use of the existing structure will create the focal point and assist in rejuvenating the single, detached residential neighbourhood located behind the building. In my professional opinion, the adaptive re-use of the building is a positive rejuvenation and with minor exterior improvements, will allow the low profile building to serve to bring life back to the Wyandotte Street.

“6.9.2.2 FORM OF MIXED USE AREAS

For the purpose of this Plan, Mixed Use development is further classified as follows: (a) Mixed Use Corridors which occupy linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above grade;”

COMMENT:

As discussed, the building is existing and will only have minor exterior cosmetic modifications and will only undergo minor interior modifications to accommodate 1 additional residential apartment units.

Due to the limitations of the existing building and the site and building configuration, the conversion of the main floor commercial to residential and the upgrade of the existing 2 residential units will result in a low profile, small scale residential building.

The commercial area has been vacant for a number of years. The re-establishment of the commercial use is not viable. Utilization of the space for needed apartment rental unit makes sound planning. In my professional opinion, the re-establishment and utilization of the entire building for residential use makes sound planning.

“6.9.2.7 REDUCED PARKING REQUIREMENT:

Council may establish off street parking standards to reflect public transportation supportive designs or shared parking arrangements in Mixed Use developments.”

COMMENT:

The building was constructed over a hundred years, likely as a farmhouse. The commercial unit was installed likely in 1920's-1930's when there was little car traffic. When the main floor commercial unit was installed, the residential apartment was installed. The building has never had parking on site with the building built to the lot line. The building has existed prior to the passing of the by-law.

Residential use requires fewer parking spaces than commercial use. The conversion of the main floor from commercial to residential, in my professional opinion, will provide parking relief and improve the parking situation.

Prior to signing a lease, tenants will be informed that the units do not have parking associated with the units.

Given the location of the units optimally located near amenities, near the University of Windsor and St. Clair College, as well as the site being on the main bus route in my professional opinion, parking will not be required by the tenants.

There is municipal parking available along Wyandotte and there will be 6 bike parking spaces for the three units. In my professional opinion, the provision of the bike racks conforms with the relevant policies of the Official Plan.

COMMENT:

In my professional opinion, the requested OPA will conform once adopted with the relevant policies of the Official Plan for the City of Windsor. Once passed, the ZBA will provide a regulatory framework for the proposed building and conforms with the relevant OP policies. The OPA/ZBA will support, in my professional opinion, needed alternative housing tenure and style in the form of rental residential apartments.

6.0 CITY OF WINDSOR ZONING BYLAW

The subject lands are zoned ‘General Commercial 2.2 (CD2.2)’ in the CZB 8600 for the City of Windsor. The land use of residential is not a permitted use in the ‘General Commercial 2.2 (CD2.2)’ zone presently applied to the subject lands. The change of land use from a mixed use building with 1 commercial unit and two residential apartment units to a 3 residential apartment unit building does not comply with the existing regulatory framework applied to the property.

*“**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.”*

A site-specific Zoning By-law Amendment (ZBA) is requested to rezone the subject lands to add a site specific provision to address the existing legal non-conforming lot configuration, no parking provisions, and no amenity space to ensure compliance for the conversion of the existing commercial unit to 1 residential unit with the resultant 3 unit residential building. Additional site-specific zoning provisions being requested:

- 4) Permit Multiple Dwelling;
- 5) Parking Spaces: 0 spaces
- 6) Amenity Space: 0 m²

PROVISIONS	GENERAL COM (CD2.2)	PROPOSED DEVELOPMENT
LOT AREA		149 m ²
LOT FRONTAGE		9.8 m
MAIN BUILDNG HEIGHT	14 m max	7 m
FRONT YD DEPTH		0 m
REAR YD DEPTH		1.4 m
SIDE YARD WIDTH		0 m
AMENITY SPACE	12 m ² /unit = 36 m ²	0 m ²
PARKING	1/unit	0 spaces 6 bike spaces

CD2.2 BYLAW PROVISIONS

i) **Section 15(1)(a)** does not permit residential use on the main floor. The ZBA will permit residential use on both the main floor and the second floor for a low profile residential building.

ii) **Section 15(1)(b)** Maximum building height – 14 meters is permitted.

Existing at 7 m in height.

PARKING REQUIREMENTS:

The building was constructed prior to the passing of the by-law. Parking was not provided on site for the existing building with 2 residential apartments and 1 commercial unit. Parking for the commercial unit was always been on street parking. Any patrons of the commercial units have always parked on street.

The residential tenants have historically rented the residential units without parking and utilize municipal transit bus transit, municipal bike trails, walking, or transit sharing and therefore have not needed parking spaces.

COMMENT:

The site specific zoning bylaw amendment will include residential use on the main floor as well as one in the basement to permit a low profile residential building and will allow for a multiple dwelling as a permitted building.

In my professional opinion, all other provisions of the (CD2.2) zone provisions are complying and do not require amending.

COMMENT:

The requested by-law amendment will establish a regulatory framework that will allow for the inclusion of residential apartment uses on the main floor as to create a low profile, small scale building with 3 residential units.

In my professional opinion, the requested ZBA maintains the intent of the Comprehensive Zoning By-law regulations for the City of Windsor. After passing of the ZBA, the proposed development will comply with the regulatory framework under the CZB for the City of Windsor.

7.0 SUMMARY AND CONCLUSIONS

CONCLUSIONS

In my professional opinion, the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) purports to add site specific residential policies and regulatory framework to allow for an appropriate land use for the subject site. The residential low profile, small scale building and land use is an appropriate use within the neighbourhood.

The proposed rental apartment units will provide for needed alternative housing supporting diversity in housing style and tenure. The OPA/ZBA will support the City's residential policy initiatives by adapting a long established building with 3 residential units that will provide rental apartments needed as alternative housing in Windsor. The OPA/ZBA will support the province and municipality's initiative to provide for a residential development promoting a healthy, walkable community.

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 Official Plan Amendment (OPA) and 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 Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate development of the site while also implementing the proposals included in this Planning Justification Report dated August 24, 2022.

In summation, the proposal conforms with the proposed Official Plan Amendment (OPA) that will see the subject lands remain in the 'Mixed Use' designation with residential policies applied on a site specific basis and the proposal complies with the Zoning Bylaw Amendment (ZBA) that will appropriately establish a site specific regulatory framework under the 'Commercial District 2.2 (CD2.2)' zone. The OPA and ZBA provides a compatible residential rental apartment building and needed residential accommodation supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested OPA and ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) maintains the intent of the relevant policies of the City of Windsor Official Plan and when the OPA is adopted, it will conform with the established policy framework of the OP;
- 3) maintains the intent of CZB 8600 for the City of Windsor 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

January 30, 2023

Mr. Stan Mancebo
src.united.windsor@gmail.com

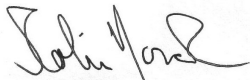
Re: Acoustic Assessment Report for Proposed Residential Development at 936 Wyandotte Street West - City of Windsor, Ontario

Dear Mr. Mancebo:

Please find attached an acoustic assessment report in support for a rezoning application for the proposed residential development located at 936 Wyandotte Street West in the City of Windsor, Ontario. This assessment considers the potential impacts from nearby sources of stationary and transportation noise, including road and rail.

I trust that the enclosed information meets your requirements. Please do not hesitate to contact me if you have any questions.

Sincerely,



Colin Novak PhD, PEng.

Acoustic Assessment Report for the Proposed Residential Development at 936 Wyandotte Street West - City of Windsor



January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Table of Contents

Statement of Liability	5
Introduction.....	6
Identification of Noise Sources.....	6
Ministry of the Environment, Conservation and Parks Noise Criteria	7
Identification of the Representative Receptor Locations.....	8
Transportation Noise Sources	8
Transportation Noise Source Data	8
Results and Noise Control Requirements	9
Rail and Road Noise	9
STC Requirements	12
Stationary Noise Sources	12
Evaluation of Stationary Noise Sources	13
Stationary Noise Results Summary	13
Combined Results Summary.....	14
Conclusion	14
Appendix A: Facility Location and Noise Sources.....	15
Appendix B: Zoning By-law Map	18
Appendix C: NPC-300 Reference Pages	20
Appendix D: Noise Model Printout for POR3.....	28
Appendix E: Road Traffic Volume Data	35
Appendix F: Rail Traffic Volume Data	38

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Appendix G: STC Output Results..... 39
Appendix H: Logged Ambient Noise Data with Equipment Details..... 40

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Statement of Liability

Akoustik Engineering Limited prepared this acoustical assessment report for Mr. Stan Mancebo. The material in it reflects Dr. Helen Ule's and Dr. Colin Novak's judgement in light of the information available to them and Akoustik Engineering Limited at the time of the study, including all acoustical measurements, under the stated test conditions. Any use that a Third Party makes of this report (other than Mr. Stan Mancebo), or any reliance on decisions made based on it, is the responsibility of such Third Parties. Akoustik Engineering Limited accepts no responsibility for damages, if any, suffered by any Third Party resulting from decisions made or actions based on this report.

January 30, 2023

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Introduction

This report is an acoustic assessment prepared for Mr. Stan Mancebo in accordance with the procedures for noise assessment outlined by the applicable Ministry of the Environment, Conservation and Parks (MECP) Noise Pollution Control (NPC) Guidelines. This assessment is in support of an application for rezoning in support of a building with three residential units, located at 936 Wyandotte Street West, in the City of Windsor. The assessment pertains to the environmental noise impacts on the development from nearby stationary and transportation sources of noise. An illustration of the geographical area with the proposed development areas used for this assessment is given in Appendix A: Site Location.

Identification of Noise Sources

The Ministry of the Environment, Conservation and Parks (MECP) specifications for the identification of existing or future major sources of noise impact on a development is whether they are within 500 metres of the site. A zoning map of the study area is provided in Appendix B: Land-use Zoning Map of Area. The proposed development is surrounded by residential to the north and east, commercial to the west and south and industrial lands to the southeast. There are also railways to the east and south, and a CP rail yard to the southeast as well as several roadways to the east, west and south of the property.

The roadway sources of noise which could possibly produce an impact on the proposed development are Wyandotte Street West (East of Wellington Avenue) to the south of the development, Crawford Avenue (North of Wyandotte Street West) to the east of the development, Crawford Avenue (South of Wyandotte Street West) to the southeast of the development, Wellington Avenue (North of College Avenue) to the west of the development and College Avenue (West of Crawford Avenue) to the south of the development.

The criteria for rail noise impact on a development is whether the nearest track of railway line is within 300 metres of the site. The proposed development is located within 300 metres from the nearby Essex Terminal Railway (ETR) rail line, 184 metres from a nearby spur line associated with the Canadian Pacific (CP) Railway Company's spur that runs adjacent to the nearby BASF Canada Inc. facility and 300 metres from a CP rail yard. Given this, an assessment of rail noise is included.

Sources of stationary noise include the operations from BASF Canada Inc. located to the southeast of the proposed development, which is assumed to operate 24-hours per day. There are no other significant sources (transportation or stationary) of noise which are expected to have an impact on the proposed development.

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Ministry of the Environment, Conservation and Parks Noise Criteria

In accordance with the MECP Noise Pollution Control (NPC) Guideline NPC-300, the following sound level limits for residential developments of a Class 2 area are set for roadway and rail noise as shown in Tables 1 and 2 below. The reference pages taken from the NPC-300 document are given in Appendix C: NPC-300 Reference Pages. The proposed development is classified as being in a Class 2 area given that the region exhibits features of both a Class 1 and a Class 3 area, based on the environmental noise characteristics. It should be noted that where the sound level limits presented in Tables 1 and 2 are exceeded, noise control abatement is required.

Table 1: Ministry of the Environment and Climate Change Noise Criteria for a Class 2 Area – Roadway Noise

Point of Reception Location	Daytime LA_{eq} [dBA]	Nighttime LA_{eq} [dBA]
Outdoor Living Area (OLA)	55	--
Plane of Window (Indoor)	55 (45)	50 (40)

Table 2: Ministry of the Environment and Climate Change Noise Criteria for a Class 2 Area – Railway Noise

Point of Reception Location	Daytime LA_{eq} [dBA]	Nighttime LA_{eq} [dBA]
Outdoor Living Area (OLA)	55	--
Plane of Window (Indoor)	55 (40)	50 (35)

From Table 1 and 2, daytime refers to the period from 07:00 to 23:00 and nighttime refers to the period from 23:00 to 07:00 hours. An outdoor living area (OLA) generally refers to a location such as a patio, yard, or barbeque area. There is no identified OLA area on this property.

The limits presented in Tables 1 and 2 are the limits before noise control measures are required. The noise level limit in an OLA may be exceeded by up to 5 dBA if proper warning clauses are inserted in the titles, deeds, and any tenancy agreements relating to the property and only after barriers or other noise control measures have been found to be impractical or unfeasible. A noise attenuation barrier is required to protect and bring the sound level down to 55 dBA in the OLA if the noise level exceeds 60 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with the appropriate warning clause; in this situation, any excess above the noise limit will not be deemed acceptable if it exceeds 5 dB.

The guideline also recommends the provision for the installation of central air conditioning when the noise level outside the plane of a window exceeds 55 dBA for the daytime or 50 dBA for the nighttime. If the noise level exceeds 65 dBA for the daytime or 60 dBA for the nighttime, the installation of central air conditioning should be implemented. Further, building components including exterior walls, windows and doors should be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines given in Tables 1 and 2.

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Identification of the Representative Receptor Locations

The proposed development includes three residential units within the building located at 936 Wyandotte Street West. The first level is to have two residential units; one at the north and one at the south side of the building, and the second storey is proposed to be one residential unit. That is, the application for rezoning is to accommodate either residential or commercial use in the front lower unit that faces Wyandotte Street (looking south), the rear lower unit (looking north) will be a residential unit and the entire second storey will be the third residential unit. Further, because of the size of the property, this building has no designated common outdoor living area (OLA) or terrace. As such, this assessment report does not investigate the day or evening time impacts for any OLA.

The first floor does not have windows on the east wall as this wall is immediately next to the adjacent building to the east. The sensitive points of reception (PORs) for assessment purposes are identified as POR 1 which is the first floor south facing window, POR2 is a second storey window which faces east and POR3 is a second storey south facing window. In total, the impacts at three PORs are evaluated as shown in Appendix A: Site Location.

Transportation Noise Sources

The predicted transportation noise impacts have been modelled using the Ministry of the Environment, Conservation and Parks (MECP) prediction software, STAMSON. Given that the road traffic occurs during all periods of a 24-hour day, as defined by the applicable MECP's Noise Pollution Control documents (NPC-300), the assessment has been carried out for the entire 24-hour period.

The predicted sound levels from the nearby road traffic were determined using the MECP prediction noise modelling software STAMSON 5.0 and are based on the available road traffic volumes, which have been projected 10 years forward. All input data pertaining to the lot layout parameters is based on the layout plan provided at the time of the study as shown in Appendix A: Site Location. The input data used to calculate the predicted sound level exposures for the selected receptors impacted by the road traffic noise, and the resulting outputs, are given in Appendix D: Noise Model Printout. The predicted noise levels at the representative building are used to determine the extent of the noise control measures required (if any) required for compliance. The MECP requires the calculation of the noise impacts at the plane of window of the dwellings and OLA. However, in this case no OLA is present.

Transportation Noise Source Data

Road traffic volume data was obtained from the City of Windsor Average Daily Traffic Volume document dated January 2020. It is assumed in this case that the annual average daily traffic (AADT) is equivalent to the average daily traffic (ADT). The projected road traffic volumes, including the assumed breakdown of vehicle types are given in Appendix E: Road Traffic Volume Data. Also, given in Appendix E are the

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

distances used between the representative receptor locations and the modelled roadways. The posted speeds for all roads were taken as 50 km/h.

As only one year of roadway traffic volume data is available from the traffic report document for the roads evaluated, a 2% growth rate was assumed for all roadways. The day and night traffic volumes are calculated having an assumed 90%-day and 10%-night split as per the MECP STAMSON protocol. The volume of commercial truck traffic for the considered roads was taken as 15 percent with 60% of this being heavy and 40% of this being medium trucks.

Rail volume data for the Essex Terminal Railway (ETR) line was provided by the local ETR office. The provided rail volume was projected 10 years into the future using a 2.5% increase per annum. As such, the predicted noise levels given in this report are for potential increased future rail traffic volumes. The ETR traffic information is given in Appendix F: Rail Traffic Volume Data.

Given the irregular traffic movements for the CP rail yard and nearby spur line, 72 hours of continuous noise monitoring was carried out on the property to evaluate the potential noise impacts from these activities. The hourly equivalent sound levels (LeqA) are given in Appendix H. The same noise monitoring data was used to evaluate the noise impacts from the nearby stationary source(s) as discussed in a later section. For the CP rail yard and spur, the recorded sound files were listened to from which it was verified that there was no audible noise from the CP yard and spur line. These observations were verified during two site visits. In fact, the recorded data demonstrated that the measured noise levels were attributed to road traffic and other sources of ambient environmental noise (birds, aircraft etc.) and not from rail noise. It should be further noted that the speed of the trains on the spur track is very slow (<10 km/h) and the track is depressed below grade with no line of sight between the source the receivers. As such, it is concluded that there is no impact from rail noise resulting from activities associated with the CP rail yard and spur line.

Results and Noise Control Requirements

The following section is a summary and assessment of the modeled results of the remaining transportation (ETR and roadway) noise at the representative residential PORs.

Rail and Road Noise

As specified by the MECP Environmental Noise Guideline NPC-300, the outdoor and indoor sound level limits (based on one-hour LA_{eq} values) at a residence for rail and road traffic noise are categorized into three (3) limits, based on the type of space assessed. The document also specifies the recommended noise control measures, if required, that should be followed for the plane of a window (ventilation requirements) and the indoor living area (building components) noise assessments. The select pages from the NPC-300 guideline given in Appendix C includes the stated warning clauses and other requirements based on the predicted noise levels. Again, since the development does not have any OLAs, the daytime outdoor noise level at an OLA is not calculated.

The predicted noise level impacts for the daytime and nighttime periods at the plane of window for the representative receptors with no control measures are given in Table 3. From this table, it is seen that the

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

MECP noise limits from the transportation noise identified in Tables 1 and 2 are exceeded at all of the facades for the receptor building during the daytime and nighttime periods.

Table 3: Predicted Noise Levels – Plane of Window – with No Abatement

POR (height [m])	Daytime Period LAeq (dBA)	Nighttime Period LAeq (dBA)
1 (1.5m)	70.1	63.6
2 (4.5m)	67.8	61.3
3 (4.5m)	70.3	63.8

Note: red text denotes exceedance

Given the magnitude that the receptor sound levels exceed the MECP noise limits, warning clauses are required as well as the specification of building components for the exterior walls and windows which should be designed to have sufficient Sound Transmission Class (STC) ratings to meet the indoor noise guidelines given in Table 1.

Notes taken from NPC-300 (where applicable):

Note A: Noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

Note B: Noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B.

Note C: The dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant’s discretion. Warning clause Type C is also recommended.

Note D: Installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2.

Note E: Building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified. In addition, the exterior walls of the first row of dwellings next to railway tracks are to be built to a minimum of brick veneer or masonry equivalent construction, from the foundation to

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
 Phone: (519) 903-7193 Fax: (800) 241-9149

the rafters when the rail traffic Leq (24-hour), estimated at a location of a nighttime receptor, is greater than 60 dBA, and when the first row of dwellings is within 100 metres of the tracks.

If required, the following warning clauses are to be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each dwelling unit:

Warning Clause(s) (where applicable):

Type A: “Purchasers/tenants are advised that sound levels due to increasing road traffic and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

Type B: "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type C: “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments 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.”

Type D: “This dwelling unit has been equipped with central air conditioning in order to 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. Air conditioning units are to be installed in a noise insensitive area.”

Given the proximity of the proposed buildings to the ETR and CP rail lines, it is required that the following warning clause be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each affected dwelling unit (all units).

Warning Clause:

Essex Terminal Railway and Canadian Pacific Railway Company, or its assigns or successors in interest has or have a right-of-way within 300 meters 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). ETR and CP 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.

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

STC Requirements

Given the excessive noise levels predicted at the proposed building PORs, the calculation of the minimum sound transmission class (STC) for the window and building wall components is necessary. The STC building requirements were determined for an assumed living room since the daytime is shown to have the greatest exceedance. The sound level at the plane of the window was taken to be 70 dBA at daytime to represent a worst-case scenario. Given that the excessive noise impacts are from the roadway noise, the STC requirements are calculated to achieve a 45 dBA daytime/evening indoor sound level limit for the living area. The window requirements were calculated for both an operable thick double/triple paned window and a sealed thick double-glazed window. As no specific building information was available, the typical living room was assumed to have a typical floor area of 120 m² with a window area of 7.5 m². The program inputs and results for the STC calculations and assumption are given in Appendix G: STC Output Results. The building component STC requirements are given in Table 4.

Table 4: Building Components STC Requirements

Location Evaluated	Required STC for Building Exterior Walls	Required STC for Building Windows
Living Room	27	21 for operable thick double/triple paned
		24 for sealed thick double glazed

Stationary Noise Sources

The potential sources of stationary noise are from the nearby BASF Canada Inc. located southeast of the proposed development. It should be noted that this report assumes the BASF facility operates during the daytime and nighttime (24 hour) period. The noise limit for stationary noise is the higher of the existing ambient noise level without the stationary noise or the MECP exclusion sound level limits which are given in Table 5 below for stationary sources of sounds in a Class 2 area.

Table 5: Ministry of the Environment and Climate Change Noise Criteria for a Class 2 Area

Point of Reception Location	Daytime LA _{eq} [dBA]	Evening LA _{eq} [dBA]	Nighttime LA _{eq} [dBA]
Outdoor (OLA)	50	45	--
Plane of Window	50	50	45

From Table 5, daytime refers to the period from 07:00 to 19:00, evening refers to the period from 19:00 to 23:00 and nighttime refers to the period from 23:00 to 07:00 hours.

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

If required, because of impacts from stationary sources of noise, the following warning clause is to be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease of each dwelling unit:

Warning Clause(s) (where applicable):

Type E: “Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible.”

Evaluation of Stationary Noise Sources

According to NPC-300 for sound from a stationary source, the sound level limit at a point of reception expressed in terms of the One-Hour Equivalent Sound Level (Leq) is the higher of the applicable exclusion limit as provided in Table 5 above or the background sound level for that point of reception. To evaluate the potential impacts from the industrial property, 72 hours of continuous noise monitoring was carried out on the property. A summary table showing the maximum and minimum sound levels is shown in Table 6. It should be noted that the measured noise levels also include any contributions from the nearby identified roadways, and therefore are conservative. The location of the noise monitor, a list of the monitoring equipment as well as the resulting measured noise data is given in Appendix H. Meteorological data is also included with the noise data. For all periods having a measured exceedance of the MECP exclusion limits, the recorded sound files were listened to. From these, it was verified that the audible sources of noise which contributed to the measured noise level exceedances were due to road traffic and other environmental noise (birds, aircraft, rail etc.) and not from the stationary sources of noise. This was verified during two site visits.

Table 6: Measured One-Hour Equivalent Sound Level

Period	Max (dBA)	Min (dBA)
Daytime	74.0	64.8
Nighttime	72.1	59.3

Stationary Noise Results Summary

From Table 6 it is shown that the sound levels measured at the proposed development site exceed the MECP exclusion sound level limits provided in Table 4 during the daytime and nighttime periods. However, the recorded data was used to verify that the audible sources of noise which contributed to the measured noise level exceedances were due to road traffic and other environmental noise (birds, aircraft, rail etc.). That is, no sources of stationary noise were audible. This observation is supported by the modelled traffic noise levels which are for the most part consistent with the measured noise. Given this, it is concluded that stationary noise was not found to have an adverse impact at the proposed residential receptor, and as such, no mitigation to control stationary noise is required.

January 30, 2023

138 Angstrom Cres., Amherstburg, ON, N9V 3S3
Phone: (519) 903-7193 Fax: (800) 241-9149

Combined Results Summary



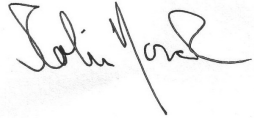
Table 7 summarizes the required warning clauses and building requirements, if any, for the building representing the proposed development. It is required that any necessary warning clauses be implemented in all development agreements, offers to Purchase, and agreements of Purchase or Sale or Lease as identified in Table 7.

Table 7: Summary of Warning Clauses and Building Component Requirements

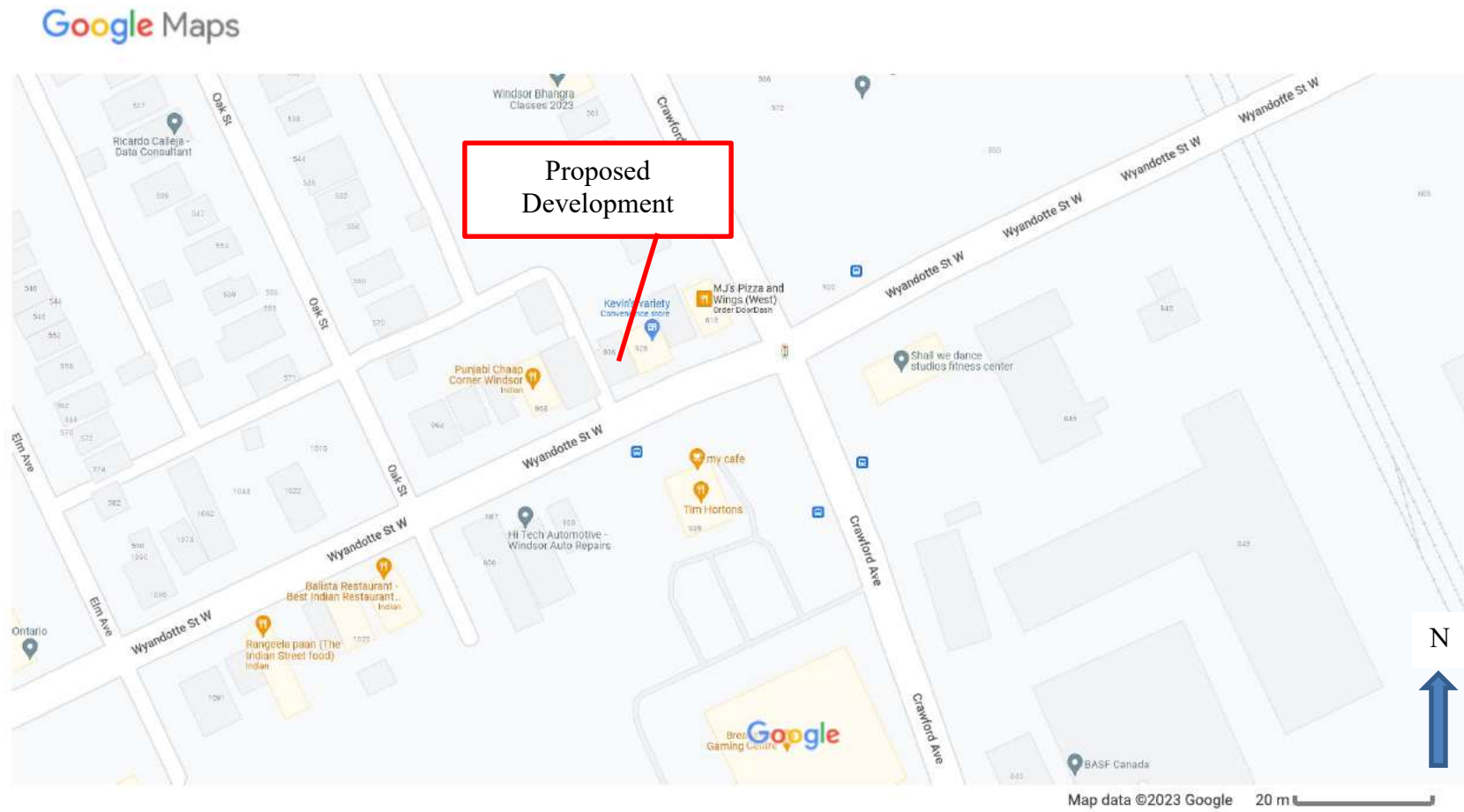
POR	Noise Barrier Requirement (Y/N)	Warning Clause(s)	Building Component Requirement(s)	Ventilation Requirement(s)
All	N	Type D, E, ETR/CP Rail	Minimum STC Rating for the following Building Components: Exterior Wall – 27 Window – 21 (operable thick double/triple paned) Window – 24 (sealed thick double glazed)	Installation of Central Air Conditioning

Conclusion

The predicted noise impacts on the proposed development have been shown in this report to exceed the limits set by the Ontario Ministry of the Environment, Conservation and Parks. However, given that the noise impacts can be mitigated through appropriate building material design (STC), the installation of central air conditioning and warning clauses, it is recommended that the development be given approval with the understanding that the stated noise control measures are implemented.

For 		
	Prepared by: Helen Ule, Ph.D., PEng	Reviewed by: Colin Novak, Ph.D., PEng

Appendix A: Facility Location and Noise Sources



A1: Proposed Development Location

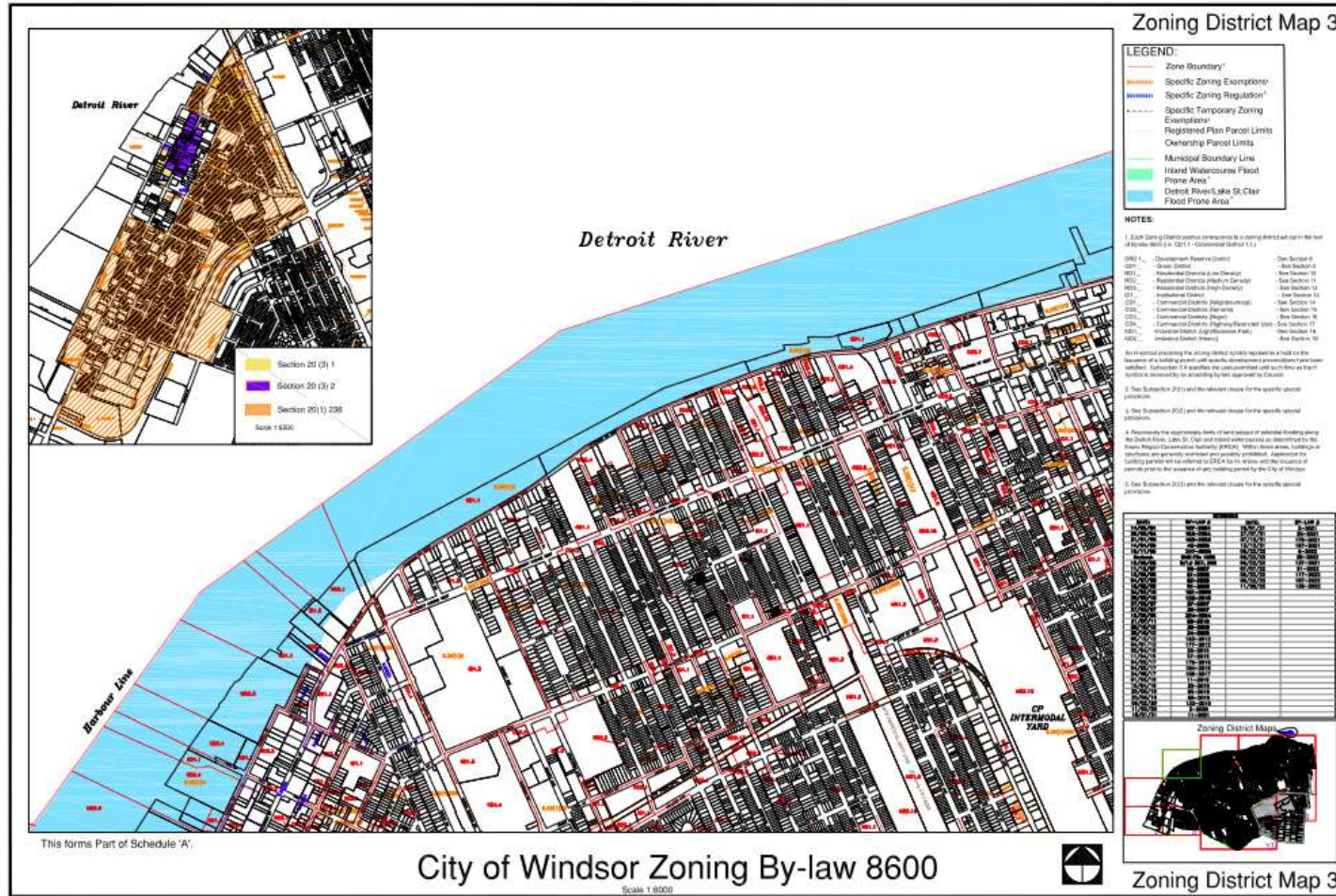


A2: Aerial View of Proposed Development Location and POR's

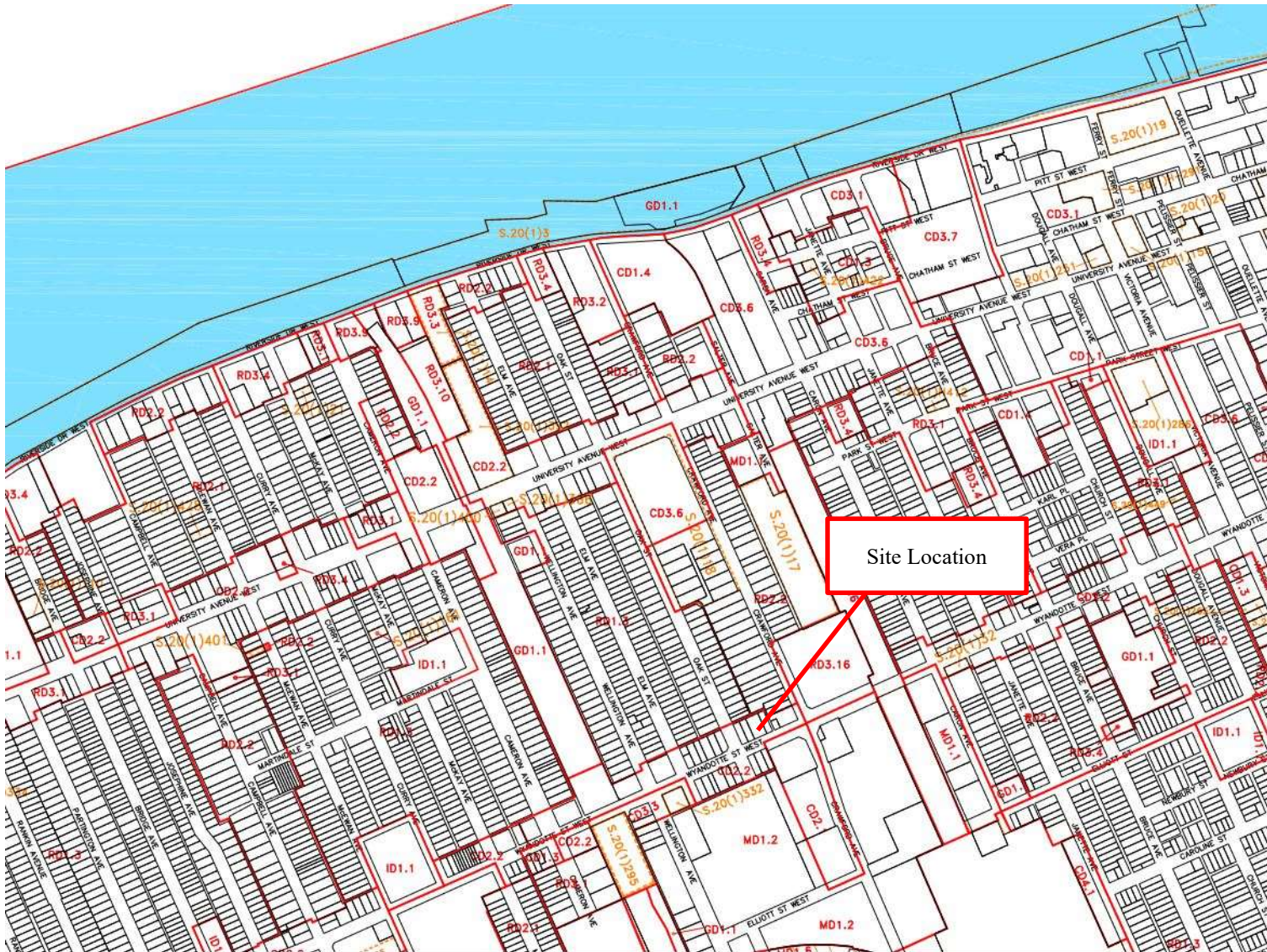


A3: Aerial View of Proposed Development Location and Stationary Noise Source Location

Appendix B: Zoning By-law Map



B1: Zoning District Map – City of Windsor, Map 3



B1: Zoning District Map – City of Windsor, Site Location

Appendix C: NPC-300 Reference Pages

for that point of reception. The outdoor sound level limits for stationary sources apply only to daytime and evening (07:00 – 23:00 hours). Sound level limits apply during the nighttime period (23:00 – 07:00) for the plane of the window of a noise sensitive space. In general, the outdoor points of reception will be protected during the nighttime as a consequence of meeting the sound level limits at the adjacent plane of window of noise sensitive spaces.

Note that for Class 1, 2 and 3 areas, the plane of window limits apply to a window that is assumed to be open. For Class 4 areas, the plane of window limits apply to a window which is assumed to be closed. This distinction does not affect the prediction of plane of window sound levels.

Table B-1
Exclusion Limit Values of One-Hour Equivalent Sound Level (L_{eq} , dBA)
Outdoor Points of Reception

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 – 19:00	50	50	45	55
19:00 – 23:00	50	45	40	55

Table B-2
Exclusion Limit Values of One-Hour Equivalent Sound Level (L_{eq} , dBA)
Plane of Window of Noise Sensitive Spaces

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 – 19:00	50	50	45	60
19:00 – 23:00	50	50	40	60
23:00 – 07:00	45	45	40	55

B7.2 Impulsive Sound – Outdoors and Plane of Window

For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, the sound level limit at a point of reception expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}) is the higher of the applicable exclusion limit value given in Table B-3 or Table B-4, or the background sound level for that point of reception. The outdoor sound level limits for stationary sources apply only to daytime and evening (07:00 – 23:00 hours). Sound level limits apply during the nighttime period (23:00 – 07:00) for the plane of the window of a noise sensitive space. In general, the outdoor points of reception will be protected during the nighttime as a consequence of meeting the sound level limits at the adjacent plane of window of noise sensitive spaces.

Notwithstanding Publication NPC-103, Reference [29], the following sound level limits in Table B-3 and Table B-4 below apply to impulsive sound:

C 1: Exclusion Limit Values for Stationary Sources

In addition, sound level limits do not apply to emergency equipment operating in emergency situations.

B7.4 Sound Level Limits for Layover Sites

The sound level limit for noise from a layover site in any hour, expressed in terms of the One-Hour Equivalent Sound Level (L_{eq}) is the higher of either 55 dBA or the background sound level.

B8 Noise Impact Assessment – Multiple Sources

Impulse sources, non-impulse sources and emergency equipment are to be analyzed separately. Where there are multiple, non-impulse sources at a stationary source, the noise assessment needs to be based on the combined effect of all sources comprising the stationary source, added together on an energy basis.

B9 Determination of Area Class

Area classification refers to the receptor location.

B9.1 Class 1, 2 and 3 Areas

Determination of whether an area is Class 1, 2 or 3 can usually be done by determining the proximity of the point of reception to roads, the volumes of road traffic (and associated sound levels), and the nature of land uses and activities (or lack thereof) in the area, as a function of time.

B9.2 Class 4 Area

Class 4 area classification is based on the principle of formal confirmation of the classification by the land use planning authority. Such confirmation would be issued at the discretion of the land use planning authority and under the procedures developed by the land use planning authority, in the exercise of its responsibility and authority under the Planning Act.

The following considerations apply to new noise sensitive land uses proposed in a Class 4 area:

- an appropriate noise impact assessment should be conducted for the land use planning authority as early as possible in the land use planning process that verifies that the applicable sound level limits will be met;
- noise control measures may be required to ensure the stationary source complies with the applicable sound level limits at the new noise sensitive land use;

C 2: Determination of Area Class

L_{eq} (8). For complete description on assessing road traffic impacts, refer to ORNAMENT. Other traffic noise prediction models have been and are being developed by various authorities and may be adopted from time to time for use in Ontario by the MOE.

In order to be consistent with MOE guidelines, the sound level should be assessed in an OLA, such as a rear yard or a patio, and in indoor living areas, such as bedrooms and living rooms. Where the noise impact exceeds the applicable sound level limits, mitigation measures such as site planning, architectural design, noise barriers, building envelope elements (windows, exterior walls, doors) with upgraded sound isolation performance and/or central air conditioning may be required. Noise control measures are not required if the sound level estimated in the OLA is 55 dBA or less during the daytime and 50 dBA or less in the plane of bedroom windows during either daytime or nighttime.

C3.2.2 Daytime Outdoor Sound Level Limit

Table C-1 gives the equivalent sound level (L_{eq}) limit for designated OLAs. The limit applies to the entire daytime period from 07:00 to 23:00.

**Table C-1
Sound Level Limit for Outdoor Living Areas
Road and Rail**

Time Period	L_{eq} (16) (dBA)
16-hour, 07:00 – 23:00	55

C3.2.3 Indoor Sound Level Limits

Table C-2 gives the equivalent sound level (L_{eq}) limits and the applicable time periods for the indicated types of indoor spaces. The specified indoor sound level limits are maxima and apply to the indicated indoor spaces with windows and doors closed.

**Table C-2
Indoor Sound Level Limits
Road and Rail**

Type of Space	Time Period	L_{eq} (dBA)	
		Road	Rail
Living/dining, den areas of residences, hospitals, nursing homes, schools, daycare centres, etc.	07:00 – 23:00	45	40
Living/dining, den areas of residences, hospitals, nursing homes, etc. (except schools or daycare centres)	23:00 – 07:00	45	40
Sleeping quarters	07:00 – 23:00	45	40

C 3: Daytime Outdoor and Daytime/Nighttime Indoor Sound Level Limits

**Table C-10
Supplementary Indoor Aircraft Noise Limits
(Applicable over 24-hour period)**

Type of Space	Indoor NEF/NEP*
General offices, reception areas, retail stores, etc.	15
Individual or semi-private offices, conference rooms, etc.	10
Living/dining areas of residences, sleeping quarters of hotels/motels, theatres, libraries, schools, daycare centres, places of worship, etc.	5
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	0

* The indoor NEF/NEP values listed in Table C-10 are not obtained from NEF/NEP contour maps. The values are representative of the indoor sound levels and are used as assessment criteria for the evaluation of acoustical insulation requirements.

C7 Noise Control Measures

The following sections provide MOE guidance for appropriate noise control measures. These sections constitute requirements that are applied to MOE approvals for stationary sources. This information is also provided as guidance which land use planning authorities may consider adopting.

The definition in Part A describes the various types and application of noise control measures. All the noise control measures described in the definition are appropriate to address the impact of noise of transportation sources (road, rail and aircraft) on planned sensitive land uses. Only some of the noise control measures described in the definition are appropriate to address the noise impact of stationary sources on planned sensitive land uses.

C7.1 Road Noise Control Measures

C7.1.1 Outdoor Living Areas

If the 16-Hour Equivalent Sound Level, $L_{eq}(16)$ in the OLA is greater than 55 dBA and less than or equal to 60 dBA, noise control measures may be applied to reduce the sound level to 55 dBA. If measures are not provided, prospective purchasers or tenants should be informed of potential noise problems by a warning clause Type A.

If the 16-Hour Equivalent Sound Level, $L_{eq}(16)$ in the OLA is greater than 60 dBA, noise control measures should be implemented to reduce the level to 55 dBA. Only in cases where the required noise control measures are not feasible for technical, economic or administrative reasons would an excess above the limit (55 dBA) be acceptable with a warning clause Type B. In the above situations, any excess above the limit will not be acceptable if it exceeds 5 dBA.

C7.1.2 Plane of a Window – Ventilation Requirements

C7.1.2.1 Daytime Period, 07:00 – 23:00 Hours

Noise control measures may not be required if the $L_{eq}(16)$ daytime sound level in the plane of a bedroom or living/dining room window is less than or equal to 55 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 55 dBA and less than or equal to 65 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the daytime sound level in the plane of a bedroom or living/dining room window is greater than 65 dBA, installation of central air conditioning should be implemented with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.2.2 Nighttime Period, 23:00 – 07:00 Hours

Noise control measures may not be required if the $L_{eq}(8)$ nighttime sound level in the plane of a bedroom or living/dining room window is less than or equal to 50 dBA. If the sound level in the plane of a bedroom or living/dining room window is greater than 50 dBA and less than or equal to 60 dBA, the dwelling should be designed with a provision for the installation of central air conditioning in the future, at the occupant's discretion. Warning clause Type C is also recommended.

If the nighttime sound level in the plane of a bedroom or living/dining room window is greater than 60 dBA, installation of central air conditioning should be implemented, with a warning clause Type D. In addition, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The location and installation of the outdoor air conditioning device should comply with sound level limits of Publication NPC-216, Reference [32], and guidelines contained in Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, Reference [6], or should comply with other criteria specified by the municipality.

C7.1.3 Indoor Living Areas – Building Components

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 60 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 65 dBA, building components including windows, walls and doors, where applicable, should be designed so that the indoor sound levels comply with the

sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) should be specified.

C7.2 Rail Noise Control Measures

C7.2.1 Outdoor Living Areas

Whistle noise is not included in the determination of the outdoor daytime sound level due to railway trains. All the provisions of Section C7.1.1 apply also to noise control requirements for rail noise.

C7.2.2 Plane of a Window – Ventilation Requirements

Whistle noise is not included in the determination of the sound level in the plane of a window. All the provisions of Section C7.1.2 apply also to noise control requirements for rail noise.

C7.2.3 Indoor Living Areas – Building Components

The sound level, L_{eq} , during the daytime (16-hour) and nighttime (8-hour) periods is determined using the prediction method STEAM, Reference [34], immediately outside the dwelling envelope. Whistle noise is included in the determination of the sound level.

If the nighttime sound level outside the bedroom or living/dining room windows exceeds 55 dBA or the daytime sound level outside the bedroom or living/dining area windows exceeds 60 dBA, building components including windows, walls and doors, where applicable, need to be designed so that the indoor sound levels comply with the sound level limits in Table C-2. The acoustical performance of the building components (windows, doors and walls) needs to be specified.

In addition, the exterior walls of the first row of dwellings next to railway tracks are to be built to a minimum of brick veneer or masonry equivalent construction, from the foundation to the rafters when the rail traffic L_{eq} (24-hour), estimated at a location of a nighttime receptor, is greater than 60 dBA, and when the first row of dwellings is within 100 metres of the tracks.

C7.3 Combination of Road and Rail Noise

The noise impact in the OLA and in the plane of a window, and the requirements for outdoor measures, ventilation measures and warning clauses, should be determined by combining road and rail traffic sound levels.

The assessment of the indoor sound levels and the resultant requirement for the acoustical descriptors of the building components should be done separately for road

In Class 4 areas, where windows for noise sensitive spaces are assumed to be closed, the use of central air conditioning may be acceptable if it forms an essential part of the overall building designs.

C7.9 Verification of Noise Control Measures

It is recommended that the implementation of noise control measures be verified by qualified individuals with experience in environmental acoustics.

C8 Warning Clauses

The use of warning clauses or easements in respect of noise are recommended when circumstances warrant. Noise warning clauses may be used to warn of potential annoyance due to an existing source of noise and/or to warn of excesses above the sound level limits. Direction on the use of warning clauses should be included in agreements that are registered on title to the lands in question. The warning clauses would be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations. Alternatively, the use of easements in respect of noise may be appropriate in some circumstances. Additional guidance on the use of noise warning clauses is provided in Section C7.1.1, Section C7.1.2.1, Section C7.1.2.2, Section C7.3 and Section C7.4.

C8.1 Transportation Sources

The following warning clauses may be used individually or in combination:

TYPE A: (see Section C7.1.1)

“Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

TYPE B: (see Section C7.1.1 and Section C7.4)

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic (rail traffic) (air traffic) may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

TYPE C: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of

C 6: Noise Control Measures – Warning Clauses

central air conditioning by the occupant in low and medium density developments 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.”

TYPE D: (see Section C7.1.2.1, Section C7.1.2.2 and Section C7.4)

“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.”

C8.2 Stationary Sources

It is not acceptable to use warning clauses in place of physical noise control measures to identify an excess over the MOE sound level limits. Warning clause (Type E) for stationary sources may identify a potential concern due to the proximity of the facility but it is not acceptable to justify exceeding the sound level limits.

TYPE E: (see Section C7.6)

“Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible.”

C8.3 Class 4 Area Notification

TYPE F: (see Section B9.2 and Section C4.4.2)

“Purchasers/tenants are advised that sound levels due to the adjacent industry (facility) (utility) are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed.”

C 7: Noise Control Measures – Warning Clauses

Appendix D: Noise Model Printout for POR3

STAMSON 5.0 NORMAL REPORT Date: 26-01-2023 11:35:10
 MINISTRY OF ENVIRONMENT AND ENERGY / NOISE ASSESSMENT

Filename: por145.te Time Period: Day/Night 16/8 hours
 Description: POR3 4.5m

Rail data, segment # 1: ETR (day/night)

```
-----
Train          ! Trains      ! Speed !# loc !# Cars! Eng  !Cont
Type          !            ! (km/h) !/Train! /Train! type !weld
-----+-----+-----+-----+-----+-----
  1.          !  5.2/0.0   !  16.0 !  2.0 ! 30.0 !Diesel! Yes
```

Data for Segment # 1: ETR (day/night)

```
-----
Angle1  Angle2      : -10.00 deg   90.00 deg
Wood depth      :          0   (No woods.)
No of house rows :          1 / 0
Surface         :          1   (Absorptive ground surface)
Receiver source distance : 384.00 / 384.00 m
Receiver height  :    4.50 / 4.50 m
Topography      :          1   (Flat/gentle slope; no barrier)
No Whistle
Reference angle  :    0.00
```

Results segment # 1: ETR (day)

LOCOMOTIVE (0.00 + 32.48 + 0.00) = 32.48 dBA

```
-----
Angle1 Angle2  Alpha RefLeq  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj SubLeq
-----
  -10    90    0.50  61.04 -21.05  -3.59   0.00  -3.92   0.00  32.48
-----
```

WHEEL (0.00 + 15.77 + 0.00) = 15.77 dBA

```
-----
Angle1 Angle2  Alpha RefLeq  D.Adj  F.Adj  W.Adj  H.Adj  B.Adj SubLeq
-----
  -10    90    0.60  45.98 -22.53  -3.75   0.00  -3.92   0.00  15.77
-----
```

Segment Leq : 32.57 dBA

Total Leq All Segments: 32.57 dBA

Results segment # 1: ETR (night)

LOCOMOTIVE (0.00 + -24.64 + 0.00) = 0.00 dBA

Angle1	Angle2	Alpha	RefLeq	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj	SubLeq
-10	90	0.50	0.00	-21.05	-3.59	0.00	0.00	0.00	-24.64

WHEEL (0.00 + -26.29 + 0.00) = 0.00 dBA

Angle1	Angle2	Alpha	RefLeq	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj	SubLeq
-10	90	0.60	0.00	-22.53	-3.75	0.00	0.00	0.00	-26.29

Segment Leq : 0.00 dBA

Total Leq All Segments: 0.00 dBA

Road data, segment # 1: Wyandotte (day/night)

Car traffic volume : 15104/1678 veh/TimePeriod
 Medium truck volume : 1066/118 veh/TimePeriod
 Heavy truck volume : 1599/178 veh/TimePeriod
 Posted speed limit : 50 km/h
 Road gradient : 0 %
 Road pavement : 1 (Typical asphalt or concrete)

Data for Segment # 1: Wyandotte (day/night)

Angle1 Angle2 : -90.00 deg 90.00 deg
 Wood depth : 0 (No woods.)
 No of house rows : 0 / 0
 Surface : 1 (Absorptive ground surface)
 Receiver source distance : 15.00 / 15.00 m
 Receiver height : 4.50 / 4.50 m
 Topography : 1 (Flat/gentle slope; no barrier)
 Reference angle : 0.00

Road data, segment # 2: Craw S (day/night)

```
-----
Car traffic volume : 12346/1372 veh/TimePeriod
Medium truck volume : 872/97 veh/TimePeriod
Heavy truck volume : 1307/145 veh/TimePeriod
Posted speed limit : 50 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)
```

Data for Segment # 2: Craw S (day/night)

```
-----
Angle1 Angle2 : -70.00 deg 10.00 deg
Wood depth : 0 (No woods.)
No of house rows : 0 / 0
Surface : 1 (Absorptive ground surface)
Receiver source distance : 42.00 / 42.00 m
Receiver height : 4.50 / 4.50 m
Topography : 1 (Flat/gentle slope; no barrier)
Reference angle : 0.00
```

Road data, segment # 3: Wellington (day/night)

```
-----
Car traffic volume : 1420/316 veh/TimePeriod
Medium truck volume : 101/22 veh/TimePeriod
Heavy truck volume : 150/34 veh/TimePeriod
Posted speed limit : 50 km/h
Road gradient : 0 %
Road pavement : 1 (Typical asphalt or concrete)
```

Data for Segment # 3: Wellington (day/night)

```
-----
Angle1 Angle2 : -90.00 deg 0.00 deg
Wood depth : 0 (No woods.)
No of house rows : 0 / 0
Surface : 1 (Absorptive ground surface)
Receiver source distance : 223.00 / 223.00 m
Receiver height : 4.50 / 4.50 m
Topography : 1 (Flat/gentle slope; no barrier)
Reference angle : 0.00
```


Road data, segment # 4: College (day/night)

```

-----
Car traffic volume : 4319/480   veh/TimePeriod
Medium truck volume : 305/34    veh/TimePeriod
Heavy truck volume  : 457/51    veh/TimePeriod
Posted speed limit  : 50 km/h
Road gradient       : 0 %
Road pavement       : 1 (Typical asphalt or concrete)
    
```

Data for Segment # 4: College (day/night)

```

-----
Angle1  Angle2      : 0.00 deg  90.00 deg
Wood depth      : 0          (No woods.)
No of house rows : 0 / 0
Surface         : 1          (Absorptive ground surface)
Receiver source distance : 460.00 / 460.00 m
Receiver height  : 4.50 / 4.50 m
Topography      : 1          (Flat/gentle slope; no barrier)
Reference angle  : 0.00
    
```

Results segment # 1: Wyandotte (day)

Source height = 1.73 m

ROAD (0.00 + 69.94 + 0.00) = 69.94 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
-90	90	0.56	71.23	0.00	0.00	-1.29	0.00	0.00	0.00

```

-----
--
69.94
-----
--
    
```

Segment Leq : 69.94 dBA

Results segment # 2: Craw S (day)

Source height = 1.73 m

ROAD (0.00 + 59.25 + 0.00) = 59.25 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
-70	10	0.56	70.35	0.00	-6.99	-4.11	0.00	0.00	0.00

```

-----
--
59.25
-----
--
    
```

Segment Leq : 59.25 dBA

Results segment # 3: Wellington (day)

Source height = 1.73 m

ROAD (0.00 + 38.33 + 0.00) = 38.33 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
--------	--------	-------	--------	-------	-------	-------	-------	-------	-------

SubLeq

--									
-90	0	0.56	60.96	0.00	-18.32	-4.30	0.00	0.00	0.00
38.33									

--

Segment Leq : 38.33 dBA

Results segment # 4: College (day)

Source height = 1.73 m

ROAD (0.00 + 38.25 + 0.00) = 38.25 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
--------	--------	-------	--------	-------	-------	-------	-------	-------	-------

SubLeq

--									
0	90	0.56	65.79	0.00	-23.24	-4.30	0.00	0.00	0.00
38.25									

--

Segment Leq : 38.25 dBA

Total Leq All Segments: 70.30 dBA

Results segment # 1: Wyandotte (night)

Source height = 1.73 m

ROAD (0.00 + 63.41 + 0.00) = 63.41 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
--------	--------	-------	--------	-------	-------	-------	-------	-------	-------

SubLeq

--									
-90	90	0.56	64.70	0.00	0.00	-1.29	0.00	0.00	0.00
63.41									

--

Segment Leq : 63.41 dBA

Results segment # 2: Craw S (night)

Source height = 1.73 m

ROAD (0.00 + 52.71 + 0.00) = 52.71 dBA

Angle1 Angle2 Alpha RefLeq P.Adj D.Adj F.Adj W.Adj H.Adj B.Adj
SubLeq

--
-70 10 0.56 63.81 0.00 -6.99 -4.11 0.00 0.00 0.00
52.71

--

Segment Leq : 52.71 dBA

Results segment # 3: Wellington (night)

Source height = 1.74 m

ROAD (0.00 + 34.87 + 0.00) = 34.87 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
--------	--------	-------	--------	-------	-------	-------	-------	-------	-------

SubLeq

--									
-90	0	0.56	57.49	0.00	-18.32	-4.30	0.00	0.00	0.00
34.87									

--

Segment Leq : 34.87 dBA

Results segment # 4: College (night)

Source height = 1.73 m

ROAD (0.00 + 31.74 + 0.00) = 31.74 dBA

Angle1	Angle2	Alpha	RefLeq	P.Adj	D.Adj	F.Adj	W.Adj	H.Adj	B.Adj
--------	--------	-------	--------	-------	-------	-------	-------	-------	-------

SubLeq

--									
0	90	0.56	59.27	0.00	-23.24	-4.30	0.00	0.00	0.00
31.74									

--

Segment Leq : 31.74 dBA

Total Leq All Segments: 63.77 dBA

TOTAL Leq FROM ALL SOURCES (DAY): 70.30

(NIGHT): 63.77

Appendix E: Road Traffic Volume Data

E 1: Predicted Wyandotte Street West Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2016	Wyandotte St. W	East of Wellington	14100
2033	Sandwich St.	South of Chippawa St.	19743

E 2: Predicted Crawford Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2015	Crawford	South of University	4300
2033	Crawford	South of University	6141

E 3: Predicted Crawford Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2015	Crawford	South of Wyandotte	4300
2033	Crawford	South of Wyandotte	16139

E 4: Predicted Wellington Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2015	Wellington	North of College	1300
2033	Wellington	North of College	1857

E 5: Predicted College Traffic Volumes (2% growth rate per annum)

Year	Road	Location	ADT
2013	College	West of Crawford	3800
2033	College	West of Crawford	5646

E 6: Predicted Traffic Volumes (Wyandotte St. W) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	944	67	100
Night (8 hours)	210	15	22

E 7: Predicted Traffic Volumes (Crawford – South of University) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	294	42	31
Night (8 hours)	65	5	7

E 8: Predicted Traffic Volumes (Crawford – South of Wyandotte) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	772	55	82
Night (8 hours)	172	12	18

E 9: Predicted Traffic Volumes (Wellington) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	89	6	9
Night (8 hours)	40	3	4

E 10: Predicted Traffic Volumes (College) per Period and Breakdown of Cars, Medium Trucks and Heavy Trucks

Period	Auto Traffic Volume (Vehicles/hr)	Medium Truck Traffic Volume (Vehicles/hr)	Heavy Truck Traffic Volume (Vehicles/hr)
Day (16 hours)	270	19	29
Night (8 hours)	60	4	6

E 11: Distance from Roadway to Selected Representative PORs

POR-height	Distance to Wyandotte West (m)	Distance to Crawford (South of Wyandotte) (m)	Distance to Crawford (North of Wyandotte) (m)	Distance to Wellington (m)	Distance to College (m)
1-1.5 3-4.5	15.0 (minimum)	42	N/A	223	460
2-4.5	15.0 (minimum)	41	41	N/A	N/A

Appendix F: Rail Traffic Volume Data

F 1: ETR Rail Train Volume Data Modelled for 2033

	Number of Trains	Max Speed (km/h)	Number of Locomotive per Train	Number of Cars per Train	Engine Type
Day	5.25	16	2	30	Diesel
Night	0				Diesel

F 2: Distance from ETR Rail Line to Selected Representative PORs

POR-Height	Distance to Railway (m)
1-1.5 3-4.5	384
2-4.5	N/A

Appendix G: STC Output Results

```

Indoor sound level in dB(A) is 45
Room absorption category is: intermediate
Outdoor sound level is 70 dB(A) (plus 0 dB from Table 2)

Components:
      After      From Table 3   From Table 4   From Table 5   STC
      Step 2     (% energy)    (% floor area) (spectrum)
-----
1. Exterior wall      25    +3 dB ( 50 %)   -8 dB ( 13 %)   +7 dB          27
2. Window, openable thick d 25    +3 dB ( 50 %)  -11 dB ( 6 %)   +4 dB          21

Calculation is for: LR
  
```

G 1: STC Results for Daytime Living Room – Openable Window

```

Indoor sound level in dB(A) is 45
Room absorption category is: intermediate
Outdoor sound level is 70 dB(A) (plus 0 dB from Table 2)

Components:
      After      From Table 3   From Table 4   From Table 5   STC
      Step 2     (% energy)    (% floor area) (spectrum)
-----
1. Exterior wall      25    +3 dB ( 50 %)   -8 dB ( 13 %)   +7 dB          27
2. Window, sealed thick dou 25    +3 dB ( 50 %)  -11 dB ( 6 %)   +7 dB          24

Calculation is for: LR
  
```

G 2: STC Results for Daytime Living Room – Sealed Window

Appendix H: Logged Ambient Noise Data with Equipment Details

Start Time	Elapsed Time	LAeq	Temp (°C)	Rel Hum (%)	Wind Spd (km/h)	Period
2022-10-31 11:00	01:00:00	67.6	15.4	96	21	Day
2022-10-31 12:00	01:00:00	67.6	15.3	98	18	Day
2022-10-31 13:00	01:00:00	67.8	16.6	95	18	Day
2022-10-31 14:00	01:00:00	74.0	17	92	17	Day
2022-10-31 15:00	01:00:00	68.3	16.6	92	26	Day
2022-10-31 16:00	01:00:00	68.1	16.3	95	13	Day
2022-10-31 17:00	01:00:00	67.4	15.9	94	9	Day
2022-10-31 18:00	01:00:00	66.2	15.3	98	9	Day
2022-10-31 19:00	01:00:00	67.6	14.9	96	5	Day
2022-10-31 20:00	01:00:00	66.2	14.8	93	13	Day
2022-10-31 21:00	01:00:00	65.2	14.8	96	13	Day
2022-10-31 22:00	01:00:00	64.8	14.1	95	11	Day
2022-10-31 23:00	01:00:00	65.6	12.9	98	8	Night
2022-11-01	01:00:00	72.1	13.2	98	4	Night
2022-11-01 1:00	01:00:00	63.0	13.5	99	8	Night
2022-11-01 2:00	01:00:00	62.0	13.1	99	5	Night
2022-11-01 3:00	01:00:00	59.3	13.4	99	8	Night
2022-11-01 4:00	01:00:00	60.5	13.4	100	13	Night
2022-11-01 5:00	01:00:00	61.4	13.9	98	18	Night
2022-11-01 6:00	01:00:00	64.2	13.6	96	8	Night
2022-11-01 7:00	01:00:00	65.5	13.6	96	13	Day
2022-11-01 8:00	01:00:00	66.7	13.7	86	18	Day
2022-11-01 9:00	01:00:00	67.0	13.2	83	9	Day
2022-11-01 10:00	01:00:00	67.3	15.5	68	17	Day
2022-11-01 11:00	01:00:00	67.0	16.9	57	17	Day
2022-11-01 12:00	01:00:00	66.6	18.2	53	15	Day
2022-11-01 13:00	01:00:00	71.7	19.3	51	18	Day
2022-11-01 14:00	01:00:00	71.2	19.9	44	17	Day
2022-11-01 15:00	01:00:00	67.6	19.7	48	9	Day
2022-11-01 16:00	01:00:00	67.3	19.8	44	9	Day
2022-11-01 17:00	01:00:00	68.7	17.9	48	11	Day
2022-11-01 18:00	01:00:00	70.6	13.4	83	11	Day
2022-11-01 19:00	01:00:00	73.4	11.3	90	5	Day
2022-11-01 20:00	01:00:00	67.0	11.2	90	5	Day
2022-11-01 21:00	01:00:00	66.9	9.4	95	4	Day
2022-11-01 22:00	01:00:00	72.7	8.8	95	5	Day
2022-11-01 23:00	01:00:00	63.4	7.8	96	5	Night
2022-11-02	01:00:00	62.6	8.8	98	5	Night

2022-11-02 1:00	01:00:00	61.7	9.5	94	5	Night
2022-11-02 2:00	01:00:00	62.3	6.7	99	5	Night
2022-11-02 3:00	01:00:00	65.3	6.2	99	4	Night
2022-11-02 4:00	01:00:00	60.0	6.7	100	4	Night
2022-11-02 5:00	01:00:00	62.0	5.5	99	4	Night
2022-11-02 6:00	01:00:00	69.4	4.5	100	4	Night
2022-11-02 7:00	01:00:00	66.2	5	99	0	Day
2022-11-02 8:00	01:00:00	67.0	5.5	100	0	Day
2022-11-02 9:00	01:00:00	68.1	11.2	87	0	Day
2022-11-02 10:00	01:00:00	66.0	14	77	4	Day
2022-11-02 11:00	01:00:00	66.4	16.9	63	8	Day
2022-11-02 12:00	01:00:00	66.8	18.2	54	8	Day
2022-11-02 13:00	01:00:00	66.8	19.2	51	13	Day
2022-11-02 14:00	01:00:00	69.9	18.8	51	13	Day
2022-11-02 15:00	01:00:00	68.6	18.5	48	17	Day
2022-11-02 16:00	01:00:00	67.0	17.8	53	15	Day
2022-11-02 17:00	01:00:00	67.6	15.7	61	11	Day
2022-11-02 18:00	01:00:00	66.3	13	74	9	Day
2022-11-02 19:00	01:00:00	67.6	10.9	81	8	Day
2022-11-02 20:00	01:00:00	65.7	9	86	5	Day
2022-11-02 21:00	01:00:00	66.7	9.3	87	8	Day
2022-11-02 22:00	01:00:00	66.7	7.9	94	9	Day
2022-11-02 23:00	01:00:00	64.1	8.1	97	8	Night
2022-11-03	01:00:00	62.9	6.5	99	5	Night
2022-11-03 1:00	01:00:00	61.5	7	99	5	Night
2022-11-03 2:00	01:00:00	60.8	6	100	8	Night
2022-11-03 3:00	01:00:00	60.1	6.3	100	4	Night
2022-11-03 4:00	01:00:00	59.6	6.2	100	4	Night
2022-11-03 5:00	01:00:00	62.7	5.1	100	5	Night
2022-11-03 6:00	01:00:00	64.9	4.7	100	8	Night
2022-11-03 7:00	01:00:00	66.1	4.3	100	8	Day
2022-11-03 8:00	01:00:00	66.3	5	100	5	Day
2022-11-03 9:00	01:00:00	67.0	10.8	100	8	Day
2022-11-03 10:00	01:00:00	68.4	13.3	88	15	Day



H 2: Microphone Mounting Location

The following is the list of equipment used to perform the noise measurements:

Type 4231 Brüel & Kjær Acoustic Calibrator	Serial No. 2588643
Type 4952 Brüel & Kjær Outdoor Microphone	Serial No. 2766539
Type 2250 Brüel & Kjær Sound Level Meter	Serial No. 2763480

All measurement systems were checked for calibration before and after the measurement period and were found to be within the acceptable calibration limits. The battery levels also remained within the acceptable levels during the measuring period.

It is also worth noting that the meteorological conditions were measured before and after the measurement period and were found to be within the limits set by the MECP.

Subject: Official Plan Amendment and Zoning By-law Amendment – 2836369 Ontario Limited (The VanGuard Team at Manor Reality)– 691 Ouellette Ave – Z044 [ZNG-6941] & OPA 165 [OPA-6942], Ward 3

Reference:

Date to Council: May 1, 2023
Author: Laura Strahl MCIP, RPP
Senior Planner
519-225-6543 ext. 6396
Planning & Building Services

Planning & Building Services
Report Date: 2023-04-05
Clerk's File #: Z/14529 Z/14528

To: Mayor and Members of City Council

Recommendation:

- I. THAT Schedule A: Planning Districts and Policy Areas of the City of Windsor Official Plan, Volume I **BE AMENDED** by identifying the property described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated between Ouellette Avenue and Pelissier Street, between Wyandotte Street West and Elliot Street as a Special Policy Area.
- II. THAT Volume 2, Part 1:Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.X West side of Ouellette Avenue between Wyandotte Street West and Elliot Street
 - 1.X.1 The property described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated on the west side of Ouellette Avenue between Wyandotte Street and Elliot Street is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.
 - 1.X.2 Notwithstanding the policy in section 6.9.2.2 (a) and 6.11.4.2 (f) of the Official Plan, Volume I, residential uses are permitted at and below grade of the existing dwelling subject to obtaining a Building Permit.

- III. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 (691 Ouellette Ave and 0 Pelissier Street) situated on the west side of Ouellette Avenue between Wyandotte Street West and Elliot Street by adding the following site-specific exceptions to Section 20(1):

“470 WEST SIDE OF OUELLETTE AVENUE, BETWEEN WYANDOTTE STREET WEST AND ELLIOT STREET

1. For lands comprising Part Lot 9, Block 2, Plan 256 as in R961847 and Part Lot 8, Block 2, Plan 256 as in R961848 the *existing building* may containing a maximum of two live-work units on the ground floor, and maximum of six *dwelling units* in the balance of the building, shall be an additional permitted use and shall be subject to the following additional provisions:
 - a) ‘Live-work unit’ is a non-residential *use* which contains a *dwelling unit* occupied by the same owner/occupant as the non-residential use. The following additional provisions apply to live-work units:
 - i. Live-work units shall only be permitted on the ground floor.
 - ii. The non-residential *use* and *dwelling unit* shall have separate street entrances. The entrance to the non-residential *use* must be along Ouellette Avenue.
 - iii. The following non-residential uses are permitted: *Business Office, Personal Service Shop, or Professional Studio*.
 - b) *Dwelling units* are permitted in the *basement* or *cellar* of the *existing building*, subject to obtaining a Building Permit.

[ZDM 3; ZNG/6941]”;

Executive Summary:

N/A

Background:

Application Information:

Location: West side of Ouellette Avenue between Wyandotte Street and Elliot Street

691 Ouellette Ave & 0 Pelissier St

Ward: 3

Planning District: City Centre Planning District

Zoning District Map: 3

Applicant: 2836369 Ontario Limited (The VanGuard Team at Manor Reality)

Principle Owner: Rhys Trenhaile

Agent: Jackie Lassaline

Proposal: The applicant proposes to convert the existing vacant commercial building to a mixed use building with 2 residential units in the basement, 2 live/work units on the ground floor, 2 residential units in the second floor, and 2 residential units in the attic/loft. The applicant also proposes an enclosed glass café and seating area in the front of the building.

An Official Plan Amendment is requested to add a site specific special policy that will allow for residential use within the entire building, including units below grade. A Zoning By-law Amendment is requested to rezone the property from CD3.1 to CD3.1 with site specific provisions to permit:

1. Addition of a definition for live-work units;
2. Inclusion of residential units on the ground floor;
3. Allowance for residential units in the basement; and,

The current building located at 691 Ouellette Avenue is a two storey building originally constructed as a private, single detached residence. The building has since been converted to professional offices, and is currently vacant. The property at 0 Pelissier Street is currently paved and used for parking. The building at 691 Ouellette Avenue is listed (non-designated) on the Municipal Heritage Register.

Site Information

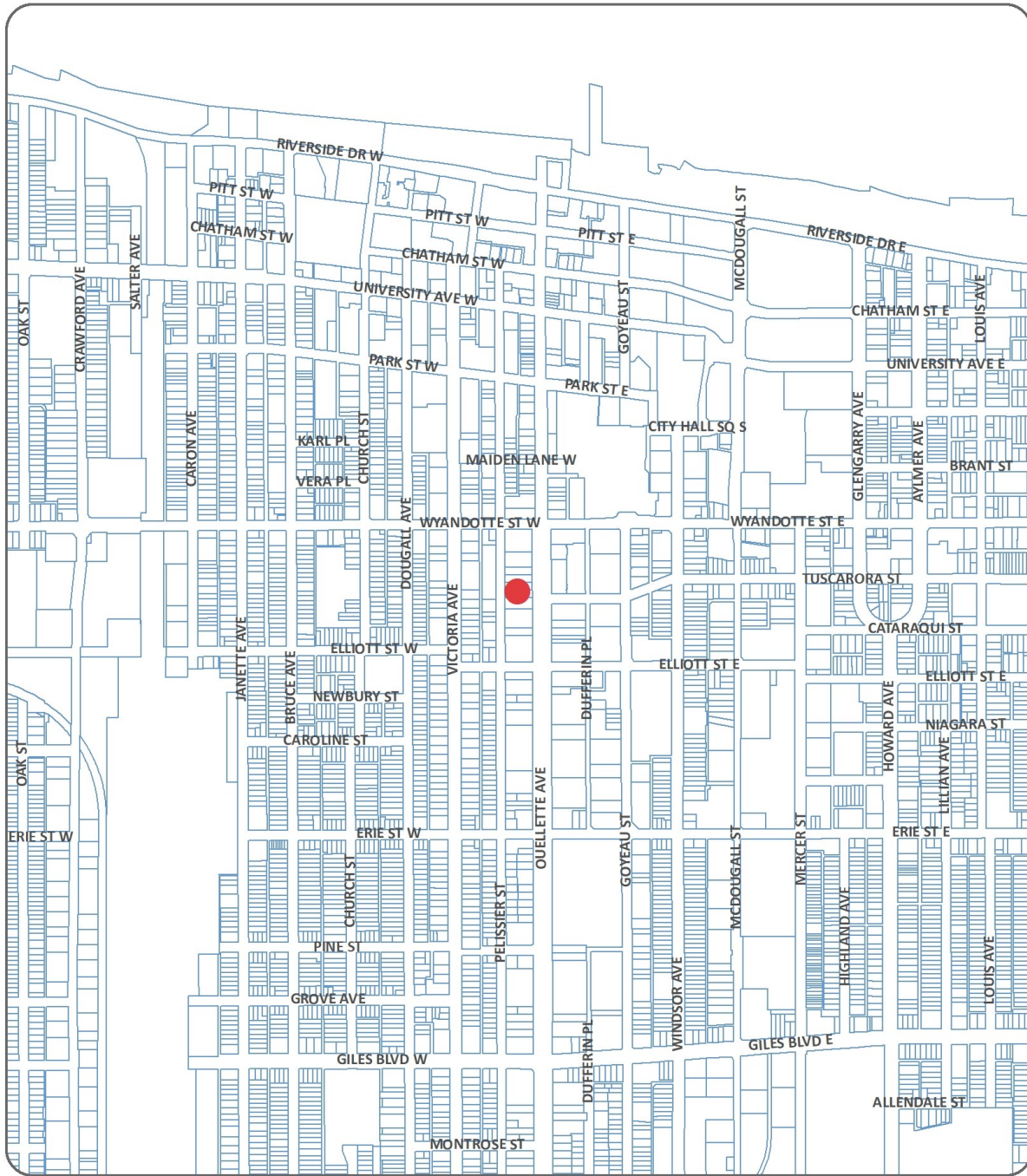
Official Plan	Zoning	Current Use	Previous Use
Mixed Use	Commercial District 3.1	Combined Use Building, vacant ground floor commercial	Residential and Commercial (office)
Lot Frontage	Depth	Area	Shape
15.24 m (Ouellette Ave) 21.21 m (Pelissier St)	55 m		Irregular
<i>All measurements are approximate</i>			

Neighbourhood Characteristics

The subject property is located along the west side of Ouellette Avenue and also has frontage along Pelissier Street in Downtown Windsor. The property is located midblock and is surrounded by a mix of commercial (restaurants, offices), institutional (churches) and residential uses typical of a downtown location. The property directly to the south of the subject lands contains vacant commercial building and the property directly to the north is a commercial building containing a long standing restaurant (The Cook's Shop). The subject lands are across the street from the Bull and Barrel Restaurant on Ouellette Avenue and are across from a municipal parking lot on Pelissier Street.

Ouellette Avenue is identified as a Class II Arterial Road and Pelissier Street is identified as a Class II Collector Road on Schedule F: Roads and Bikeways of the City of Windsor Official Plan, Volume I. Schedule G: Civic Image identifies Ouellette Avenue as a Mainstreet. The closest existing transit route to the subject property are the Transway 1A, Transway 1C, Central 3 & Ottawa 4. The closest existing bus stop to this property is just north of this property on Ouellette at Wyandotte Southwest Corner with the large bus bay. This provides direct transit access to this development.

Figure 1: Key Map

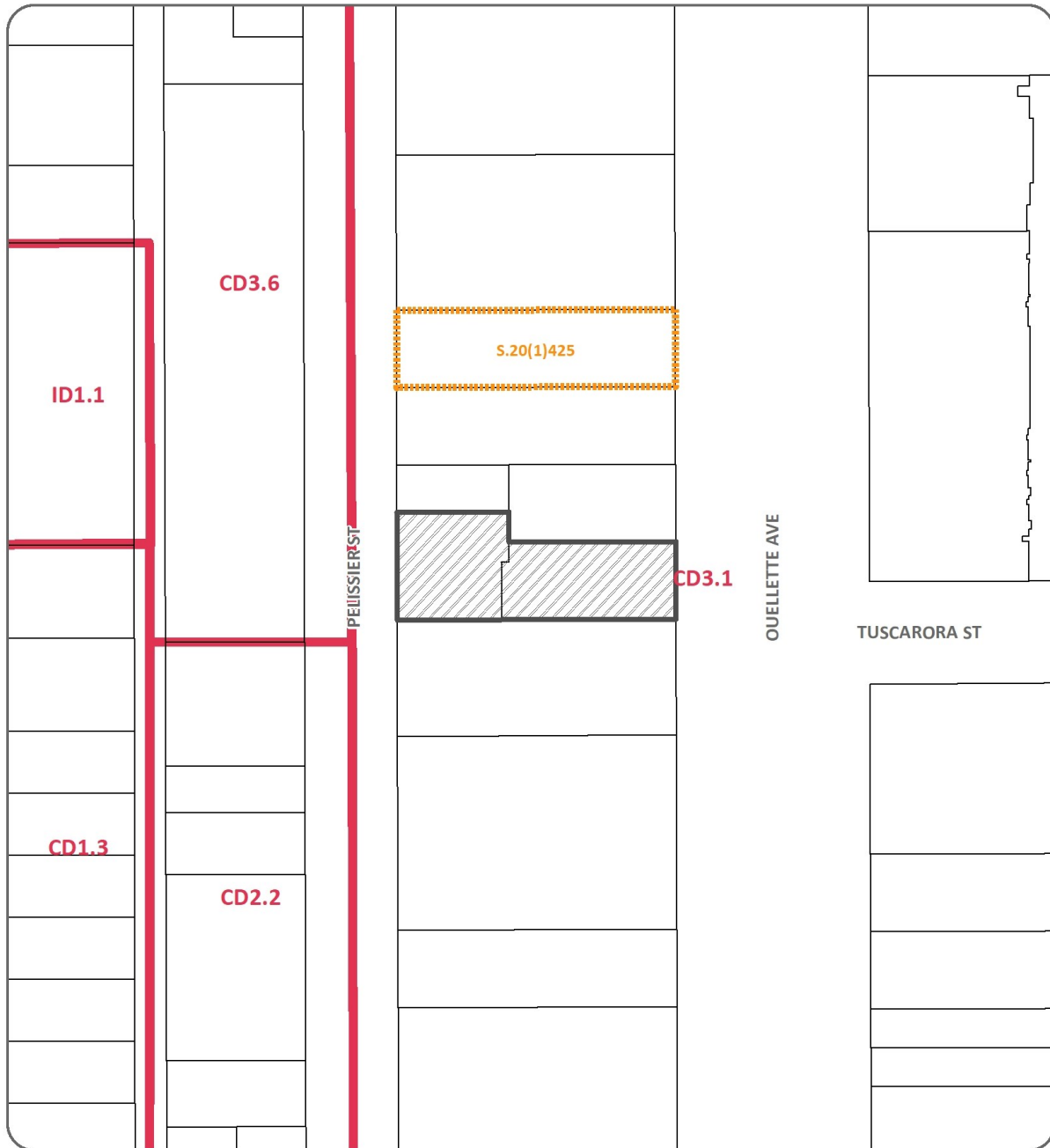


KEY MAP - Z-044/22, ZNG-6941, OPA 165, OPA-6942



● SUBJECT LANDS

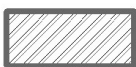
Figure 2: Subject Parcel – Rezoning



PART OF ZONING DISTRICT MAP 7

REZONING

Applicant: 2836329 Ontario Limited



SUBJECT LANDS

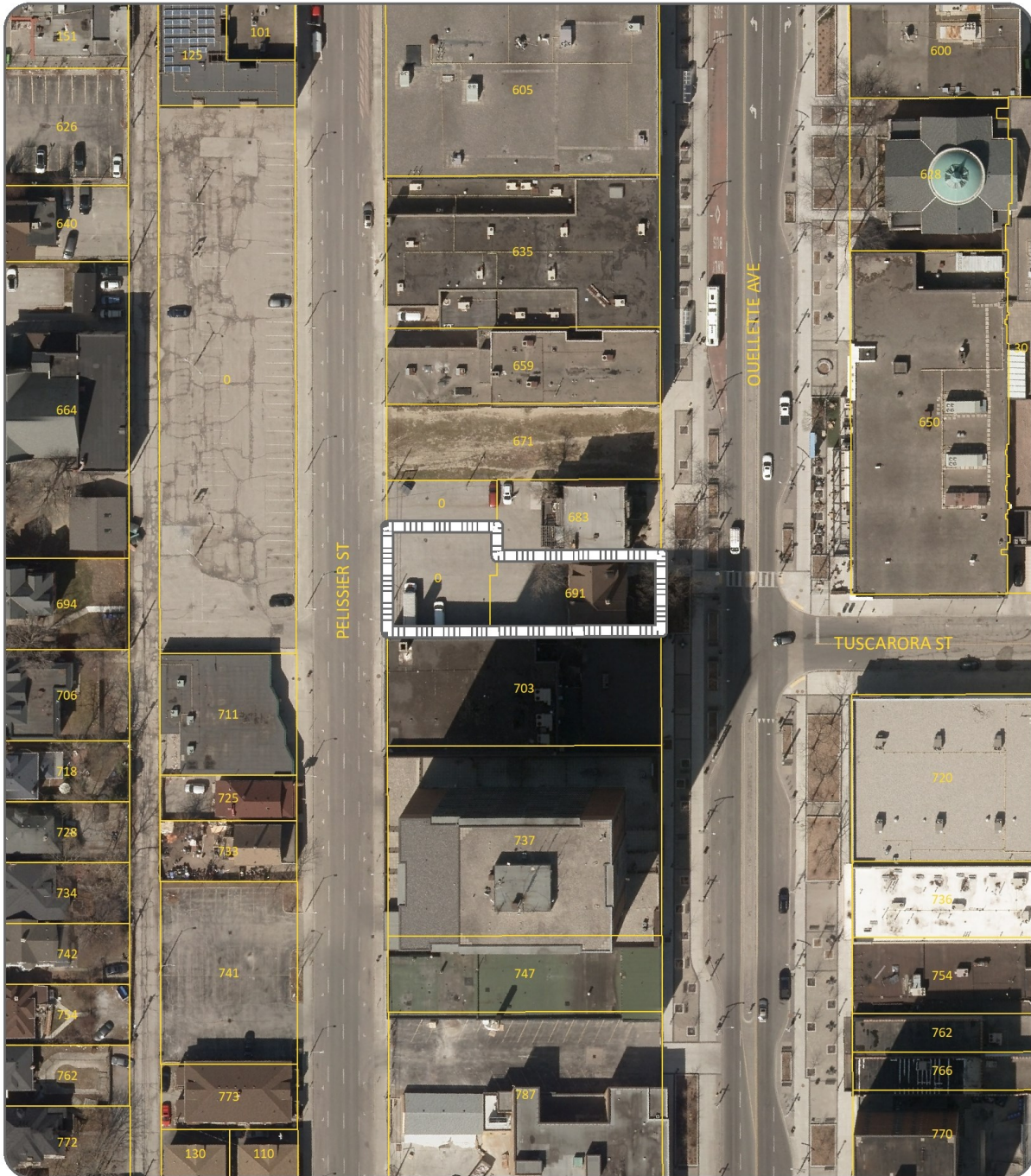
PLANNING & BUILDING DEPARTMENT

N.T.S.



DATE : MARCH, 2023
FILE NO. : Z-044/22, ZNG/6941

Figure 3: Neighbourhood Map



NEIGHBOURHOOD MAP - Z-044/22, ZNG-6941
& OPA 165, OPA-6942



SUBJECT LANDS

Discussion:

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to planning. The *Planning Act* requires that all land use decisions be consistent with the PPS. The following is an overview of the applicable PPS policies and how the recommendations in this report are consistent with the PPS.

Part IV: Vision for Ontario's Land Use Planning System of the PPS includes a new addition to the 2020 PPS, which stipulates that '*planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.*' The subject proposal proposes additional residential units and live-work units within an existing building which contributes to a range of housing options. In addition, recent changes to the PPS in Section 1.1.1 specifically mention multi-unit housing as a housing type to accommodate an appropriate range and mix of housing.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

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;*
- 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;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- 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;*
- 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;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and,*
- i) preparing for the regional and local impacts of a changing climate.*

The proposed amendment will permit a mixed use building containing residential units and live-work units, making more efficient use of the land within the existing built-up area and promote the reuse of a vacant building in the core. Additionally, the proposed development is along existing transit route which will increase the viability of those routes.

The proposed amendments are consistent with Section 1.1.1. of the PPS.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The proposed amendments are within a settlement area therefore will contribute to the vitality and regeneration of existing the settlement areas.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and,*
- g) are freight-supportive.*

The proposed development will make more efficient use of the land and the existing resources as the building has been vacant for many years. Therefore, the proposed development will make more efficient use of existing municipal infrastructure. Increased residential units and commercial uses within the area will increase the demand for transit.

1.1.3.2 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.

The conversion of the building to a mix of residential and commercial uses within the existing building with increased density is consistent with the PPS.

City of Windsor Official Plan

The subject lands are located within the Mixed Use (Very High Profile) land use designation on Schedule E: City Centre Planning District. Section 6.11.4.1 of the City of Windsor Official Plan stipulates that the mixed use land use (Very High Profile) designation permits retail and service commercial establishments, offices, cultural, entertainment and open space uses, and residential uses, exclusive of small scale Low Profile housing. The subject proposal is for a combined use building, containing six residential units, and two live-work units with the addition of a new cafe located in the front of the property along Ouellette Avenue.

The proposed conversion of a vacant commercial building to a combined use building is in keeping with the mixed use policies of the official plan, however the Evaluation Criteria (Section 6.11.4.2, see below) stipulates that residential units shall be located above grade, where appropriate.

The applicant is proposing residential units in the basement of the existing building. The proposal to locate residential units in the basement will take advantage of existing space, make efficient use of existing services and contribute to additional residential units in downtown Windsor.

The applicant will be required to comply with the Ontario Building Code and obtain a Building Permit to convert the basement to residential units. At this time the Building Division has indicated that not enough information has been provided to evaluate if the proposal can meet the Ontario Building Code. The applicant is advised to consult with the Building Division. The recommended zoning provisions would allow residential units in the basement, subject to obtaining a Building Permit.

6.11.4.2 EVALUATION CRITERIA

At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Mixed Use development within the City Centre Planning District 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) within a site of potential or known contamination;

*(iii) where traffic generation and distribution is a provincial or municipal concern;
and*

(iv) 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) capable of being provided with full municipal physical services;

(d) provided with adequate off street parking;

(e) compatible with the surrounding area in terms of scale, massing, height, siting, setbacks, parking and landscaped areas; and

(f) provided with residential uses above-grade, where appropriate.

The property at 691 Ouellette Avenue is listed on the Windsor Municipal Heritage Register as a c.1920 Tudor Revival house. The property features Tudor Revival elements, namely the steep gabled roofs, half-timbering, arched entryway, and bay window. The proposal to retain the structure is encouraged, and further the applicants should endeavor to maintain and showcase the existing heritage attributes. The Heritage Planner has been circulated on the subject application and has provided comments that will be addressed through Site Plan Control.

The *Ontario Heritage Act* requires non-designated properties on the Municipal Heritage Register to be removed if Council does not designate the property by January 1, 2025. Additionally, the Act prescribes a 90-day restriction to designate a property subject to a Planning Act application, unless the Owner and Council of a municipality agree that the 90-day restriction does not apply. The City of Windsor is in the process of reviewing all the listed (non-designated) properties on the Register (884 properties) over the next two years to determine which properties meet the criteria for designation. The Owner has agreed to a waiver of the 90 days timeline (see Appendix F), which will allow for the evaluation of the subject property along with the rest of the 884 properties on the Register through a comprehensive review over the next two years.

SECTION 11.6.3 OF OP VOL. 1 – 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.

The applicant has submitted elevation drawings, conceptual floor plans, and a Planning Rationale Report in support of the subject application. The proposal contributes to the mix of uses in the downtown area along Ouellette Avenue and make use of an existing vacant building. No objections were received from relevant departments or agencies and specific issues and requirements will be addressed through site plan control.

Zoning By-law

The subject properties are currently zoned Commercial District 3.1 (CD3.1) on Map 7 of Zoning By-law 8600. The proposed euro-style cafe along the Ouellette Ave frontage does not require a zoning by-law amendment because it is already a permitted use.

The applicant has requested the following:

i) the exception that residential units are appropriate in the existing building below grade.

The proposal makes use of existing space within an existing building to provide additional residential units.

ii) site specific allowance for two live-work units on the main floor as a permitted use.

The zoning by-law currently does not include a definition for a 'live-work unit'. The zoning by-law does contain a definition of a home occupation as follows:

HOME OCCUPATION means an occupation for profit or gain conducted entirely within an accessory building, dwelling unit, or garage which occupation is incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof

The home occupation definition does not work because the definition stipulates the home occupation is a 'secondary use'. Given the highly visible location along Ouellette Avenue, the intention of the live-work unit is not to be secondary to the dwelling unit, but rather the non-residential use located along Ouellette Avenue should contribute to the mix of commercial uses along Ouellette Avenue. The definition below has been recommended to ensure entrances to the non-residential uses are along Ouellette Avenue and restrict the non-residential uses to uses compatible with residential uses:

'Live-work unit' is *dwelling unit* that contains space for a non-residential use and the owner/occupant of the non-residential use resides. The following provisions apply to the live-work units:

- 1) The non-residential and residential space shall have separate street entrances. The entrance to the non-residential space must be along Ouellette Avenue.
- 2) Live-work units shall only be permitted on the ground floor of the existing building.
- 3) The only non-residential uses permitted are as follows: *Business Office*, *Personal Service Shop*, or *Professional Studio*.

Site Plan Control: The proposal will be subject to Site Plan Control. Specific design issues or requirements from municipal departments or external agencies will be considered as part of the Site Plan Control process.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Appendix B contains comments received from departments and agencies. No objections to the application were received.

Required notice of the statutory public meeting was advertised in the Windsor Star, on April 8th. A courtesy notice was mailed to property owners and tenants within 120 metres of the subject property.

Specific design issues or requirements from municipal departments or external agencies will be considered as part of the Site Plan Control process.

Conclusion:

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter, “*shall be consistent with*” Provincial Policy Statement 2020. The requested zoning amendment has been evaluated for consistency with the Provincial Policy Statement 2020 and conformity with the policies of the City of Windsor Official Plan.

The proposed zoning by-law amendment and official plan amendment are consistent the PPS, with the policy direction of the City of Windsor Official Plan, is compatible with existing and permitted uses in the surrounding neighbourhood and constitutes good planning.

Planning Act Matters:

I concur with the above comments and opinion of the Registered Professional Planner.

Neil Robertson, MCIP, RPP

Thom Hunt, MCIP, RPP

Manager of Urban Design

City Planner

I am not a registered Planner and have reviewed as a Corporate Team Leader

JP OC

Approvals:

Name	Title
Neil Robertson	Manager of Urban Design
Thom Hunt	City Planner
Wira Vendrasco	Senior Legal Counsel
Jelena Payne	Commissioner of Economic Development and Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Authorized Agent: Jackie Lassaline		jackie@lassalineplan.ca
Registered Owner 2836329 Ontario Limited (Rhys Trenhaile)		rhys@thevanguardteam.com

Name	Address	Email
Ward 3 Councillor – Renaldo Agostino		
Abutting property owners, tenants/ occupants within 120-meter (400 feet) radius of the subject land		

Appendices:

- 1 Appendix A - Elevations (Front and Back)
- 2 Appendix B - Basement Floor Plans
- 3 Appendix C - Second Floor and Loft Space
- 4 Appendix D - Site Plan
- 5 Appendix E - Planning Rationale Report
- 6 Appendix F - Agreement to Waive Ontario Heritage Act Deadlines for Designation of 691 Ouellette Avenue, Windsor
- 7 Appendix G - Circulation Comments




OUELLETTE FACADE

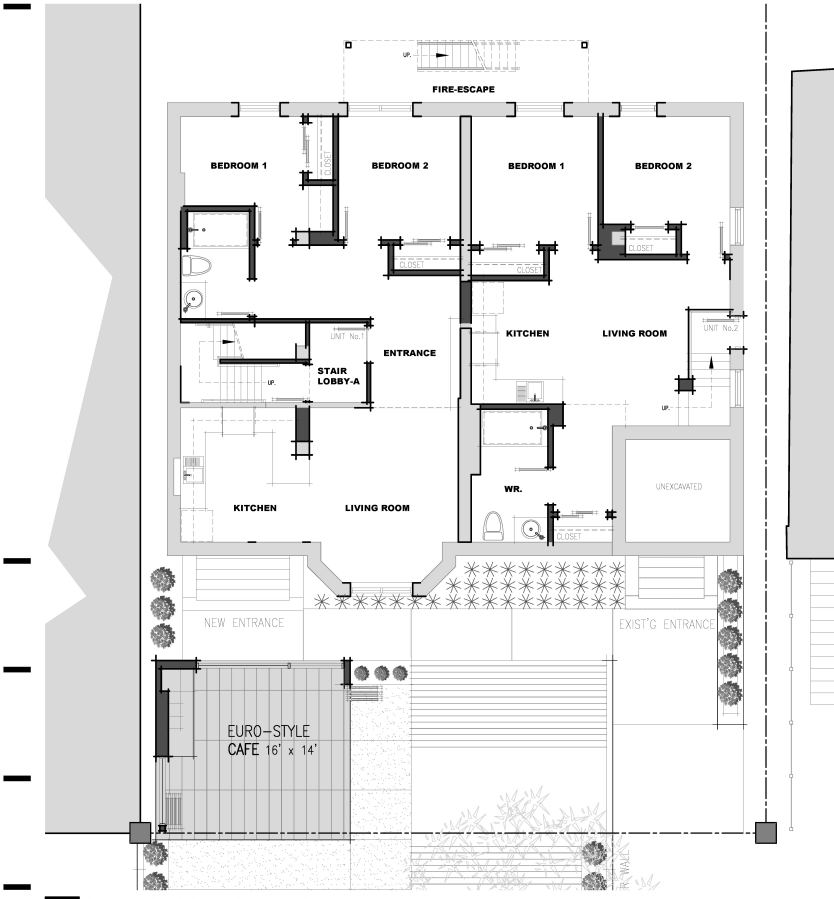


PELISSIER FACADE

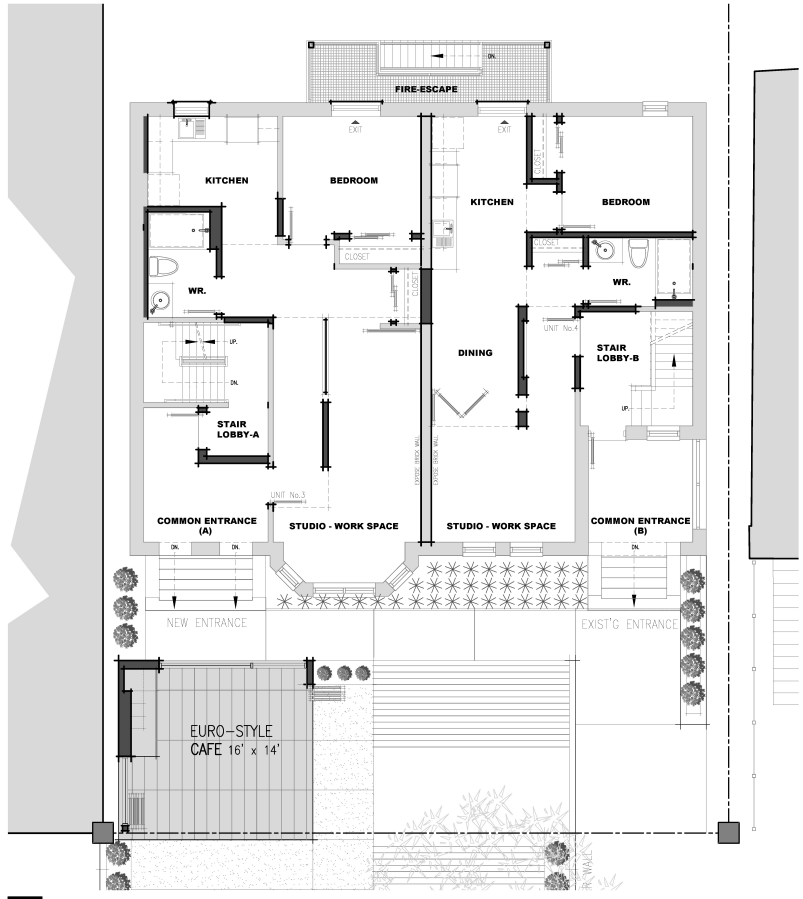
01 SCHEMATIC DESIGN - EXTERIOR ELEVATIONS - PROPOSED
A103 SCALE: N.T.S.

02 SCHEMATIC DESIGN - EXTERIOR ELEVATIONS - PROPOSED
A103 SCALE: N.T.S.

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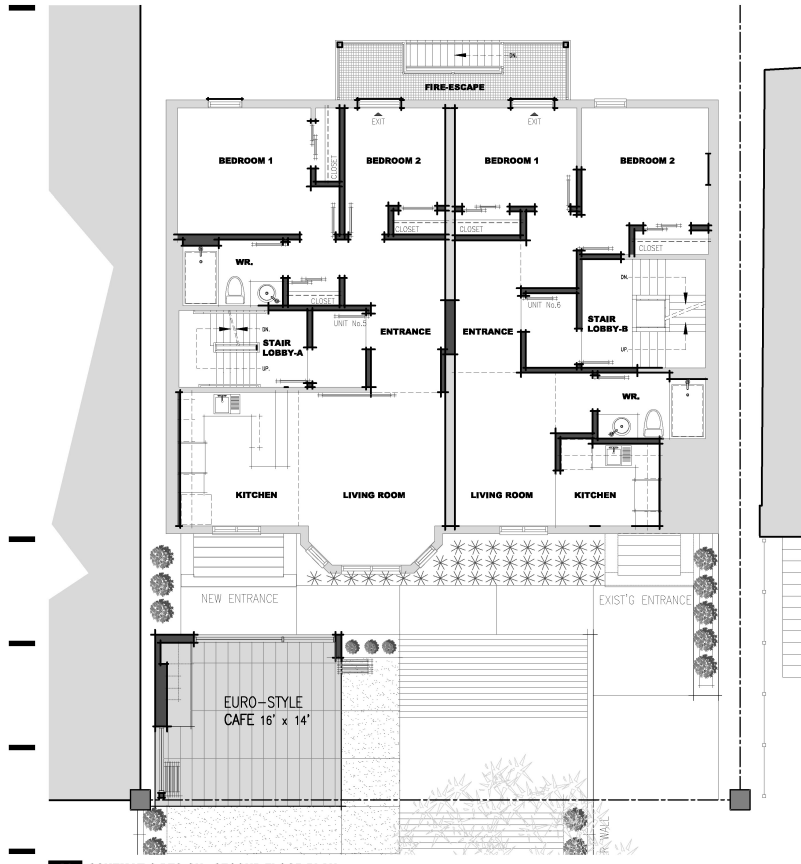


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A101 SCALE: N.T.S.



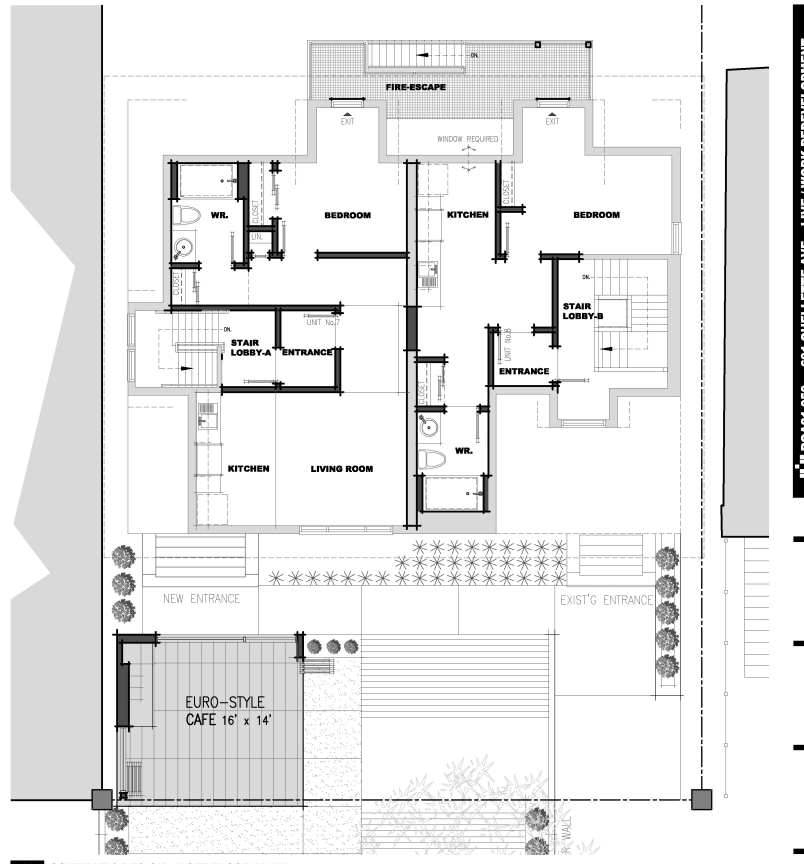
02 SCHEMATIC DESIGN - FIRST FLOOR PLAN
A101 SCALE: N.T.S.

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		MM-DD-YY																							



01 SCHEMATIC DESIGN - SECOND FLOOR PLAN

A102 SCALE: 1/8"=1'-0"



02 SCHEMATIC DESIGN - LOFT FLOOR PLAN

A102 SCALE: 1/8"=1'-0"

691 OUELLETTE AVE. - LIVE / WORK REDEVELOPMENT

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PROJECT INFORMATION

691 OUELLETTE AVE. - LIVE / WORK REDEVELOPMENT

691 OUELLETTE WINDSOR, ONTARIO

DRAWING INFORMATION

SCHEMATIC DESIGN SECOND FLOOR LEVEL LOFT FLOOR LEVEL

PRIME CONSULTANT



67 KING STREET WEST, CHATHAM ON N7M 1C7
TEL : 519.387.8942 EMAIL : info@roastudio.com

DISCIPLINE SEAL

NOT FOR CONSTRUCTION

DRAWING SUBMISSION

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1	SCHEMATIC REVIEW	07-27-21

INTERNAL INFO

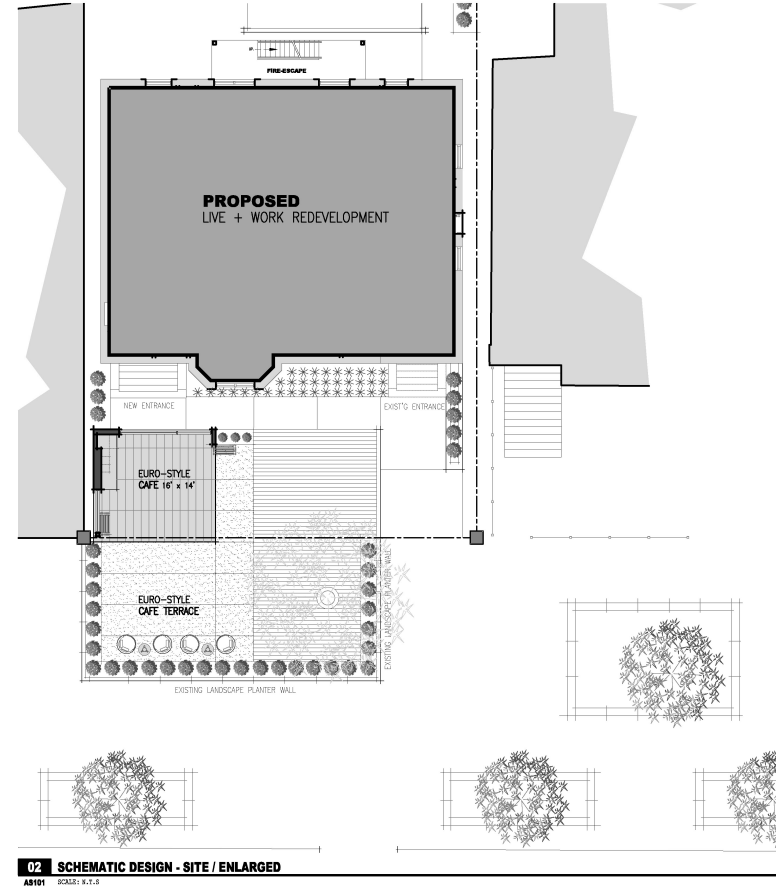
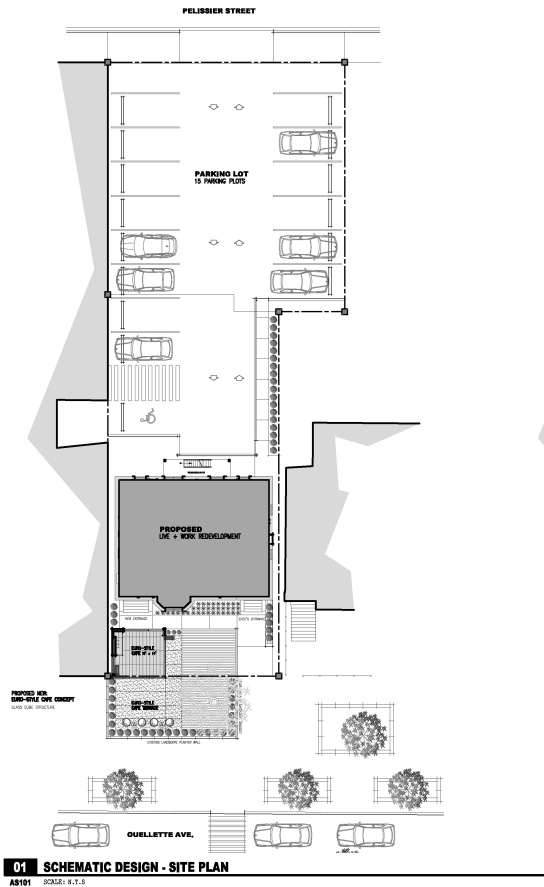
ARCHITECTURE

PROJECT ID: ROA21-050
DRAWN BY: M. RAPOSO
REVIEWED BY: 08.22.2022
DATE: 08.22.2022
SCALE: AS NOTED

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DRAWING No. **A102**



ROA21-050 691 OUELLETTE AVE. - LIVE / WORK REDEVELOPMENT

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NO.	DESCRIPTION	DATE MM-DD-YY																	



REPORT: PLANNING RATIONALE REPORT (PRR)
MUNICIPALITY: CITY OF WINDSOR
MUNICIPAL ADDRESS: 691 OUELLETTE
DEVELOPMENT: OPA/ZBA
DATE: DECEMBER 15, 2022

1632 County Road 31
St. Joachim, ON · NOR 1S0
C 519-563-8814 · E jackie@lassalineplan.ca

TABLE OF CONTENTS

1.0 INTRODUCTION.....	4
2.0 SITE AND SURROUNDING LAND USES.....	5
2.1 HERITAGE BUILDING EVALUATION.....	6
2.2 LEGAL DESCRIPTION AND OWNERSHIP.....	8
2.3 TOPOGRAPHY AND PHYSICAL FEATURES OF THE SITE.....	8
2.4 SIZE AND SITE DIMENSION.....	10
2.5 EXISTING STRUCTURES.....	11
2.6 MUNICIPAL SERVICES.....	12
2.7 SURROUNDING LAND USES.....	14
2.8 NEARBY AMENITIES.....	16
3.0 DEVELOPMENT PROPOSAL.....	18
4.0 PROVINCIAL POLICY STATEMENT (PPS).....	29
5.0 CITY OF WINDSOR OFFICIAL PLAN.....	38
6.0 CITY OF WINDSOR ZONING BY-LAW REGULATIONS.....	43
7.0 SUMMARY AND CONCLUSIONS.....	45

FIGURE 1 – LOCATIONAL MAP: PROPOSED DEVELOPMENT SITE

FIGURE 2 – 691 OUELLETTE AVENUE circa 1930

FIGURE 3 – 691 OUELLETTE AVENUE 2020

FIGURE 4 – SITE PHOTO: REAR YARD

FIGURE 5 – SURVEY

FIGURE 6 – 691 OUELLETTE: PROPOSED DEVELOPMENT SITE

FIGURE 7 – SEWERS

FIGURE 8 – SITE PHOTO: OUELLETTE AVENUE LOOKING SOUTH

FIGURE 9 – SITE PHOTO: OUELLETTE AVENUE LOOKING NORTH

FIGURE 10 – SCHEDULE E: CITY CENTRE PLANNING DISTRICT

FIGURE 11 – MAP OF SITE AMENITIES

FIGURE 12 – EXTERIOR BACK FAÇADE

FIGURE 13 – EXTERIOR FRONT FACADE

FIGURE 14 – SITE PLAN: BUILDING FOOTPRINT

FIGURE 15 – 2 EXAMPLES OF FRONT CAFE

FIGURE 16 – BASEMENT FLOOR PLAN
FIGURE 17 – MAIN FLOOR PLAN
FIGURE 18 - SECOND FLOOR PLAN
FIGURE 19 - ATTIC/LOFT PLAN
FIGURE 20 – SITE PLAN: PARKING LOT

APPENDIX A: CZB 8600 PARKING SPACES – CBD

1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a Planning Rationale Report (PRR) regarding the feasibility of an Official Plan Amendment (OPA) and site-specific Zoning By-law Amendment (ZBA) to support the adaptive re-use of an existing building for a mixed use building comprising residential units and commercial (live-work) units.

28363629 Ontario Limited proposes the adaptive reuse of an existing 2 storey building located at 691 Ouellette within the downtown center of Windsor. Originally, the building was constructed as a private, single detached residence and as the downtown for the City grew, the residence was incorporated into the urban center and was later converted to a professional office.

The owner is proposing to adapt the existing building back to residential use with 6 residential apartment units, 2 live-work units on the main floor, and a glass enclosed café at the front of the building. The owners propose to create two (2) residential apartment units in the basement, two (2) live-work units on the ground floor, two (2) residential apartment units on the second floor, and two (2) residential apartment units in the attic/loft. The cafe and seating area will be in the front yard outdoor space. On-site parking is available to the rear of the building with access to Pellisier Street.

A pre-consultation application was submitted by Jackie Lassaline, BA MCIP RPP resulting in a Pre-submission letter PS 125-21 was provided by the City of Windsor, Planning Department.

Subject lands are designated 'Mixed Use' in the OP for the City of Windsor. A minor Official Plan Amendment (OPA) to allow for the site specific inclusion of residential units below grade level is proposed.

The subject building is zoned 'Commercial District 3.1 (CD2.1)' in the CZB 8600 and a site-specific minor Zoning By-Law Amendment (ZBA) is requested to permit the use of the proposed two ground floor units as live-work spaces within a mixed use building.

Jackie Lassaline, BA MCIP RPP, Lassaline Planning Consultants has prepared this planning rationale report to support, explain and justify the proposed redevelopment.

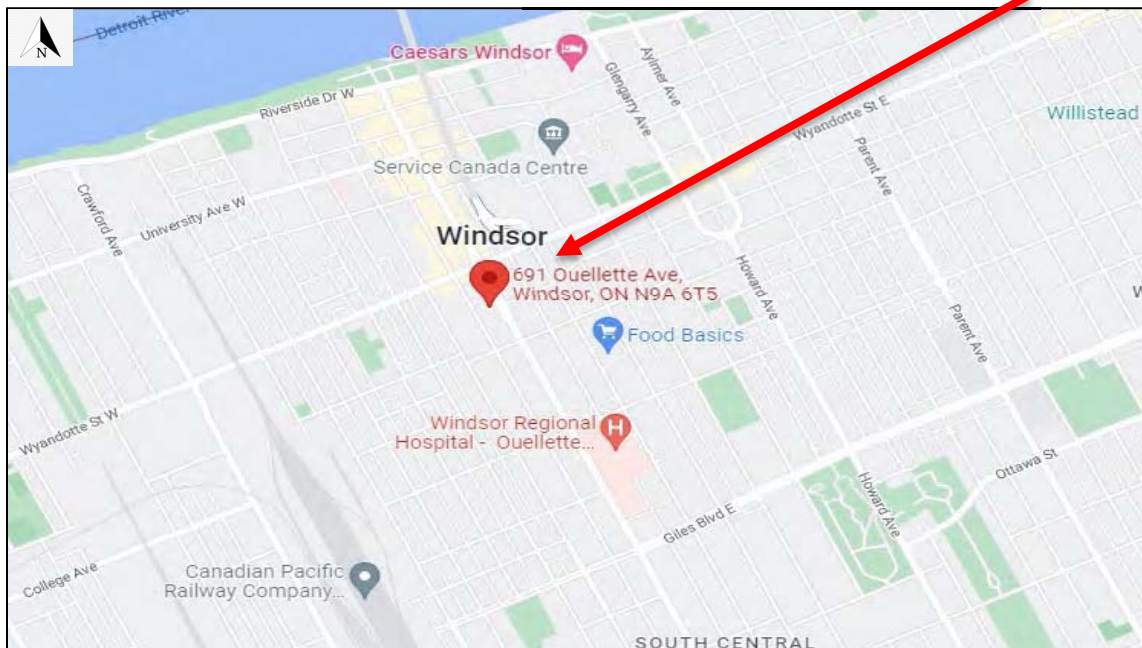
2.0 SITE AND SURROUNDING LAND USES

The subject site is located at 691 Ouellette, within the urban centre of the City of Windsor. The building is presently designated 'Mixed-Use' in the City of Windsor Official Plan and is designated as 'Commercial District 3.1 (CD3.1)' in the CZB 8600. The owners propose to convert the building to 6 residential apartment units, 2 live-work units, and a euro-style outdoor café. The basement, the second floor, and the attic/loft space are proposed to be developed with two residential apartment units each. The main/ground floor is proposed to be developed as two live-work units, and a café is proposed for the outdoor space in the front yard.

The City of Windsor CZB 8600 does not currently recognize the flexible nature of live-work unit spaces between residential **and** commercial uses; units are required to be clearly defined as **either** residential **or** commercial. Although the subject building is presently categorized as 'Mixed-Use' in the City of Windsor Official Plan, the CZB requires defined commercial units to be located on the main floor, with defined residential units located above on upper stories.

The proposed renovation will require a site-specific change in the City of Windsor Official Plan and the CZB 8600 regulations to support the creation of two live-work units with flexible commercial-residential space on the main floor and to allow for residential units below the commercial units..

FIGURE 1 - LOCATIONAL MAP: PROPOSED RE-DEVELOPMENT SITE



2.1 HERITAGE REGISTRY BUILDING

The subject building known as 691 Ouellette is located within the downtown commercial area of the municipality. The building was constructed around 1920 as a Tudor Revival residential building. As the City downtown center expanded in 1920, commercial buildings were constructed around the residence, the building was conserved and converted to a commercial use located within the existing building.

The subject building was identified as being a building with heritage value and therefore has been included on the Heritage Registry with the City of Windsor.

FIGURE 2 – 691 OUELLETTE AVENUE ca. 1930



The building was initially constructed for use as a private, single detached residence. The residence is a classic Tudor Revival with the typical asymmetrical shape and massing, the use of different colour stucco to contrast with the wood door frame, the brick door frame and wood window frames. The building featured attractive woodwork on its exterior and decorative brick details on the main floor.

The building originally had two front door entrances on the south and north sides with a keystone shaped brick with a smooth, curved lintel for the north entrance and column and straight, wooden lintel for the south entrance. The façade had main floor brown stucco with light brick work around windows and doors while the second floor façade had light stucco with dark brick work around windows creating a complimentary contrast.

The façade's stucco complimentary contrast has remained and enhanced over the 100 years; the south front entry door was removed and replaced with windows; decorative woodwork above the south door was removed from above the doorway; and decorative woodwork strips was added to the second and third storeys of the Ouellette façade providing additional tudor accents.

FIGURE 3 – 691 OUELLETTE AVENUE 2020



By 2009, the building had been renovated for use as a law office, with residential apartments created on the upper floors and commercial offices on the main floor. The one over one double pane windows originally had mullions in the upper pane and none below. These have been replaced with new windows that retained the one over one style but no longer have mullions on the top pane and are a very simple statement. The bay window has had the original one over one horizontal pane replaced with a double pane with side by side windows (vertical division), slightly different from original style but still within the Tudor Revival style. The north (right side) entrance with contrasting brick work to create a keystone entrance has been preserved.

2.2 LEGAL DESCRIPTION AND OWNERSHIP

The subject lands are municipally known as 691 Ouellette Avenue, Windsor Ontario. The property is located in Windsor Ward 3.

The subject lands are comprised of two parts presently owned by 28363629 Ontario Limited, with the following legal descriptions:

- 1) **691 Ouellette Ave (Building):** Part Lot 9, Block 2, Plan 256 as in R961847 together with R409655; Windsor.
- 2) **691 Ouellette Ave (parking lot):** Part Lot 8, Block 2, Plan 256 as in R961848 Subject To and Together With R961848; Windsor.

2.3 TOPOGRAPHY AND PHYSICAL FEATURES OF THE SITE

The site is located in the City Centre area of Windsor within a densely populated area. The rear yard and both side yards of the property are entirely paved with asphalt. There is one large mature tree in the rear of the property which has been paved around.

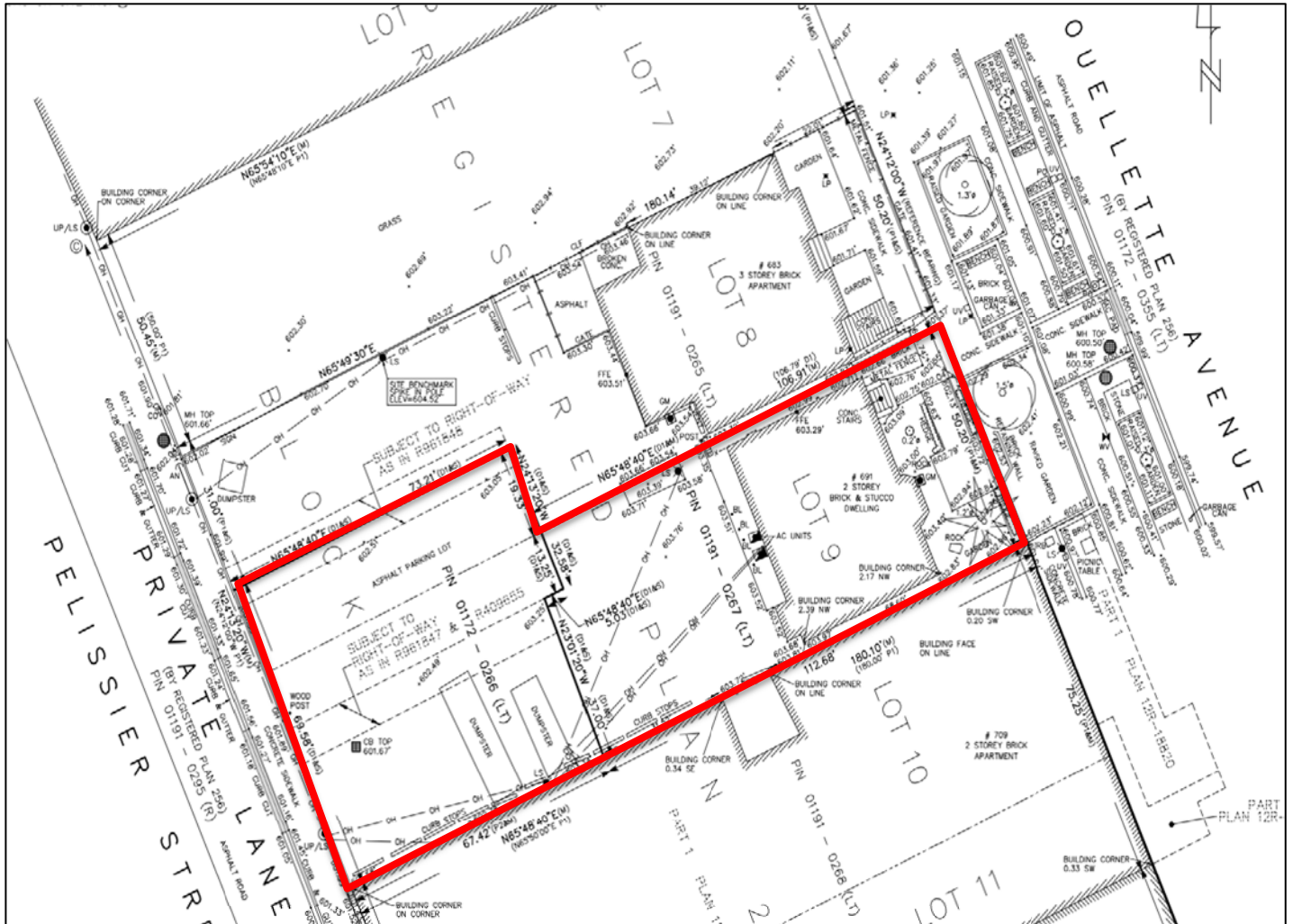
FIGURE 4 – SITE PHOTO: REAR YARD



There is a concrete retaining wall surrounding the front of the property and separating it from the pedestrian sidewalk along Ouellette Avenue. Inside of the retaining wall, there are two large, mature trees. One tree will be removed but the other tree will be retained according to the site plan. The remainder of the front yard area is mulched with woodchips and landscaped with grasses and small evergreen shrubs. There is also a concrete walkway leading to stairs and a front entranceway.

There are no natural or human made hazards at the site. There are no water courses, ditches, or significant natural features present at the site. The site is not situated on a flood plan or an area protected by ERCA regulations. There is no habitat suitable for Species At Risk of flora or fauna at the site.

FIGURE 5 – SURVEY

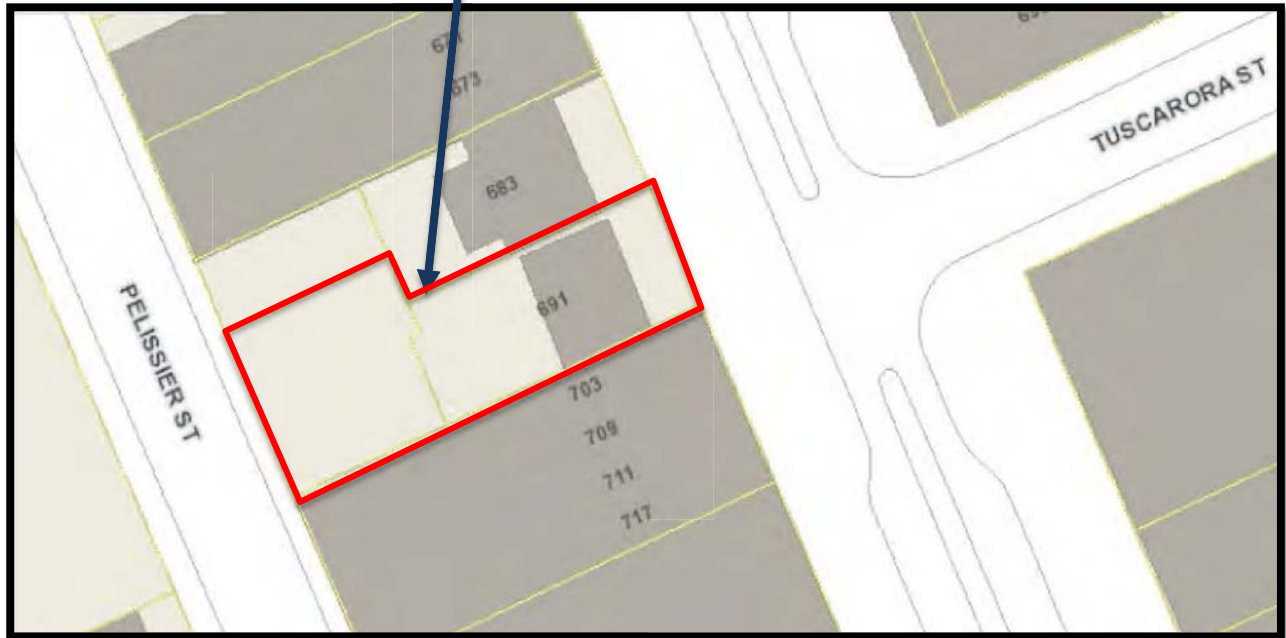


2.4 SIZE AND SITE DIMENSION

The subject lands are considered a through lot between Ouellette Avenue and Pelissier Street with an area of 518.68 m². The subject lands have a frontage of 15.3 m along Ouellette Avenue and 21.2 m along Pelissier Street.

The lot is a slightly irregular shape that is generally rectangular.

FIGURE 6 – 691 OUELLETTE: PROPOSED DEVELOPMENT SITE



2.5 EXISTING STRUCTURES

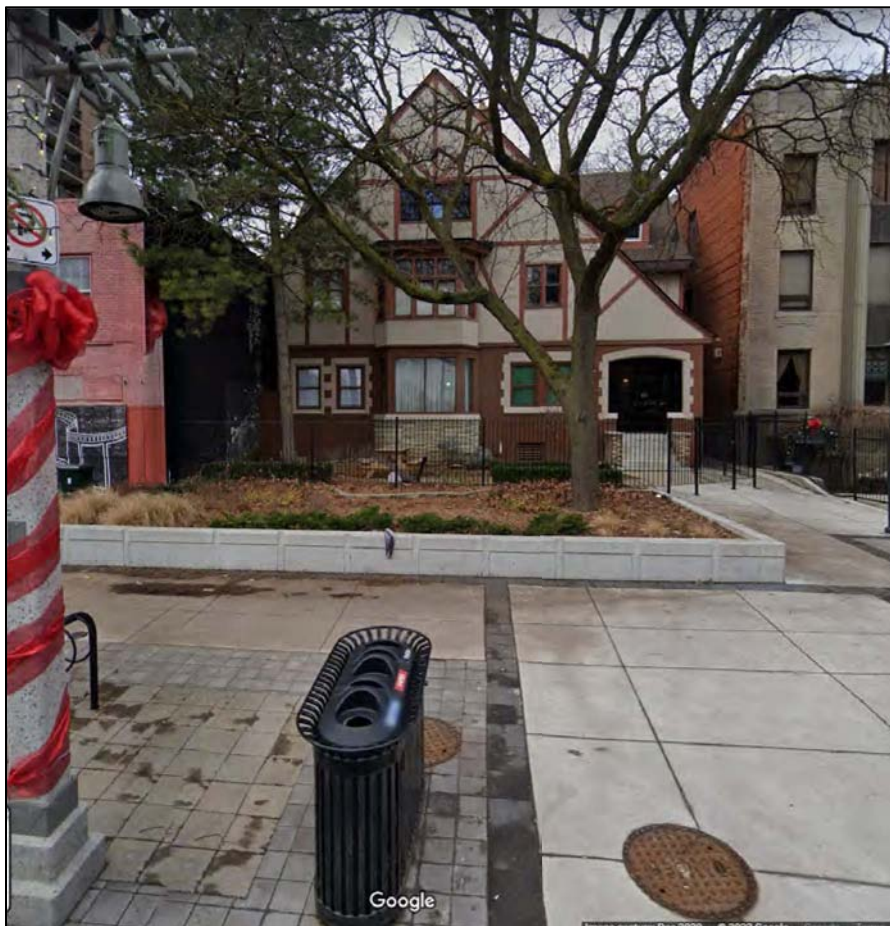
There is a concrete retaining wall along the front yard of Ouellette Avenue property which provides separation from the private versus public space of Ouellette Avenue sidewalk. There is a black wrought iron fence along the front yard that will be removed according to the site plan.

FIGURE 6 – 691 OUELLETTE: PROPOSED DEVELOPMENT SITE



There is pedestrian streetscaping along Ouellette Avenue, with municipal pedestrian benches, garbage cans, and raised gardens, that will not be impacted by the proposed development.

FIGURE 6 – 691 OUELLETTE: PROPOSED DEVELOPMENT SITE



There are no garages, sheds, outbuilds, or additional accessory structures on the subject property.

2.6 MUNICIPAL SERVICES

The subject lands have access to existing municipal sanitary sewer and storm water services along Ouellette Avenue.

FIGURE 7 – SEWERS



The site has access to paved sidewalks with benches, garbage cans, and planters along both sides of Ouellette Avenue. There is a pedestrian crossing with flashing lights at Ouellette in front of the proposed development site.

The subject site has excellent access to Transit Windsor bus services. Nearby bus routes include:

- Transway 1A
- Crosstown 2
- Central 3
- Ottawa 4

Transit Windsor Bus Stops within a 5 minute walk:

- Ouellette at Elliot (1)
- Ouellette at Wyandotte (1)
- Wyandotte at Ouellette (2)
- Wyandotte at Victoria (4)

The site is a 2 minute bike ride to the dedicated bike lanes along Bruce Avenue and a 3 minute bike ride to the dedicated bike lanes at Glengarry Avenue.

2.7 SURROUNDING LAND USES

The subject property is located in a very high density, mixed use neighbourhood in the heart of Downtown Windsor. This neighbourhood is designed to promote active transportation by walking and cycling, with wide paved sidewalks, bike racks, benches and waste disposal bins. There is a pedestrian crosswalk directly in front of the subject property.

FIGURE 8 – SITE PHOTO: OUELLETTE AVENUE LOOKING SOUTH

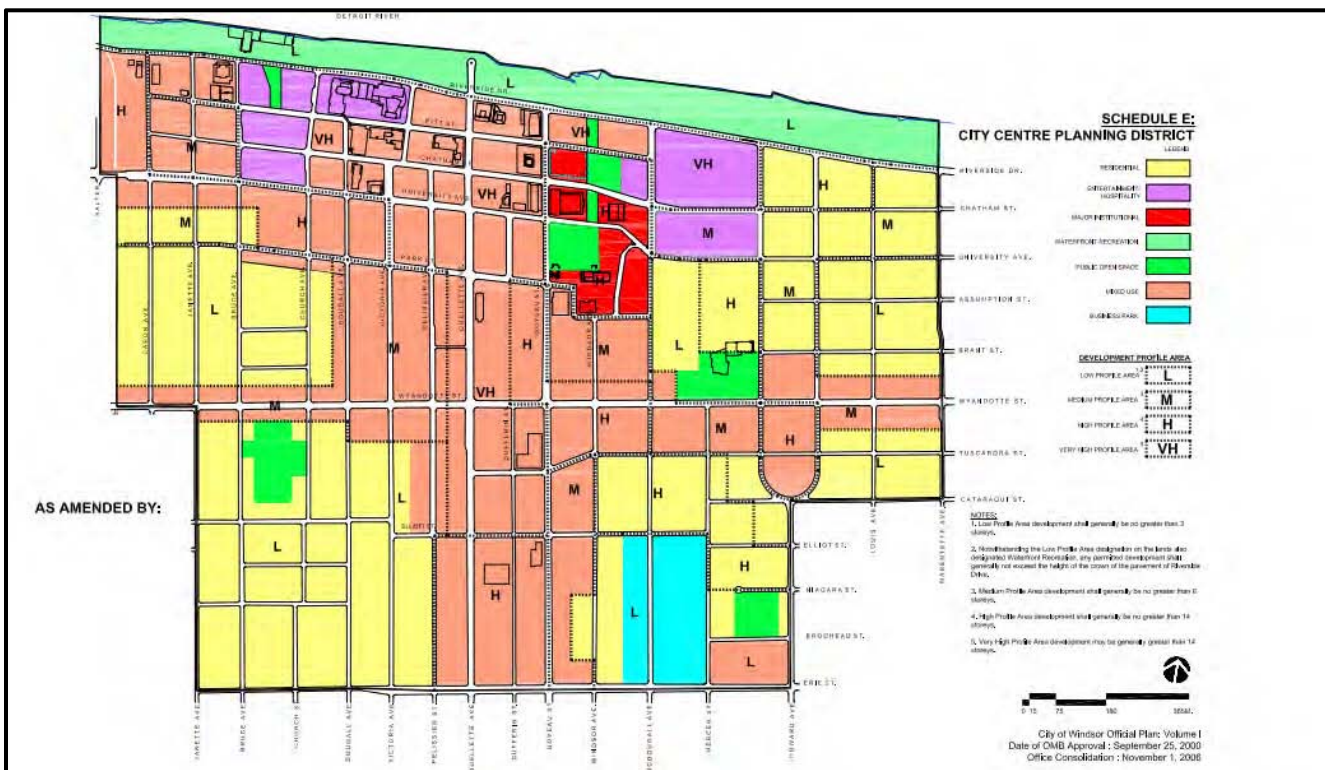


FIGURE 9 – SITE PHOTO: OUELLETTE AVENUE LOOKING NORTH



The subject lands are located in the City Centre Business Improvement Area. This area is designated as a 'Very High Profile' and 'Mixed Use' use neighbourhood in the City Centre Planning District of Windsor.

FIGURE 10 – SCHEDULE E: CITY CENTRE PLANNING DISTRICT



- a) North- The Cook's Shop Italian Restaurant
- b) East- The Bull and Barrel Saloon, Centre Communautaire Francophone
- c) South- Vacant 2 Storey Building
- d) West- Asphalt parking lot

There are a variety of 'Very High Profile' buildings and low profile two storey buildings in the neighbourhood. The neighbourhood is composed of a wide variety of commercial restaurants, bars, vacant buildings, social service agencies, residential apartment buildings, professional office spaces, commercial retail, restaurants, and high rise buildings with a mixed use buildings with commercial and residential combined buildings.

2.8 NEARBY AMENITIES

The website “mywalkscore.com” describes 691 Ouellette Avenue as a “Walker’s Paradise” in which “daily errands do not require a car.” The website gives the 691 Ouellette address a walk score of 94 out of 100. There are a wide variety of amenities within walking distance of the subject site, as indicated by the following small sample.

Groceries:

- Downtown Windsor Farmer’s Market - 4 minute walk
- Windsor Korea Market - 4 minute walk
- Food Basics - 6 minute walk
- Family Fruit Market - 8 minute walk
- Ugarit Market - 16 minute walk

Bars and Restaurants:

- The Cook’s Shop Italian Restaurant - 1 minute walk
- The Bull & Barrel Saloon - 1 minute walk
- Sitara Authentic Indian Cuisine - 3 minute walk
- Tequila Bob’s - 3 minute walk
- Voodoo Nightclub - 3 minute walk
- McDonald’s Fast Food - 4 minute walk
- Phở Nguyễn Hoàng - 8 minute walk
- Sweet Revenge Bake Shop - 12 minute walk

Healthcare:

- Health Gate Pharmacy and Walk in Clinic - 2 minute walk
- Shoppers Drug Mart - 3 minute walk
- Windsor Regional Hospital Ouellette Campus - 8 minute walk

Museums and Cultural Institutions:

- New Canadian Centre of Excellence- 1 minute walk
- Le Centre Communautaire Francophone- 1 minute walk
- St. Clair Centre for the Arts - 12 minute walk
- Caesar’s Windsor Colosseum - 15 minute walk
- Art Windsor Essex - 15 minute walk
- Riverfront Festival Plaza - 16 minute walk

Places of Worship:

- Central United Church - 2 minute walk
- Linh Son Temple (Buddhist Temple) - 3 minute walk
- Mount Gospel Church - 7 minute walk
- Congregation Shaar Hashomayim (Synagogue) - 14 min walk
- All Saints Anglican Church - 15 min walk

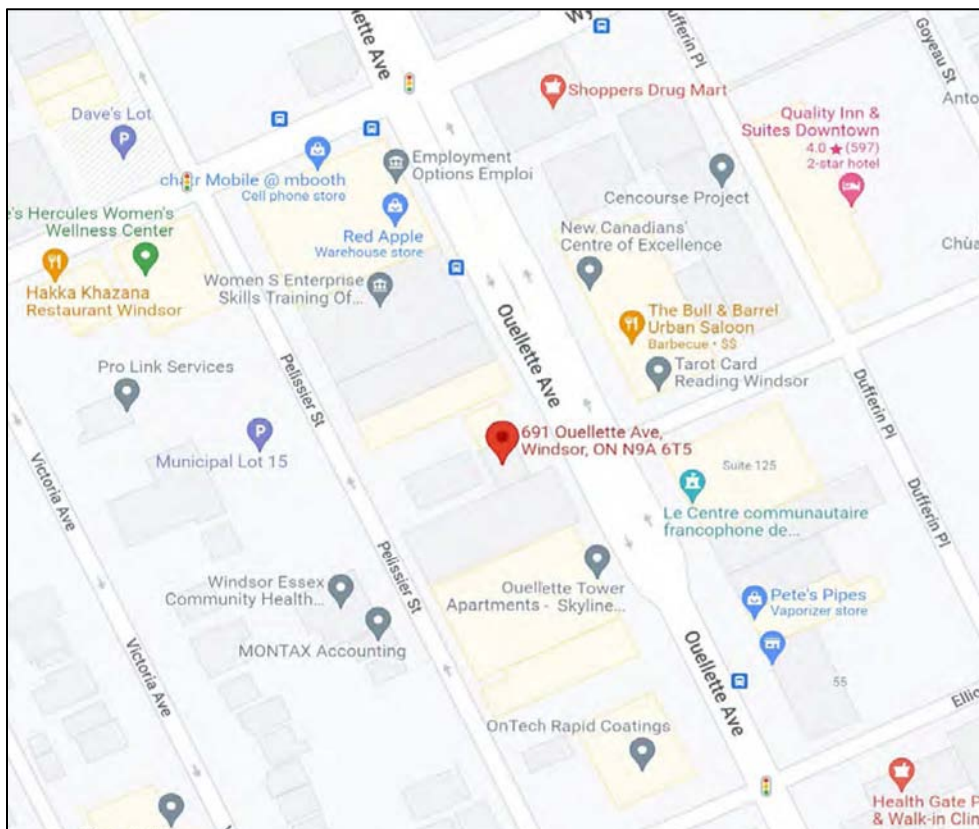
Parks:

- Dieppe Gardens 12 minute walk
- Adventure Bay Water Park 13 minute walk
- Great Western Park- 19 minute walk
- Windsor City Hall Gardens- 9 minute walk

Post-Secondary Educational and Employment Institutions:

- University of Windsor - 12 minute bus ride, 30 minute walk, 10 minute bike
- College Boreal - 1 minute walk
- Woman's Enterprise Skills Training of Windsor - 1 minute walk
- Dougall Ave Public School - 6 minute walk

FIGURE 11 – SITE AMENITIES



3.0 DEVELOPMENT PROPOSAL

The owners propose to renovate the interior of the existing building while preserving and highlighting the exterior of the building's unique historical features to develop the property for a mixed use development comprising 6 residential apartment units, 2 live-work units, and an exterior glass enclosed café.

The property is presently designated 'Mixed Use' in the Official Plan and zoned 'Commercial District 3.1 (CD3.1)' in Bylaw 8600 for the City of Windsor. The area is defined as a Mixed-Use neighbourhood in the downtown urban area of the City of Windsor.

The Official Plan needs to have a minor site specific amendment to allow for residential units below the commercial units in the basement area of the existing building. The minor Official Plan Amendment (OPA) will allow for the full utilization of a building that, other than the main floor office, was extensively vacant for a number of years. 'Mixed-Use' buildings are required to offer commercial space on the ground floor with residential spaces above. A site-specific OPA will allow for residential units below the commercial ground floor to OBC code.

Presently, the CZB 8600 does not provide for flexible live-work spaces that accommodate simultaneous commercial component and residential component in one unit to allow for the tenant to work and live in the same space. A Zoning Bylaw Amendment (ZBA) will provide a definition of live-work unit as well as a regulatory framework to allow for the residential component on the main floor for the building.

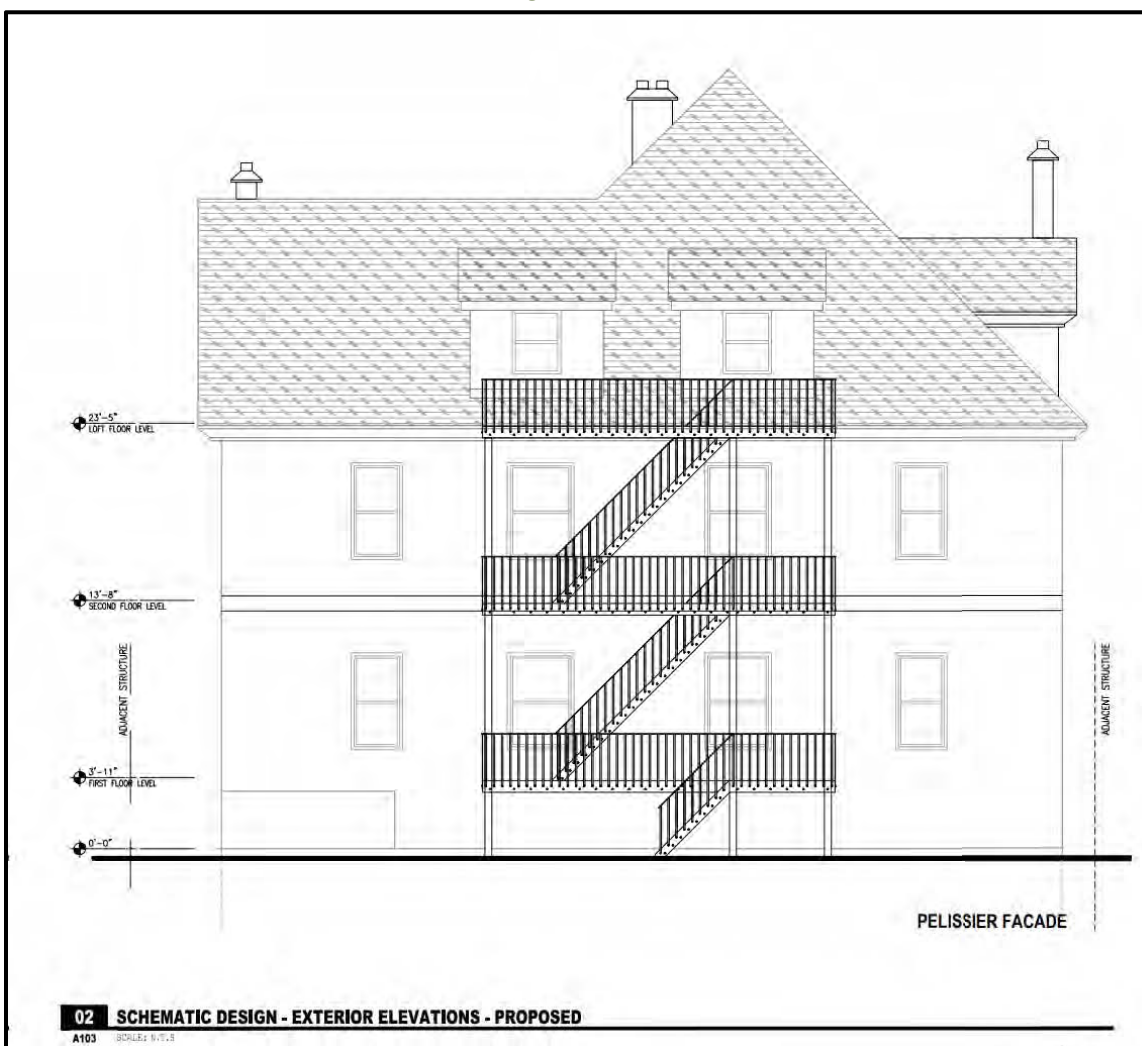
A live-work space supports a new balanced lifestyle of living at the same spot as the tenant work. This is successful for retail spaces, professional office spaces, and other spaces where the tenant works from 'home'.

Originally, the subject building was built as a single detached residence in an area that saw the city centre grow up around the building. The building was previously used as a large single detached residential home, and later as a law office with residential apartment units. The upper apartments have been vacant for a number of years and the basement has sat empty. The building has not been utilized as a law office for over five years and it is currently sitting vacant. The existing building is located in a prominent area within the City Centre of downtown area of Windsor.

The building is located in a mixed-use and mixed density neighbourhood with several high rise buildings over 14 storeys, a number of medium height buildings, and some existing single detached or multiple unit 2.5 storey buildings in the neighbourhood. The proposal to develop the existing 2.5 storey building with 8 total units (6 residential units and 2 live-work units) will provide for an appropriate moderate increase in density of the building in the mixed use and density neighbourhood that surrounds the existing building.

The adaptive re-use of the existing building will re-adaptive the unique heritage building that has existed on site for over a hundred years, conserving and preserving heritage structure and the viewscape of the building. The proposed renovation will utilize methods and materials consistent with maintaining the existing heritage aspects of its original 1920s appearance.

FIGURE 12 – EXTERIOR BACK FAÇADE:



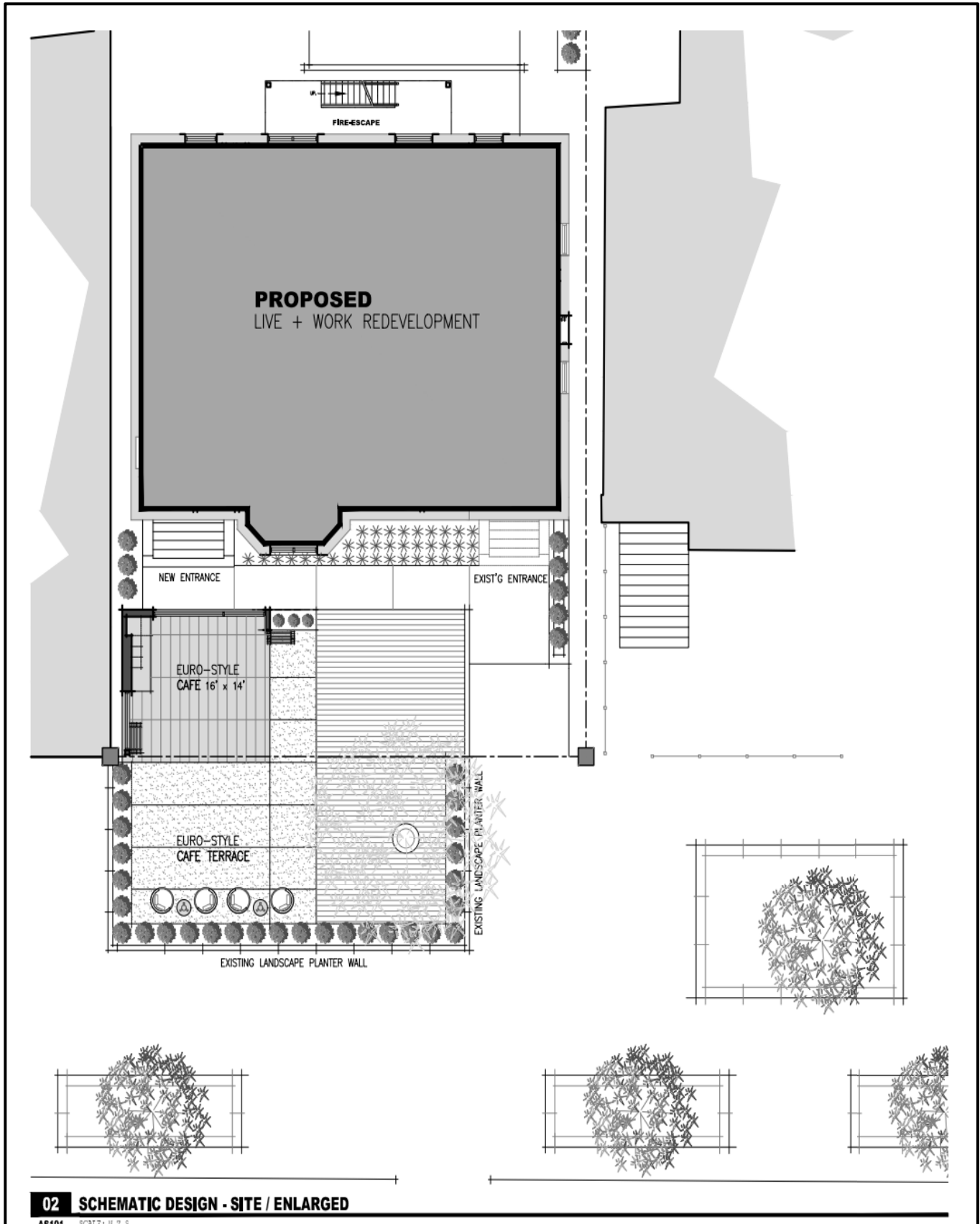
The renovation proposal includes re-establishing an entrance doorway on the south side of the Ouellette façade. A doorway existed in this area when the building was originally constructed, but the doorway and its surrounding decorative woodwork were later removed and replaced with windows. The proposed renovation will restore some of the original design aspects of the building’s original 1920s appearance while preserving and conserving the present building profile.

The renovation will also retain one of the mature deciduous trees in the front yard. A three storey fire escape, including a railing, will be added to the rear Pelissier façade. The fire escape will provide an alternative emergency exit for residents while maintaining an attractive visual appearance that is consistent with the design of the building.

FIGURE 13 – EXTERIOR FRONT FAÇADE:



FIGURE 14 – SITE PLAN: BUILDING FOOTPRINT



02 SCHEMATIC DESIGN - SITE / ENLARGED

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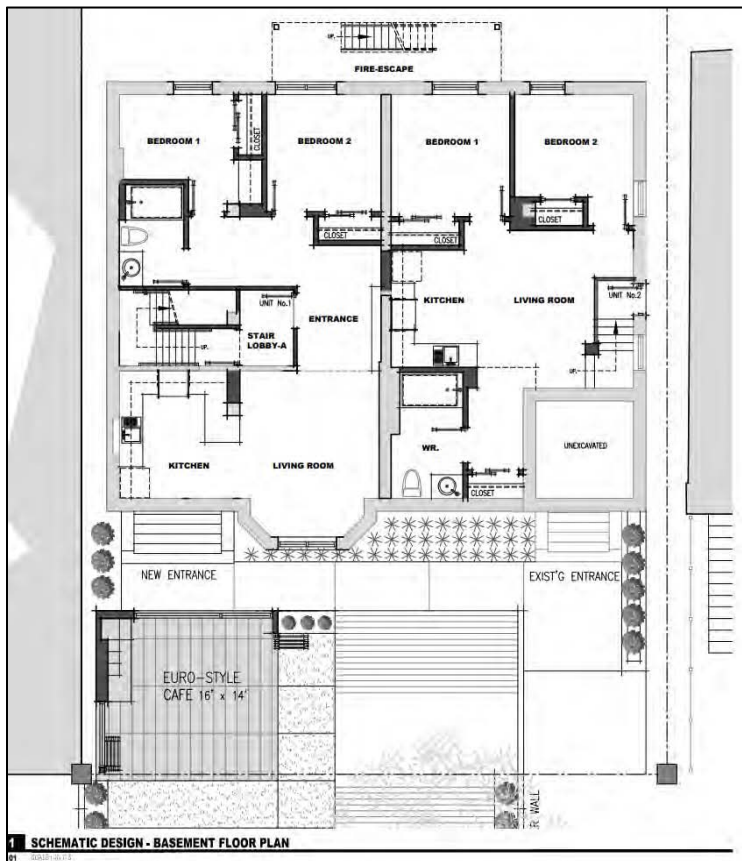
The proposal also includes the development of a small euro-style café on the left side of the building. The proposed café will be enclosed in glass, have outdoor seating, will be accessible to pedestrian traffic via its frontage on Ouellette Avenue but maintaining a separate and defined space by the existing retaining wall. The proposed café will not impede the flow of pedestrian traffic because of the existing retaining wall. The café is consistent with the established neighbourhood of restaurants and bars, including the Italian restaurant in the adjacent building which already has outdoor seating in the front. The tree on the left will be removed to accommodate the café but the large mature tree on the right will be retained according to the site plan. A café is consistent with the present zoning of 'Commercial District 3.1 (CD3.1)' in the CZB 8600.

FIGURE 15 – 2 EXAMPLES CAFÉ LOOK



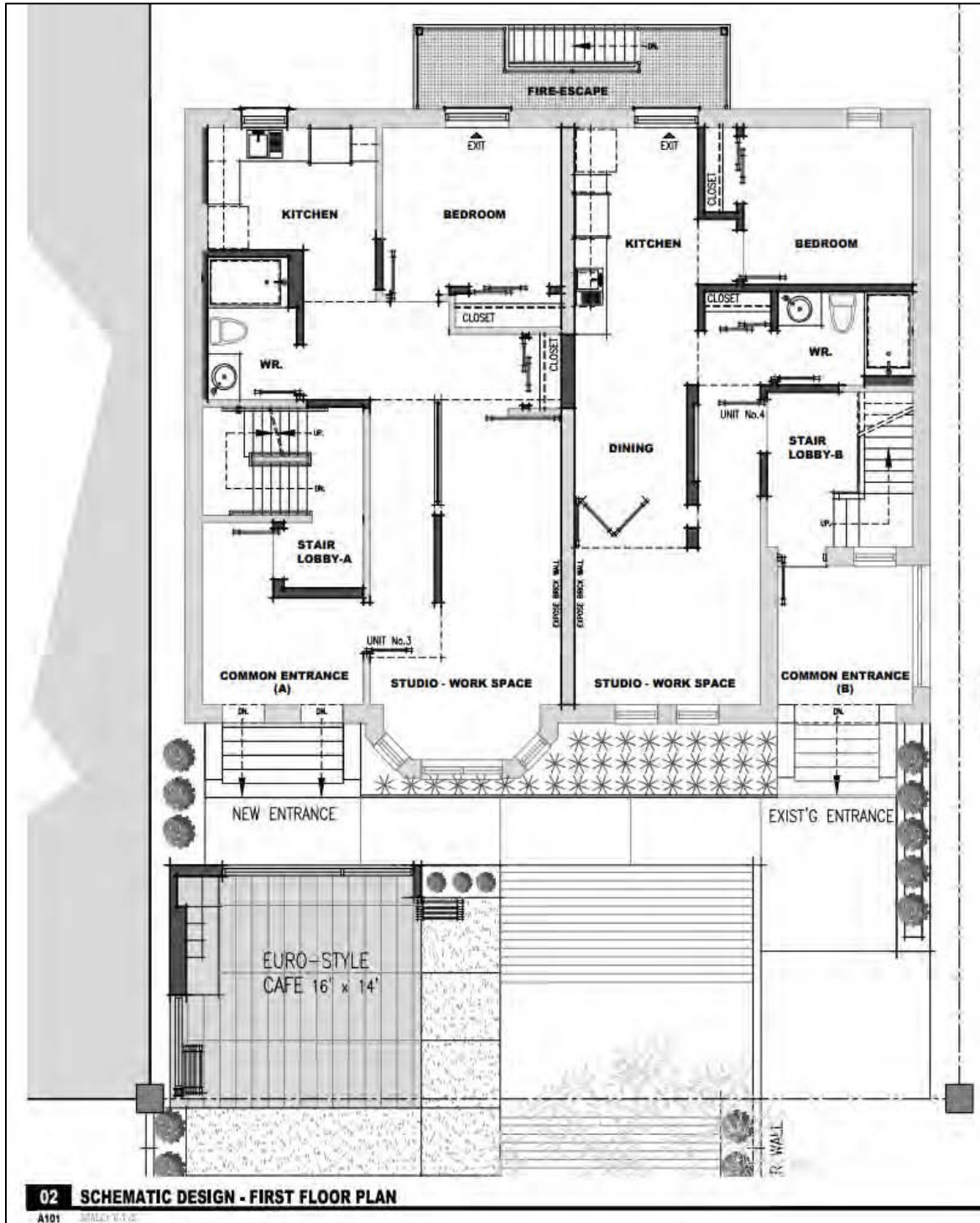


FIGURE 16 – BASEMENT FLOOR PLAN



The existing fire escape at the back of the building leading outdoors from the basement will be updated and will be accessible to both basement units. Each basement unit will include several windows, two bedrooms, a bathroom, a kitchen and a living room. Each basement unit will be accessible from a common main floor entrance, with Unit A being accessible from Lobby A and Unit B being accessible from Lobby B. lobby and staircase.

FIGURE 17 – MAIN FLOOR PLAN



The main/ground floor is proposed to be developed as two live-work units. Each main floor unit will be accessible from a common main floor entrance. Unit A will be accessible from Lobby A and Unit B will be accessible from Lobby B. The units will each consist of a kitchen, bathroom, one bedroom, and a flexible live-work space. Unit B will also have a dining room.

Each of the two live-work rooms will have an entrance directly from the main lobby. The live-work space may be utilized for a variety of commercial uses and will be suitable for use as a studio or office but may also be utilized as living space by the resident during non-business hours. The proposed live-work spaces will be accessible to a high volume of pedestrian traffic via the two main entrances off Ouellette Avenue but will also offer efficient use of limited space by offering the additional option of being utilized as living space when closed for business.

FIGURE 18 – SECOND FLOOR PLAN

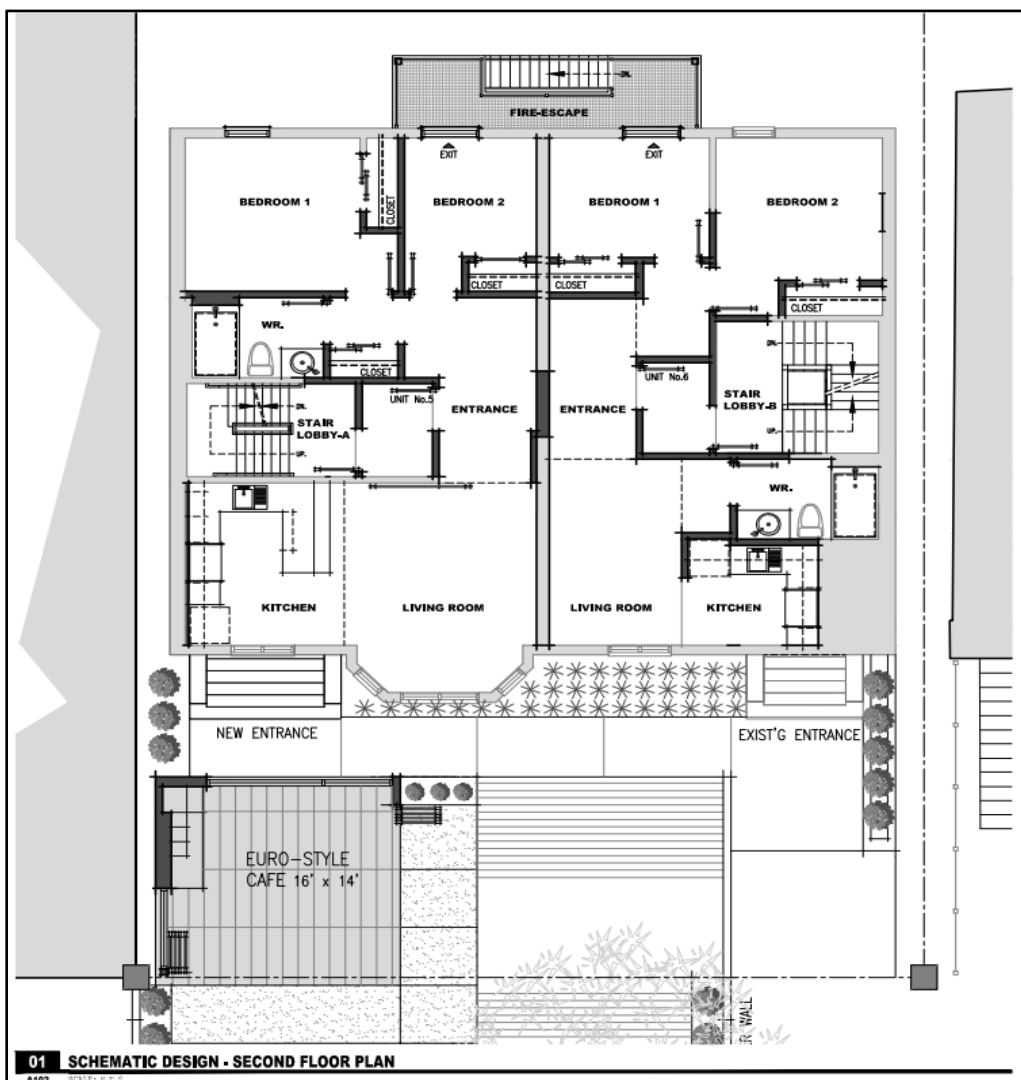
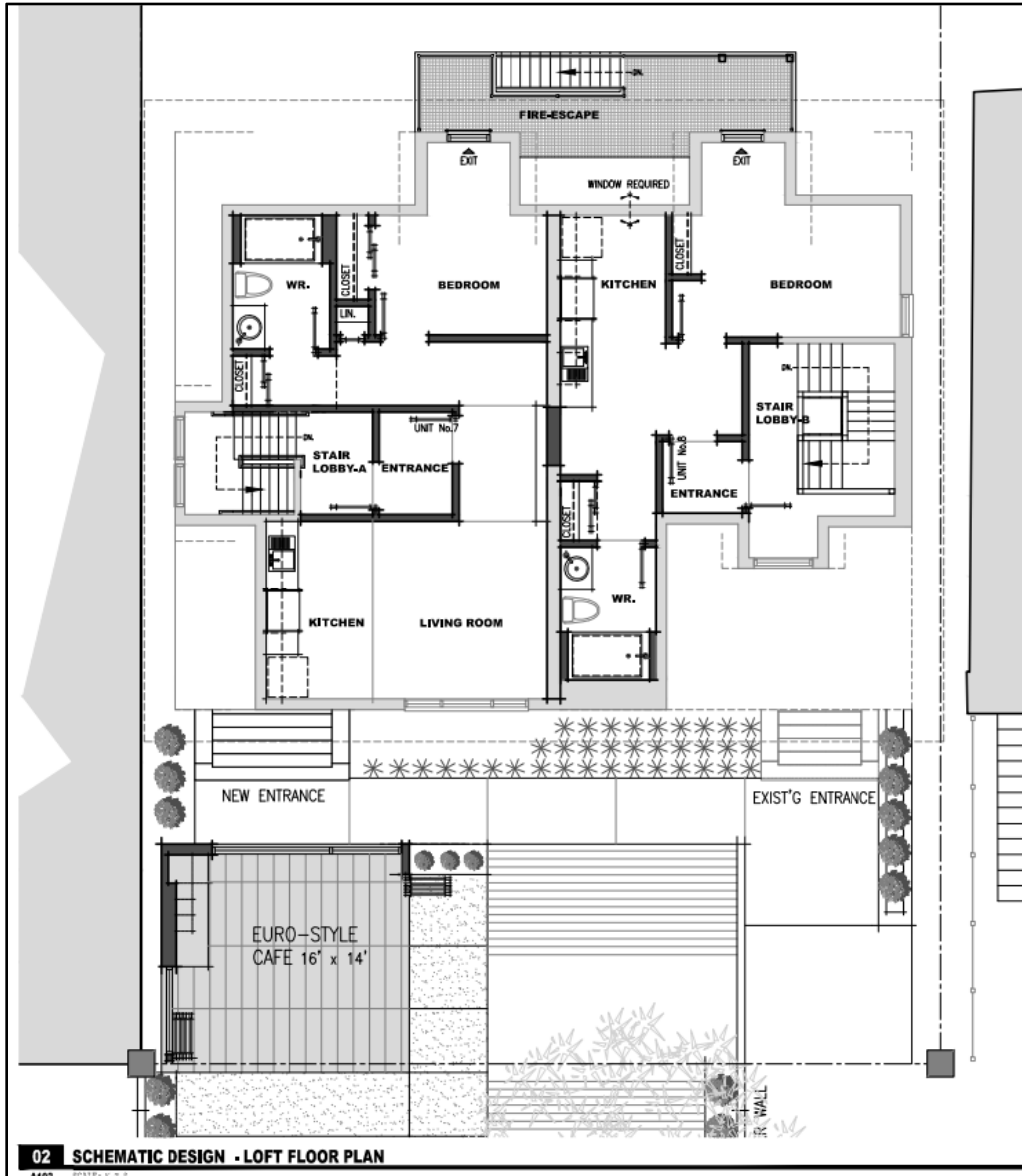


FIGURE 19 – ATTIC/LOFT PLAN

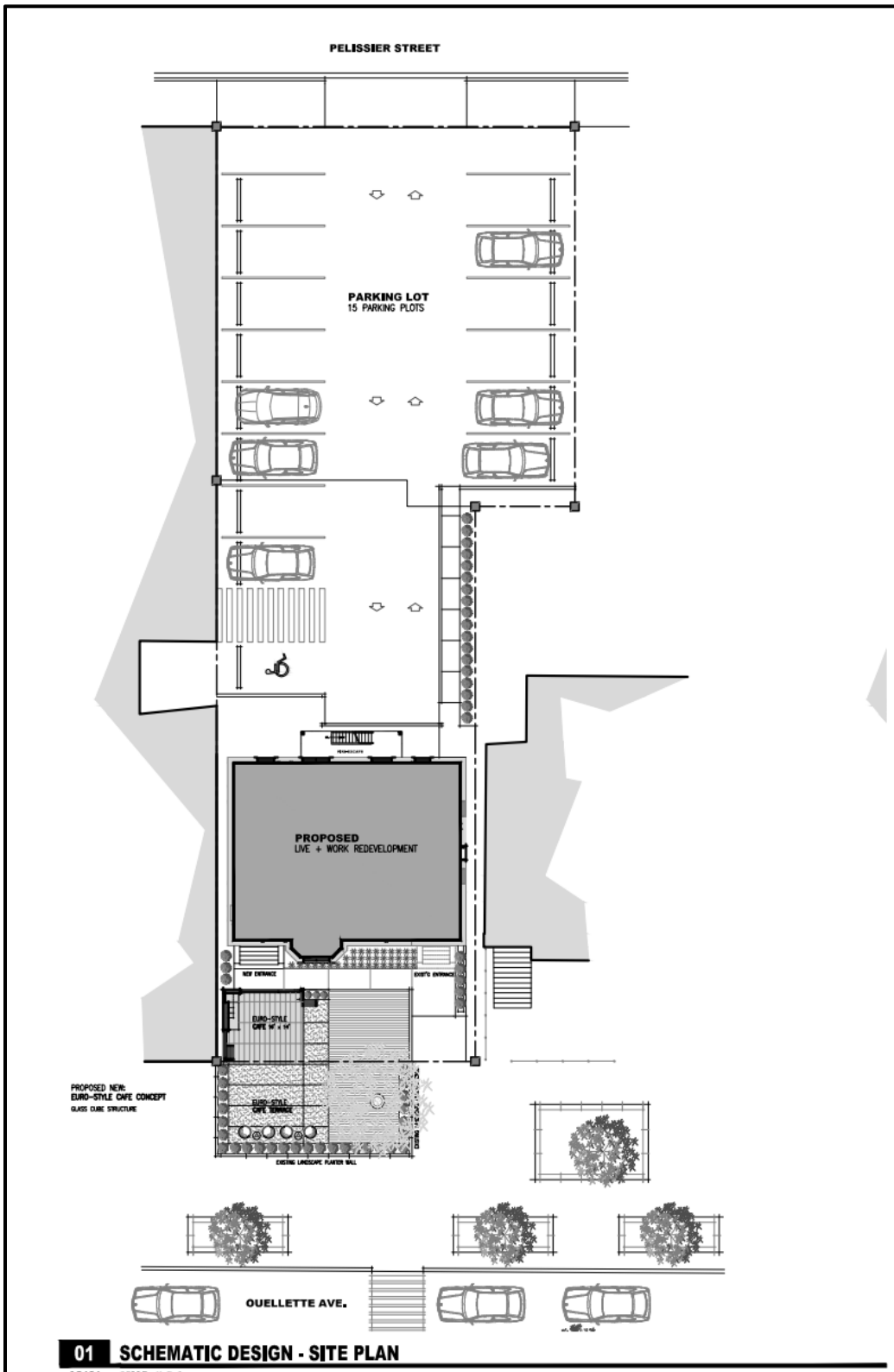


The second floor is proposed to be developed as 2 residential apartment units, each with two bedrooms, a living room, a kitchen, a bathroom, and access to the rear fire escape. Unit A will be accessible from the stairwell of Lobby A and Unit B will be accessible from the stairwell of Lobby B.

The attic/loft is proposed to be developed as two one-bedroom residential apartment units. Unit A will be accessible via the staircase of Lobby A and Unit B will be accessible via the staircase of Lobby B. Each unit will consist of one bedroom, a bathroom, a kitchen and a living room. Both units will have access to the emergency fire escape.

The parking lot will be reconfigured with 15 car parking spaces, including one Barrier Free space.

FIGURE 20 – SITE PLAN: PARKING LOT



The proposed development will provide an alternative form of accommodation to the single detached residences common in Windsor, adding to the diversity of housing options in the City, and creating additional housing stock. The proposed renovations will provide a new housing choice described as the “Missing Middle”.

The concept of “Missing Middle” housing is defined by CMHC as:

“housing that fits the gap between low-rise, primarily single-family homes and mid-rise apartment buildings. These housing types provide a variety of housing options that add housing stock and meet the growing demand for walkability. The missing middle also refers to the lack of available and affordable housing for middle-income households to rent or own” ([The Missing Middle Housing Delivery Solutions Lab | CMHC \(cmhc-schl.gc.ca\)](#)).

The proposed development will create 8 units of housing that will offer a price point lower than the more expensive single detached home. The two live-work spaces will offer commercial space in high traffic pedestrian areas that might typically be unaffordable for young entrepreneurs. Alternatively, the live-work scenario provides an alternative form of working and living that accommodates a work from home scenario. The live-work scenario reduces commuting to work and the dependency on the automobile. The location of the development in the downtown area of Windsor and offers close proximity to commercial amenities, walkable area that is an attractive location for residents who enjoy an active, social life. The excellent walkability of the neighbourhood and easy access to public transit will support active transportation by foot or bike.

The moderate increase in density of an existing underutilized building, the walkability of the neighbourhood, and the adaptive reuse of an existing heritage building will serve to mitigate the effects of climate change while also creating needed housing while fully utilizing a previous under utilized building, all while preserving and conserving the heritage building are all significant reasons why in my professional opinion, the requested development makes sound planning.

4.0 PROVINCIAL POLICY STATEMENT (PPS)

The *Planning Act, R.S.O. 1990, c.P. 13*, as amended, requires that the Council of a local Municipality shall make decisions on development applications which are consistent with the Provincial Policy Statement (PPS), 2020. The PPS was issued by the Ministry of Municipal Affairs and Housing under the *Planning Act* and provides direction on matters of provincial interest primarily related to land use planning and development. The policies within the PPS apply province-wide and are an integral part of the Ontario's policy led planning system. The PPS generally aims to encourage the wise use and management of land and other resources, promote the development of healthy and prosperous communities, protect public health and safety, and protect the natural environment. Specifically, the primary directives of the PPS include:

“Section 1.1.1 Managing and Directing Land Use

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 OPA and ZBA allowing for the proposed adaptive re-use of the building with the inclusion of residential units, live-work units and cafe will create an efficient and effective use that provides for a diversity of housing supporting a healthy community.

- 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:

In my professional opinion, the proposed adaptive re-use of an existing building will provide for an alternative style and tenure of housing than the standard housing in Windsor. The apartment units will create needed rental housing stock. The live-work units will provide residents with a flexible option to accommodate a home occupation in the downtown commercial area of the city. The euro café will increase pedestrian traffic which will increase the benefit the live-work residents. It is my professional opinion that the proposal will facilitate the provision of a variety and diversity of housing needed within the City to support a healthy community by creating a style of live-work housing not presently available within the City.

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

COMMENT:

It is my professional opinion that there are no health and safety or environmental concerns associated with the proposed adaptive re-use of the existing building.

- 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 existing building will not have a negative impact on adjacent land uses or there expansions. In my professional opinion, the adaptive re-use of the existing structure does not have any impacts on the development of the neighbourhood.

- 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:

It is my professional opinion that the adaptive reuse of the existing low-profile heritage building is an appropriate and compatible infilling development within the existing mixed-use neighbourhood and provides for an appropriate modest intensification of a mixed-use adaptive re-use of the building. The rental tenure will support the present low vacancy rates within the City and provide for alternative housing tenure and style.

- 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 the six residential units, the 2 live-work units, and the café. Accessibility will be increased than what is present in the existing inaccessible building.

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

COMMENT:

With the modest intensification through the adaptive re-use from commercial units to residential units, there is capacity available in the municipal infrastructure to accommodate the proposed 6 residential units, 2 live-work units, and café. In my professional opinion, the proposed adaptive reuse of an existing heritage building is considered an efficient and effective utilization of municipal infrastructure and provides for needed alternative residential housing.

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

COMMENT:

In my professional opinion, the adaptive reuse of the existing building and infrastructure will not impact the ecosystem presently on the urban property and will not require the utilization of new resources such as lumber, supporting the conservation of biodiversity.

- i) *preparing for the regional and local impacts of a changing climate.”*

COMMENT:

It is my professional opinion that the proposed renovation assists with the conservation and preservation of biodiversity by providing for modest intensification of residential density; provides for efficient and effective utilization of and existing building through the adaptive reuse; and the live-work units will reduce commuting between residence and work and will help support the reduction of dependency on the automobile.

“Section 1.1.3.1 Settlement Areas

Settlement areas shall be the focus of growth and development.”

COMMENT:

The proposed OPA/ZBA is within the Primary Settlement Area of the city.

“Section 1.1.3.2 Settlement Areas

Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) *efficiently use land and resources;*
- b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive.*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”

COMMENT:

In my professional opinion, the proposed OPA/ZBA is an efficient and effective use of land and resources because it uses existing municipal infrastructure, it supports public transit and active transportation while reducing the need for private vehicle use, and it conserves and protects the heritage features of a unique historic building, provides for employment opportunities in both the café and two live-work units while also increasing the stock of residential rental housing.

“Section 1.1.3. Settlement Areas

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:

In my professional opinion, the proposed development creates an alternative style and tenure of housing, 2 flexible live-work units, that is not presently available within the city while also increasing the stock of alternative housing by adding 6 new rental apartment units. The development efficiently utilizes existing public transportation routes and sewer and water infrastructure.

“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 proposed development is the adaptive re-use of an existing heritage building. In my professional opinion, the proposed development will offer a compact residential form on a small land footprint to create a moderate residential intensification in an appropriate area.

“Section 1.3.1 Employment

Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

COMMENT:

In my professional opinion, the proposed OPA/ZBA supports the adaptive reuse of an existing low profile building with a modest intensification that is supported by existing infrastructure and is highly compatible with a pedestrian focused neighbourhood. The two live-work units will provide flexible space that residents can utilize for entrepreneurial businesses or professional offices while eliminating commute and reducing their operating expenses. The café offers additional compatible employment opportunities in the same space as where the residents live.

“Section 1.4.1 Housing

To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*

- b) *maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”*

COMMENT:

The proposed development provides additional rental housing stock with a moderate increase of residential density to what was previously on the site.

“Section 1.6.7.4 Transportation Systems

A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”

COMMENT:

In my professional opinion, the proposed development supports transit and active transportation and reduces the need for private vehicle trips.

“Section 1.7.1 Long-Term Economic Prosperity

Long-term economic prosperity should be supported by:

- a) *promoting opportunities for economic development and community investment-readiness;*
- b) *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- f) *promoting the redevelopment of brownfield sites;*

- g) *providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;*
- h) *providing opportunities for sustainable tourism development;*
- i) *sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network;*
- j) *promoting energy conservation and providing opportunities for increased energy supply;*
- k) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- l) *encouraging efficient and coordinated communications and telecommunications infrastructure.”*

COMMENT:

In my professional opinion, the proposed OPA/ZBA responds effectively to market-based demand for live-work housing options. The proposal also supports cultural heritage by conserving and preserving the Tudor Revival, 100 year old building. The café will support the economy by providing employment with the creation of a euro-style outdoor café that will appeal to pedestrians. In my professional opinion, the proposed development will foster a sense of place.

“Section 1.8.1 Energy Conservation, Air Quality and Climate Change

Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) *promote compact form and a structure of nodes and corridors;*
- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- c) *focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be*

- developed, or designing these to facilitate the establishment of transit in the future;*
- d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;*
 - e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
 - f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
 - g) maximize vegetation within settlement areas, where feasible.”*

COMMENT:

In my professional opinion, the proposed OPA/ZBA offers a compact mixed-use development supportive of active transportation in a mixed use neighbourhood. The proposed development will conserve an existing mature tree and retain the character of an historic building.

“Section 2.6.1 Cultural Heritage and Archaeology

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

COMMENT:

The proposed adaptive re-use of the existing Tudor Revival building that is on the City of Windsor Heritage Registry, in my professional opinion, provides for a conservation and preservation of significant cultural heritage.

COMMENT:

The proposed development will provide for needed alternative residential housing, will preserve the built heritage, and will provide for pedestrian oriented mixed use commercial and residential development in the downtown core of the City of Windsor. In my professional opinion, the proposed OPA/ZBA is consistent with the Provincial Policy Statement.

5.0 CITY OF WINDSOR OFFICIAL PLAN

The subject lands are located within the downtown city center in the city of Windsor. The area is designated 'Mixed Use' on Schedule 'A' of the City of Windsor Official Plan.

Proposed is the adaptive re-use of an existing 100 year old building that will repurpose the building for a mixed use development of 6 residential units, 2 live-work units and commercial café. An Official Plan Amendment (OPA) is required to a site specific policy that will allow for the inclusion of residential apartments below the main floor commercial units. The following policies relate to the proposed OPA and the corresponding development:

"Section 3.2.2.2 City Centre

The City Centre will continue to be the major focus of cultural, social and economic activities. The City Centre is and will remain the heart of Windsor, serving as the visual symbol of the entire community. A diverse mixture of businesses, cultural venues, major government offices and entertainment destinations will strengthen downtown as a major economic centre. The heart of our community will also provide a liveable residential environment for a variety of people and be a welcoming arrival point for visitors."

COMMENT:

In my professional opinion, the proposed inclusion of live-work units and the inclusion of new residential units within the building will provide for a diverse mixture of commercial and residential units resulting in a positive development within the downtown area of the city centre. In my professional opinion, the OPA will facilitate a diversity of housing and provide for a healthy community.

"Section 4.2.1 Healthy and Liveable City

4.2.1.1 To consider community health in the planning and design of Windsor and its neighbourhoods.

4.2.1.2 To provide for activities and facilities which will foster an active lifestyle to improve community health.

4.2.1.4 To protect against climate change and its possible adverse effects on human health, the physical environment, economy and quality of life.

4.2.1.5 *To encourage a mix of housing types and services to allow people to remain in their neighbourhoods as they age.*

4.2.1.6 *To provide for pedestrian scale neighbourhood centres that serve the day-to-day needs of the residents.”*

COMMENT:

In my professional opinion, the proposed OPA supports a healthy, walkable redevelopment and community. The proposal encourages pedestrian traffic, reduces dependence on the car, supports the use of municipal transit while supporting active transportation.

In my professional opinion, the proposal creates a housing diversity through an alternative style and tenure. The location and style of the proposed development support a healthy community by providing the residential development within the mixed use neighbourhood of the downtown area of the city of Windsor. The outdoor style café adds an amenity not presently available in the neighbourhood while providing for a walking incentive of neighbours.

“Section 6.9 Mixed Use

The lands designated as “Mixed Use” on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. These areas are intended to serve as the focal point for the surrounding neighbourhoods, community or region. As such, they will be designed with a pedestrian orientation and foster a distinctive and attractive area identity.”

COMMENT:

The proposed renovation creates a mixed-use building with residential, commercial, and potential office uses on a small footprint of land.

In my professional opinion, the modest intensification, provision of alternative style and tenure of housing, the live-work units, and its pedestrian orientation commercial will contribute to making it a gathering place, focal point and social hub for the neighbourhood.

“Section 6.9.2 Mixed Use Policies

- 6.9.2.1 *Uses permitted in the Mixed Use land use designation include retail and service commercial establishments, offices, cultural, recreation and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.*
- 6.9.2.2 *For the purpose of this Plan, Mixed Use development is further classified as follows:*
- (a) *Mixed Use Corridors which occupy linear street frontages with commercial, institutional and open space uses located immediately adjacent to the public right-of-way and residential uses located above grade; and*
 - (b) *Mixed Use Centres which are large sites developed according to a comprehensive development plan or nodal developments at the intersection of Controlled Access Highways and/or Arterial roads. This type of Mixed Use development provides a regional, community or neighbourhood focal point with a pedestrian oriented design.*

COMMENT:

The subject building was originally built as a single detached residence (including basement, main floor and loft). As the downtown commercial area of the city began to encompass the building, it was converted to residential and commercial mixed use building. Within recent history, when the solicitor purchased the building, the entirety of the structure was used for commercial with storage downstairs and offices throughout the building.

The proposed residential units, live-work units, and commercial café will provide for a mixed use within an existing building within the downtown commercial core. In my professional opinion, the location is appropriate and will be an asset for the municipality to have a presently vacant building re-vitalized to help with the rejuvenation of the neighbourhood.

COMMENT:

The OPA will formally recognize the use of the building for a mix of uses, specifically, a policy statement that will provide for the inclusion of residential units in the basement and allow for the live-work units on the main floor.

It is my professional opinion that the requested OPA is a sound, will provide for a diversity of housing style and tenure, will allow for the full utilization of existing building, and will support a healthy community with the alternative style and tenure of housing.

- 6.9.2.4 *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed Mixed Use development 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) *within a site of potential or known contamination;*
 - (iii) *where traffic generation and distribution is a provincial or municipal concern; and*
 - (iv) *adjacent to sensitive land uses and/or heritage resources.*
 - (b) *in keeping with the goals, objectives and policies of any secondary thplan or guideline plan affecting the surrounding area;*
 - (c) *capable of being provided with full municipal physical services and emergency services;*
 - (d) *provided with adequate off street parking;*
 - (e) *pedestrian oriented;*
 - (f) *compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and*
 - (g) *acceptable in terms of the proposal's market impacts on other commercial areas.*

COMMENT:

The proposed conversion of the under utilized building to a mixed use building: is well suited for the building and the neighbourhood; will provide for alternative residential and commercial uses that will rejuvenate the building and the neighbourhood; the live-work units and the commercial café supports pedestrian traffic; will have 14 parking spaces including 1 barrier free space; and in my professional opinion, is a well suited, appropriate, and compatible mix of uses for the building and the neighbourhood.

6.11.4.4 Council shall require all Mixed Use development within the City Centre Planning District to be subject to site plan control.

COMMENT:

Site Plan Control Application will be requested as part of the review package.

“Section 9.0 Heritage Conservation

A community’s identity and civic pride is rooted in physical and cultural links to its past. In order to celebrate Windsor’s rich history, Council is committed to recognizing, conserving and enhancing heritage resources. This chapter of the Official Plan provides goals, objectives and policies to guide the conservation of Windsor’s heritage resources and should be read in conjunction with other parts of this Plan.”

COMMENT:

The existing building is located on the heritage registry. The intent is to clean and re-establish some of the previous heritage features such as the second door on the south side of the building. There is no intent to remove any heritage features, or to have a negative impact on the heritage aspects of the building. In my professional opinion, the proposed rejuvenation and efforts to conserve and preserve the heritage building makes sound planning.

COMMENT:

In my professional opinion, the requested OPA/ZBA conforms with the relevant policies of the Official Plan for the justification noted above.

6.0 CITY OF WINDSOR ZONING BYLAW

The subject lands are recognized as 'Commercial District 3.1 (CD3.1)' in the City of Windsor CZB 8600. The proposed use of 'combined live-work space' on the ground floor of a building designated for mixed-use is **not** a permitted use within the CZB 8600.

A site specific Zoning Bylaw Amendment (ZBA) is requested to create a regulatory framework to support the adaptive reuse of the building with 2 'combined live-work space' units on the ground floor.

PROVISION	COMMERCIAL DISTRICT 3.1 (CD3.1)	PROPOSED
Building Height Maximum	Equal to the length of the longest exterior lot line (34.03 m)	Existing (34.03m)
Amenity Area	For the first 8 dwellings: 0.0m	8 dwellings: 0.0m
Other	All dwelling units located above the non-residential units.	i) 2 live-work units on main floor; and ii) 2 residential units below grade
Parking	Schedule C identifies area within Central Business District. In accordance with Table 24.20.1.1 – 0 parking is required for the first 6 units and 1 for each additional unit = 2 spaces required	15 spaces including one barrier free space

COMMENT:

In order for the proposed mixed use to comply with the Bylaw regulations for the City of Windsor, a site specific bylaw amendment is required to address:

- i) the exception that residential units are appropriate in the existing building below grade. The existing building was previously used for residential purposes, including the area below grade. The architects have designed the units to be aesthetically pleasing, significant size, and in compliance with the OBC. The utilization of this space, in my professional opinion, is shown appropriate and will allow for full utilization of the existing building;
- ii) site specific allowance for two live-work units on the main floor as a permitted use. A definition has been included below to also be included on a site specific basis. The inclusion, in my professional opinion, provides for alternative style and tenure of housing and makes sound planning.

COMMENT:

A definition is required for a live-work unit. The following is an appropriate definition:

“A small- to medium-sized (2 to 3.5-story) attached or detached structure consisting of one dwelling unit above or behind a fire-separated flexible ground floor space that can accommodate a range of non-residential use. The flex space and residential unit typically have separate street entrances. The flex space typically has a taller height (min. 10’) and a shopfront frontage. This type does not include a rear yard”
(<https://missingmiddlehousing.com/types/live-work>).

COMMENT:

The requested ZBA maintains the intent of the Comprehensive Zoning Bylaw 8600 and when the ZBA is passed, it will establish the regulatory framework required for the development to comply with the CZB 8600.

7.0 SUMMARY AND CONCLUSIONS

In my professional opinion, the requested Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) purports to apply a site specific OPA that will allow for residential units below the commercial live-work units on the main floor and will provide a new site specific regulatory framework to allow for an appropriate land use for the subject site. As an adaptive re-use of the existing under utilized building, the residential units, live-work units, and the cafe uses are compatible with the neighbourhood and appropriate utilization of the existing building with the existing neighbourhood. In addition, it is my professional opinion that the OPA/ZBA will support the preservation and conservation of the heritage Tudor Revival building.

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 8600, in my professional opinion the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is consistent with policies of the Provincial Policy Statement, City of Windsor Official Plan, and regulations found in the Comprehensive Zoning By-law 8600.

In addition, it is my professional opinion that the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is appropriate and desirable within this policy framework as it will facilitate the rejuvenation and redevelopment of the existing building while also implementing the proposals included in this Planning Rationale Report dated December 12, 2022.

In summation, the proposal conforms with the proposed Official Plan Amendment (OPA) that will see a site specific OPA policy to allow for the inclusion of residential apartments below the main floor live-work units and the proposal complies with the Zoning Bylaw Amendment (ZBA) that will appropriately establish a site specific definition of 'live-work' units while allowing for the units to be located in the building and the inclusion of site specific regulation that will allow for the 2 residential units below the live-work units on the main floor. The OPA and ZBA provides a good solution for the preservation of the heritage of the designated property while providing for needed residential accommodation and supporting a diversity of housing tenures and styles within the municipality.

In my professional opinion the requested OPA and ZBA:

- 1) is consistent with the policies of the 2020 Provincial Policy Statements;
- 2) maintains the intent of the relevant policies of the Town of Amherstburg Official Plan and when the OPA is adopted, it will conform with the established policy framework of the OP;
- 3) maintains the intent of Town of Amherstburg 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: CZB 8600 DEFICIENCIES IN PARKING SPACES – EXISTING BUILDINGS

24.10.15 DEFICIENCY IN SPACES – EXISTING BUILDINGS

- .1 If, on the date this Section comes into force, an existing building has insufficient parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces or loading spaces to conform with Sections 24.20.1, 24.20.3, 24.20.5, 24.22.1, 24.24.1, 24.30.1, 24.40.1, the deficiency is not required to be made up prior to the construction of any addition or any change in use. Any additional parking spaces, visitor parking spaces, accessible parking spaces, bicycle parking spaces or loading spaces required as a result of any such addition to the existing building or a change in use shall be provided in accordance with Sections 24.20.1, 24.20.3, 24.20.5, 24.22.1, 24.24.1, 24.30.1, 24.40.1

- .5 Despite Section 24.10.15.1, for an existing *building* located on a *lot* within the *Central Business District, Business Improvement Area*, or any area listed in Section 24.20.3.1, a change of use from the existing use to any use listed under Section 24.20.1 or Section 24.20.3, whichever is applicable, except for “All other uses not listed above”, no additional *parking spaces*, visitor parking spaces, accessible parking spaces, bicycle parking spaces, or *loading spaces* are required. [ZNG/6276] (AMENDED by B/L 145-2021, Oct. 26, 2021)



**THE CORPORATION OF
THE CITY OF WINDSOR
PLANNING & DEVELOPMENT SERVICES**

Thom Hunt, MCIP, RPP
City Planner/Executive Director

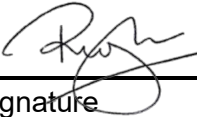
DATE: April 14, 2023

To: 28363629 Ontario Limited

**RE: Agreement to Waive Ontario Heritage Act Deadlines for Designation of 691 Ouellette Avenue, Windsor;
Planning Act applications: Z 044-22 [ZNG-6941] & OPA 165 [OPA-6942]**

In relation to the above noted planning application and as it pertains to my property located at 691 Ouellette Avenue, please accept this letter as confirmation that I am waiving the timelines associated with designation of the property's heritage resources with respect to the planning application and that the prescribed timelines for designation set out in Section 29 (1.2) of the Ontario Heritage Act do not apply, as enabled by Ontario Regulation 385/21, 1 (2) 1.

Sincerely,



Signature

Rhys Wyn Trenhaile

Printed Name of
Registered Owner

Appendix G - COMMENTS

Jose Mejalli – Assessment Management Officer

No Objection to the zoning amendment to permit the following:
Conversion of the existing vacant commercial building to a mixed use building with 2 residential units in the basement, 2 live/work units on the ground floor, 2 residential units in the second floor, 2 residential units in the attic/loft and enclosed glass café and seating area in the front of the building.

Gord Joynson – Enbridge

After reviewing the provided drawing at 691 Ouellette Ave. 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 on-site 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.



691 Ouellette Ave
Windsor As-Built.pdf

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>.

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.

Transit Windsor - Jason Scott

Transit Windsor has no objections to this development. The closest existing transit routes to this property are with the Transway 1A, Transway 1C, Central 3 & Ottawa 4. The closest existing bus stop to this property is just north of this property on Ouellette at Wyandotte Southwest Corner with the large bus bay. This provides direct transit access to this development. This will be maintained with our City Council approved Transit Master Plan. There are no plans to change this bus stop location.

Stefan Fediuk – Landscape & Urban Design

Pursuant to the application for a zoning amendment (**Z 044/22**) and Official Plan Amendment (**OPA 165**) to permit a mixed use building with 2 residential units in the basement, 2 live/work units on the ground floor, 2 residential units in the second floor, and 2 residential units in the attic/loft on the subject, please note no objections. Please also note the following comments:

Zoning Provisions for Parking Setback:

The proposed enclosed glass structure is encroaching into the municipal right of way, which will require an encroachment Agreement.

The proposed hard surface and deck paving for the proposed outdoor cafe will require a year-round outdoor cafe permit and must comply with the requirements established in the City's Outdoor Cafe Handbook.

Any signage must be maintained on the property without encroachment into the municipal right of way, and must comply with the Sign Bylaw 250-2004, especially Sections 6 Regulations for Permanent Signs, and Section 9 Regulations for Signs in Special Districts; most notably 9.1, 9.2 and 9.4.

Urban Design:

The proposed Euro-style Cafe is an interesting solution to the space and a welcome idea to inspire interest in the downtown. However, the proposed Euro-Cafe is extensive and seems disproportionate to the available food & beverage services that would be capable from the proposed Live-work units.

While the proposed Cafe is to be enclosed in glass, it will impact the visibility of significant heritage features of the existing building; especially the south entrance and existing stonework. The applicant is to provide sections, elevations and renderings demonstrating the relationship between the proposed Euro-cafe and the facade of the existing heritage building on the site.

The existing retaining wall will need to be retained as it was installed as part of the DWBIA improvements. This wall also provides the appropriate height of soil for the existing tree (see Tree Preservation below).

Interior spaces of the proposed units should be reconsidered. The unit layouts have a great deal of wasted space and plumbing stacks do not align, which would create obstructions to the usability to the units below.

Tree Preservation & Climate Change:

The large mature tree cited to be retained in the Planning Rationale (pg 20) is on the municipal right of way and must be preserved with the existing soil depth intact. The proposed solution may be able to accomplish this; however, the current situation with open landscape area is the most ideal setting. Preservation methods are to be consulted further with the City Forester and to meet the satisfaction of the City Forester prior to any permit being issued.

Consideration is to be made to mitigate the urban heat island affect that is being created by the extensive paved area in the rear of the property. Addition of landscaped islands along the Pelissier Street frontage, large enough to provide a tree on either side of an access to the parking area, would help to reduce this impact as the most intense sun comes from the west. This island would also denote a sense of security in the form of a buffer between the public realm along Pelissier and the semi-private area of the parking lot.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication. Detailed landscape requirements will be provided at the time of site plan review.

Clare Amicarelli – Transportation Planning

- The Official Plan classifies Ouellette Ave as a Class 2 Arterial with a required right-of-way width of 38.1 metres per Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required.

- The Official Plan classifies Pelissier St as a Class 2 Collector with a required right-of-way width of 18.3 metres per Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required.
- All parking must comply with ZBL 8600 otherwise, a Parking Study may be required.
 - Bike spaces must be clearly indicated on revised site plan
- An encroachment agreement will be required for the sidewalk café but this is beyond the scope of rezoning.
- All exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings.

ENWIN

HYDRO ENGINEERING:

No Objection, provided adequate clearances are achieved and maintained.

ENWIN has existing overhead pole lines with 120/240 volt and 347/600 volt secondary hydro distribution along the West side of the property.

ENWIN has existing overhead 120/240 volt secondary service conductors along the South side of the property, connecting to the West side of the development building, and a dusk-down light at the North-West corner of the development building.

ENWIN has existing underground 120/240 volt secondary service conductor along the South and East sides of the existing landscape planter wall.

Please be advised there are City of Windsor streetlight poles with 120/240 volt underground conductor along the East side of the property.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

WATER ENGINEERING:

Water Engineering has no objections. There is an existing 25mm water service on public property and may not be suitable for the change of use.

Barbara Rusan – Building Department

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 reach by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

Zaid Zwayyed – Zoning Coordinator

Below are the zoning review and comments for 691 Ouellette Avenue:

Current Zoning: CD3.1

Proposed use: Multiple Dwelling with 8 Dwelling Units

Provisions check:

- Maximum Height (16.1.5.4): Required: 34.34 m | Provided: Existing Height < 34.34 m
- Amenity Area (16.1.5.9.a): Required: 0.0 sqm per unit | Provided: 0.0 sqm per unit
- Location of Units (16.1.5.15): Not applicable; the applicant is proposing a new use (8 Unit Multiple Dwelling) and not a Combined Use Building.
- Exposed Flat Concrete (16.1.5.17): The building contains no exposed flat concrete or block walls.

Parking Analysis:

- Number of Parking spaces (24.20.1.1): Required: 2 spaces | Provided: 15 Spaces
- Accessible Parking Spaces (24.24.1.1): Required: One Type ' A ' Accessible space | Provided: One accessible space (needs to comply with the size of a Type 'A' accessible space).
- Curbscut for accessible parking spaces (24.24.20): A curbscut must be provided for the accessible space.
- Parking Area Requirements (section 25):

- A continuous curb must bind the parking area, and curb stops are not permitted (25.5.10).
- The parking area must be paved and drained to the satisfaction of the City Engineer (25.5.10).
- A minimum of 3.0 m separation is required between the parking area and the property line along Pelissier Street and must be maintained as a landscaped open space (25.5.20.1.2).
- A minimum of 0.90 m separation is required between the parking area and the interior property lines and must be maintained as a landscaped open space (25.5.20.1.3).
- A minimum of 4.50 m separation is required between the parking area and a building wall containing both a habitable room window and a main pedestrian entrance facing the parking area (25.5.20.1.6).
- The minimum width of the two-way access area is 7.0 m, and the dimension must be shown (25.5.30.4).

Notes: The following dimensions are required to ensure compliance: a typical parking space size, accessible space size, separations of the parking area from the property lines, the width of the access area, parking aisle width, and distance from the building wall to the parking area.

Sherif Barsom – Landscape Architect

Please find below our concern pertaining this LIAISON as coordinated with Yemi for the Developer's action and concern to take all required precautions.

The City has one 50 cm Locust tree in front of this address. The Site plan indicates that this tree will be preserved. The developer should be made aware of tree protection requirements for the City tree and possible removal and replacement charges if the tree is damaged.

50 cm Tree:

Removal \$800.00

Replacement \$6,000

Total Costs: \$6,800.00

Kristina Tang – Heritage Planner

Built Heritage

The property at 691 Ouellette Avenue is listed on the Windsor Municipal Heritage Register as a c.1920 Tudor Revival house. The property features Tudor Revival elements, namely the steep gabled roofs, half-timbering, arched entryway, and bay window. The proposal to retain the structure is encouraged, and further the applicants should endeavor to maintain and showcase the existing heritage attributes. Best practices for heritage conservation are provided in the attachments from [Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation](#) and the [Standards and Guidelines for Conservation of Historic Places in Canada](#).

Waiver - Ontario Heritage Act Deadlines for Designation

The Owner is requested to agree and return a signed waiver for the consideration of designation of its property as part of Z 044-22 [ZNG-6941] & OPA 165 [OPA-6942]. This waiver does not automatically qualify the property for heritage designation, but would allow City Staff the opportunity to consider the heritage designation merits of the property at the appropriate time.

The following comments are to be addressed in Site Plan Control application and as part of future Downtown Community Improvement Plan incentives.

In the next submission package, please provide:

- Coloured renderings of the front (Ouellette) and back (Pelissier) façades to demonstrate material and colour selections
- Coloured renderings and 3D perspectives of the proposed Euro-style cafe and its relation to the heritage building. The proposed cafe has the potential to impact the visibility of the heritage resource on the property. Please ensure any glass on the proposed structure is clear and transparent (not reflective and low iron glass) and is designed in a manner that mitigates impacts on, is compatible with and subordinate to the heritage resource. Ensure adherence to Standard 11 of the [Standards and Guidelines for Conservation of Historic Places in Canada](#).

11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

In the PRR, Page 19, "The proposed renovation will restore some of the original design aspects of the building's original 1920s appearance while preserving and conserving the present building profile.":

- What original design aspects will be restored?
- What features or attributes will be preserved and conserved?

In the first floor plans A101:

- Indicate proposed demolition and reconstruction of Common Entrance A

In the elevation drawings A103:

- Provide elevations for all sides of the building, including north and south
- Indicate all existing decorative masonry details and cast stone surrounds to be retained
- Indicate that the reinstated south Common Entrance A is to be designed in compatibility and respect of the heritage attributes
- Label and provide details for all material and colour selections

Should paint removal be considered, please be advised:

- Recommended use of safe methods of paint removal (no sand-blasting, which damages masonry long-term) to allow masonry to "breathe" instead of trapping moisture from the painting
- Reinstated material and colours of original masonry are most ideal in highlighting the original decorative masonry features on the façade
- Please contact Heritage Planning staff for more details and resources

Should masonry repair, restoration, or cleaning be contemplated:

- Indicate on future elevation drawings A103
- Reference the City of Windsor Historic Masonry Guideline (attached)
- Please contact Heritage Planning staff for more details and resources

Should glazing repair, restoration, or replacement be contemplated:

- Repair and restoration of original historic windows is the priority over replacement
- If unrepairable, then replace with historic profiles, shapes, dimension, division of frame, sash, muntins and surrounds (from documentary/image sources). Refer to the historic photo below:



- Please contact Heritage Planning staff for more details and resources

Archaeology

The subject property 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.

Contacts:

Windsor Planning & Building 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

Ontario Ministry of Citizenship and Multiculturalism

Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca
Windsor Police: 911
Ontario Ministry of Government & Consumer Services
A/Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, 1-416-212-7499, Crystal.Forrest@ontario.ca

Rob Perissinotti – Engineering Department

We have reviewed the subject Rezoning application and offer the following comments:

Sewers

The site may be serviced by a 1350mm x 1800mm brick combined sewer within Ouellette Avenue and a 375mm vitrified clay combined sewer located within the Pelissier Avenue right-of-way. If possible existing connections should be utilized. Any redundant connections shall be abandoned in accordance with the City of Windsor Engineering Best Practice B.P 1.3.3. A sanitary sampling manhole may be required on any sanitary connection at the property line to the satisfaction of the City Engineer, if one does not already exist. The applicant will be required to submit site servicing drawings and storm detention calculations restricting storm water runoff to pre-development levels, as per the Windsor Essex Regional Stormwater Management Standards Manual:

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

Right-of-Way

The Official Plan classifies Ouellette Avenue as a Class 2 Arterial road, with a required right-of-way width of 38.1 metres per Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required. Pelissier Street is classified as a Class 2 Collector with a required right-of-way width of 18.3 metres per Schedule X. The current right-of-way width is sufficient; therefore, a land conveyance is not required.

Approaches must be constructed as per AS-204, complete with straight flares and no raised curbs within the right-of-way. Redundant curb cuts shall be removed and restored in accordance with City Standards to the satisfaction of the City Engineer. Right-of-Way permits are required for any work in the right-of-way. A Proper Agreement will be required between 691 Ouellette Avenue and 0 Pelissier Street for access and services if they will not be merged.

It has been noted that the applicant is proposing a Euro-Style terrace, within the right-of-way. An encroachment agreement is required for any items placed in the right-of-way and a permit must be obtained prior to any work commencing in the right-of-way. Additional information is noted below, and shall be provided prior to approval of the proposed patio fronting this property.

Additional notes to the Applicant

The following information is required at time of Site Plan Control application, for further review and approval of the proposed works in the right-of-way:

1. Provide design details on the proposed cafe terrace, including material type, elevations of the paved portion (with respect to what is existing) & dimensions.
2. The applicant shall consult with the City Forester regarding any requirements necessary to protect the existing City tree.
3. Provide a drawing, outlining the existing and proposed site servicing. The drawing shall include existing catchbasins, the internal drainage network, as well as how the proposed

paved garden will drain and tie into the existing system.

4. An encroachment agreement is required for any permanent items placed within the right-of-way and will include the concrete garden border if the owner intends to utilize this area as a patio.

5. A sidewalk cafe permit will be required for operation of a 3-season or year round cafe within this area. Fees for this permit have been permanently waived.

6. Confirm whether any utilities existing within the garden area as access to their infrastructure may be required.

In summary we have no objection to the proposed development, 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.

Encroachment Agreement – The owner agrees to submit application for and execute an agreement with the Corporation for any proposed or existing items encroaching into the right-of-way to the satisfaction of the City Engineer, or remove said encroachments from the right-of-way and restore these areas to the satisfaction of the City Engineer.

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. 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.

Reciprocal Access & Services – The owner agrees to enter into a proper agreement with the abutting property owner(s) for access and services.

If you have any further questions or concerns, please contact Amy Olsen, of this department at aolsen@citywindsor.ca

Item No. 8.1



Committee Matters: SCM 90/2023

Subject: Adoption of the Development & Heritage Standing Committee minutes held March 6, 2023

Development & Heritage Standing Committee Meeting

Date: Monday, March 06, 2023

Time: 4:30 PM

Members Present:

Councillors

Ward 1 – Councillor Fred Francis

Ward 4 – Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Arbour

Member Fratangeli

Member Grenier

Member Miller

Member Pidgeon

Member Saka

Member Tape

Members Regrets

Member Polewski

Clerk's Note: Member Fratangeli participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

Jim Abbs, Planner III – Subdivisions

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 2 of 17

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner – Economic Development & Innovation
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Thom Hunt, City Planner / Executive Director of Planning & Development
Michael Cooke, Manager, Planning Policy
Rob Vani, Manager, Inspections /Deputy Chief Building Official
Patrick Winters, Manager, Corporate Projects
Ashley Porter, Clerk Steno Senior
Jeff Hagan, Transportation Planning, Senior Engineer
Clare Amicarelli, Transportation Planner I
Kristina Tang, Heritage Planner
Justina Nwaesei, Planner III – Subdivisions
Greg Atkinson, Planner III – Economic Development
Laura Strahl, Planner III – Special Projects
Edwin Chiu, Waterloo – Co-op Planning
Aaron Farough, Legal Counsel
Brian Nagata, Planner II – Development Review
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating via video conference

Item 7.2 Haider Habib, HD Development Group
Item 7.2 Steve Berrill, ADA Architect
Item 10.1 Allen Djordevic, Applicant / Area Resident
Item 10.1 Helen Martin, Area Resident

Delegations—participating in person

Item 7.3 Karl Tanner, Dillon Consulting Limited
Item 10.1 Frank Butler, Area Resident
Item 11.1 Wendy Victory, Victory Reproductive Care

Minutes

Development & Heritage Standing Committee
Monday, March 06, 2023

Page 3 of 17

1. CALL TO ORDER

Following the reading of the Land Acknowledgement, the Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None presented.

4. COMMUNICATIONS

None presented.

8. ADOPTION OF THE MINUTES

8.1. Minutes of the Development and Heritage Standing Committee of its meeting held February 6, 2023

Moved by: Member William Tape

Seconded by: Councillor Kieran McKenzie

That the minutes of the Development & Heritage Standing Committee meeting held February 6, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 60/2023

10. HERITAGE ACT MATTERS

10.1. 436 Askin Avenue - Heritage Permit Request (Ward 2)

Allen Djordevic, applicant / area resident

Allen Djordevic, applicant / area resident appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "463 Askin Avenue – Heritage Permit Request (Ward 2)" and provides a brief history of the application process related to an addition request which was denied at the time. Mr. Djordevic indicates he is now applying for an additional dwelling unit building with extensive consultation with the Heritage Planner and meeting

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 4 of 17

all current regulations. Mr. Djordevic provides some background as to his intentions with the unit as well as, some details related to the length of the anticipated construction are provided.

Frank Butler, area resident

Frank Butler, area resident appears before the Development and Heritage Standing Committee and expresses concern regarding the recommendation in the administrative report “463 Askin Avenue – Heritage Permit Request (Ward 2)” and requests deferral of the proposed application to allow for the Heritage Conservation District Heritage Study to be conducted in the Askin area. Mr. Butler indicates he didn’t receive notification related to the proposed application until Wednesday and wasn’t able to meet with surrounding neighbours to formulate a response. Mr. Butler provides information related to the street and the historical significance of the homes on that street including his own. Mr. Butler concludes by providing details related to several concerns since the increase of rental units in the area.

Helen Martin, area resident

Helen Martin, area resident appears via video conference before the Development and Heritage Standing Committee and expresses concern regarding the recommendation in the administrative report “463 Askin Avenue- Heritage Permit Request (Ward 2)” and inquires about a committee that was supposed to be created to address issues such as these as a result of a previous decision of Council related to a request for an addition at this site which was denied by Council at the time. Ms. Martin requests that this issue be deferred until such time as the committee and its function can be determined. Ms. Martin also refers to the University of Windsor Master Plan which is forthcoming and hopes that they will be consulted related to this as well. Ms. Martin cites concerns related to the existing infrastructure system and whether it can tolerate more units in the vicinity as well as the notification timelines related to this application.

Councillor Kieran McKenzie inquires as to the Heritage aspects of the report, and not making a decision about the zoning/planning the ADU complies and that the applicant intends to build the unit consistent with the heritage features and whether the delegates would be satisfied with the applicant’s assurances. Ms. Martin indicates that the licensing aspect is a concern for her as the program is relatively new. Mr. Butler indicates that the diagram doesn’t provide the information related to what type of heritage aspects will be in place and is concerned that allowing the project to go forward without a complete Heritage Study of the area would be concerning. Mr. Djordevic indicates that he is a landlord that will take care and renderings of the completed project were provided when applying and provides details of the plans and drawings.

Councillor Kieran McKenzie inquires about the status of the Heritage Conservation District report for the Askin area. Kristina Tang, Heritage Planner appears before the Development and Heritage Standing Committee regarding the administrative report “463 Askin Avenue – Heritage Permit Request (Ward 2)” and indicates that at the time of the previous application, Council provided direction related to funding and priority to the Walkerville Heritage Conservation District Study (HCD).

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 5 of 17

Councillor Kieran McKenzie indicates that concerns remain related to the preservation of heritage features and whether it is the intention of administration to work closely with the proponent to ensure central heritage features would be consistent for the proposed project and how the process will move forward. Ms. Tang indicates that the proposal was evaluated, based on merit with Heritage content in mind and it does meet heritage standards, and administration is in agreement with the recommendations presented in the report.

Councillor Kieran McKenzie inquires as to the steps that administration undertakes from what is being proposed to what is implemented. Thom Hunt, City Planner, appears before the Development and Heritage Standing Committee regarding the administrative report "463 Askin Avenue – Heritage Permit Request (Ward 2)" and indicates that the plans will be submitted to the Building Department and the parameters that are met reflect the request. Rob Vani, Manager of Inspections/Deputy Chief Building Official appears before the Development and Heritage Standing Committee regarding the administrative report "463 Askin Avenue – Heritage Permit Request (Ward 2)" and indicates when the permit application comes in they won't release it until the heritage permit comes in satisfactory to the planning department.

Councillor Angelo Marignani inquires as to the sewer capacity in the area and whether this development will have a negative impact on the area. Administration indicates that the addition of one unit will have a minimal effect.

Councillor Fred Francis inquires about the HCD plan for the area. Ms. Tang explains the status of the HCD for the Askin area including that the Walkerville HCD was approved and would be a priority with other studies forthcoming at the direction of Council.

Member Tape inquires about the layout of the proposed structure and the use of siding. Ms. Tang indicates that they met with the proponent and it was determined that the layout of the building is compatible to the heritage context, and is not overly visible due to the lot depth and set back from the street. Ms. Tang adds that administration finds it acceptable and the Heritage integrity of the property is in line with the proposal.

Moved by: Councillor Kieran McKenzie

Seconded by: Member Pidgeon

Decision Number: **DHSC 484**

- I. That the Heritage Permit at 436 Askin Avenue BE GRANTED for the erection of one detached additional dwelling unit per Appendix 'B' of this report; and,
- II. That the Heritage Permit approval BE SUBJECT to the following approval conditions prior to work start:
 - a. Submission of satisfactory product details and samples (including material and colour selections);
 - b. Provision of satisfactory architectural drawings by qualified designers;
 - c. Determination that the work is satisfactory to meet Building code compliance; and

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 6 of 17

- III. That the City Planner or designate BE DELEGATED the authority to approve any further proposed changes associated with the proposed scope of work for the erection of one rear detached additional dwelling unit.

Aye Votes: Councillor Kieran McKenzie, and members Miller, Pidgeon, Saka, and Fratangeli.

Nay Votes: Councillors Fred Francis, Mark McKenzie, Angelo Marignani, Jim Morrison, and member Tape.

Abstain: None.

The motion is **put and lost**.

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 485**

That the report of the Heritage Planner dated February 16, 2023 entitled "436 Askin Avenue – Heritage Permit Request (Ward 2)" **BE REFERRED** back to Administration to provide further information related to analysis of adjacent properties impacted by the proposal; and that this information **BE FORWARDED** to a future meeting of the Development & Heritage Standing Committee Meeting.

Carried.

Councillor Kieran McKenzie and Member Charles Pidgeon voting nay.

Carried.

Report Number: S 25/2023

Clerk's File: MB/13966

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* matters) portion is adjourned at 5:14 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:16 o'clock p.m.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the February 6, 2023 Development & Heritage Standing Committee (Planning Act Matters)

Moved by: Member Anthony Arbour

Seconded by: Councillor Mark McKenzie

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 7 of 17

That the minutes of the Development & Heritage Standing Committee meeting held February 6, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 61/2023

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

None presented.

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for property known as 478 Janette Avenue; Applicant: 1413600 Ontario Ltd.; File No. Z-029/22, ZNG/6847; Ward 3.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 481**

- I. That Zoning By-law 8600 **BE AMENDED** for the lands located on the east side of Janette Avenue, between Wyandotte Street West and Park Street West, described as Lot 68 and Pt Lot 67, Plan 274, [PIN 01195-0191 LT], by adding a site specific holding provision to permit "One Multiple Dwelling with a maximum of six dwelling units" as an additional permitted use, subject to additional regulations;

"467. EAST SIDE OF JANETTE AVENUE, BETWEEN WYANDOTTE STREET WEST AND PARK STREET WEST

For the lands comprising Lot 68 and Pt Lot 67, Plan 274, PIN 01195-0191 LT, "One *Multiple Dwelling* with a maximum of six *dwelling units*" shall be an additional permitted use and the following shall apply:

1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.4
 2. Main Building Height - maximum 10.0 m
[ZDM 3; ZNG/6847]"
- II. 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) Official approval of the storm water management calculations;
 - b) Street Opening Permit; and
 - c) Alley Maintenance Contribution of \$5,750.00 paid to the Corporation of the City of Windsor.

Carried.

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 8 of 17

Report Number: S 26/2023

Clerk's File: Z/14512

7.2. Approval of a Plan of Condominium with Exemption under Section 9(3) of the Condominium Act, 4755, 4775 & 4785 Walker Road; Applicant: 5042667 Ontario Ltd.; File# CDM 002-22 [CDM-6829]; Ward 9

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 482**

That the application of 5042667 Ontario Ltd. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of a total of 224 dwelling units and 7 commercial units within three (3) new Multiple Dwelling structures under construction or planned to be constructed, as shown on the attached MAP Nos. CDM-002/22-1, CDM-002/22-2, and CDM-002/22-3A,3B,3C, on parcels legally described as Pt Lot 13, Concession 6, PART 3 and Pt of PART 2 on Plan 12R-17667, and PARTS 6 to 9 on Plan 12R-24241, City of Windsor; located at 4755, 4775 and 4785 Walker Road, **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: C 25/2023

Clerk's File: Z/14505

7.3. Official Plan & Zoning Bylaw Amendments, Draft Plan of Subdivision Applications - Z 027-22 [ZNG-6832], OPA 163 [OPA-6833], SDN001/22 [SDN6834] - 1027458 Ontario Inc. - 0 Clover Avenue - NE Corner Florence & Beverly Glen - Ward 7

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 483**

- I That the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Block 65, Plan 12M-581, City of Windsor from Open Space to Neighbourhood Residential;
- II That the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Blocks 63 and 64, Plan 12M-581, City of Windsor from School Site to Neighbourhood Residential;
- III That an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Block 65, Plan 12M-581 from Green District 1.1 (GD1.1) to Residential District (HRD) 2.3;

Minutes

Development & Heritage Standing Committee

Monday, March 06, 2023

Page 9 of 17

- IV That a Hold provision **BE APPLIED** to Blocks 63-65, Plan 12M-581 and that it be removed when the conditions contained in Section 5.4 HOLDING ZONE PROVISIONS of City of Windsor Zoning By-law 8600 have been met;
- V That subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 63-65, Plan 12M-581 by adding site specific regulations as follow:
466. **NORTH EAST CORNER OF FLORENCE AVENUE AND BEVERLEY GLEN STREET**
For the lands described as Blocks 63-65, Plan 12M-581, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area*, *parking space*, or any combination thereof, exceeding 60% of the *required front yard* shall be prohibited, and,
Lot Coverage – Maximum 50%
(ZDM 14; ZNG/6832)
- VI That the application of 1027458 Ontario Inc. for Draft Plan of Subdivision approval of Blocks 63-65 (incl.), Plan 12M-581, City of Windsor; **BE APPROVED** on the following basis:
- A. That this approval applies to the draft plan of subdivision, as shown on the attached Drawing SDN001/22-1, which will facilitate the construction of 117 townhome dwellings and 2 blocks for a greenway/utility corridor.
- B. That the Draft Plan Approval shall lapse on (5 years from the date of approval).
- C. That the Owner Shall submit for approval of the City Planner, a final draft M-Plan, which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the Owner undertakes to provide the following matters prior to the registration of the final Plan of Subdivision:
- a. The Owner will include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
- b. The Owner will create, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
1. 20m right of way for the new Streets “Thunderbay Avenue” and “Ivanhill Avenue”
 2. A right of way for the Court as shown on the Draft Plan of Subdivision west of Thunderbay Avenue, South of Block 28.
- c. The Owner shall agree to fully construct all future municipal right-of-ways, including, but not limited to: pavements, curbs and gutters, utilities and the necessary drainage facilities, according to City of Windsor standard specification for the following road designations:
1. Local Residential Roads: complete with 20 metre right-of-ways. Pavements to be twenty-eight (28) feet (8.6 metres) in width.
 2. Collector Roads:

Minutes

Development & Heritage Standing Committee

Monday, March 06, 2023

Page 10 of 17

Class 2 Collector - Florence Ave is to be constructed as per the requirements of the Environmental Assessment.

- d. The Owner will provide the following corner cut-offs on the approved Final Plan of Subdivision:

4.6m x 4.6m – Intersection of Thunderbay Avenue and Beverly Glen Street;
Intersection of Ivanhill Avenue and Beverly Glen Street;
Intersection of Thunderbay Avenue and Ivanhill Avenue;
Intersection of Thunderbay Avenue and Clover Avenue;
Intersection of Beverly Glen Street and Clover Avenue;
Intersection of Jerome St and Florence Avenue;
Intersection of Beverly Glen Street and Florence Avenue,

to the satisfaction of the City Planner and the City Engineer.

- e. The Owner will comply with all the following requirements relating to sidewalks:

Sidewalks will be constructed:

On the East Side of Thunderbay Avenue and Ivanhill Avenue;

On the South side of Thunderbay Avenue;

On Florence Avenue as per the Environmental Assessment,

All to the satisfaction of the City Engineer and the City Planner.

- f. The Owner shall agree to retain a Consulting Engineer at its own expense 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.

- g. The Owner shall agree to:

1. Undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.

2. Install stormwater management measures identified above, as part of the development of the site, to the satisfaction of the City Engineer and the Essex Region Conservation Authority.

3. Obtain the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

- h. The Owner shall agree to be responsible for the costs associated with the relocation of the sanitary sewer which presently extends south of Elinor Street and through Block 64, Plan 12M-581. All work to be done to the satisfaction of the City Engineer.

- i. The Owner shall agree to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

Minutes

Development & Heritage Standing Committee

Monday, March 06, 2023

Page 11 of 17

- j. The Owner shall agree that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
- k. The Owner shall agree to convey gratuitously to the Corporation Blocks 27 and 28 on the draft Plan of Subdivision (SDN 001/22-1) for the purposes of municipal infrastructure (existing sanitary sewer) to the satisfaction of the City Engineer and the City Planner prior to the issuance of a construction permits.
- l. The Owner shall agree that a Stage 1 Archaeological Assessment and any further recommended assessments are required to be entered into the Ontario Public Register of Archaeological Reports to the satisfaction of the City Planner and the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries, prior to the issuance of a construction permits.
- m. The Owner shall agree that a final copy of the archaeological reports will be submitted to the City of Windsor.
- n. The Owner shall agree to complete an MECP species at risk screening and comply with all requirements, including any required remediation measures, resulting from any study or report submitted to the MECP/MNRF regarding SAR assessment, all at its entire expense, to the satisfaction of the City Planner.

NOTES TO DRAFT APPROVAL (File: SDN-001/22)

1. The applicant is directed to Section 51(39) of *The Planning Act 1990* regarding appeal of any imposed conditions to the Ontario Land Tribunal. Appeals are to be directed to the City Clerk of the City of Windsor.
2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.
3. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the *Certification of Titles Act*.
4. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of *The Planning Act 1990*.
5. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.

VII That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act*; and,

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 12 of 17

- VIII That prior to the final approval of the plan of subdivision by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied; and,
- IX That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements and documents approved as to form and content satisfactory to the City Solicitor; and,
- X That the proponent **BE REQUESTED** to consider the feasibility of a North/South option off of Thunderbay Avenue.

Report Number: S 24/2023
Clerk's File: Z/14458

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 5:47 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:48 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

11. ADMINISTRATIVE ITEMS

11.1. Closure of part of E. C. Row Avenue East right-of-way, west of Banwell Road, Ward 9, SAS-6835

Wendy Victory, Victory Reproductive Care

Wendy Victory, Victory Reproductive Care, appears before the Development and Heritage Standing Committee regarding the administrative report "Closure of part of E.C. Row Avenue East right-of-way, west of Banwell Road, Ward 9" and provides details as to their location and expresses concern that the road was closed in August and the meeting is taking place today. Ms. Victory also adds that there is only one access route out of the business park and provides details related to their business, and her concern with the loss of the bus stop for their area. Ms. Victory concludes by expressing concern with the landscape of the area when the battery plant takes shape and requests that Council consider erecting new signage at Lauzon and Twin Oaks for the business park.

Councillor Kieran McKenzie inquires about the signage and whether it's a City owned sign. Patrick Winters, Manager Corporate Projects, appears before the Development and Heritage Standing

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 13 of 17

Committee regarding the administrative report “Closure of part of E.C. Row Avenue East right-of-way, west of Banwell Road, Ward 9” and indicates they will investigate ownership of the sign.

Councillor Kieran McKenzie inquires as to the traffic impacts on Lauzon Pkwy and moving forward what is being undertaken to ensure sufficient capacity exists at the intersection. Jeff Hagan, Transportation Planning Senior Engineer, appears before the Development and Heritage Standing Committee regarding the administrative report “Closure of part of E.C. Row Avenue East right-of-way, west of Banwell Road, Ward 9” and indicates a traffic impact study was prepared for the NextStar battery plant and it was determined that it is not over capacity.

Councillor Kieran McKenzie inquires as to whether any upgrades are being contemplated related to capacity issues to the public access part of Twin Oaks on the west side. Mr. Hagan indicates that it is low traffic now during the development, trucks only with no peaks, no rush hour, no major changes, and there will be the eventual widening of Lauzon Parkway in the future.

Councillor Kieran McKenzie inquires about the need to close the road, and whether there is an opportunity for Lauzon to be extended over the rail line to connect to the service road off of Lauzon Parkway to create another entry way to the Twin oaks business park. Mr. Hagan indicates that that is not currently part of the study. Mr. Winters adds that the information related to the new rail line is included in the administrative report but not currently recommended.

Councillor Angelo Marignani inquires whether in the future if there are plans to create a shared pathway or trail in the area. Brian Nagata, Planner II Development Review, appears before the Development and Heritage Standing Committee regarding the administrative report “Closure of part of E.C. Row Avenue East right-of-way, west of Banwell Road, Ward 9” and indicates that a proposed multi-use pathway was outlined in the report, with lands specifically set aside for the trail.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 486**

- I. That the portion of E. C. Row Avenue East right-of-way shown on Drawing No. CC-1819 (*attached* hereto as Appendix “A”) and described as Parts 12, 13, 15 & 26 on the Draft Reference Plan (*attached* hereto as Appendix “B”), and hereinafter referred to as the “Subject Lands”, **BE ASSUMED** for subsequent closure;
- II. That the Subject Lands **BE CLOSED AND RETAINED** by The Corporation of the City of Windsor and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easements over Part 15 on the Draft Reference Plan being granted to the following parties, subject to their being accepted in the City’s standard form and in accordance with the City’s standard practice:
 - i. Bell Canada to protect aerial and buried facilities running parallel to the north of the existing two-lane asphalt road.

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 14 of 17

- ii. EnWin Utilities Ltd. to accommodate existing hydro pole line with 27,600-volt primary electrical power circuit.
- III. That prior to the closure of the Subject Lands, the Site Plan Agreement for Site Plan Control File No. SPC-2022-11, **BE AMENDED** to add a Special Provision requiring NextStar Energy Inc. to enter into an Access Agreement with Emergency Services (Essex-Windsor EMS, Windsor Fire & Rescue Services and Windsor Police Service), permitting Emergency Services the right to access the Twin Oaks Business Park through the NextStar Energy EV Battery Plant site in the event that the other area roads are impassable.
- IV. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1819 and the Draft Reference Plan.
- V. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
- VII. That the following City of Windsor vacant parcel **BE DECLARED** surplus: Municipal address: 3501 Banwell Road (vacant land situated on the south side of E. C. Row Avenue East, east of 9455 Anchor Drive) Legal Description: Part 3 on the Draft Reference Plan Approximate Lot size: 29.46 metres by 7.37 metres by 29.66 metres by 7.39 metres Lot area: 218.0 square metres.
- VIII. That the City Solicitor **BE AUTHORIZED** to prepare a by-law to dedicate Part 3 on the Draft Reference Plan as part of the public highway known as E. C. Row Avenue East to facilitate the construction of a cul-de-sac.

Carried.

Report Number: C 155/2022
Clerk's File: SAA2023

11.2. Downtown Windsor Enhancement Strategy and Community Improvement Plan Grant Applications made by Micheal de Rita for 2734844 Ontario Ltd. for 261-267 Pelissier Street, Ward 3

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 487**

- I. That the request made by 2734844 Ontario Ltd. (Owner) for the proposed development at 261-267 Pelissier Street to participate in:
 - a. the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or until 100% of the eligible costs are repaid pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan;

Minutes

Development & Heritage Standing Committee

Monday, March 06, 2023

Page 15 of 17

- b. the Upper Storey Residential Conversion Grant Program **BE APPROVED** for \$50,000 towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- II. That Administration **BE DIRECTED** to prepare the agreements between the City and 2734844 Ontario Ltd. (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 261-267 Pelissier Street in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program at 261-267 Pelissier Street to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.
- IV. That the grants under Upper Storey Residential Conversion Grant Program for 261-267 Pelissier Street **BE PAID** to 2734844 Ontario Ltd. upon completion of the new residential unit as described in Report S16/2023 within two (2) years of Council approval subject to the satisfaction of the City Planner and Chief Building Official.
- V. That Grant funds in the amount of \$50,000 under the Upper Storey Residential Conversion Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is completed.
- VI. That should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Building/Property Improvement Tax Increment Grant Program and Upper Storey Residential Conversion Grant Program be uncommitted and made available for other applications.
- VII. That the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.
- Carried.

Report Number: S 16/2023

Clerk's File: Z/12916

11.3. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Edna (Windsor) Inc., Walkerville Commercial Centre Inc., and Walkerville Walker Developments Inc for 0 Edna Street, 0 St. Luke Road, and part of 890 Walker Road (Ward 5)

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

Minutes

Development & Heritage Standing Committee Monday, March 06, 2023

Page 16 of 17

Decision Number: **DHSC 488**

- I. That the request made by 1026738 Ontario Limited, Walkerville Commercial Centre Inc., and Walkerville Walker Developments Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% (or 100% if LEED certified) of the municipal portion of the tax increment resulting from the proposed redevelopment at 0 Edna Street, 0 St. Luke Road, and part of 890 Walker Road for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. That, Administration **BE DIRECTED** to prepare an agreement between 1026738 Ontario Limited, Walkerville Commercial Centre Inc., Walkerville Walker Developments Inc., the City, and any persons legally assigned the right to receive grant payments to implement the Brownfield Rehabilitation Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Rehabilitation Grant Agreement; and,
- IV. That the approval to participate in the Brownfield Rehabilitation Grant Program **EXPIRE** if the agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 5/2023

Clerk's File: Z/14535

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

Minutes

Development & Heritage Standing Committee

Monday, March 06, 2023

Page 17 of 17

14. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 6:03 o'clock p.m.

Carried.

Ward 10 - Councillor Jim Morrisson
(Chairperson)

Deputy City Clerk / Supervisor
of Council Services



Item No. 8.2

Committee Matters: SCM 127/2023

Subject: Adoption of the Development & Heritage Standing Committee minutes of its meeting held April 5, 2023

Development & Heritage Standing Committee Minutes

Date: Wednesday, April 05, 2023

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 – Councillor Kieran McKenzie

Ward 10 – Councillor Jim Morrison (Chairperson)

Councillor Regrets

Ward 1 – Councillor Fred Francis

Members

Member Anthony Arbour

Member Daniel Grenier

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

Pablo Golob, Planner II – Development Review

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate

Michael Cooke, Manager of Planning Policy / Deputy City Planner

Brian Nagata, Planner II – Development Review

Adam Szymczak, Planner III – Zoning

Jeff Hagan, Transportation Planning Senior Engineer

Shannon Mills, Technologist III

Clare Amicarelli, Transportation Planning Coordinator

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 2 of 15

1. CALL TO ORDER

Following the reading of the Land Acknowledgement, the Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the March 6, 2023 Development & Heritage Standing Committee Minutes (Planning Act Matters)

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Kieran McKenzie

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held March 6, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 101/2023

Minutes

Development & Heritage Standing Committee
Wednesday, April 05, 2023

Page 3 of 15

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for property known municipally as 3565 Forest Glade Drive, Z-045/22 [ZNG-6943], Ward 8

Moved by: Councillor Angelo Marignani
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 489**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning for the lands located on the northwest corner of Forest Glade Drive and Meadowbrook Lane, known municipally as 3565 Forest Glade Drive (legally described as Part of Lots 125 & 126, Concession 2; Parts 15 to 28, Reference Plan 12R-22621), and shown on Figure 2 herein, by deleting and replacing site specific provision Section 20(1)67 with the following:

67. NORTH SIDE OF FOREST GLADE DRIVE, BETWEEN LAUZON PARKWAY AND MEADOWBROOK LANE

(1) For the lands comprising of Part of Lots 125 & 126, Concession 2, Parts 1 to 12, 30 & 31, Reference Plan 12R-22621, known municipally as 3575 Forest Glade Drive (PIN No. 01381-0106 & Roll No. 070-740-00110) and 3585 Forest Glade Drive (PIN No. 01381-0104 & Roll No. 070-740-00120), a *Motor Vehicle Dealership* shall be an additional permitted use.

(2) For the lands comprising of Part of Lots 125 & 126, Concession 2; Parts 15 to 28, Reference Plan 12R-22621, known municipally as 3565 Forest Glade Drive (PIN No. 01381-0103 & Roll No. 070-740-00100), a *Multiple Dwelling* shall be an additional permitted use and shall be subject to the following additional provisions:

- a) Lot Coverage - maximum 35.0% of lot area
- b) Main Building Height - minimum 4 storeys
- c) Main Building Height - maximum 30.0 m
- d) Accessory Building Height - maximum 5.50 m
- e) Building Setback from 0.30 m reserve abutting Forest Glade Drive 6.0 m
- f) Building Setback - minimum
 - i. From north interior lot line abutting 3181 Meadowbrook Lane (P.I.N. No. 01381-0094) 70.0 m
 - ii. From east interior lot line abutting 0 Forest Glade Drive (P.I.N. No. 01381-0051) 3.0 m
 - iii. From west interior lot line abutting 3575 Forest Glade Drive 13.0 m
- g) Landscaped Open Space Yard - minimum 25.0% of lot area
- h) Notwithstanding Section 24.40.1.5: Table 24.40.1.5, the required number of Loading Spaces for a Multiple Dwelling with a Gross Floor Area Over 15,000 m² to 22,500 m² shall be two (2).

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 4 of 15

-
- i) Notwithstanding Section .3 of Section 25.5.20.1: Table 25.5.20.1 - Parking Area Separation, the minimum separation from the north interior lot line abutting 3181 Meadowbrook Lane shall be a minimum of 3.00 metres.
 - j) A minimum *Parking Area Separation* of 3.00 metres shall be provided between *Parking Space* rows, save and except a *Parking Space* row that is accessed from 3575 Forest Glade Drive.
 - k) A *Parking Area*, *Parking Space* and *Loading Space* shall be prohibited from being located between a *Main Building* wall and Forest Glade Drive and a *Main Building* wall and the Meadowbrook Lane.
(ZDM 15; ZNG/6943)
- II. THAT, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:
- a. Noise Study completed in accordance with the applicable policies set forth under sections 5.4.5 and 10.2.11 of the Official Plan to evaluate the potential impacts of noise associated with Forest Glade Drive, Lauzon Parkway and the Ford Motor Co. Windsor Engine Plant on the proposed Multiple Dwelling and recommend abatement measures where warranted to ensure that the indoor sound level limits set forth under the Ministry of the Environment, Conservation and Park's *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* document are met.
 - b. Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendment to the Zoning By-law 8600 to reflect the site plan for which approval is being sought.
- III. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:
- a. Centralized mail facility for Canada Post.
 - b. Mitigation measures identified in the aforesaid Noise Study (if applicable), subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
 - c. Servicing and right-of-way requirements of the City of Windsor - Engineering Department - Right-of-Way Division contained in Appendix F of this report and measures identified in the Sanitary Servicing Memo prepared by Dillon Consulting and dated November 11, 2022, subject to the approval of the City Engineer and the Essex Region Conservation Authority.

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 5 of 15

- d. Transportation requirements of the City of Windsor Transportation Planning Division contained in Appendix F of this report and measures identified in the Transportation Impact Study prepared by Dillon Consulting Limited and dated December 16, 2022, subject to the approval of the City Planner, City Engineer, or Transportation Planning Senior Engineer.
- e. Urban Design requirements based on comments from the Landscape Architect contained in Appendix F of this report.

IV. THAT the Site Plan Approval Officer **CONSIDER** the following matters in an approved site plan and/or executed and registered site plan agreement:

- a. Comments from the Asset Planning Department contained in Appendix F of this report.
- b. Comments from the Essex Region Conservation Authority contained in Appendix F of this report.
- c. Environmental Evaluation Report based on comments from the Landscape Architect contained in Appendix F of this report.

Carried.

Report Number: S 29/2023
Clerk's File: Z/14530

7.2. Zoning By-Law Amendment – 1000023127 Ontario Inc. – 1985 Westcott Road & 3740-3790 Tecumseh Road East - Z 035/22 [ZNG-6871] - Ward 5

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 490**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 426 & E Pt Lot 425, Registered Plan 1071; Pt Lots 365 to 367, Registered Plan 961 (known municipally as 1985 Westcott Road & 3740-3790 Tecumseh Road East; Roll No. 010-370-15900-0000), by adding a site specific provision to Section 20(1) as follows:

4XX. NORTHWEST CORNER OF TECUMSEH RD. E. AND WESTCOTT ROAD

For the lands comprising of Lot 426 & E Pt Lot 425, Registered Plan 1071; Pt Lots 365 to 367, Registered Plan 961, a *Multiple-Dwelling* with a maximum of 24 *dwelling units* shall be permitted in addition to the following site specific provisions:

- a) Parking Area Separation from a building wall

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 6 of 15

containing a habitable room window	Minimum – 1.53 m
b) Parking Area Separation from an Alley	Minimum – 0.0 m
c) Parking Aisle Width	Minimum – 5.50 m
d) Required Number of Parking Spaces	Minimum – 8
e) Required Number of Visitor Parking Spaces	Minimum – 0

[ZDM11; ZNG/6871]

II. THAT the Site Plan Approval Officer **BE DIRECTED**:

- a) To incorporate the Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division in Appendix D to Report S 34/2023 into an approved site plan and executed and registered site plan agreement.
- b) To review and consider the comments from municipal departments and external agencies in Appendix D to Report S 34/2023.

Carried.

Report Number: S 34/2023
Clerk's File: Z/14488

7.3. OPA & Rezoning – University Residential Land Corp. – 0 Huron Church - OPA 157 OPA/6737 Z-014/21 ZNG/6736 – Ward 2

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 491**

1. THAT Schedule "A" of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West.
2. THAT Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - 1.X East side of Huron Church Road, situated immediately northeast of the corner of Huron Church Road and Tecumseh Road West (0 Huron Church Road);
 - 1.X.1 The property described as Pt Lot 63 & 64, Concession 1, being Parts 1 & 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 7 of 15

- on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan;
- 1.X.2 Notwithstanding the “Mixed Use Node” designation of the subject land on Schedule D: Land Use in Volume I: The Primary Plan, residential uses in excess of four stories in height shall be permitted;
- 1.X.3 Notwithstanding Section 7.2.6.4(b)(iv) in Volume I – The Primary Plan, two direct right-in / right-out vehicular access points to Huron Church Road shall be permitted.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road (Roll No. 050-370-15400), situated on the east side of Huron Church Road, immediately northeast of the corner of Huron Church Road and Tecumseh Road West, by adding site specific exceptions to Section 20(1) as follows:

4XX. EAST SIDE OF HURON CHURCH ROAD, SITUATED IMMEDIATELY NORTHEAST OF THE CORNER OF HURON CHURCH ROAD AND TECUMSEH ROAD WEST

For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road:

- a) *A Combined Use Building and Multiple Dwelling* shall be additional permitted uses.
- b) Notwithstanding Section 24.20.5.1, for a *Combined Use Building – Dwelling Units, or Multiple Dwelling containing a minimum of 5 Dwelling Units, a Parking Rate of 1.15 parking space for each dwelling unit* shall be permitted.
- c) Notwithstanding Section 24.40.1.3, for a *Combined Use Building with 9 or more dwelling units*, the total number of required *loading spaces* shall be 2
- d) Notwithstanding Section 24.40.1.5, for a *Multiple Dwelling with 9 or more dwelling units*, the total number of required *loading spaces* shall be 2

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334, known municipally as 0 Huron Church Road, identified as Parcel “A”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 46.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “B”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

- a) Building Height – maximum - 37.0 m

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 8 of 15

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “C”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

a) Building Height – maximum - 34.0 m

4XX. For the lands comprising of Pt Lot 63 & 64, Concession 1, being Parts 1& 2, Plan 12R-14334 (known municipally as 0 Huron Church Road), identified as Parcel “D”, as shown on Schedule “A” of this by-law, despite the regulations of the Commercial District 3.3 (CD3.3) zone category, the following regulations shall apply:

a) Building Height – maximum - 28.0 m

[ZDM 4; ZNG/6736]

4. THAT, at the discretion of the City Planner, the following **BE SUBMITTED** either prior to, or with, an application for site plan approval:

- a) Updated documents, reports, or studies, including any addendum or memorandum, submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 to reflect the site plan for which approval is being sought;
- b) Detailed tree survey to the satisfaction of the City Forester;
- c) Detailed Landscape Plan to the satisfaction of the Landscape Architect;
- d) Archaeological Assessment – Entered Into Register verification letter from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries, to the satisfaction of the Heritage Planner.

5. THAT the Site Plan Approval Officer **BE DIRECTED:**

a) To incorporate the following, subject to any updated information, into an approved site plan and executed and registered site plan agreement:

- 1) Noise mitigation measures identified in Section 5 of the Acoustical Report, prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner;
- 2) Measures identified in the Stormwater Management and Sanitary Sewer Study prepared by Baird AE and dated March 29, 2022, subject to the approval of the City Planner and City Engineer;
- 3) Transportation Impact Study requirements of the City of Windsor Transportation Planning Division, contained in Appendix E of this report, and measures identified in Section 6 of the Traffic Impact Study prepared by Baird AE and dated February 24, 2023, subject to the approval of the City Planner, City Engineer, or Transportation Planning Senior Engineer;

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 9 of 15

4) Requirements of the City of Windsor – Engineering Department – Right-Of-Way Division contained in Appendix F of this report, including an easement for access across the abutting lands to the south, subject to the approval of the City Engineer

b) To review and consider the comments from municipal departments and external agencies in Appendix E to Report S 35/2023.

6. THAT Zoning By-law 8600 **BE AMENDED** by placing an “H” holding symbol on the subject parcel that shall be removed when the following conditions have been satisfied:

- a) The owner submits an application to remove the “H” holding symbol;
- b) The owner registers an access agreement on title of the subject lands and the commercial plaza property for the provision of access easements across the abutting commercial plaza to the south for the benefit of the subject lands, to the satisfaction of the City Planner. [ZDM 4; ZNG/6736]

Carried.

Report Number: S 35/2023

Clerk’s File: Z/10891

7.4. Rezoning – Lusi Lorini - 921 Ellrose Avenue - Z-038/22 ZNG/6900 - Ward 5

Moved by: Councillor Angelo Marignani

Seconded by: Member Anthony Arbour

Decision Number: **DHSC 492**

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 64, Registered Plan 531 (known municipally as 921 Ellrose Avenue; Roll No. 010-030-02400), situated on the west side of Ellrose Avenue, south of Ontario Street, changing the zoning by adding a site specific exception to Section 20(1) as follows:

458. WEST SIDE OF ELLROSE AVENUE, SOUTH OF ONTARIO STREET

For the lands comprising of Lot 64, Registered Plan 531, one *duplex dwelling* shall be an additional permitted use and a *duplex dwelling* or a *single unit dwelling* shall be subject to the appropriate provisions in Section 10.2.5 and the following additional provisions:

- a) Lot Width – minimum 9.0 m
 - b) Lot Area – minimum 270.0 m²
 - c) Parking Spaces – minimum 1
- [ZDM 10; ZNG/6900]

Carried.

Report Number: S 140/2022

Clerk’s File: Z/14507

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 10 of 15

7.5. Rezoning – JBM Capital Inc – 2601 Lauzon Parkway - Z-011/23 ZNG/6993 - Ward 8

Moved by: Councillor Angelo Marignani

Seconded by: Member Robert Polewski

Decision Number: **DHSC 493**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Farm Lot 124, Concession 2, designated as Part Block A, Registered Plan 1644, Parts 5 & 6 Plan 12R-10031 and Parts 3 to 5, Plan 12R-27242 (part of municipal address 2601 Lauzon Parkway; Roll No. 070-670-56925), situated on the east side of Enterprise Way, north of Hawthorne Drive, changing the zoning by deleting and replacing Section 20(1)448 as follows:

448. EAST SIDE OF ENTERPRISE WAY, NORTH OF HAWTHORNE DRIVE

For the lands comprising Part of Block A, Registered Plan 1644, designated as Part 3 and Part 4 on Reference Plan 12R27242, the following additional provisions shall apply:

1. For a *multiple dwelling*, Section 20(1)97(i) shall not apply to a *multiple dwelling*; and the minimum front yard depth shall be 6.0 m.
2. A *townhome dwelling* shall be an additional permitted use and the following additional provisions shall apply to a *townhome dwelling*:
 - a) Sections 12.2.5.8, 12.2.5.13, and 20(1)97 shall not apply
 - b) Lot Frontage – minimum 20.0 m
 - c) Lot Area – per dwelling unit – minimum 200.0 m²
 - d) Lot Coverage – maximum 45.0%
 - e) Main Building Height – maximum 18.0 m
 - f) Building Setback from any *lot line* - minimum 6.0 m

[ZDM 15; ZNG/6660; ZNG/6993]

2. THAT a Transportation Impact Statement and Servicing Study **BE SUBMITTED** by the applicant, along with any other required support studies, at Site Plan Control; and,

3. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, if required, in the site plan approval and site plan agreement for the proposed development:

- a) Easement requests from Utility Companies, as noted in Appendix D to report S 77/2022;
- b) Enbridge Gas minimum separation requirements, as noted in Appendix D to report S 77/2022;
- c) Reciprocal Access and Services Agreement;
- d) Parkland Conveyance; and
- e) Record of Site Condition.

Carried.

Report Number: S 36/2023

Clerk's File: Z/14545

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 11 of 15

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 5:47 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:48 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

None presented.

11. ADMINISTRATIVE ITEMS

11.1. Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765

James Maxwell, Ward 1 resident

James Maxwell, Ward 1 resident appears before the Development & Heritage Standing Committee regarding the administrative report "Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765" and provides a brief overview of the property and provides photos of the flooding issues at the side of his house which also goes into his backyard. Mr. Maxwell would like to purchase the property to fix the grade, and has had many issues related to the flooding on this property and urges the committee to make a decision soon to avoid future flooding issues.

Councillor Angelo Marignani asks Mr. Maxwell what he would do to improve the situation. Mr. Maxwell indicates that he would purchase the area in question and would raise the grade slightly to push the water back towards the ditch. Mr. Maxwell adds that all the upgrades would be at his expense.

Councillor Kieran McKenzie states that if the land can't be conveyed in a timely, efficient manner, what are Mr. Maxwell's expectations, and what are some possible options. Mr. Maxwell indicates that the ERCA protected land is behind the house as far as he is aware.

Councillor Kieran McKenzie indicates that even if the City conveys the land, there is no way to ensure that ERCA would allow the modifications. Mr. Maxwell indicates that currently there is no way to drain it. There was at one time off of Wentworth a ditch that went towards Malden, and he believes it was plugged from the Malden side. Mr. Maxwell indicates that the cost of looking at re-

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 12 of 15

installing a ditch maybe not be a viable option and a slight raise of the grade would be the only solution.

Councillor Kieran McKenzie inquires as to whether other neighbours are having the same issues. Mr. Maxwell indicates he gets everyone's water and there may be one other neighbour who may have issues relating to flooding.

Councillor Kieran McKenzie inquires as to a response from administration as to the proposed solution suggested by Mr. Maxwell. Brian Nagata, Planner II Development Review, appears before the Development & Heritage Standing Committee regarding the administrative report "Closure of part of east/west alley located east of Perth Street, Ward 1" and indicates that any work in the right of way would require ERCA approval, perhaps species at risk clearance also. Shannon Mills, Technologist III, appears before the Development & Heritage Standing Committee regarding the administrative report "Closure of part of east/west alley located east of Perth Street, Ward 1" and indicates if the property is purchased it's no longer the right of way.

Councillor Kieran McKenzie inquires if the land is conveyed will ERCA or the Ministry going to deny Mr. Maxwell's application, and is there anything the City can do to alleviate the flooding issues. Ms. Mills indicates that the area behind the home is the regulated area. The area between the houses is part of the ditch. If this portion leads into the regulated lands, ERCA may prevent the changes in grading although Administration can't determine that, ERCA would make that decision.

Councillor Kieran McKenzie inquires whether Mr. Maxwell has spoken to ERCA. Mr. Maxwell indicates that he hasn't, as the land that is the issue is grass on the side of the house. Mr. Maxwell also expresses concern regard the price to purchase the parcel and asks the committee to consider reassessing that amount. The Chair suggests deferral of this matter to allow for administration to meet with the delegate and other departments to determine whether a solution can be found.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

That the report of the Planner II – Development Review dated March 3, 2023, entitled "Closure of part of east/west alley located east of Perth Street, Ward 1, SAA-6765" **BE REFERRED** back to Administration to consult with the resident and other departments with options for addressing the flooding issues within the Perth Street right-of-way; and,

That this information **BE BROUGHT FORWARD** to a future meeting of the Development & Heritage Standing Committee.

Carried.

Report Number: S 28/2023

Clerk's File: SAA2023

Minutes

Development & Heritage Standing Committee

Wednesday, April 05, 2023

Page 13 of 15

12. COMMITTEE MATTERS

12.3. Report No. 50 of the International Relations Committee - International Mother Language Plaza (Martyr's Monument)

Mohammed Baki, President, Bangladesh Canada

Mohammed Baki, President, Bangladesh Canada appears before the Development & Heritage Standing Committee regarding Report No. 50 of the International Relations Committee – International Mother Language Plaza (Martyr's Monument) and provides a brief overview of the proposed plaza project which will promote cultural diversity in the community and provides details related to the organization, structure and design of the proposed plaza and that their group is raising funds of at least \$130,000, to complete the construction. Mr. Baki concludes by providing details of other contributors; providing information related to other similar projects that were completed in other areas and urges the Committee to approve granting the funds to complete the project.

Saiful Bhuiyan, International Relations Committee member

Saiful Bhuiyan, International Relations Committee member appears before the Development & Heritage Standing Committee regarding Report No. 50 of the International Relations Committee – International Mother Language Plaza (Martyr's Monument) and requests funding for the proposed plaza project, provides details related to the project and provides information from the meeting of the International Relations Committee when this item was discussed and when it was determined to be outside of the committee's mandate and was forwarded to the Standing Committee and finally to Council for decision related to funding. Mr. Bhuiyan concludes by providing some historic information related to the project and requests the funding be approved to complete this plaza project to promote the diversity of the community.

The Chair clarifies that Mr. Bhuiyan is speaking as a resident and not on behalf of the International Relations Committee.

Councillor Kieran McKenzie inquires as to the financial commitment that Mr. Baki is requesting and whether that amount may potentially increase due to inflation or other pressures. Mr. Baki indicates that the cost estimate is recent, the builder has provided the most current estimate, and provides information related to cost estimates of surrounding projects that had similar costs.

Councillor Kieran McKenzie, inquires about the location and whether a final location for the plaza has been determined. Mr. Baki indicates that Jackson Park may be a potential location.

Councillor Kieran McKenzie inquires whether the report should be forwarded to the Community Services Committee to discuss. Administration indicates that the Community Services Committee has already discussed this issue.

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 14 of 15

The Deputy Clerk provides information related to the recommendation and that the committee report would be forwarded as requested to Council for a decision related to funding.

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 496**

That Report No. 50 of the International Relations Committee – International Mother Language Plaza (Martyr’s Monument) indicating:

That the request for funding for the International Mother Language Plaza (Martyr’s Monument) BE REFERRED to City Council for their review and consideration for funding as this matter is not germane to the International Relations Committee.

BE APPROVED.

Carried.

Report Number: SCM 98/2023
Clerk’s File: MB2023

12.1. Minutes of the International Relations Committee of its meeting held March 8, 2023

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 494**

That the minutes of the International Relations Committee of its meeting held March 8, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 94/2023
Clerk’s File: MB2023

12.2. Report No. 49 of the International Relations Committee - IRC Delegation going to Mannheim, Germany - Garden of Twin Cities

Moved by: Councillor Angelo Marignani
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 495**

That Report No. 49 of the International Relations Committee – IRC Delegation going to Mannheim, Germany – Garden of Twin Cities indicating:

Minutes

Development & Heritage Standing Committee Wednesday, April 05, 2023

Page 15 of 15

That the invitation extended by Mannheim, Germany for the Chair, the Manager of Horticulture and one representative from the International Relations Committee to attend the Ceremonial Opening of the Garden of Twin Cities and the International Conference of Twin Cities in Mannheim from May 4-7, 2023 at an upset limit of \$10,000 from the IRC operating budget **BE APPROVED**, and further, that interested members of the IRC enter their names into a draw which will be held virtually.

BE APPROVED.

Carried.

Report Number: SCM 97/2023

Clerk's File: MB2023

12.4. International Relations Committee 2022 Annual Report

Moved by: Councillor Angelo Marignani

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 497**

That the International Relations Committee 2022 Annual Report **BE APPROVED.**

Carried.

Report Number: SCM 77/2023

Clerk's File: MB2023

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6:39 o'clock p.m.

Carried.

Ward 10 - Councillor Jim Morrisson
(Chairperson)

Deputy City Clerk / Supervisor
of Council Services

Subject: 436 Askin Avenue - Heritage Permit Request (Ward 2)

Reference:

Date to Council: March 6, 2023

Author: Tracy Tang

Planner II - Revitalization & Policy Initiatives

ttang@citywindsor.ca

519-255-6543 x 6449

Kristina Tang, MCIP, RPP

Heritage Planner

ktang@citywindsor.ca

519-255-6543 x 6179

Planning & Building Services

Report Date: February 16, 2023

Clerk's File #: MB/13966

To: Mayor and Members of City Council

Recommendation:

- I. THAT the Heritage Permit at 436 Askin Avenue **BE GRANTED** for the erection of one detached additional dwelling unit per Appendix 'B' of this report; and,
- II. THAT the Heritage Permit approval **BE SUBJECT** to the following approval conditions prior to work start:
 - a. Submission of satisfactory product details and samples (including material and colour selections);
 - b. Provision of satisfactory architectural drawings by qualified designers;
 - c. Determination that the work is satisfactory to meet Building code compliance; and
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the proposed scope of work for the erection of one rear detached additional dwelling unit.

Executive Summary: N/A

Background:

The property at 436 Askin Avenue was designated by Council under Part IV of the *Ontario Heritage Act* on March 21, 2022. It is identified on the Windsor Municipal Heritage Register as a Tudor Revival style house built circa 1928. The Statement of Cultural Heritage Value or Interest from the designation by-law 51-2022 is attached as Appendix 'A'. The designation was triggered by a 2020 proposal for partial demolition of a rear porch to accommodate a large addition (larger than the size of the existing structure). Council rejected the proposal then by initiating the designation.

The property owner has now provided a different proposal to construct a smaller detached two-storey additional dwelling unit (ADU) at the rear of the property. The proposal has undergone zoning compliance review and a building permit application was submitted for the proposed construction in October 2022. A Heritage Permit is required for the erection of an ADU at the rear of 436 Askin Avenue. The Owner submitted a Heritage Permit application with updated drawings, elevations, and floor plans, which was accepted as a complete application on February 16, 2023. The Heritage Permit application package can be found in Appendix 'B'.

Legal Provisions:

The *Ontario Heritage Act (OHA)* requires the owner of a heritage designated property to apply to Council to alter the property. The designation by-law includes heritage attributes (see Appendix 'A'). In accordance with the *OHA*, changes to a designated property that affect heritage attributes must be considered by City Council after consulting with the municipal Heritage Committee. Council has the option of granting consent with or without terms and conditions, or refusing the application within 90 days of notice of complete application. The heritage designations apply to the entire real property and new construction such as the proposal have the potential to impact the heritage attributes of a designated property and thus needs to be evaluated.

Discussion:

Property Description:

The subject property is located in close proximity to the University of Windsor, and is the fourth house south of Fanchette Street on the east side of Askin Avenue. The two-and-a-half storey dwelling was constructed circa 1928 in Tudor Revival style. The building is clad in brick and stucco, with steeply pitched roofs and an asymmetrical facade. The property has a front driveway access off of Askin Avenue. See Appendix 'C' for additional photos of the property.



Front elevation of 436 Askin Avenue

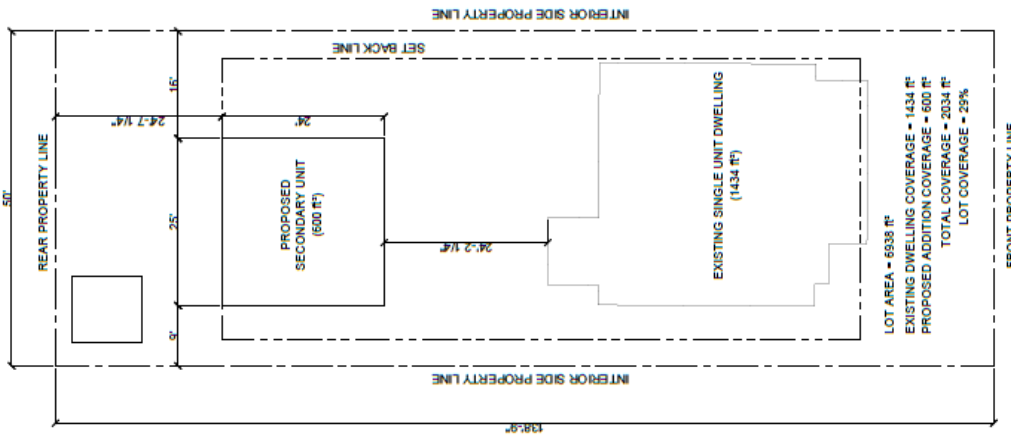
Furthermore, the property is located within a Mature Neighbourhood as per Schedule A-1 Special Policy Areas of the Official Plan. As per Policy 1.51.1 of Volume II, Chapter I Special Policy Areas: Infill and intensification within Mature Neighbourhoods shall be consistent with the built form, height, massing, architecture and landscape of the area.

Proposal and Heritage Conservation Considerations

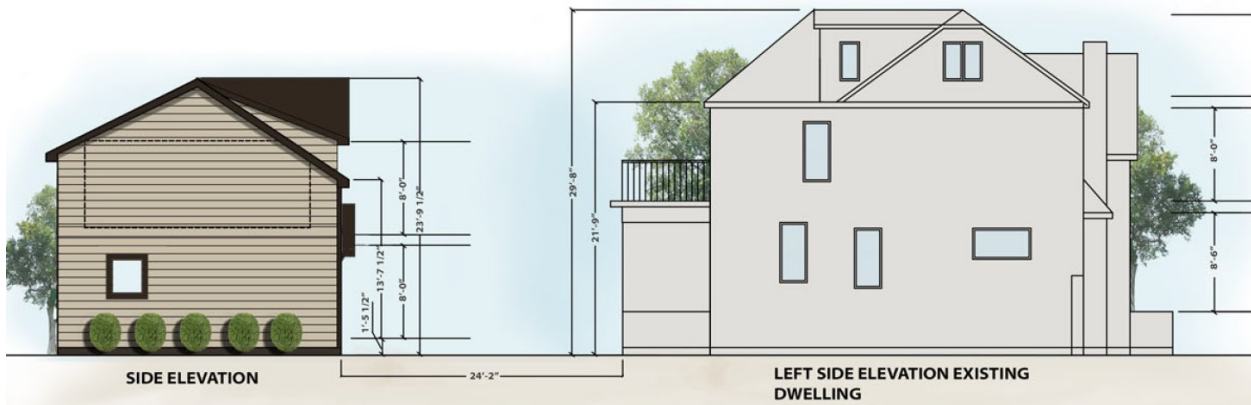
For the proposed scope of work, the most relevant references from the *Standards & Guidelines for Conservation of Historic Places* have been considered.

- 11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

The heritage permit for 436 Askin Avenue is for the erection of one detached two-storey ADU in the rear yard. The ADU is as proposed in the drawings attached within Appendix 'B'.



Site Plan view of existing structures and the proposed ADU at 436 Askin Avenue



Side elevation drawing comparing the heights and massing of the historic dwelling and the proposed ADU

The new structure is proposed to be located behind the existing dwelling and subordinate in height and massing to allow the main historic structure to continue being the prominent view from Askin Avenue. The alignment of the ADU behind the existing dwelling makes it more discreet. It would not be visible from a straight front-on view from Askin Avenue, though it would still be visible from certain angles along Askin Avenue.



Askin Avenue-view rendering of the historic Tudor Revival style dwelling with the proposed ADU at rear



Rendering of the proposed detached ADU at the rear of 436 Askin Avenue, front (west) facade

To match the character of the Mature Neighbourhood and meet the *Standards* of compatibility, traditional-looking design and materials have been recommended and proposed. The proposed front facade is asymmetrical with a pitched front gable and clipped roof similar to the roof of the existing dwelling. The Owner is proposing a variegated brick in a colour similar to what is on the existing dwelling on the front facade of the ADU, and horizontal vinyl siding on the sides and rear. Black single-hung windows with six-over-one muntin patterns are proposed to match with the windows on the existing dwelling. The ADU would have an entrance from the ground floor, with parking area provided from the existing driveway on the north side of the existing structure.

The proposed development complies with the zoning regulations of the current zoning Residential District 2.1 (RD2.1). Other than the required Heritage Permit application, there are no *Planning Act* processes that apply to the proposal. A Building Permit is required for the new construction, which the Owner has already applied for and is

subject to the Heritage application decision. The Owner may proceed with the Building Permit should Council decide to approve the request for a Heritage Permit application.



North side yard view on left and south side yard view on right. The ADU proposed would be located behind the existing dwelling and thus mostly screened from view from Askin Avenue.

The proposal has considered the heritage *Standards and Guidelines* and does not appear to adversely impact the heritage property. The conditions recommended with the approval would allow for verification of the proposal further along the design process as the Owner would be required to provide satisfactory architectural drawings prepared by qualified designers for Building Code compliance, and obtain a Building Permit. Should the application be approved, Heritage Planning Staff will also continue the discussion on material and colour selections and require satisfactory final product information to be provided as a condition of the approval. Additional property photographs are provided in Appendix 'C'.

Official Plan Policy:

The Windsor Official Plan states "Council will recognize Windsor's heritage resources by: Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act." (9.3.3.1(a))

The Plan includes protection (9.3.4.1). "Council will protect heritage resources by: (c) Requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ..."

Risk Analysis:

Risk of inappropriate new erections on the heritage designated property is being mitigated through the Heritage Permit application process and conditions.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There is no cost to the City; the Property Owner is paying the full cost of the proposal for the construction of the ADU. The proposed work may increase the assessed value of the property.

Consultations:

Heritage Planning Staff have been in discussion with the Property Owner since January 2023 and conducted a site visit in February 2023. Planning and Building Department Staff were consulted in the preparation of this report.

Conclusion:

The heritage permit request for the erection of a detached two-storey ADU at 436 Askin Avenue is recommended for approval, subject to conditions. Delegated authority to the City Planner or designate to direct any further minor changes as needed will provide expediency on application processing and confirm that the development proposed would not have a negative impact on the heritage attributes of the property.

Planning Act Matters: N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Allan Djordjevic		

Appendices:

- 1 Appendix A - Statement of Cultural Heritage Value or Interest from Heritage Designation By-law 51-2022
- 2 Appendix B - Heritage Permit Application
- 3 Appendix C - Additional Photos of 436 Askin Avenue

APPENDIX 'A' - Heritage Designation By-law for 436 Askin Avenue

From By-Law No. 51-2022, March 21, 2022

SCHEDULE "B"

STATEMENT OF CULTURAL HERITAGE VALUE AND INTEREST 436 Askin Avenue

Description of Historic Place

436 Askin Avenue is located on the east side of Askin Avenue, south of Fanchette Street. The 2 ½-storey brick and stucco house was built c.1928 in the Tudor Revival style.

Design or Physical Value:

The building is a large 2½-storey Tudor Revival style house with brick walls and steeply pitched roofs, designed with the front facing west to Askin Avenue. The asymmetrical facade includes a steeply pitched two-storey projecting portico with a stepped chimney, off-set from the center to the north. The main roof is clipped on the north end and marked by a large rectangular chimney on the south end. Although the gable ends feature stucco and decorative half-timbering, the majority of the building is constructed of variegated brick with brown to buff colours, including varieties of red colours. The projecting portico has many decorative features, including an arched voussoir entryway radiating out in a sunburst pattern, and a center oriel window apparently with leaded glass. Decorative brick patterns accentuate the portico, with brick in a variety of header, stretcher, rowlock, soldier, and sailor orientations. Around the building, soldier course brick delineate the floors, openings are framed by brick surrounds and rowlock brick window sills, and corners of the building are marked by protruding columns capped by stacked, sloping sailor brick coping. Other features include a recessed arched front door (west-facing), and various original window types including wood sash windows with six over one sash windows, casement windows with leaded glass in diamond pattern, and stained glass windows.

The building is a representative example of Tudor Revival style and displays a high degree of craftsmanship, especially in the decorative brickwork.

Historical or Associative Value:

From an early survey in 1881, the subject lands are identified as part of the French farm lots located in the Town of Sandwich. The French farm subdivision patterns of narrow lots perpendicular to the river front were laid out throughout the region up to Cabana Road or 4th Concession. During the early decades of the twentieth century up to 1930, the Border Cities experienced unprecedented growth with a population increase of nearly tenfold. The prosperity of the economy in the region had attracted much development and boom in populations. By the 1920s, many of the farm lots close to the riverfront were going through the process of being developed and homes were being built in the area, including along Askin Avenue. The subject parcel consists of Lot 6 and Part of Lot 5 on Plan 868 which was approved by the Town of Sandwich on December 20th, 1916.

According to property title and ownership records, the property was purchased by Edward and Louise Griffith in Oct. 1926 for \$2500. It appears the building was constructed c.1928, with the Griffiths indicating occupancy at the subject property's address of 212 Askin Avenue in 1928 (per 1928-1929 City Directories and The Border Cities Star newspaper records). They were long-time owners, selling 436 Askin in Nov. 1951 for \$21000. According to Edward Griffith's obituary posted in the Windsor Star in August 1978, he had owned an insurance agency business and was a life member of the Windsor Lodge #403 AF and AM.

Information about the architect, building or designer of the building is unknown.

Contextual Value:

This block on Askin Avenue between Fanchette Street and Wyandotte Street consists of one and two storey residential buildings. The majority of the buildings are single detached houses, although there are several traditional type semi-detached houses and duplexes. 436 Askin is of similar epoch as many other homes constructed in the area. Building permit records and Fire Insurance Maps indicate that many of the original

homes that remain on Askin Avenue were constructed in the mid-to-late 1920's, ranging in architectural styles of craftsmen bungalows, American foursquare, and colonial revival styled homes, etc. The subject property's Tudor Revival architecture is distinctive as it is comparatively less common in the immediate area. Single-vehicle-width driveways with access to the front are typical along this block. South of the block, Wyandotte Street is designated as a Main Street in the Official Plan, and features a mix of commercial uses and apartment-style dwellings. The main campus of the University of Windsor is one block to the west of the subject site. Amidst changes in the surrounding context, the original building typology and Tudor Revival house contributes to maintaining the character of the area as a mature residential neighbourhood with heritage character.

The subject property's period architecture visually and historically connects to the era of its original early 20th century subdivision plan, along with the wide tree median right-of-way design on Askin Avenue. The section of Askin Avenue incorporates a treed landscaped boulevard, and a wide median island that is approximately 15 metres in width, also landscaped with grass, shrubs, and a mix of deciduous trees. This locally uncommon wide treed median is a defining feature on this block and part of the original plan of subdivision laid out in 1916.

Description of Heritage Attributes:

Attributes that contribute to the design or physical value of 436 Askin Avenue:

2½-storey Tudor Revival style house, built in c.1928

- Steeply pitched side-gabled roof with gabled portico
- Asymmetrical façade with two-storey front-facing portico off-set from the center to the north
- Majority of building constructed of variegated brick with brown to buff colours, including varieties of red colours
- Main side-gable roof clipped on the north end and marked by a large rectangular brick chimney on the south end with triple chimney pot
- Side-gable ends feature stucco and decorative half-timbering
- Gables with plain or half-timbered vergeboard
- Steeply pitched projecting portico features
 - 2 sided oriel window with casement windows of leaded glass with crest
 - Stepped brick chimney with chimney pots and sailor brick coping ends
 - Arched voussoir entryway radiating out in sunburst pattern in front center, and arched opening at south side
 - Rectangular opening with brick sill and column with brick coping to south of front facing plane
 - Decorative brick patterns in a variety of header, stretcher, rowlock, soldier and sailor, orientations, and projecting units in random pattern, accentuate the porch
 - Situated atop brick (with projecting units) and concrete deck
- Recessed arched front door (west-facing)
- Canopy over the first floor west-facing bay windows (north of porch)
- Variety of original window types including wood sash windows with six over one windows, casement windows with leaded glass in diamond pattern, and stained glass windows
- Brick surrounds over openings feature double rowlock lintels, projecting stretcher and header brick at sides, and rowlock sills
- Soldier brick course delineating floors
- Front corners of the building marked by protruding columns topped by stacked, slopping sailor brick coping

Attributes that contribute to the historical or associative value of 436 Askin Avenue:

- Developed alongside the growth in the Border Cities area as part of a Town of Sandwich subdivision
- Associated with first owners Edward & Louise Griffith

Attributes that contribute to the contextual value of 436 Askin Avenue:

- Original building typology and tudor revival style of house contributes to maintaining the character of the area as a mature residential neighbourhood with heritage character
- The subject property's period architecture visually and historically connects to the era of its original early 20th century subdivision plan, along with the wide tree median right-of-way design on Askin Avenue.



HERITAGE PERMIT APPLICATION

Revised 12/2021

CORPORATION OF THE CITY OF WINDSOR

Planning Dept., Suite 320-350 City Hall Sq W, Windsor ON N9A 6S1
519-255-6543 | 519-255-6544 (fax) | planningdept@citywindsor.ca

1. Applicant, Agent and Registered Owner Information

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address. If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

APPLICANT

Contact Name(s) Allen Djordjevic
Company or Organization _____
Mailing Address 436 Askin, Windsor, Ontario, N9B 2X4

Postal Code N8N1B7
Email adgdesignstudio@gmail.com Phone(s) 248-495-6614

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Postal Code _____
Email _____ Phone(s) _____

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Postal Code _____
Email _____ Phone(s) _____

Who is the primary contact?

- Applicant Registered Owner Agent



HERITAGE PERMIT APPLICATION

Revised 12/2021

2. SUBJECT PROPERTY

Municipal Address: 436 ASKIN AVE, WINDSOR , N9B 2X4

Legal Description (if known): _____

Building/Structure Type:

- Residential Commercial Industrial Institutional

Heritage Designation:

- Part IV (Individual) Part V (Heritage Conservation District)

By-law #: _____ District: _____

Is the property subject to a Heritage Easement or Agreement?

- Yes No

3. TYPE OF APPLICATION

Check all that apply:

- Demolition/Removal of heritage attributes Addition Erection Alteration*
- Demolition/Removal of building or structure Signage Lighting

*The Ontario Heritage Act's definition of "alter" means to change in any manner and includes to restore, renovate, repair or disturb.

4. HERITAGE DESCRIPTION OF BUILDING

Describe the existing design or appearance of buildings, structures, and heritage attributes where work is requested. Include site layout, history, architectural description, number of storeys, style, features, etc..

2 Story dwelling, brick and siding, built in 1928, English Revival,

5. PROPOSED WORK

Provide a detailed written description of work to be done, including any conservation methods you plan to use. Provide details, drawings, and written specifications such as building materials, measurements, window sizes and configurations, decorative details, etc.. Attach site plans, elevations, product spec sheets, etc. to illustrate, if necessary.

Please see attached files for the above

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Provide a dwelling when Windsor and Essex County has a housing shortage problem,

Provide additional income to offset high mortgage interest rates on dwelling

In the future provide a dwelling for family members

Describe the potential impacts to the heritage attributes of the property.

compatible with the exterior architectural style, materials, and features of the primary dwelling,
designed to fit in the fabric of the neighborhood, designed simple and modest so does not detract
from primary dwelling

7. CHECKLIST OF MATERIALS SUBMITTED Check all that apply:

Required:

- Photographs (showing the current condition and context of existing buildings, structures, and heritage attributes that are affected by the application)
- Site plan/ Sketch (showing buildings on the property and location of proposed work)
- Drawings of proposed work (e.g. existing and proposed elevations, floor plans, roof plans, etc., as determined by Heritage Planning staff)
- Specifications of proposed work (e.g. construction specification details)

Potentially required (to be determined by Heritage Planning staff):

- Registered survey
- Material samples, brochures, product data sheets etc.
- Cultural Heritage Evaluation Report
- Heritage Impact Assessment (HIA)
- Heritage Conservation Plan
- Building Condition Assessment

DO NOT COMPLETE BELOW – STAFF USE ONLY

Approval Record

Date Received by Heritage Planner: _____

Building Permit Application Date, if needed: _____

Application Approval (City Council):
 Development & Heritage Standing Committee: _____
 City Council: _____

Application Approval (City Planner):
 Heritage Planner: _____
 Staff Decision Appealed to City Council: _____
 If so, Date to City Council: _____
 Council Decision Appealed: _____

Additional Notes / Conditions:

DECISION

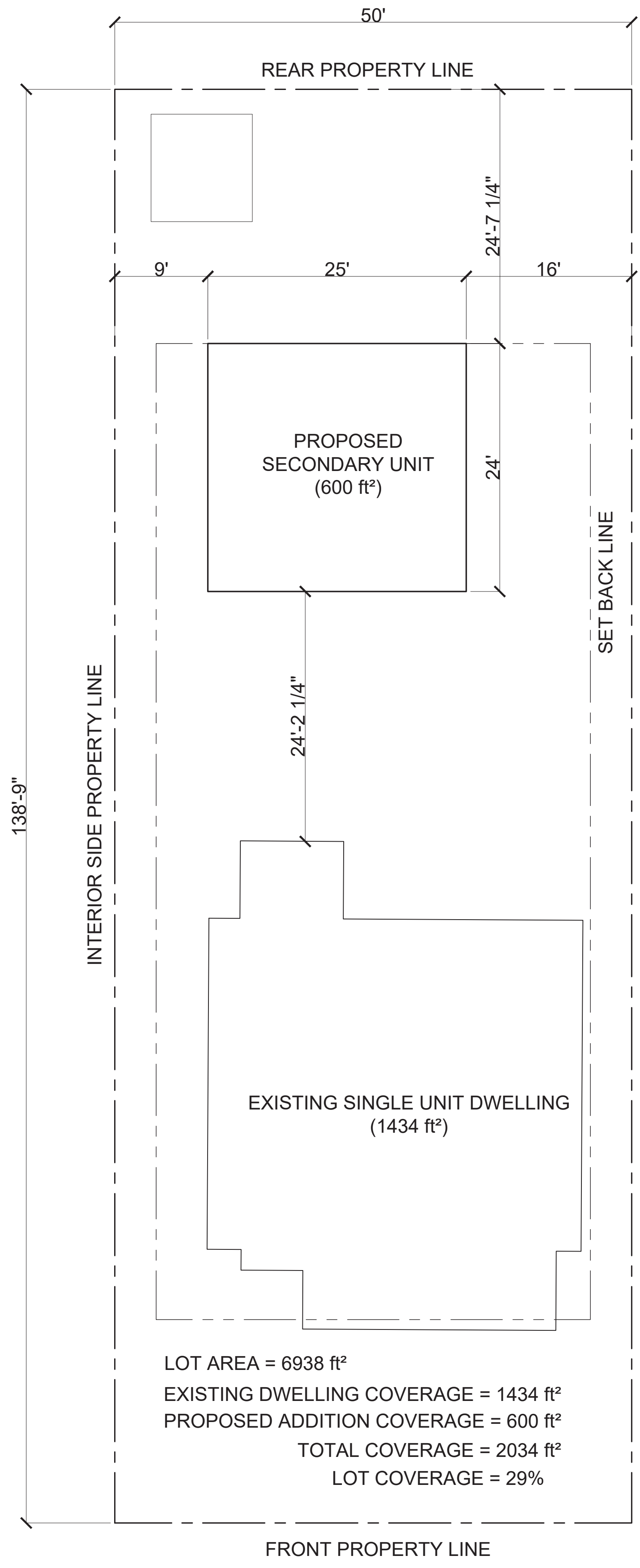
Heritage Permit No.: _____ Date: _____

Council Motion or City Planner's Signature: _____

Please contact Heritage Planning to request inspections at ktang@citywindsor.ca

CONTACT INFORMATION

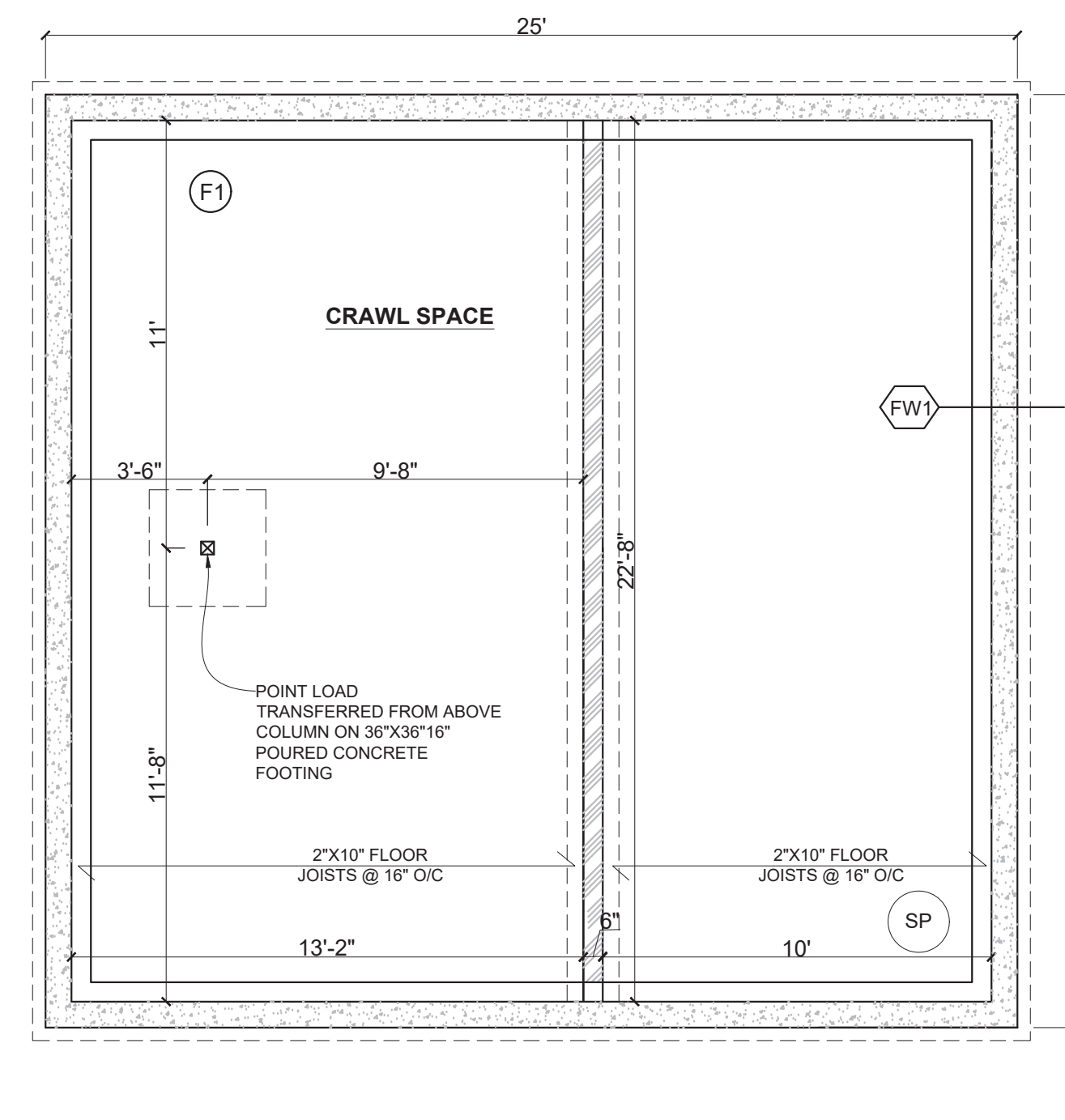
Planning Department - Planning Policy
 Corporation of the City of Windsor
 Suite 320 - 350 City Hall Square West
 Windsor ON N9A 6S1
 planningdept@citywindsor.ca
 519-255-6543 x 6179
 519-255-6544 (fax)
 http://www.citywindsor.ca



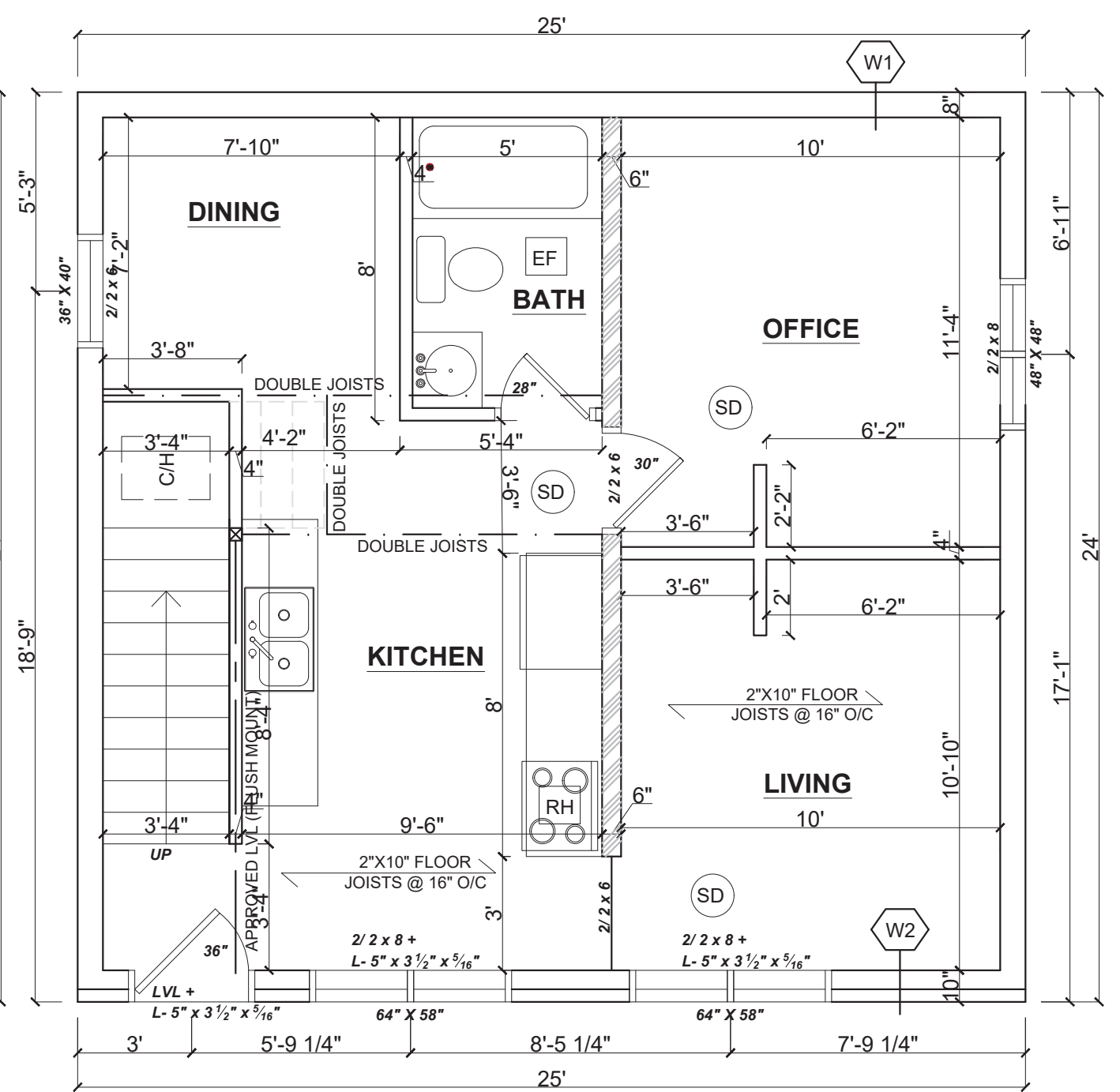
LOT AREA = 6938 ft²
 EXISTING DWELLING COVERAGE = 1434 ft²
 PROPOSED ADDITION COVERAGE = 600 ft²
 TOTAL COVERAGE = 2034 ft²
 LOT COVERAGE = 29%

LEGEND	
(FW1)	BITUMINOUS DAMP PROOFING 8" POURED CONCRETE FOUNDATION WALL, R20 BLANKET INSULATION, ON 20"X8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL
(W1)	EXTERIOR WALL - SIDES & REAR SIDING - AS PER OWNER 7/16" O.S.B. EXTERIOR GRADE SHEETING 2X6 WOOD STUDS @ 24" O/C, R20 BATT INSULATION COVERED WITH 6 MIL POLY V.B & 1/2" DRYWALL
(W2)	EXTERIOR WALL - SIDES & REAR 4" BRICK VENEER 1" AIR SPACE 7/16" O.S.B. EXTERIOR GRADE SHEETING 2X6 WOOD STUDS @ 24" O/C R20 BATT INSULATION COVERED WITH 6 MIL POLY V.B & 1/2" DRYWALL
(SP)	SUMP PUMP C/W COVER TO RESIST REMOVAL BY CHILDREN AND SEALED TO MAINTAIN CONTINUITY OF THE AIR BARRIER SYSTEM
(CH)	CRAWL SPACE ACCESS HATCH 32"X24" MINIMUM. INSTALLED AS PER OBC REQUIREMENTS.
(P1)	INTERIOR PARTITION 1/2" DRYWALL ON BOTH SIDES OF 2"X4" WOOD STUDS @ 16" O/C
(SD)	DENOTES SMOKE ALARM C/W CO ² DETECTOR. REFER TO GENERAL NOTES.
(A/H)	ATTIC ACCESS HATCH 32"X24" MINIMUM. INSTALLED AS PER OBC REQUIREMENTS.
(EF)	DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.
(#)	DENOTES NEW INTERIOR DOOR SIZE. SITE VERIFY
(RH)	DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C REQUIREMENTS.

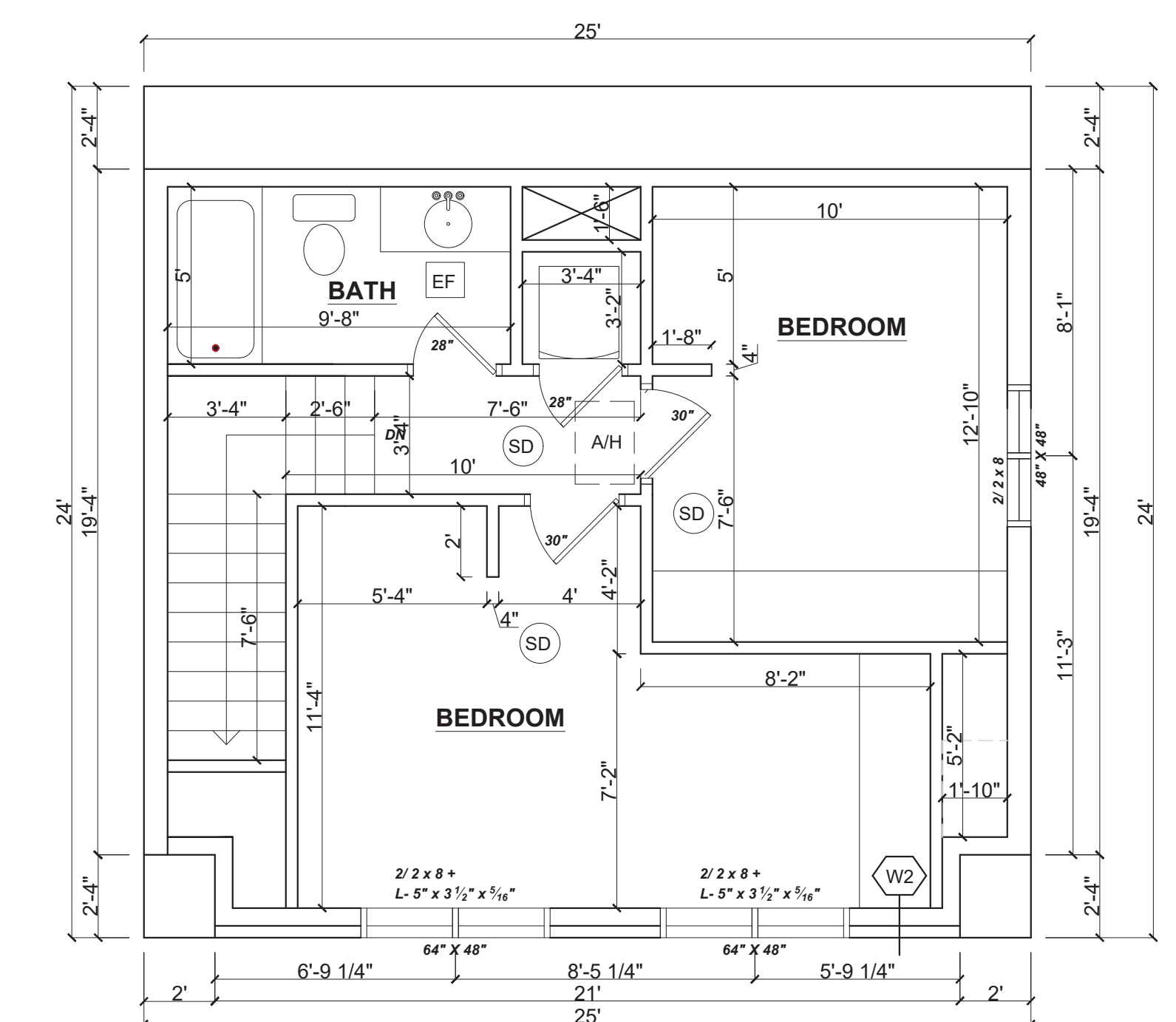
NOTES
 1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.
 SECOND FLOOR GFA = 475 ft²
 MAIN FLOOR GFA = 600 ft²
 TOTAL GFA = 1075 ft²



FOUNDATION PLAN



MAIN FLOOR PLAN



SECOND FLOOR PLAN

GENERAL NOTES

CODE AND PROCEDURES
 THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE CURRENT EDITION OF THE ONTARIO BUILDING CODE. THE OWNER / BUILDER IS RESPONSIBLE FOR ENSURING THAT ANY CHANGES TO THE CODE ARE COMPLIED WITH AND ALL AMENDMENTS ARE INCORPORATED IN THE CONSTRUCTION OF THIS PLAN. ALL WORK SHALL CONFORM TO LOCAL CODES AND BYLAWS. IT IS THE OWNER/BUILDERS RESPONSIBILITY TO NOTIFY AG DESIGN OF ANY REQUIREMENTS THAT EXCEED THE ONTARIO BUILDING CODE.

CONCRETE
 THE COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:
 - 32 MPA (4650 PSI) WITH 5 TO 8 % AIR ENTRAINMENT FOR GARAGE FLOORS, CARPORTS FLOORS AND ALL EXTERIOR FLATWORK.
 - 20 MPA (2900 PSI) FOR INTERIOR FLOORS OTHER THEN THOSE FOR GARAGES AND CARPORTS
 - 15 MPA FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, PIERS AND OTHER APPLICATIONS

SITE BATCHED CONCRETE SHALL CONFORM TO THE ONTARIO BUILDING CODE REQUIREMENTS.

WHEN THE AIR TEMPERATURE IS BELOW 5°C CONCRETE SHALL BE KEPT AT A TEMPERATURE OF NOT LESS THAN 10°C OR MORE THAN 25°C WHILE BEING PLACED AND MAINTAINED AT A TEMPERATURE OF NOT LESS THAN 10°C FOR 72 HOURS AFTER PLACING. NO FROZEN MATERIAL OR ICE SHALL BE USED IN THE CONCRETE.

FOOTINGS
 FOOTINGS AND PADS ARE TO BE PLACED ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL, TO AN ELEVATION BELOW FROST PENETRATION WITH A MINIMUM SOIL BEARING CAPACITY OF 75 KPA. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONSTRUCTION. IF A LESSER BEARING CAPACITY IS ENCOUNTERED IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE THE FOUNDATION REDESIGNED BY A QUALIFIED PROFESSIONAL TO SUIT SITE CONDITION.

WHERE WATER TABLE LEVELS ARE WITHIN A DISTANCE BELOW THE BEARING SURFACE LESS THAN OR EQUAL TO THE WIDTH OF THE FOOTING, THE FOOTINGS SHALL BE DOUBLED IN WIDTH UNDER WALLS AND DOUBLED IN AREA UNDER POSTS.

FOUNDATION WALLS
 FOUNDATION WALLS TO EXTEND A MINIMUM 8" ABOVE FINISHED GRADE.

GRADE LINES ON PLANS ARE ASSUMED, OWNER/CONTRACTOR TO VERIFY.

WHERE EXTERIOR FINISHED GROUND LEVEL IS AT A HIGHER ELEVATION THAN THE GROUND LEVEL INSIDE THE FOUNDATION WALLS SHALL BE DAMP PROOFED & WHERE HYDROSTATIC PRESSURE OCCURS WATER PROOFING IS REQUIRED.

ROOF FRAMING
 ROOF SHEETING SHALL BE INSTALLED WITH THE SURFACE GRAIN AT RIGHT ANGLES TO THE ROOF FRAMING JOINTS PERPENDICULAR TO ROOF RIDGE SHALL BE STAGGERED WITH EDGES SUPPORTED ON TRUSSES, IF TONGUED AND GROOVED EDGE PANEL TYPE SHEETING IS NOT USED THAN EDGES PARALLEL TO THE ROOF RIDGE SHALL BE SUPPORTED BY METAL 'H' CLIPS OR NOT LESS THAN 1.5"X1.5" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS.

VENTILATION OF ROOF SPACE TO BE VENTED TO A MINIMUM OF 1/150 OF INSULATED ROOF AREA.

MECHANICAL & ELECTRICAL
 MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

SMOKE ALARMS
 SMOKE ALARMS SHALL CONFORM TO CAN/ULC-S531 "SMOKE ALARMS"
 SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND BE INSTALLED AS PER CAN/ULC-S553 "INSTALLATION OF SMOKE ALARMS"
 SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE"
 SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT. C/W BATTERY BACKUP AS PER O.B.C REQUIREMENTS

ALL SMOKE ALARMS SHALL BE INTERCONNECTED SO THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS TO SOUND

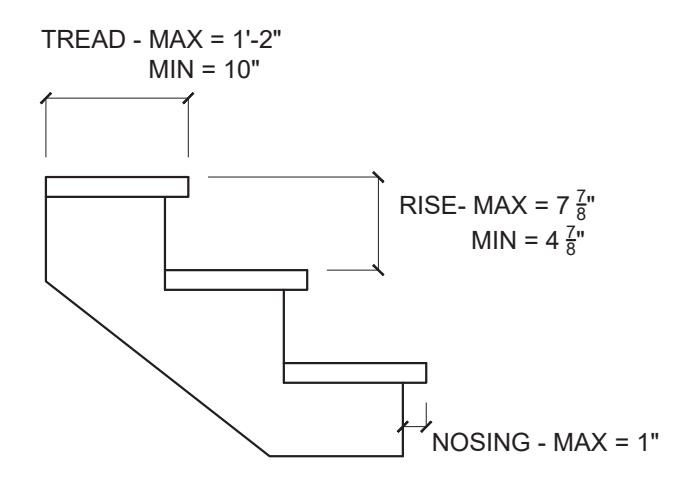
STEEL LINTELS SUPPORTING MASONRY VENEER
 STEEL LINTELS SUPPORTING MASONRY VENEER OVER OPENINGS SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 6" LENGTH OF BEARING AT END SUPPORTS, AND BEAR ON MASONRY, CONCRETE OR STEEL.

STEEL ANGLE LINTELS SHALL BE PRIMED OR PAINTED OR OTHERWISE PROTECTED FROM CORROSION

DEADBOLT
 DOORS THAT REQUIRE A DEADBOLT SHALL BE EQUIP WITH A DEADBOLT LOCK WITH A CYLINDER HAVING NO MORE THAN FIVE PINS AND A BOLT THROW NOT LESS THAN 25MM LONG, PROTECTED WITH A SOLID OR HARDENED FREE-TURNING RING OR BEVELED CYLINDER HOUSING

WOOD FRAMING GENERAL
 ALL WOOD FRAMING SHALL COMPLY WITH SECTION 9.23 OF THE ONTARIO BUILDING CODE.
 ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADE STAMPED AS SPRUCE - PINE - FIR (S-P-F) NO 2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION.
 WOOD FRAMING MEMBERS THAT ARE NOT TREATED WITH A WOOD PRESERVATIVE AND BEAR ON CONCRETE OR IN DIRECT CONTACT WITH THE GROUND SHALL BE SEPARATED WITH A 6 MIL POLY OR TYPE 'S' ROLL ROOFING.
 ALL NOTCHING AND DRILLING OF FRAMING MEMBERS SHALL CONFORM TO SUBSECTION 9.23.5 OF THE ONTARIO BUILDING CODE.
 FLUSHED FRAMED WOOD MEMBERS SHALL BE SUPPORTED WITH APPROPRIATE JOIST HANGERS AND FASTENERS.

STAIR AND GUARD INFORMATION



STAIR DIMENSIONS
 STAIRS SHALL HAVE A WIDTH OF NOT LESS THAN 34"
 THE CLEAR HEIGHT OVER STAIRS SHALL BE NOT LESS THAN 6'-4"
 RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT WITH A MAXIMUM TOLERANCE OF 1/8" BETWEEN ADJACENT TREADS AND 3/8" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.
 TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF 1/8" BETWEEN ADJACENT TREADS, AND 3/8" BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

HANDRAILS
 THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"

GUARDS
 THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"
 ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS

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DETACHED ADU
 436 ASKING AVENUE
 Windsor, ON

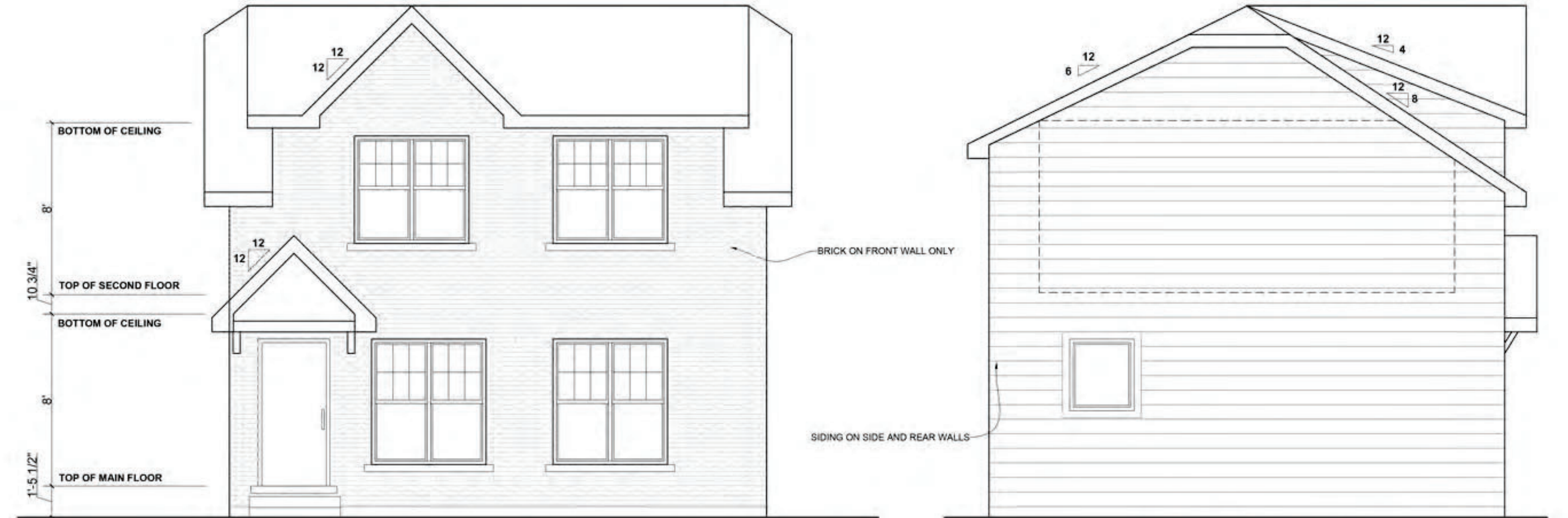
Date : February 10, 2023
 Scale : 1/4" = 1'-0"
 Project No. : 060/22
 Drawing No. :

SITE PLAN, FLOOR PLANS & GENERAL NOTES

A-1.0



BUILDING PERSPECTIVE



FRONT ELEVATION

FRONT ELEVATION
TOTAL WINDOW AREA: 84 SQ.FT
TOTAL WALL AREA: 417 SQ.FT

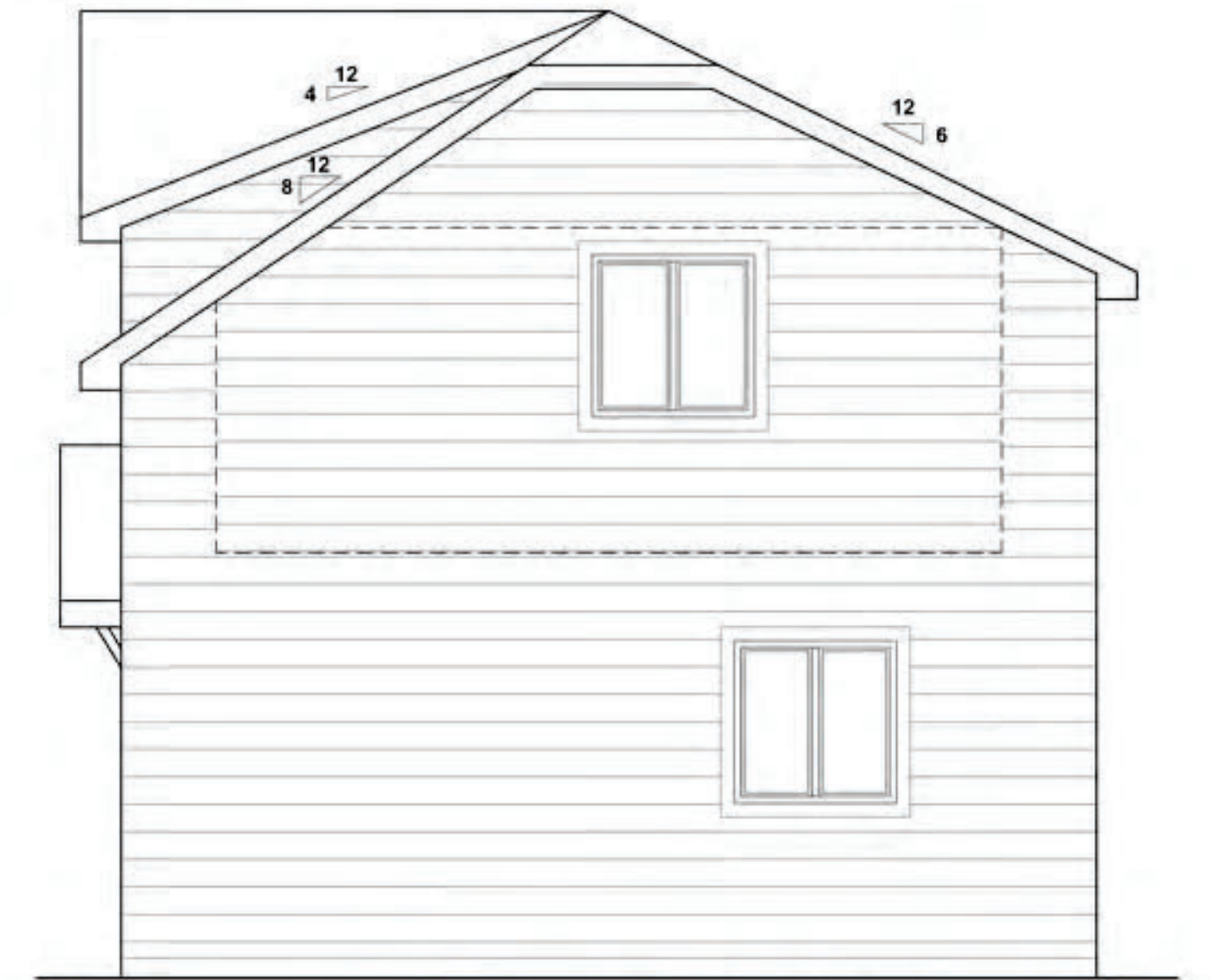
LEFT SIDE ELEVATION

SIDE ELEVATION
TOTAL WINDOW AREA: 10 SQ.FT
TOTAL WALL AREA: 421 SQ.FT



REAR ELEVATION

REAR ELEVATION
TOTAL WINDOW AREA: 0 SQ.FT
TOTAL WALL AREA: 417 SQ.FT



RIGHT SIDE ELEVATION

SIDE ELEVATION
TOTAL WINDOW AREA: 32 SQ.FT
TOTAL WALL AREA: 421 SQ.FT



FRONT ELEVATION



SIDE ELEVATION



LEFT SIDE ELEVATION EXISTING DWELLING

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Individual BCIN: 37168 Firm BCIN: 43361



DETACHED ADU
436 ASKING AVENUE
Windsor, ON
ELEVATIONS

Date : February 10, 2023
Scale : 1/4" = 1'-0"
Project No. : 060/22
Drawing No. :

A-2.0

BRICK SPECIFICATIONS



CANYON
SIZES: PREMIUM PLUS



CHURCH HILL
SIZES: PREMIUM PLUS

SIZE

SPECIFICATIONS



Premier Plus
Length 257 mm (10 1/8")
Height 79 mm (3 1/8")
Depth 90 mm (3 1/2")
Bricks per square foot 3.9
Bricks per square meter 42

BRAMPTON, ONTARIO PLANT	Weight/Cube (kg)	Weight/Cube (lb)	Weight/Brick (kg)	Weight/Brick (lb)	Bricks/Cube	Bricks/m ²	Bricks/ft ²
Premier Plus	1,160	2,552	2.5	5.5	464	42.0	3.9

NOTES

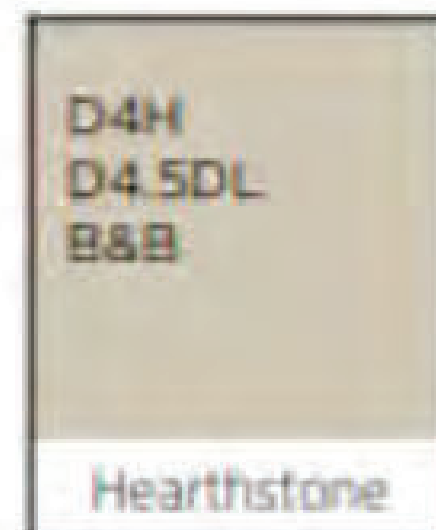
- Refer to your local building codes for proper installation of product.
- All Brampton Brick's clay brick products fully meet or exceed the latest version of the following standards: ASTM C216 and the Can/CSA A82 specifications.
- Sizes are available only in standard stock products. Please refer to individual colors for standard stock item sizes available.

ROOF SPECIFICATIONS



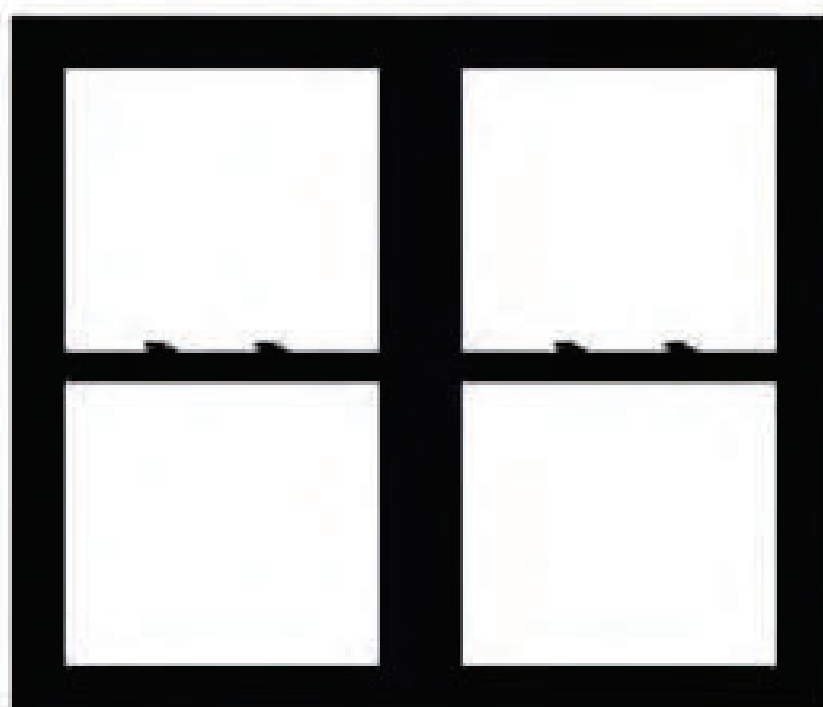
CERTAINTEED LANDMARK SHINGLES
COLOR - WEATHERED WOOD

MITTEN VINYL SIDING SPECIFICATIONS



COLOR - HEARTHSTONE
SENTRY 44 SERIES
D4H
D4.5DL
B&B

WINDOW SPECIFICATIONS



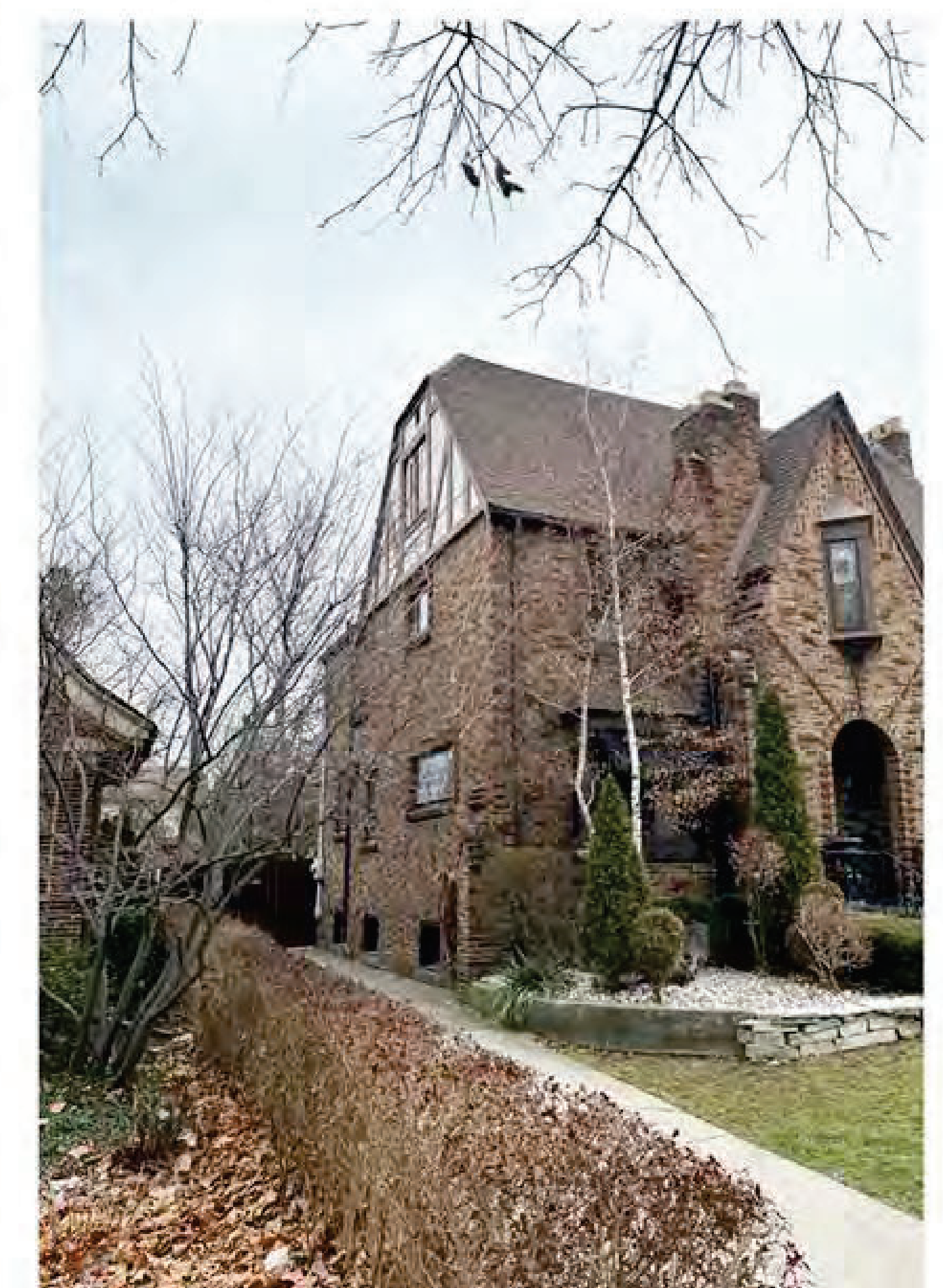
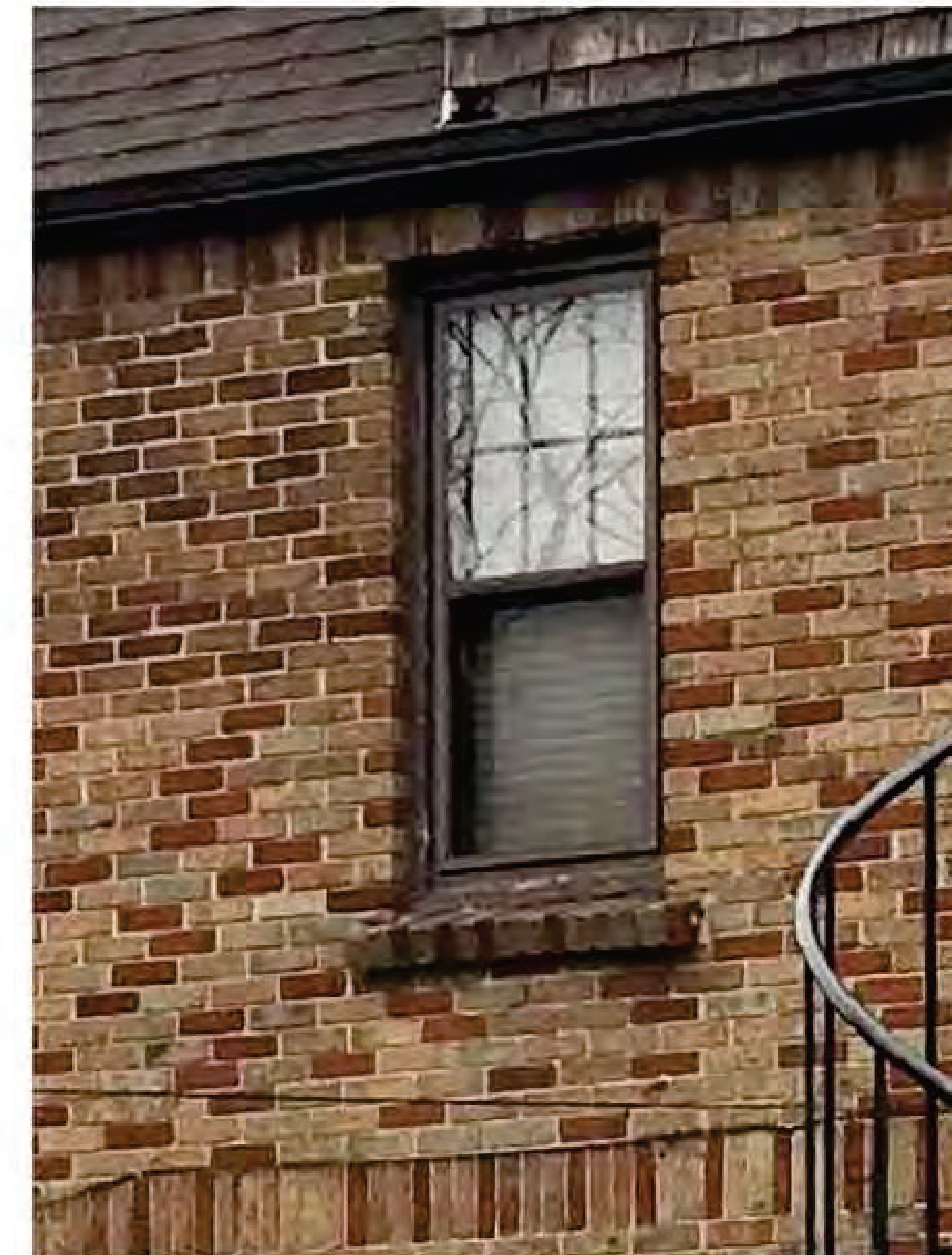
PELLA® IMPERVIA®

Fiberglass Single-Hung Window

Pella Impervia mulled single-hung windows include two units joined by their frames in the factory. This doubles the size of a single unit, creating a more expansive look. Made from the strongest material for windows, Pella's exclusive fiberglass provides lasting durability and sleek, timeless style.¹⁶ Single-hung windows have a moveable bottom sash for ventilation with a top sash that remains fixed. Achieve your design vision with a variety of popular features and options to choose from.

- Two fiberglass single-hung windows mulled together as a combined unit.
- Fiberglass material is tested beyond industry standards to perform from -40°F to 180°F.
- Equal sightlines deliver a clean, consistent aesthetic unlike other single-hung designs that trade off aesthetic details.
- Product #401002

EXISTING BUILDING PICTURES



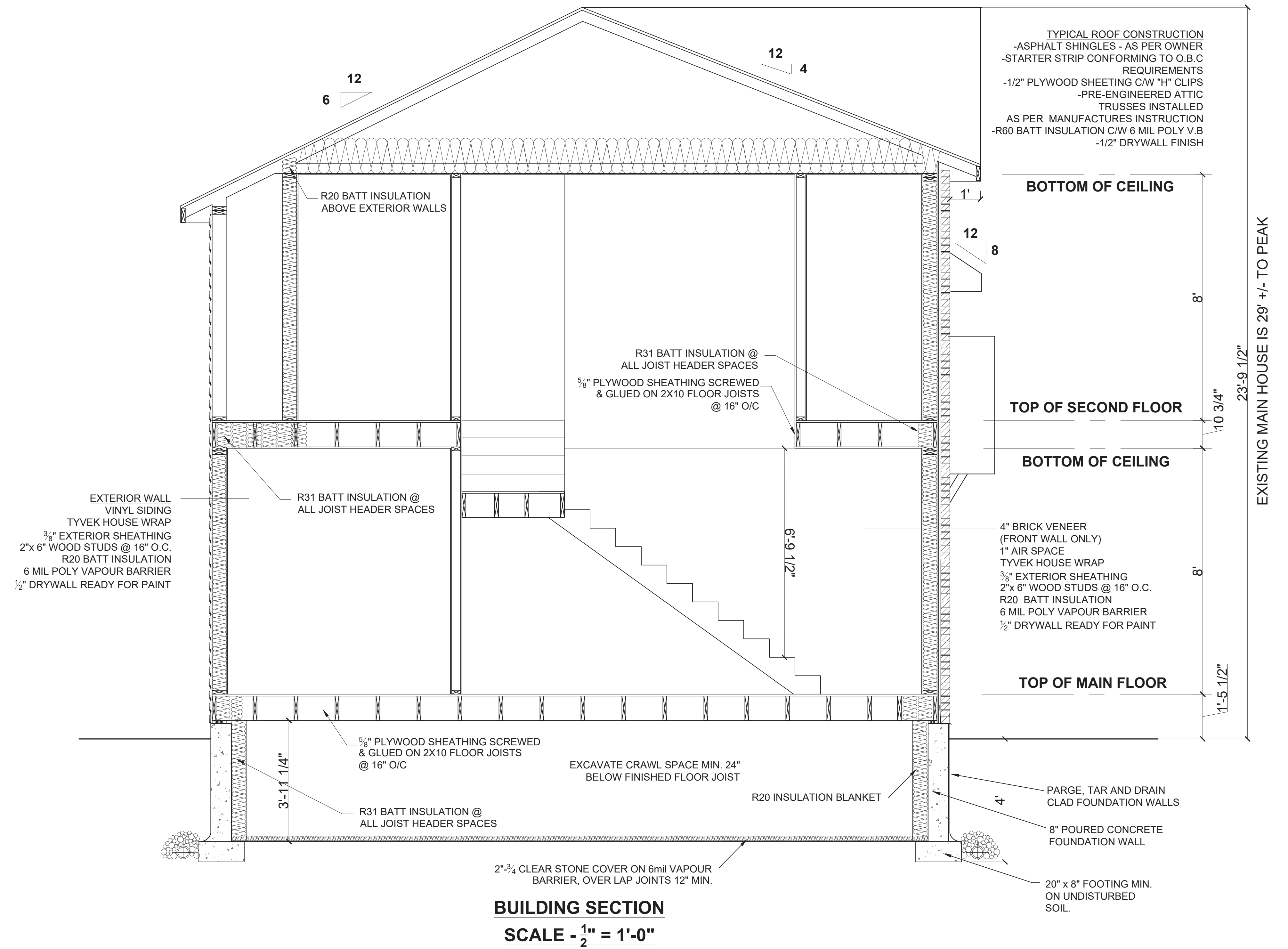
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO DESIGNER BEFORE PROCEEDING WITH WORK.
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Individual BCIN: 37168 Firm BCIN: 43361



DETACHED ADU
436 ASKING AVENUE
Windsor, ON
ELEVATIONS

Date: February 10, 2023
Scale: 1/4" = 1'-0"
Project No.: 060/22
Drawing No.: **A-2.1**



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DETACHED ADU
 436 ASKING AVENUE
 Windsor, ON
 BUILDING SECTION

Date : February 13, 2023
 Scale : 1/4" = 1'-0"
 Project No. : 060/22
 Drawing No. : A-3.0

APPENDIX 'C' – Additional Photos of 436 Askin Avenue



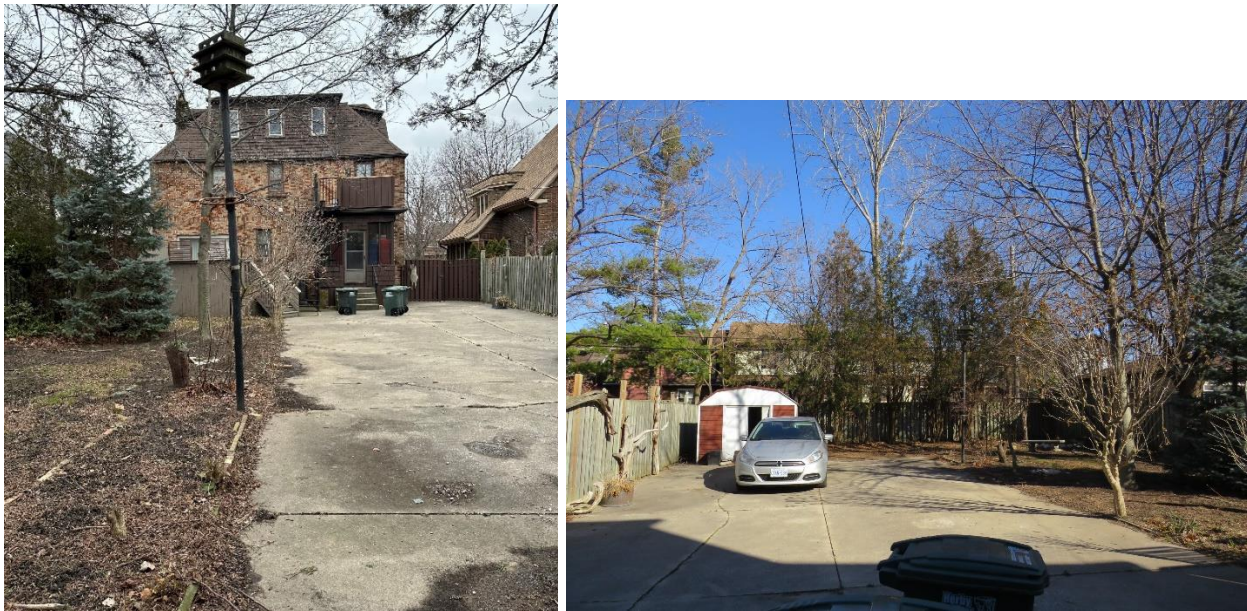
View of the front facade of 436 Askin Avenue from Askin Avenue looking east (photo from Property Owner taken in January 2023).



Views of the front facade of 436 Askin Avenue from Askin Avenue looking east down the left and right side yards of the property. The proposed ADU would be screened from view at these angles (photos taken in February 2023).



Views of the left and right side yards of 436 Askin Avenue from the sidewalk of Askin Avenue looking east. The proposed ADU would be mostly screened from view at these angles (photos from Property Owner taken in January 2023).



Views of the rear yard of 436 Askin Avenue with the paved driveway and parking area, looking west toward the existing dwelling (photo from Property Owner taken in January 2023) and east toward the rear property line (photo taken in February 2023) respectively. The proposed ADU would be located in this rear yard.

Subject: Additional Information Memo regarding Report S 25/2023 - 436 Askin Avenue - Ward 2

Reference:

Date to Council: May 1, 2023
Author: Tracy Tang
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449

Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 x 6179

Planning & Building Services
Report Date: March 16, 2023
Clerk's File #: MB/13966

To: Mayor and Members of City Council

Additional Information:

Background

On March 6, 2023, the Development & Heritage Standing Committee deferred consideration of the Heritage Permit Application at 436 Askin Avenue and put forward a motion:

That the report of the Heritage Planner dated February 16, 2023 entitled "436 Askin Avenue – Heritage Permit Request (Ward 2)" BE REFERRED back to Administration to provide further information related to analysis of adjacent properties impacted by the proposal; and that this information BE FORWARDED to a future meeting of the Development & Heritage Standing Committee Meeting.

This new 2023 motion was in part triggered by Item III of the Council's decision on November 9, 2020 (CR553/2020):

- I. That Administration **BE REQUESTED** to give notice of intention to designate the property located at 436 Askin Ave in accordance with Part IV of the *Ontario Heritage Act*; within 60 days from September 25, 2020; and,

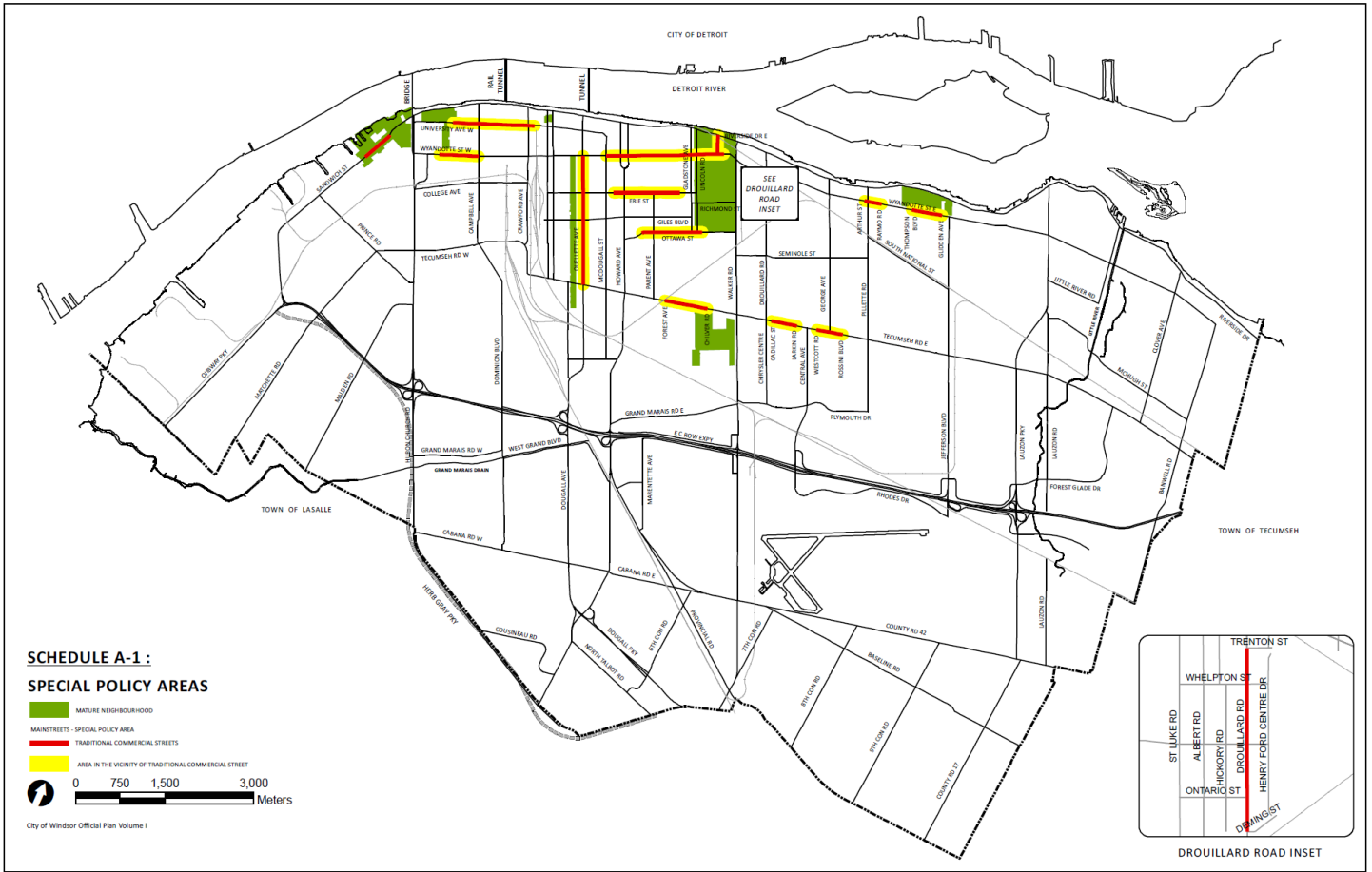
- II. That the request to demolish the enclosed porch and balcony at the rear of 436 Askin Ave to facilitate a rear addition and conversion to a semi-detached dwelling as currently proposed, **BE REFUSED**, in accordance with the *Ontario Heritage Act*, Section 30 Effect of the Notice of Designation; and,
- III. That Administration **REPORT BACK** to Council regarding initiation of a Heritage Conservation District Area Study for this area; and, that the report include suggestions related to potential boundaries, optional designation of a Heritage Conservation District Study Area Bylaw, timing of the study and funding considerations.

The accompanying additional information memo from the 2020 decision briefly discussed the processes for a Heritage Conservation District (HCD) Study and Designation, which are vigorous processes requiring much examination and engagement with the property owners impacted. It should be noted that the designation of a HCD is subject to Owner appeals to the Ontario Land Tribunal and each property within a HCD boundary is registered on property title. There are currently 2 HCDs in the City of Windsor (Sandwich HCD & Prado Place HCD).

Council directed administration to proceed with the Walkerville HCD Study after the completion of the Walkerville Districting Plan. Ground work for the Walkerville HCD Study is currently taking place (Development of terms of reference). Administration noted in the 2020 Memo that any other Heritage Conservation District Study will have to proceed subsequent to Walkerville HCD Study, and would be subject to Council's budgetary considerations as new requests for HCD Studies are currently not funded.

Interim Heritage Work (2020-2022)

Although a formal HCD Study has not commenced for the subject area, as part of the City's Multi-Residential Interim Control By-law Study, City staff reviewed the heritage landscape across the city and identified several Stable and Mature Neighbourhoods that possess heritage characteristics. These neighbourhoods include Sandwich, University and Riverside Area (including Askin up to Wyandotte Street W.), Old Town (Windsor's historic core), Victoria, Walkerville, South Walkerville, and Riverside (East), which were ultimately designated as "Mature Neighbourhood" in the Official Plan Schedule A-1: Special Policy Areas with applicable policies (details in section below).



Areas designated as Mature Neighbourhood (in green) on the Official Plan Schedule A-1: Special Policy Areas

Further, the Planning Department conducted visual surveys in areas bounded by Riverside Drive West, Randolph Place, University Avenue West, and Vista Place. From these surveys, staff identified many potential heritage resources in the area, resulting in Council’s decision (CR 637/2020) to add 17 Riverside West area properties on the Heritage Register on December 21, 2020. Addition of the properties on the Heritage Register provides heritage recognition and some interim protection of the heritage properties from demolition.

Proposal Evolution

The Property Owner’s proposal for an additional dwelling unit on the subject property has undergone numerous iterations over the past three years. Captured in the table below is a summarization of the iterations proposed, along with the latest changes (March 2023) detailed in Appendix A.

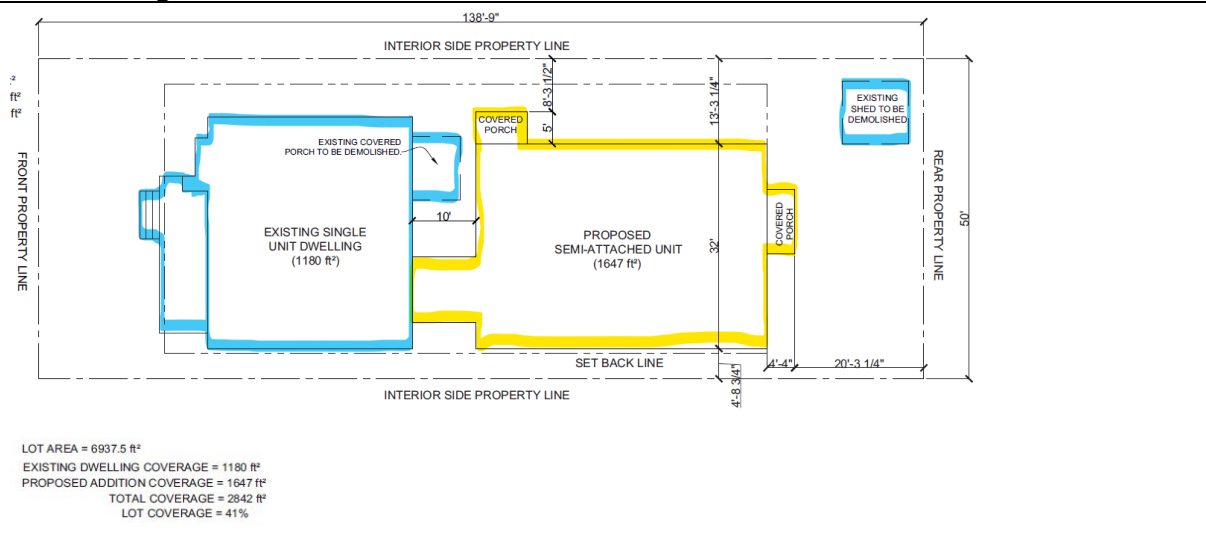
Date	Activity
March 2020	Heritage permit application submitted to demolish rear attached enclosed porch to allow for new construction. Proposal was to convert building from single detached house to semi-detached dwelling, thus partial demolition was required to facilitate the proposal

September 2020	Heritage permit application deemed complete (see PROPOSAL 1 drawings below)
October 13, 2020	DHSC rejected the heritage application by initiating Part IV heritage designation on the property and requesting for a report back about initiation of a HCD for the area
October 27, 2020	Additional information memo provided to Council in response to DHSC motion
March 21, 2022	Designation By-law 51-2022 passed by Council
October 2022	Building permit application submitted for erection of smaller detached two-storey ADU at rear of property (see PROPOSAL 2-A drawings below)
February 2023	Heritage permit application deemed complete after modifications as requested by Heritage Planning staff (see PROPOSAL 2-B drawings below)
March 2023	Proposed ADU design modified by Property Owner in consideration of comments voiced at March 6 DHSC Meeting (see PROPOSAL 2-C drawings below)

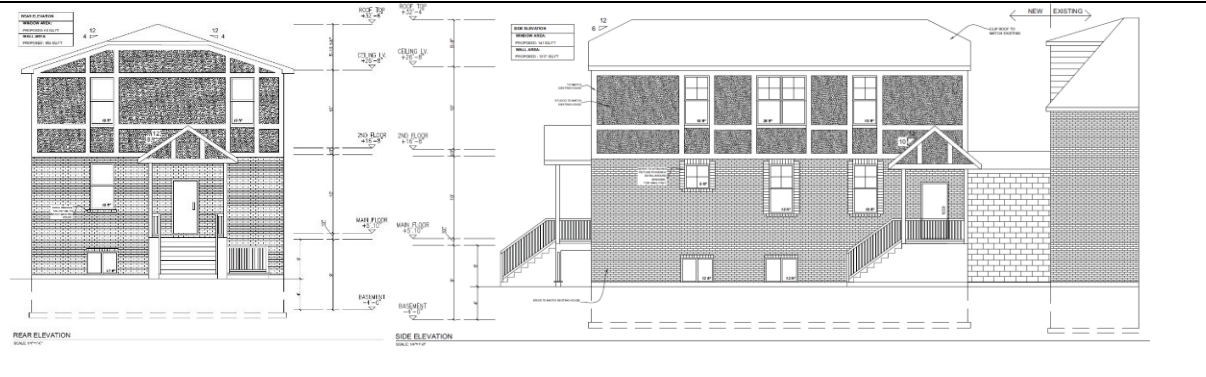
**PROPOSAL 1
SEPT 2020**

- Raised two-storey addition for semi-detached unit
- 1647 ft² size in Building Footprint
- 32'4" height

SITE PLAN



ELEVATIONS



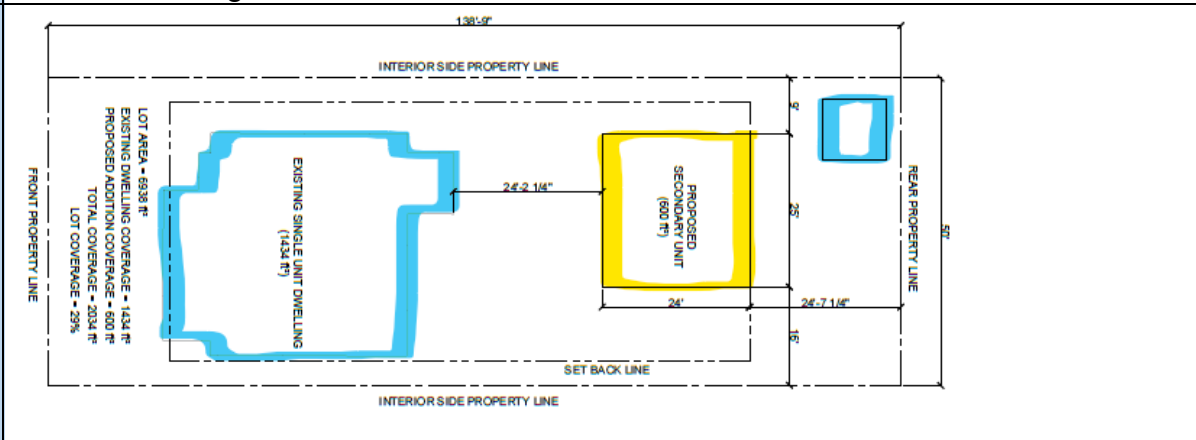
RENDERINGS



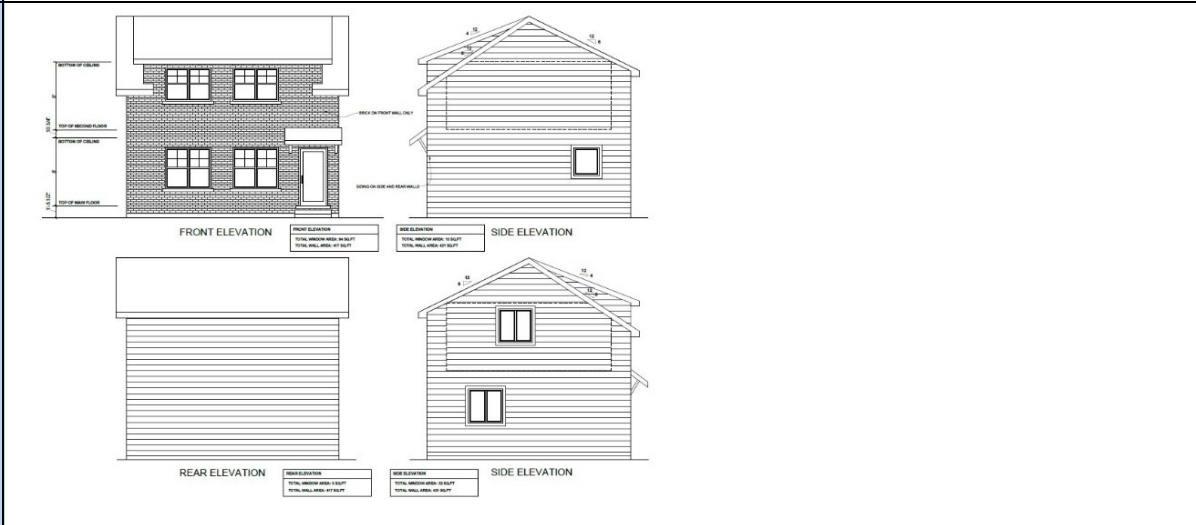
PROPOSAL 2-A
OCT 2022

- Two storey detached ADU (original design)
- 600ft² size in Building Footprint
- 23'9 1/2" height

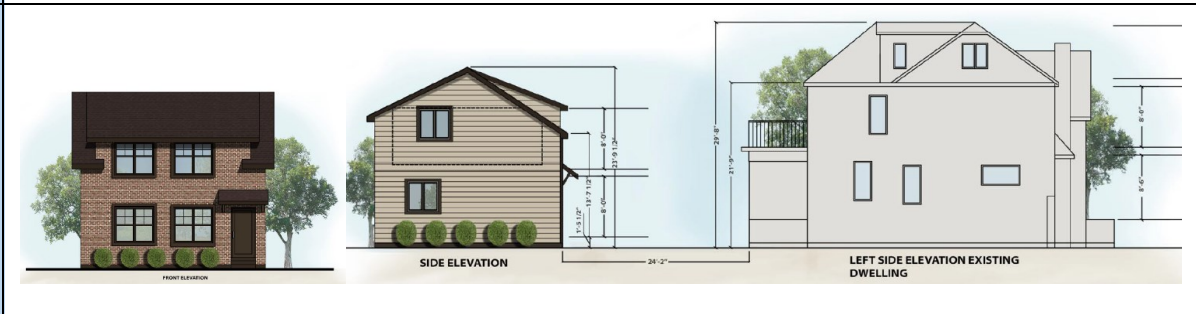
SITE PLAN



ELEVATIONS



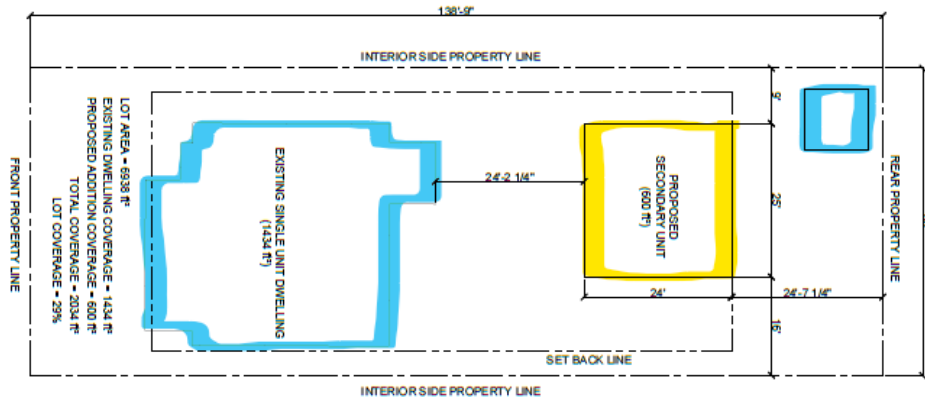
RENDERINGS



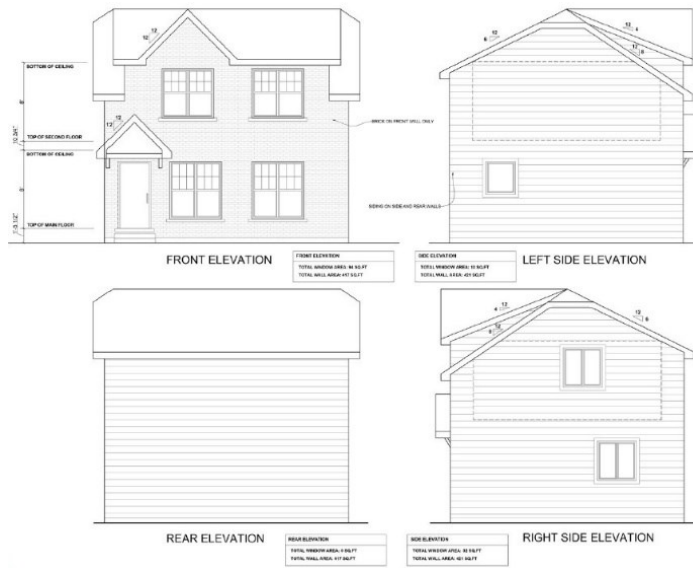
**PROPOSAL 2-B
FEB 2023**

- Two storey detached ADU (revised design)
- 600ft² size in Building Footprint
- 23'9 1/2" height
- Further changes to roof style and window

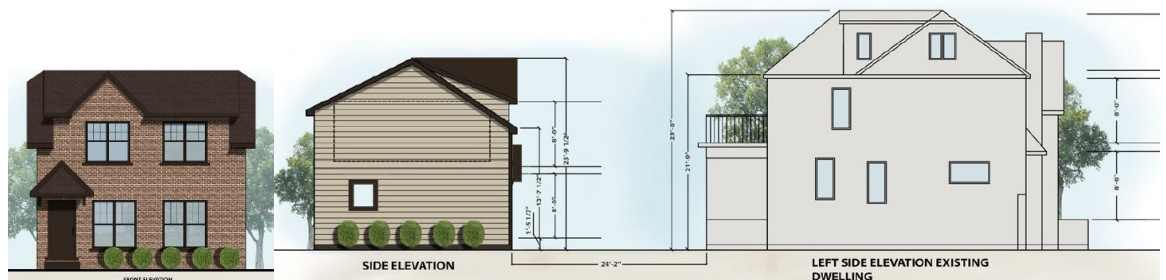
SITE PLAN



ELEVATIONS



RENDERINGS

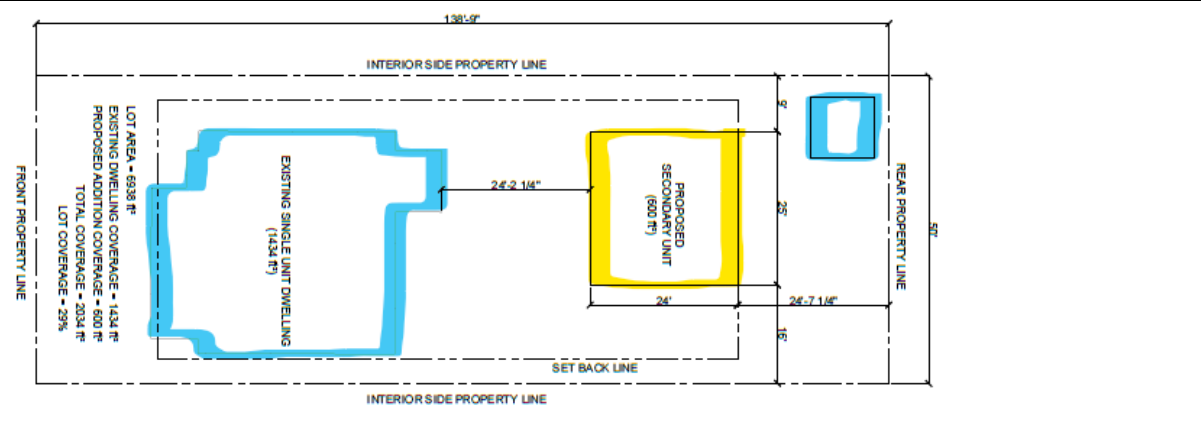




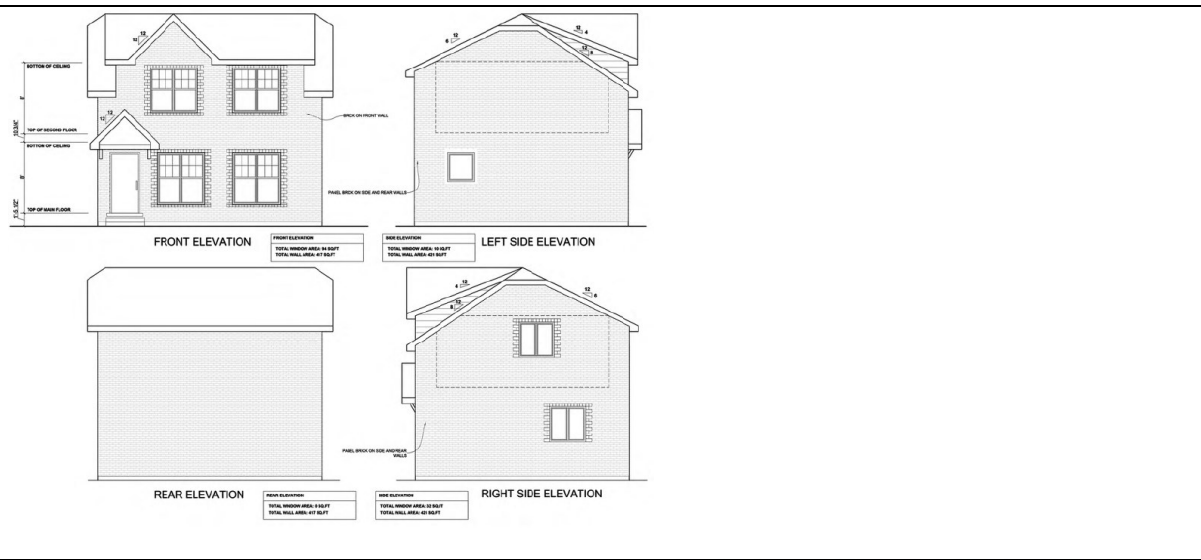
**PROPOSAL 2-C
MAR 2023**

- Two storey detached ADU (final design)
- 600ft² size in Building Footprint
- 23'9 1/2" height
- Further changes to cladding materials and window details

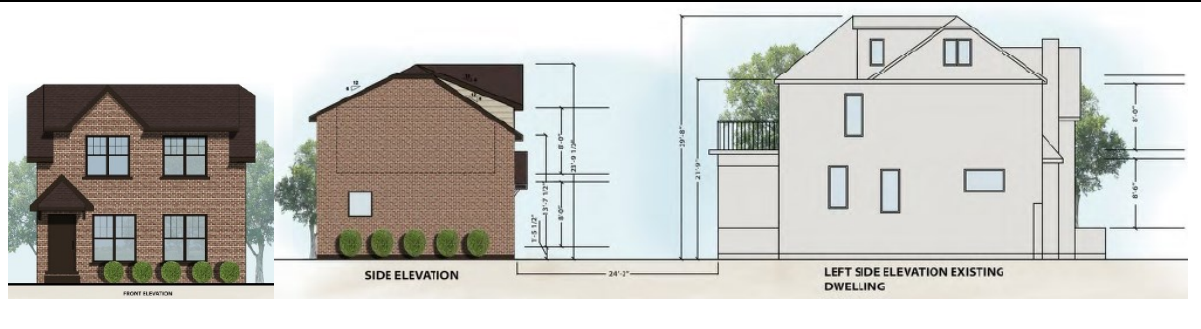
SITE PLAN



ELEVATIONS



RENDERINGS





Impact Analysis to Adjacent Properties

Within the March 6 DHSC report, the proposal was evaluated based on an individual heritage property consideration (Heritage Alteration process evaluates acceptability of alteration proposed where it affects the subject property's heritage attributes). Impact analysis to adjacent properties is not normally part of the Heritage Permit review process.

The impact analysis to adjacent properties requested by the Heritage Committee will verify if the proposed development is appropriate within the immediate context. The neighbourhood is a Mature Neighbourhood under Schedule A-1 of the Official Plan, but it is not a Heritage Area or Heritage Conservation District.



Legend

- Subject Property
- Adjacent Properties
- Ⓜ Heritage Site (Designated)
- Ⓜ Heritage Site (Listed)
- Mature Neighbourhood (As adopted in OP Schedule A-1 through OPA 159)



1:4,000

Location Map of the Mature Neighbourhood area in subject and heritage properties within the scope



Views of the front facade of 436 Askin Avenue looking slightly south-east and slightly north-east, showing relation to adjacent 424 Askin Ave (north) and 442 Askin Ave (south).



Views of the front facade of 436 Askin Avenue from Askin Avenue looking east down the left and right side yards of the property. The proposed ADU would be screened from view at these angles (photos taken in February 2023).



Views of the rear-abutting properties on Randolph Ave looking slightly north-west (top) and south-west (bottom).

As indicated by the streetscape context information provided by the applicant, the proposed ADU will not have a significant visual impact from Askin Avenue. Further, the ADU has been designed in compatible architecture style and materials with the neighbourhood properties.

There is one listed heritage property, 424 Askin Ave, which is directly adjacent to the subject property. The other properties abutting do not have heritage status under the *Ontario Heritage Act*. The table below provides a brief overview of the built form characteristics of the properties directly abutting the subject property.

Property	Adjacency	Height	Roofline	Materials
424 Askin Ave	Immediate north	2 storey	Steep pitched; hipped and flared; irregular	Orange-brown variegated brick



--	--	--	--	--

Impact: Presence of privacy fence between 436 and 424 Askin means that the ground floor windows of the proposed ADU would not provide views to 424 Askin (no second floor windows proposed on north elevation of ADU). There is a proposed 9' (2.74m) separation from the proposed ADU to the side property line with 424 Askin. The ADU spans approximately a third of the rear lot depth.

442 Askin Ave



Immediate south	2 storey	Low pitched; hipped	Buff brick; mint-white siding
-----------------	----------	---------------------	-------------------------------

Impact: Presence of privacy fence between 436 and 424 Askin means that the ground floor windows at proposed ADU would not provide views to 442 Askin. There is one second floor window proposed on the south elevation of the ADU, however, there is a proposed 16' (4.88m) separation from the south building wall to the side property line with 442 Askin.

431 Randolph Ave



Diagonally north and rear	2 storey	Medium-steep pitched; cross gabled	Brown variegated brick; cream stucco
---------------------------	----------	------------------------------------	--------------------------------------

Impact: There is a privacy fence at the rear yard of 436 Askin. There are no windows proposed on the rear elevation of the ADU facing Randolph Avenue. There is also a proposed 24' 7 ¼" (7.5 m) separation from the rear east building wall to the rear property line.

439 Randolph Ave



Immediate rear

2 storey

Steep pitched;
cross gabled

Brown
variegated
brick; cream
siding

Impact: There is a privacy fence at the rear yard of 436 Askin. There are no windows proposed on the rear elevation of the ADU facing Randolph Avenue. There is also a proposed 24' 7 ¼" (7.5 m) separation from the rear east building wall to the rear property line.

445 Randolph Ave



Immediate rear

2 storey

Medium-steep
pitched; cross
gabled

Brown
variegated
brick; cream
siding; cream
stucco

Impact: There is a privacy fence at the rear yard of 436 Askin. There are no windows proposed on the rear elevation of the ADU facing Randolph Avenue. There is also a proposed 24' 7 ¼" (7.5 m) separation from the rear east building wall to the rear property line.

451 Randolph Ave

Diagonally
south and rear

1.5 storey

Low pitched;
cross gabled

Dark yellow
brick; cream
siding



--	--	--	--

Impact: There is a privacy fence at the rear yard of 436 Askin. There are no windows proposed on the rear elevation of the ADU facing Randolph Avenue. There is also a proposed 24' 7 1/4" (7.5 m) separation from the rear east building wall to the rear property line.

Summary Opinion: The potential impacts of the proposed ADU on adjacent properties are not adverse and the character of the area will still be maintained.

Existing Policies & Guidelines for considering Heritage Context

Official Plan Amendment 159 adopted by Council on July 11, 2022 provides Official Plan policies, updated Official Plan Schedules, and the Windsor Intensification Guidelines to evaluate the appropriateness of a proposal that falls within the applicable areas. Askin Avenue from Riverside Drive West to Wyandotte Street West and other parts of University & Riverside have been identified as Mature Neighbourhood areas in OP Schedule A-1 Special Policy Area. Accordingly, the Official Plan Volume I, Chapter 6, the Land Use Policies 6.3.2.5 (c) and 6.3.2.29; Official Plan Volume II, Chapter I, Special Policy Areas Policies 1.52 and 1.52.1; and Windsor Intensification Guidelines for Stable & Mature Neighbourhoods apply. See Appendix 'B' for an extract of the relevant Official Plan policies and Appendix 'C' for an extract of the Stable & Mature Neighbourhood chapter of the Windsor Intensification Guidelines.

Note that these policies and guidelines only apply when there is a development application (i.e. *Planning Act* application). Many properties are able to be issued a building permit if compliant with the Zoning By-law and the Building Code without any additional design oversight or review.

The relevant and applicable Design Guidelines have been extracted and summarized in the table below. The proposed ADU at 436 Askin has been evaluated based on these guidelines and is found to be in compliance.

Guideline	Compliance
2.2.1 Site Orientation	
1. Consider building placement and siting on a property in relation to the street and the property's neighbours to reinforce the positive characteristics of the existing streetscape.	✓ Yes
2. Ensure the scale of Low Profile buildings is compatible and sensitively integrated with residential buildings in the immediate vicinity in terms of building mass, height,	✓ Yes

setbacks, orientation, privacy, landscaping, shadow casting, accessibility, and visual impact.	
3. Locate dwellings close to the street edge to frame the streetscapes, however, this will depend on the setbacks to houses on either side of the site.	Not Applicable
4. Maintain consistent front yard setbacks along the street. New development should have a set back equal to the predominant setback (70%+) on the street (+/- 1.0m), or a distance that is the average of those on either side of the development site (+/- 1.0m).	Not Applicable
5. Provide side yard setbacks that reflect those of adjacent homes, or are the average distance of those on either side of the development, in accordance with existing zoning standards, to a minimum of 1.2 metres.	✓ Yes
6. Consider rear yard privacy issues when extending a home towards the rear property line or building a new dwelling by: <ul style="list-style-type: none"> a. Minimizing extensions beyond the adjacent dwellings rear wall; b. Limit direct conflict with new windows on the side elevations with existing windows on the abutting building; c. Minimizing the location of second floor balconies on rear and side elevations or providing privacy screening on the side of the balcony; and, d. Providing fencing that effectively screens the rear amenity and minimizes its exposure to/from adjacent properties, where appropriate. 	✓ Yes
7. Limit blocks of street townhouses to a maximum of 8 units, with 6 units preferred. The length of the townhouse blocks should not exceed 50 metres, unless it is essential to the architectural style of the townhouse block.	Not Applicable
8. Orient blocks of attached townhouse units to the street with integrated front garages accessed from the street. For rear lane townhouses an attached or detached garage will be located at the rear of the block and accessed from a lane.	Not Applicable
2.2.2 Developments within Heritage Contexts	
1. Locate and design buildings to respect and complement the scale, character, form, and siting of on-site and surrounding cultural heritage resources.	✓ Yes
2. Ensure that conceptual design and massing of development or redevelopment projects are compatible with adjacent listed heritage buildings and/or sites.	✓ Yes
3. New buildings located adjacent to built cultural heritage resources will be compatible with existing historical building types, colours, and material palettes having regard for modern building designs, techniques, and materials.	✓ Yes
2.2.3 Access & Parking	
1. Place garages behind the front wall of the dwelling or at the side or rear of the lot, unless the predominant location of the garage on other houses on the streetscape are	Not Applicable

at the front of the house or not at the side or rear.	
2. Townhouses should be serviced with access to the garage or parking from the rear of the unit. The front yard is best fully landscaped, with a single width driveway leading to the parking or garage area at the rear.	Not Applicable
3. Ensure rear lane accessed garages are complementary in design and building material with the principal dwelling.	Not Applicable
4. Where there is no option for rear access parking, the garage on the front face of the dwelling unit should not dominate the streetscape.	Not Applicable
5. Set back detached garages from the main front wall of the dwelling. Ensure detached garages are similar in material and architectural character to the dwelling.	Not Applicable
6. Ensure front-facing garages attached to the main dwelling do not occupy more than 50% of the building's width. For semi-detached, duplex, and townhouse units, pair garages to allow for more substantial front yard green space	Not Applicable
7. Locate and space driveways to reinforce the rhythm along a street and to allow for street trees to be planted in the boulevard.	✓ Yes
8. Ensure the garage door does not protrude beyond the front wall of the townhouse. Building design should include elements to reduce the dominance of the garage doors by, for example: <ul style="list-style-type: none"> a. Single car garages only (2.7 m door width); b. Including a habitable room over the garage; c. Articulating the front door with a porch; and, d. Integrating the design of the roof over the garage with that of the townhouse units. 	Not Applicable
9. Parking for detached, semi-detached, and townhouse dwellings is only permitted in the front or exterior side yard and only on a driveway or a parking pad.	✓ Yes
10. For Low Profile apartments, locate visitor parking, loading, and service areas in areas of low public visibility in side or rear yards and set back from the front facade of the building.	Not Applicable
2.2.4 Landscaping	
1. Preserve existing mature trees where possible. The planting of new trees is encouraged to provide a continuous canopy over the street and to replace any canopy lost to new development.	Not Applicable
2. Enhance the bio-resiliency of the area through planting of native, non-invasive trees and shrubs.	Not Applicable
3. Include landscaped areas in front of buildings that provide a transition from private to public areas. A minimum of 50% of the front yard zone should include soft	✓ Yes

landscaping areas (non-paved areas supporting grass, groundcovers, trees and/ or shrubs).	
4. Encourage permeable paving for new walkways and driveways to reduce run-off to storm sewers and soften the streetscape appearance.	Not Applicable
5. Where the predominant (70%+) existing streetscape character has design elements such as low stone walls, low permeable fences, planting and/or other landscaping at the front of the lot, ensure new development provides similar elements.	✓ Yes
6. Maintain the green character of the front yards and avoid monotony of treatment over large extents of development. The front yards of units in a new townhouse development should have a coordinated landscape design that should include fences/hedges, and street trees in the boulevard.	✓ Yes
7. Ensure front yard hedges or fencing that are used to define the edge of private property are no more than 1.2 metres high to maintain visibility to the street.	✓ Yes
8. Screen the parking lots of apartments from abutting residents and street view through the use of landscape buffers and/or fencing that is consistent with the building's architectural style.	Not Applicable
9. Consider outdoor amenity areas in the form of second floor decks or rooftop patios for townhouses with an attached garage in the rear as an alternative to traditional rear yard amenity areas.	Not Applicable
10. Provide outdoor amenity space for apartment units either individually or in a shared space.	Not Applicable
2.2.5 Materials	
1. Ensure building materials reflect and complement the existing materials in the area and are high quality, durable, and easily maintained.	✓ Yes
2. Ensure the materials selected are consistent for a building's facade and any walls that are publicly visible.	✓ Yes
3. Recommended building materials include brick masonry, stone masonry, wood, or stucco; one or two of these materials should be selected as base materials and may be complemented by a wider range of accent materials.	✓ Yes
4. For additions or renovations to an existing building, incorporate materials and colours that are consistent with and complement the main building.	✓ Yes
5. Ensure material changes on exposed elevations occur at transition points, such as a change of plane.	✓ Yes
6. Ensure rear and side walls exposed to public view are of a similar composition to the front wall.	✓ Yes

7. Colour should be selected from the heritage palette. In most cases the predominant colours throughout the City's historic neighbourhoods are subdued. The preferred colours are those within a traditional palette.	✓ Yes
8. Traditional high quality building materials are encouraged. The traditional building materials utilized within each historic neighbourhood should be identified and are to be encouraged for new development.	✓ Yes
9. Ensure material changes on exposed elevations occur at transition points, such as a change of plane.	✓ Yes

Beyond the Current Policy/Regulation Framework

The report brought forward on March 6, 2023 to the Development & Heritage Standing Committee was about the appropriateness of the proposal from a heritage compatibility lens to the subject property itself. The required heritage permit was to ensure that any potential impacts to the heritage attributes of the designated property are properly reduced or mitigated. The subject of the report was not the appropriateness of increasing density in the neighbourhood through new ADUs or the licensing of student housing/lodging houses.

Through the newly adopted Bill 23, every property across Ontario is now permitted to have up to 3 residential dwelling units **as-of-right**. This includes properties that are included on a Municipal Heritage Register (conditional to required parameters). Thus, under Bill 23, the proposed ADU would be permitted as-of-right so long as it meets the municipal zoning by-law requirements and receives all necessary permits. If it were not for the property's Part IV Heritage Designation status, the proposed ADU would not need a Heritage Permit and have to undergo Heritage Planning review. It would have been able to proceed directly to Building Permits, which is not a public process (no statutory requirement for public meetings or notices). Unlike 436 Askin Avenue, properties adjacent and along the same street do not have to undergo Heritage Permit review processes when applying for a Building Permit to build an ADU.

Conclusion

This proposal adheres to the Standards & Guidelines for the Conservation of Historic Places in Canada, Official Plan policy directions, the Windsor Intensification Design Guidelines, and the provincial direction for creation of more housing units, etc. The impacts on adjacent properties are not adverse and the character of the area will still be maintained. The Owner of 436 Askin has worked closely with Heritage Planning staff to modify and adjust the design to ensure the window alignments, roof types, and materials and colours proposed are compatible with the heritage context and have minimal impact on the heritage attributes of the property and mature neighbourhood area.

Regarding the timing of the 2023 Heritage Permit application, Section 33 of the *Ontario Heritage Act* requires Council, after consultation with its municipal Heritage Committee, to make a decision on the Heritage Permit application within 90 days of a notice of complete application being served. The Owner was informed of a complete application on February 16, 2023, and thus the 90 days deadline for Council to render a decision is May 17, 2023. In order to meet the statutory timelines for a Council decision on this matter, the Owner has agreed to a waiver of the 90 days timeline to present his

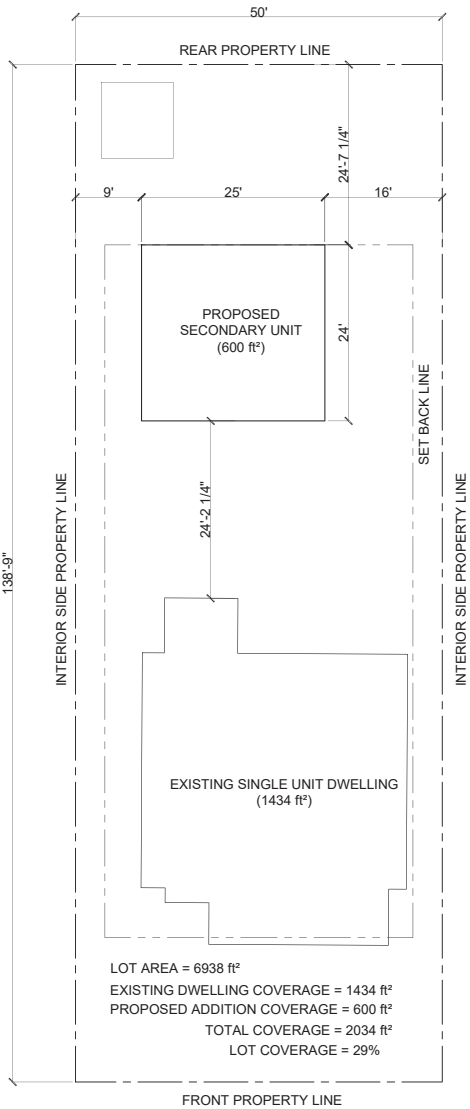
revised application to Committee in May. The *Ontario Heritage Act* also includes provisions for the Property Owner to appeal Council’s decision to the Ontario Land Tribunal within 30 days of receipt of notice of Council’s decision on the application.

Approvals:

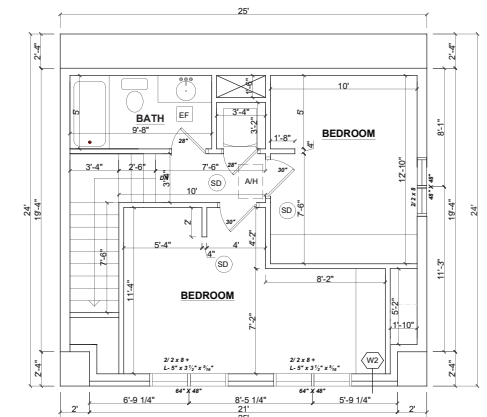
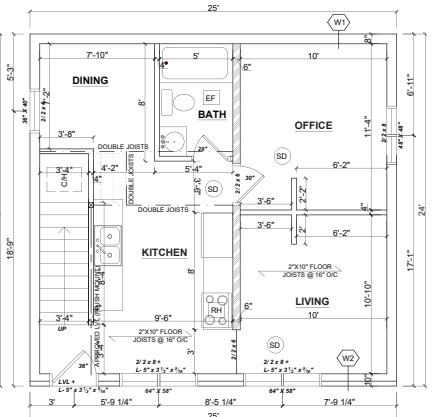
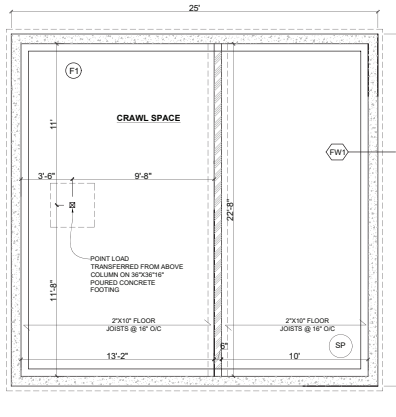
Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administrative Officer

Appendices:

- 1 Appendix A – 436 Askin Ave Revised Heritage Permit Drawings
- 2 Appendix B – Extracts of Relevant Mature Neighbourhood Policies within the Official Plan
- 3 Appendix C – Extract of the Stable & Mature Neighbourhood Chapter of the Windsor Intensification Guidelines



LEGEND		LOAD BEARING INTERIOR WALL		SUMP PUMP C/W COVER TO RESIST REMOVAL BY CHILDREN AND SEALED TO MAINTAIN CONTINUITY OF THE AIR BARRIER SYSTEM		DENOTES SMOKE ALARM C/W CO' DETECTOR. REFER TO GENERAL NOTES.	
(FW)	BITUMINOUS DAMP PROOFING 8" POURED CONCRETE FOUNDATION WALL R20 BLANKET INSULATION. ON 20"X8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL.	(LBIW)	2X6 WOOD STUDS @ 16" O.C. W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3"-11" O.C. HORIZONTAL.	(SP)	24"X24" MINIMUM. INSTALLED AS PER O.B.C. REQUIREMENTS.	(SD)	24"X24" MINIMUM. INSTALLED AS PER O.B.C. REQUIREMENTS.
(W1)	EXTERIOR WALL - SIDES & REAR SIDING - AS PER OWNER 7/16" O.S.B. EXTERIOR GRADE SHEETING 2X6 WOOD STUDS @ 24" O.C. R20 BATT INSULATION COVERED WITH 6 MIL POLY V.B. & 1/2" DRYWALL.	(LBIW)	2X6 WOOD STUDS @ 16" O.C. W/ SINGLE BOTTOM PLATE AND DOUBLE TOP PLATE OVER LINTELS 2X6 WOOD BLOCKING @ 3"-11" O.C. HORIZONTAL ON 16" X 8" POURED CONCRETE FOOTING ON UNDISTURBED SOIL.	(CM)	24"X24" MINIMUM. INSTALLED AS PER O.B.C. REQUIREMENTS.	(AH)	ATTIC ACCESS HATCH - 32"X24" MINIMUM. INSTALLED AS PER O.B.C. REQUIREMENTS.
(W2)	EXTERIOR WALL - SIDES & REAR 4" BRICK VENEER 1" AIR SPACE 7/16" O.S.B. EXTERIOR GRADE SHEETING 2X6 WOOD STUDS @ 24" O.C. R20 BATT INSULATION COVERED WITH 6 MIL POLY V.B. & 1/2" DRYWALL.	(EF)	DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER O.B.C. REQUIREMENTS.	(PI)	INTERIOR PARTITION 1/2" DRYWALL ON BOTH SIDES OF 2"x4" WOOD STUDS @ 16" O.C.	NOTES 1. MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS. SECOND FLOOR GFA = 475 ft ² MAIN FLOOR GFA = 600 ft ² TOTAL GFA = 1075 ft ²	
		(RH)	DENOTES RANGE HOOD VENTED DIRECTLY TO EXTERIOR AS PER O.B.C. REQUIREMENTS.				



GENERAL NOTES

CODE AND PROCEDURES
 THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE CURRENT EDITION OF THE ONTARIO BUILDING CODE. THE OWNER/BUILDER IS RESPONSIBLE FOR ENSURING THAT ANY CHANGES TO THE CODE ARE COMPLIED WITH AND ALL AMENDMENTS ARE INCORPORATED IN THE CONSTRUCTION OF THIS PLAN. ALL WORK SHALL CONFORM TO LOCAL CODES AND BYLAW. IT IS THE OWNER/BUILDERS RESPONSIBILITY TO NOTIFY AG DESIGN OF ANY REQUIREMENTS THAT EXCEED THE ONTARIO BUILDING CODE.

CONCRETE
 THE COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL NOT BE LESS THAN:
 - 32 MPA (4650 PSI) WITH 5 TO 8 % AIR ENTRAINMENT FOR GARAGE FLOORS, GARPORT'S FLOORS AND ALL EXTERIOR FLATWORK.
 - 20 MPA (2900 PSI) FOR INTERIOR FLOORS OTHER THAN THOSE FOR GARAGES AND CARPORTS
 - 15 MPA FOR FOUNDATION WALLS, COLUMNS, FOOTINGS, PIERS AND OTHER APPLICATIONS
 SITE BATCHED CONCRETE SHALL CONFORM TO THE ONTARIO BUILDING CODE REQUIREMENTS.
 WHEN THE AIR TEMPERATURE IS BELOW 5°C CONCRETE SHALL BE KEPT AT A TEMPERATURE OF NOT LESS THAN 10°C OR MORE THAN 22°C WHILE BEING PLACED AND MAINTAINED AT A TEMPERATURE OF NOT LESS THAN 10°C FOR 72 HOURS AFTER PLACING. NO FROZEN MATERIAL OR ICE SHALL BE USED IN THE CONCRETE.

FOOTINGS
 FOOTINGS AND PADS ARE TO BE PLACED ON UNDISTURBED SOIL, ROCK, OR COMPACTED GRANULAR FILL TO AN ELEVATION BELOW FROST PENETRATION WITH A MINIMUM SOIL BEARING CAPACITY OF 75 KPA. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONSTRUCTION. IF A LESSER BEARING CAPACITY IS ENCOUNTERED IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO HAVE THE FOUNDATION REDESIGNED BY A QUALIFIED PROFESSIONAL TO SUIT SITE CONDITION.

WHERE WATER TABLE LEVELS ARE WITHIN A DISTANCE BELOW THE BEARING SURFACE LESS THAN OR EQUAL TO THE WIDTH OF THE FOOTING, THE FOOTINGS SHALL BE DOUBLED IN WIDTH UNDER WALLS AND DOUBLED IN AREA UNDER POSTS.

FOUNDATION WALLS
 FOUNDATION WALLS TO EXTEND A MINIMUM 8" ABOVE FINISHED GRADE.
 GRADE LINES ON PLANS ARE ASSUMED, OWNER/CONTRACTOR TO VERIFY.
 WHERE EXTERIOR FINISHED GROUND LEVEL IS AT A HIGHER ELEVATION THAN THE GROUND LEVEL INSIDE THE FOUNDATION WALLS SHALL BE DAMP PROOFED & WHERE HYDROSTATIC PRESSURE OCCURS WATER PROOFING IS REQUIRED.

ROOF FRAMING
 ROOF SHEETING SHALL BE INSTALLED WITH THE SURFACE GRAIN AT RIGHT ANGLES TO THE ROOF FRAMING JOISTS PERPENDICULAR TO ROOF RIDGE SHALL BE STAGGERED WITH EDGES SUPPORTED ON TRUSSES. IF TONGUED AND GROOVED EDGE PANEL TYPE SHEETING IS NOT USED THAN EDGES PARALLEL TO THE ROOF RIDGE SHALL BE SUPPORTED BY METAL 'N' CLIPS OR NOT LESS THAN 1.5"x1.5" BLOCKING SECURELY NAILED BETWEEN FRAMING MEMBERS.
 VENTILATION OF ROOF SPACE TO BE VENTED TO A MINIMUM OF 1/150 OF INSULATED ROOF AREA.

MECHANICAL & ELECTRICAL
 MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS.

SMOKE ALARMS
 SMOKE ALARMS SHALL CONFORM TO CANULC-5531 "SMOKE ALARMS"
 SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING AND BE INSTALLED AS PER CANULC-5553 "INSTALLATION OF SMOKE ALARMS"
 SMOKE ALARMS SHALL HAVE A VISUAL SIGNALING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE."
 SMOKE ALARMS SHALL BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT. C/W BATTERY BACKUP AS PER O.B.C REQUIREMENTS
 ALL SMOKE ALARMS SHALL BE INTERCONNECTED SO THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS TO SOUND

STEEL LINTELS SUPPORTING MASONRY VENEER
 STEEL LINTELS SUPPORTING MASONRY VENEER OVER OPENINGS SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 6" LENGTH OF BEARING AT END SUPPORTS, AND BEAR ON MASONRY, CONCRETE OR STEEL.
 STEEL ANGLE LINTELS SHALL BE PRIMED OR PAINTED OR OTHERWISE PROTECTED FROM CORROSION

DEADBOLT
 DOORS THAT REQUIRE A DEADBOLT SHALL BE EQUIP WITH A DEADBOLT LOCK WITH A CYLINDER HAVING NO MORE THAN FIVE PINS AND A BOLT THROW NOT LESS THAN 25MM LONG, PROTECTED WITH A SOLID OR HARDENED FREE-TURNING RING OR BEVELED CYLINDER NOSING

WOOD FRAMING GENERAL
 ALL WOOD FRAMING SHALL COMPLY WITH SECTION 9.2.3 OF THE ONTARIO BUILDING CODE.
 ALL STRUCTURAL FRAMING LUMBER SHALL BE GRADE STAMPED AS SPRUCE - PINE - FIR (S-P-F) NO.2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION.
 WOOD FRAMING MEMBERS THAT ARE NOT TREATED WITH A WOOD PRESERVATIVE AND BEAR ON CONCRETE OR IN DIRECT CONTACT WITH THE GROUND SHALL BE SEPARATED WITH A 6 MIL POLY OR TYPE 5" ROLL ROOFING.
 ALL NOTCHING AND DRILLING OF FRAMING MEMBERS SHALL CONFORM TO SUBSECTION 9.2.3.5 OF THE ONTARIO BUILDING CODE.
 FLUSHED FRAMED WOOD MEMBERS SHALL BE SUPPORTED WITH APPROPRIATE JOIST HANGERS AND FASTENERS.

STAIR AND GUARD INFORMATION

TREAD - MAX = 1'2"
 MIN = 10"

RISE - MAX = 7 1/2"
 MIN = 4 1/2"

NOSING - MAX = 1"

STAIR DIMENSIONS
 STAIRS SHALL HAVE A WIDTH OF NOT LESS THAN 34"
 THE CLEAR HEIGHT OVER STAIRS SHALL BE NOT LESS THAN 6'-4"
 RISERS SHALL HAVE A UNIFORM HEIGHT IN ANY ONE FLIGHT WITH A MAXIMUM TOLERANCE OF 1/8" BETWEEN ADJACENT TREADS AND 1/8" BETWEEN THE TALLEST AND SHORTEST RISERS IN A FLIGHT.
 TREADS SHALL HAVE A UNIFORM RUN WITH A MAXIMUM TOLERANCE OF 1/8" BETWEEN ADJACENT TREADS, AND 1/8" BETWEEN THE DEEPEST AND SHALLOWEST TREADS IN A FLIGHT

HANDRAILS
 THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38"
GUARDS
 THE MINIMUM HEIGHT OF GUARDS SHALL BE NOT LESS THAN 36"
 ALL GUARDS SHALL BE CONSTRUCTED AS PER SB-7 REQUIREMENTS

AG DESIGN
 436 ASKING AVENUE
 WINDSOR, ON
 N6A 1K5

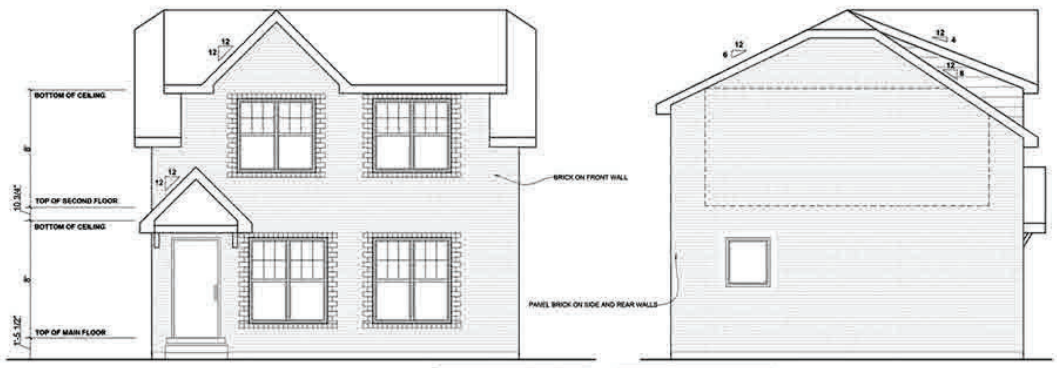
I, Ashley Kozachenko declare that I have prepared the design of this plan, I am qualified and registered with the Ministry of Municipal Affairs and Housing.

Individual BCIN: 37168 Firm BCIN: 43361

AG DESIGN
 WINDSOR, ON

DETACHED ADU
 436 ASKING AVENUE
 Windsor, ON

DATE: February 10, 2023
 Scale: 1/4" = 1'-0"
 Project No.: 06022
 Drawing No.: A-1.0

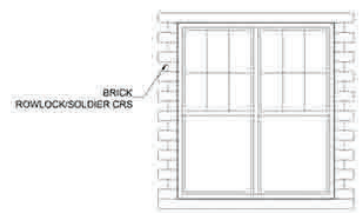


FRONT ELEVATION

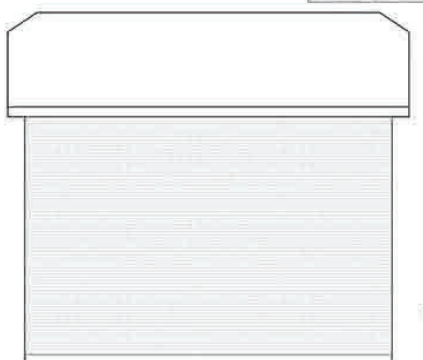
FRONT ELEVATION
TOTAL WINDOW AREA: 94 SQ.FT
TOTAL WALL AREA: 417 SQ.FT

SIDE ELEVATION
TOTAL WINDOW AREA: 19 SQ.FT
TOTAL WALL AREA: 421 SQ.FT

LEFT SIDE ELEVATION

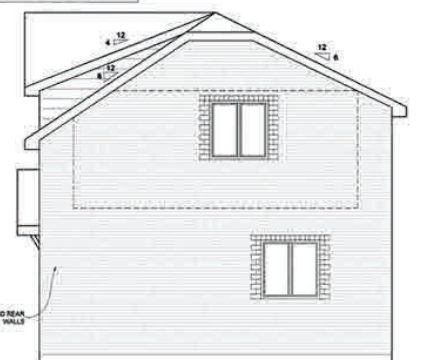


WINDOW DETAIL



REAR ELEVATION

REAR ELEVATION
TOTAL WINDOW AREA: 9 SQ.FT
TOTAL WALL AREA: 417 SQ.FT



SIDE ELEVATION
TOTAL WINDOW AREA: 22 SQ.FT
TOTAL WALL AREA: 421 SQ.FT

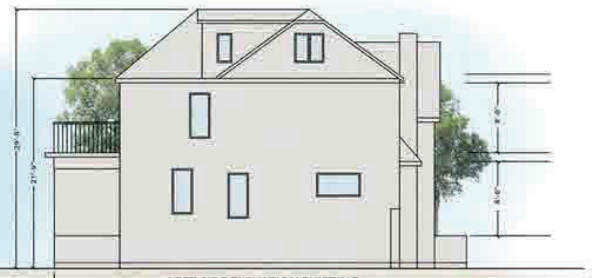
RIGHT SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



LEFT SIDE ELEVATION EXISTING DWELLING

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I, Andrew Pridemore, declare that I am responsible for the design of the above plan, qualified and registered with the Ministry of Municipal Affairs and Housing.



DETACHED ADU
 436 ASKING AVENUE
 Windsor, ON
ELEVATIONS

Date: March 13, 2023
 Scale: 1/4" = 1'-0"
 Project No.: 060722
 Drawing No.: **A-2.0**

BRICK SPECIFICATIONS



CANYON
SIZES: PREMIUM PLUS



CHURCH HILL
SIZES: PREMIUM PLUS

SIZE



Premier Plus
Length 227 mm (9 1/8")
Height 78 mm (3 1/8")
Depth 90 mm (3 5/8")
Bricks per square foot 3.9
Bricks per square meter 42

SPECIFICATIONS

BRAMPTON, ONTARIO PLANT	Weight/Cube (kg)	Weight/Cube (lb)	Weight/Brick (kg)	Weight/Brick (lb)	Bricks/Cube	Bricks/m ²	Bricks/ft ²
Premier Plus	1,160	2,552	2.5	5.5	464	42.0	3.9

NOTES

- Refer to your local building codes for proper installation of product.
- All Brampton Brick's clay brick products fully meet or exceed the latest version of the following standards: ASTM C216 and the Can/CSA A82 specifications.
- Sizes are available only in standard stock products. Please refer to individual colors for standard stock item sizes available.

ROOF SPECIFICATIONS



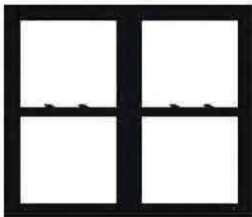
CERTAINTEED LANDMARK SHINGLES
COLOR - WEATHERED WOOD

MITTEN VINYL SIDING SPECIFICATIONS



COLOR - HEARTHSTONE
SENTRY 44 SERIES
D4H
D4.5DL
B&B

WINDOW SPECIFICATIONS



PELLA® IMPERVIA®

Fiberglass Single-Hung Window

Pella Impervia mulled single-hung windows include two units joined by their frames in the factory. This doubles the size of a single unit, creating a more expansive look. Made from the strongest material for windows, Pella's exclusive fiberglass provides lasting durability and sleek, timeless style.¹⁸ Single-hung windows have a moveable bottom sash for ventilation with a top sash that remains fixed. Achieve your design vision with a variety of popular features and options to choose from.

- Two fiberglass single-hung windows mulled together as a combined unit.
- Fiberglass material is tested beyond industry standards to perform from -40°F to 180°F.
- Equal sightlines deliver a clean, consistent aesthetic unlike other single-hung designs that trade off aesthetic details.
- Product #401002

EXISTING BUILDING PICTURES



BRAMPTON BRICK COMPANY, INC. IS COMMITTED TO THE ENVIRONMENTAL RESPONSIBILITY OF OUR CUSTOMERS AND EMPLOYEES. WE ARE A LEADER IN THE BRICK INDUSTRY AND ARE COMMITTED TO THE PROTECTION OF OUR ENVIRONMENT. WE ARE A LEADER IN THE BRICK INDUSTRY AND ARE COMMITTED TO THE PROTECTION OF OUR ENVIRONMENT. WE ARE A LEADER IN THE BRICK INDUSTRY AND ARE COMMITTED TO THE PROTECTION OF OUR ENVIRONMENT.

I hereby acknowledge that I am responsible for the design of this plan, I am qualified and registered with the Ministry of Municipal Affairs and Housing.



DETACHED ADU
436 ASKING AVENUE
Windsor, ON
ELEVATIONS

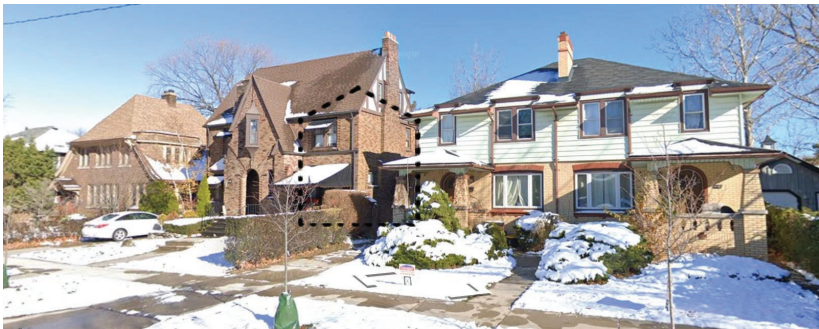
Date: February 10, 2023
Scale: 1/4" = 1'-0"
Project No.: 060/22
Drawing No.: **A-2.1**



ACROSS THE STREET PROSPECTIVE



STREET MAP SHOWING HOMES WITH 2 CAR GARAGES APPROXIMATELY THE SAME FOOTPRINT AS THE PROPOSED ADU



STANDING IN FRONT OF 424 ASKIN LOOKING SLIGHTLY NORTH TOWARD PROPERTY



STANDING IN FRONT OF 424 ASKIN LOOKING SLIGHTLY SOUTH TOWARD PROPERTY

NOT TO SCALE
 This drawing is the property of AG Design and is not to be used for any other project without the written consent of AG Design.
 AG Design is not responsible for any errors or omissions in this drawing. The user of this drawing assumes all liability for any such errors or omissions.
 All dimensions are approximate and subject to change without notice.

I, Ashley Hutchinson, declare that I am responsible for the design of this plan. I am a qualified and registered civil engineer with the Ministry of Municipal Affairs and Housing.

AG DESIGN
 3100
 516-862-7198

DETACHED ADU
 436 ASKING AVENUE
 Windsor, ON
 ELEVATIONS

Date: March 13, 2023
 Scale: 1/4" = 1'-0"
 Project No.: 080722
 Drawing No.: **A-2.2**

Appendix ‘B’ – Extracts of Relevant Mature Neighbourhood Policies within the Official Plan

PART B – THE AMENDMENT

1. Volume 1, Chapter 6, the Land Use Policies, of the Official Plan for the City of Windsor is hereby amended as follows:

vi) Delete and replace Section 6.3.2.5(c):

<i>EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN</i>	6.3.2.5(c)	<p>In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.</p> <p>In Mature Neighbourhoods as shown on Schedule A-1, compatible with the surrounding area, as noted above, and consistent with the streetscape, architectural style and materials, landscape character and setback between the buildings and streets;</p>
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i) Adding the following section after Section 6.3.2.28:

<i>COMPATIBLE ADDITIONAL UNITS</i>	6.3.2.29	<p>The creation of additional units through renovation or redevelopment in existing residential neighbourhoods shall be done in a manner that is compatible and complimentary to the character of the neighbourhood. The Zoning By-law will establish regulations for height, density, and massing that will preserve the character of stable neighbourhoods. Council will adopt Design Guidelines to assist in the design and review of development applications within existing stable neighbourhoods.</p>
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5. Volume 1, Schedule A-1, Special Policy Areas of the Official Plan is hereby amended by adding the Mature Neighbourhoods designation as shown and Appendix A.

8. Volume II, Chapter I, Special Policy Areas, be amended by adding Section 1.52 Mature Neighbourhoods as Heritage Resource

<i>MATURE NEIGHBIURHOODS AS HERITAGE RESOURCE</i>	1.52	<p>Schedule A-1 identifies Mature Neighbourhoods in the City. These areas are not designated as Heritage Areas or Heritage Conservation Districts.</p>
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		However, the areas reflect the cultural heritage of the City and should be protected. When considering the development of these areas, the policies of Section 9.3.7(d) shall be applied.
<i>HERITAGE CONSERVATION</i>	1.52.1	Infill and intensification within Mature Neighbourhoods, shown on Schedule A-1, shall be consistent with the built form, height, massing, architectural and landscape of the area. Council will adopt Design Guidelines to assist in the design and review of development in these areas.

2. STABLE & MATURE NEIGHBOURHOODS



Throughout a number of Windsor's **Stable and Mature Neighbourhoods** there is a growing trend of dwellings being renovated, enlarged, or replaced by new dwellings, which are often significantly larger or conflict with the existing character of the community. Due to this trend, special consideration must be placed in a number of neighbourhoods in the City due to their historic and culturally significant character.

The City's objective for these evolving and historic neighbourhoods is to promote new construction that recognizes and enhances the neighbourhoods unique character as it is defined based on elements of urban design, streetscape, architecture, and landscape which contribute positively to their evolving image.

The purpose of the Urban Design Guidelines is to implement the Official Plan Vision for Stable and Mature Neighbourhoods by identifying the key attributes that contribute to the character of the area and providing a framework to guide the design of additions, new buildings, and landscapes that:

- Reconcile compatibility with diversity, while avoiding both monotony and harsh contrasts;
- Respect the architectural character of the neighbourhood;
- Promote a contextual design approach that considers the adjacent and surrounding development and fosters pedestrian scaled/oriented streetscapes;
- Encourage appropriate flexibility, innovation, and diversity in design, intrinsic to evolving communities; and,
- Recognize and implement the existing standards and guidelines for the conservation of Cultural Heritage Resources, where appropriate.

2.1 Understanding Neighbourhood Character

The **Stable and Mature Neighbourhoods** design guidelines are intended to address the changes occurring in these neighbourhoods so that compatibility and consistency can be achieved within the existing context and neighbourhood character.

Stable Neighbourhoods

Achieving compatibility in Stable Neighbourhoods is not about replicating the existing form or reproducing architectural styles or details of nearby buildings. Rather, the focus is to direct how new development can be designed to maintain and preserve neighbourhood character.

New development in Stable Neighbourhoods should be designed to respond to the basic neighbourhood patterns and reoccurring characteristics, such as lot patterns; placement and orientation; scale, height, and massing of dwellings; existing vegetation; topography; and other common or distinctive elements.

Mature Neighbourhoods

New development in Mature Neighbourhoods should also achieve compatibility similar to Stable Neighbourhoods, but the focus in these areas is to be consistent with the architectural style, building elements, and materials of existing dwellings in the surrounding neighbourhood.

The intent is to maintain and protect the existing historic and culturally significant character of these neighbourhoods. Colour schemes and materials should be inspired by, and carefully coordinated, with surrounding buildings for visual harmony and consistency with the architectural style of the buildings, as well as the neighbourhood.

Materials and colours of surrounding buildings need not be simply copied but used as a point of reference. Modern materials can be used if their proportions and details are harmonious within the surrounding historic context. Colour, texture, and tonal contrast can be unifying elements.

Neighbourhood Character

Character means the collective qualities and characteristics that distinguish a particular area or neighbourhood. In a general sense, the character of the City's Stable and Mature Neighbourhoods is defined by the comfortable scale of the buildings and the streets, the street trees and landscape features, and the feeling of history invoked by the inventory of period appropriate and historic homes.

In many of Windsor's neighbourhoods there is a diversity of building forms, housing types, streetscapes, and landscape features. Diversity is an element to be celebrated as a defining factor within each of these neighbourhoods.



Three storey apartment buildings on Argyle Street in the Walkerville neighbourhood.

The character of the City's Stable and Mature Neighbourhoods is defined generally by the following elements:

- **Architecture** - Architectural styles, in some cases vary dramatically, while in other neighbourhoods, convey consistency. While a rigorous adherence to a particular form or style is neither desirable nor realistic there are key elements of all building designs that can be used to ensure that different forms and styles can co-exist alongside one another in a compatible and complementary manner;
- **Heritage** - The inventory of heritage buildings within the Stable and Mature Neighbourhoods is a key contributor to the character of the neighbourhoods. To maintain the historic character of these areas, the design of both new development and additions must complement the heritage character and be context-specific to avoid detracting from the existing built fabric.
- **Lot Size/Frontage** - Streets that display the most diversity in terms of lot size and street frontage are not necessarily negative in terms of community character. Varying lot sizes and frontages can accommodate a diversity of housing types and built forms. To support this variety and diversity as a positive attribute, it is important to ensure that the development is appropriate for the site and within the context of the surrounding built form;
- **Setbacks** - Front and side yard setbacks are character giving elements within these neighbourhoods that establish both the

building's relationship with the street, and the visual separation between buildings. Consistency in building setbacks, regardless of built form, is a key character giving element of any street;

- **Streets** - On a street by street basis, right-of-way and pavement widths are considered important to the image of a Stable and Mature Neighbourhood and are directly related to the adjacent scale of development, with a desire to maintain existing relationships among pavement width, boulevard treatment, and the interface between the street and the adjacent buildings;
- **Street Trees and Landscaping** - The protection of mature street trees and the enhancement and maintenance of front yard landscapes in all Stable and Mature Neighbourhoods is a crucial objective in maintaining its positive character; and,
- **Parking** - Dealing with the issue of parking is often a flashpoint in the conversation about residential intensification. Parking must be appropriately accommodated on the site of any specific residential development, and that parking supply may be augmented by on-street parking, or in parking spaces provided in communal facilities. A lack of parking supply, with too much reliance on on-street parking has a significant negative impact on community character and may impact the functional operation of the street network.



Gateway to historic Sandwich Town

2.2 General Guidelines for all Development

The intent for development within Windsor’s Stable and Mature Neighbourhoods is to maintain the Low Profile built form character of the area and ensure a sensitive integration of new development, additions, or renovations to adjacent properties.

Low Profile development in the Stable and Mature Neighbourhoods includes single-detached, semi-detached, duplex, townhouses, and apartments that are generally no greater than three (3) storeys in height.

2.2.1 Site Orientation

The relationship between buildings through placement on the lot is important to ensure a consistent neighbourhood ‘feel’ and to define and frame the street while imparting the sense of openness and enclosure.

The Zoning By-law establishes clear regulations for front yard setbacks and interior/exterior side yard setbacks. The objectives of the Urban Design Guidelines in directing the relationship of the building to lot lines are to:

- Maintain consistent spacing between dwellings; and,
- Allow a measure of privacy between neighbours by providing space for light and landscaping.

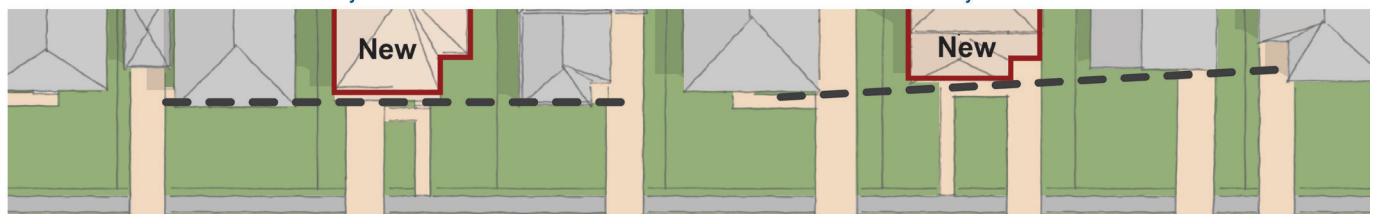
1. Consider building placement and siting on a property in relation to the street and the property’s neighbours to reinforce the positive characteristics of the existing streetscape.
2. Ensure the scale of Low Profile buildings is compatible and sensitively integrated with residential buildings in the immediate vicinity in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility, and visual impact.
3. Locate dwellings close to the street edge to frame the streetscapes, however, this will depend on the setbacks to houses on either side of the site.
4. Maintain consistent front yard setbacks along the street. New development should have a set back equal to the predominant setback (70%+) on the street (+/- 1.0m), or a distance that is the average of those on either side of the development site (+/- 1.0m).
5. Provide side yard setbacks that reflect those of adjacent homes, or are the average distance of those on either side of the development, in accordance with existing zoning standards, to a minimum of 1.2 metres.



Generally consistent spacing between buildings

Front setback reflects that of adjacent units

Front setback is the average of that of adjacent units



Front yard setback approaches

6. Consider rear yard privacy issues when extending a home towards the rear property line or building a new dwelling by:
 - a. Minimizing extensions beyond the adjacent dwellings rear wall;
 - b. Limit direct conflict with new windows on the side elevations with existing windows on the abutting building;
 - c. Minimizing the location of second floor balconies on rear and side elevations or providing privacy screening on the side of the balcony; and,
 - d. Providing fencing that effectively screens the rear amenity and minimizes its exposure to/ from adjacent properties, where appropriate.
7. Limit blocks of street townhouses to a maximum of 8 units, with 6 units preferred. The length of the townhouse blocks should not exceed 50 metres, unless it is essential to the architectural style of the townhouse block.
8. Orient blocks of attached townhouse units to the street with integrated front garages accessed from the street. For rear lane townhouses an attached or detached garage will be located at the rear of the block and accessed from a lane.

2.2.2 Developments within Heritage Contexts

1. Locate and design buildings to respect and complement the scale, character, form, and siting of on-site and surrounding cultural heritage resources.
2. Ensure that conceptual design and massing of development or redevelopment projects are compatible with adjacent listed heritage buildings and/or sites.
3. New buildings located adjacent to built cultural heritage resources will be compatible with existing historical building types, colours, and material palettes having regard for modern building designs, techniques, and materials.

2.2.3 Access & Parking

Garages and driveways should be located and sized based on the established pattern of the neighbourhood. The objectives of the Urban Design Guidelines in directing the location and width of garages and driveways are to:

- Prioritize the location of a garage off an open and travelled alley;
 - Ensure that garage doors do not dominate the front facade of the house;
 - Minimize the garage and driveway presence on the streetscape;
 - Direct parking to the side or rear of a building to ensure the front yard can be landscaped; and,
 - Maintain a consistent garage type and driveway width along the street.
1. Place garages behind the front wall of the dwelling or at the side or rear of the lot, unless the predominant location of the garage on other houses on the streetscape are at the front of the house or not at the side or rear.
 2. Townhouses should be serviced with access to the garage or parking from the rear of the unit. The front yard is best fully landscaped, with a single width driveway leading to the parking or garage area at the rear.
 3. Ensure rear lane accessed garages are complementary in design and building material with the principal dwelling.
 4. Where there is no option for rear access parking, the garage on the front face of the dwelling unit should not dominate the streetscape.
 5. Set back detached garages from the main front wall of the dwelling. Ensure detached garages are similar in material and architectural character to the dwelling.
 6. Ensure front-facing garages attached to the main dwelling do not occupy more than 50% of the building's width. For semi-detached, duplex, and townhouse units, pair garages to allow for more substantial front yard green space

2.2.4 Landscaping

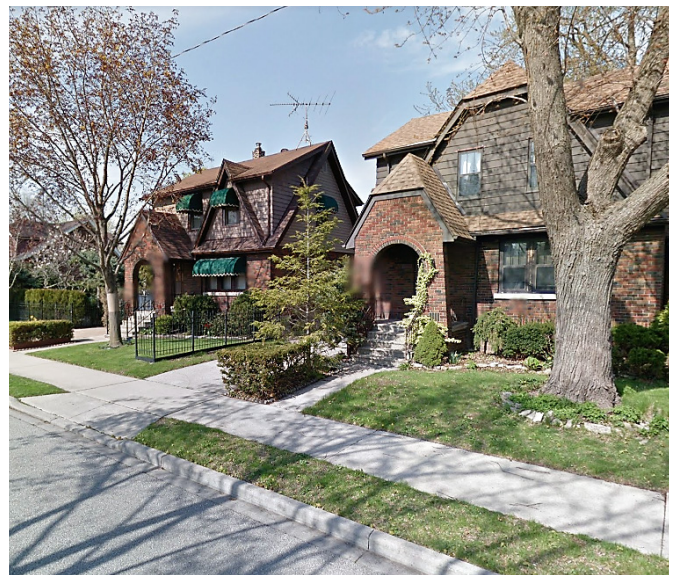
7. Locate and space driveways to reinforce the rhythm along a street and to allow for street trees to be planted in the boulevard.
8. Ensure the garage door does not protrude beyond the front wall of the townhouse. Building design should include elements to reduce the dominance of the garage doors by, for example:
 - a. Single car garages only (2.7 m door width);
 - b. Including a habitable room over the garage;
 - c. Articulating the front door with a porch; and,
 - d. Integrating the design of the roof over the garage with that of the townhouse units.
9. Parking for detached, semi-detached, and townhouse dwellings is only permitted in the front or exterior side yard and only on a driveway or a parking pad.
10. For Low Profile apartments, locate visitor parking, loading, and service areas in areas of low public visibility in side or rear yards and set back from the front facade of the building.

The objectives of the Urban Design Guidelines with respect to landscape are to:

- Maintain the green landscape character of the neighbourhood;
 - Plan for the urban canopy;
 - Screen views to rear yard parking; and,
 - Preserve mature trees.
1. Preserve existing mature trees where possible. The planting of new trees is encouraged to provide a continuous canopy over the street and to replace any canopy lost to new development.
 2. Enhance the bio-resiliency of the area through planting of native, non-invasive trees and shrubs.
 3. Include landscaped areas in front of buildings that provide a transition from private to public areas. A minimum of 50% of the front yard zone should include soft landscaping areas (non-paved areas supporting grass, groundcovers, trees and/ or shrubs).
 4. Encourage permeable paving for new walkways and driveways to reduce run-off to storm sewers and soften the streetscape appearance.



Garages set back from the main dwelling.



Landscaped areas provide a transition from private to public areas.

5. Where the predominant (70%+) existing streetscape character has design elements such as low stone walls, low permeable fences, planting and/or other landscaping at the front of the lot, ensure new development provides similar elements.
 6. Maintain the green character of the front yards and avoid monotony of treatment over large extents of development. The front yards of units in a new townhouse development should have a coordinated landscape design that should include fences/hedges, and street trees in the boulevard.
 7. Ensure front yard hedges or fencing that are used to define the edge of private property are no more than 1.2 metres high to maintain visibility to the street.
 8. Screen the parking lots of apartments from abutting residents and street view through the use of landscape buffers and/or fencing that is consistent with the building's architectural style.
 9. Consider outdoor amenity areas in the form of second floor decks or rooftop patios for townhouses with an attached garage in the rear as an alternative to traditional rear yard amenity areas.
 10. Provide outdoor amenity space for apartment units either individually or in a shared space.
1. Ensure building materials reflect and complement the existing materials in the area and are high quality, durable, and easily maintained.
 2. Ensure the materials selected are consistent for a building's facade and any walls that are publicly visible.
 3. Recommended building materials include brick masonry, stone masonry, wood, or stucco; one or two of these materials should be selected as base materials and may be complemented by a wider range of accent materials.
 4. For additions or renovations to an existing building, incorporate materials and colours that are consistent with and complement the main building.
 5. Ensure material changes on exposed elevations occur at transition points, such as a change of plane.
 6. Ensure rear and side walls exposed to public view are of a similar composition to the front wall.
 7. Colour should be selected from the heritage palette. In most cases the predominant colours throughout the City's historic neighbourhoods are subdued. The preferred colours are those within a traditional palette.
 8. Traditional high quality building materials are encouraged. The traditional building materials utilized within each historic neighbourhood should be identified and are to be encouraged for new development.
 9. Ensure material changes on exposed elevations occur at transition points, such as a change of plane.

2.2.5 Materials

The variety of building materials contributes to the interest along the street and to the varied architectural character of the neighbourhood.

The objectives of the Urban Design Guidelines for renovations, additions, and new construction are to:

- Ensure high quality materials are used;
- Preserve the variety of design, colour and building materials within a range that enhances the character of the neighbourhood; and,
- Ensure that while buildings will inevitably change over time, they will maintain the cohesive visual character of the street.

Subject: Closure of north/south alley between University Avenue East and 245 Parent Avenue and part of east/west alley between Marentette Avenue and 867 Chatham Street East, Ward 4, SAA-6623

Reference:

Date to Council: May 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181
Planning & Building Services
Report Date: March 10, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.57-metre-wide north/south alley located between University Avenue East and the property known municipally as 245 Parent Avenue (legally described as Lot 17 & Part of Closed Alley, Plan 143; Part 5, Reference Plan 12R-27073) and shown on Drawing No. CC-1803 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "first alley", **BE ASSUMED** for subsequent closure;
- II. THAT the first alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice and EnWin Utilities Ltd. Aboveground Hydro Easement Diagram *attached* hereto as Appendix "F", **BE GRANTED** to:
 - i. Bell Canada for protection of aerial facilities;
 - ii. EnWin Utilities Ltd to accommodate existing overhead primary 27.6kV and secondary 120/240V hydro distribution poles; and
 - iii. MNSi for access to service and maintain existing aerial infrastructure.
- III. THAT the portion of the 6.1 metre wide east/west alley located between Marentette Avenue and the property known municipally as 867 Chatham Street East (legally described as Lot 13, Plan 143), abutting the properties known municipally as 0 University Avenue East (legally described as Part of Lots 9 & 10,

Plan 140; Lot 22, Plan 143) and 857 Chatham Street East (legally described as Part of Lots 8 & 9, Plan 140), and shown on Drawing No. CC-1803 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “second alley”, **BE ASSUMED** for subsequent closure;

- IV. THAT the second alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
- a. Easement, subject to there being accepted in the City’s standard form and in accordance with the City’s standard practice and EnWin Utilities Ltd. Aboveground Hydro Easement Diagram *attached* hereto as Appendix “F”, be granted to:
 - i. Bell Canada for protection of aerial facilities;
 - ii. EnWin Utilities Ltd to accommodate existing overhead primary 27.6kV and secondary 120/240V hydro distribution poles; and
 - iii. MNSi for access to service and maintain existing aerial infrastructure.
- V. THAT the 3.66-metre-wide north/south lane located between University Avenue East and the said east/west alley **BE DENIED** for subsequent deeming as surplus lands;
- VI. THAT Conveyance Cost **BE SET** as follows:
- a. For first alley conveyed to abutting lands zoned RD2.2, \$4,000.00 per front foot without easements and \$2,000.00 per front foot with easements.
 - b. For second alley conveyed to abutting lands zoned RD2.2, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1803, *attached* hereto as Appendix “A”.
- VIII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- IX. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

Executive Summary:

N/A



Figure 1 - Location Map

Background:

The applicant, Lelyana Nissan, owner of the property known municipally as 857 Chatham Street East (the subject property), applied to close the east/west alley located between Marentette Avenue and 867 Chatham Street East, north/south alley located between University Avenue East and 245 Parent Avenue and the north/south City owned lane located between University Avenue East and the said east/west alley, and shown on Drawing No. CC-1803 *attached* hereto as **Appendix “A”**, and also shown on the aerial photo *attached* hereto as **Appendix “B”**.

The east/west alley is maintained and composed primarily of asphalt bordered on either side by a small strip of vegetation. The eaves of the single family dwelling and a chain-link fence at 254-258 Marentette Avenue encroach legally into the alley via an Encroachment Agreement with the City. The alley contains three utility poles, includes a curb cut off of Marentette Avenue and serves as a means of vehicular access for the following properties:

Address	Type
254-258 Marentette Avenue	Detached Garage
817 Chatham Street East	Concrete Driveway
825 Chatham Street East	Gravel Driveway
835-839 Chatham Street East	Gravel Driveway
847 Chatham Street East	Detached Garage & Driveway
848 University Avenue East	Dirt Driveway

The north/south alley is unmaintained and composed primarily of gravel bordered on either side by a small strip of grass. The alley contains two utility poles and includes a curb cut off of University Avenue East.

The north/south City owned lane is unmaintained and composed primarily of gravel bordered by sporadic patches of vegetation. The lane contains a utility pole, includes a curb cut off of University Avenue East and serves as a means of vehicular access for the following properties:

Address	Type
268 Marentette Avenue	Detached Carport & Driveway
836 University Avenue East	Detached Garage & Driveway

The applicant wishes to close the aforesaid alleys and City owned lane, and purchase the portion of the said east/west alley that abuts the subject property. The applicant did not state a reason for closure in their application.

Discussion:

The decision to recommend closure of an alley is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix "E"**. The document details four classifications of alleys based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject alley serve commercial properties?*
 - a. The east/west alley does not serve any commercial properties.
 - b. The north/south alley does not serve any commercial properties.
 - c. The City owned lane serves 820-824 University Avenue East, which contains a combined use building with a vacant commercial unit.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alleys and City owned lane do not serve properties fronting on heavily travelled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alleys and City owned lane do not contain any sewers.

4. *Does the subject alley 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?*
 - a. The east/west alley serves as the only vehicular means of access to rear parking areas at 817 Chatham Street East, 825 Chatham Street East and 847 Chatham Street East.
 - b. The east/west alley serves as the only vehicular means of access to rear garages at 254-258 Marentette Avenue and 847 Chatham Street East.
 - c. The north/south alley does not serve as a means of vehicular access to any rear parking areas and garages.
 - d. The City owned lane serves as the only vehicular means of access to rear parking areas at 268 Marentette Avenue and 836 University Avenue East.
 - e. The City owned lane serves as the only vehicular means of access to a rear carport and garage at 268 Marentette Avenue and 836 University Avenue East, respectively.

5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alleys and City owned lane do not contain any Fire Department connections.

6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way 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?*
 - a. The alleys and City owned lane do not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the east/west alley “indispensable”, north/south alley “dispensable” and City owned lane “indispensable”.

Notwithstanding the east/west alley being deemed indispensable, the Planning Department is recommending that the portion of the alley not serving as the only vehicular means of access to 817 Chatham Street East, 825 Chatham Street East and 847 Chatham Street East be closed and conveyed. This portion of the alley being more particularly described as that abutting the subject property and 0 University Avenue East (Roll No. 030-050-03200).

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the said portion of the east/west alley and the entire north/south alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the said portion of the east/west alley and entire north/south alley to the abutting property owners, which is the standard manner of conveyance.

Risk Analysis:

The recommended closure will divest the City of associated liability risks and maintenance costs. The recommended closure poses no known risk to City.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for the north/south alley conveyed to abutting lands is \$4,000.00 per front foot without easements and \$2,000.00 per front foot with easements.

The rate for the east/west alley conveyed to abutting lands zoned RD2.2 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to the City by an Ontario Land Surveyor.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in **attached** hereto as **Appendix "C"**.

Notice of this application was issued to property owners abutting the alleys and City owned lane by regular mail on November 8, 2021. Emails were received from the owners of the properties known municipally as 0 University Avenue East (Roll No. 030-050-03200) and 835 & 839 Chatham Street East, **attached** hereto as **Appendix "G"**. 0 University Avenue East inquired about purchasing their half of the east/west alley and north/south alley if it is closed. 835 & 839 Chatham Street East has inquired about closing the portion of the east/west alley abutting their property to the south.

On October 24, 2022, letters were issued to the owners of 847 Chatham Street East and 848 University Avenue East requesting confirmation if they still use the east/west alley as a means of vehicular access to their properties. This action was taken to determine if 835 & 839 Chatham Street East's alley closure request can be accommodated. The owner of 847 Chatham Street East, via November 14, 2022 phone conversation, confirmed that they currently use the alley as a means of vehicular access to their rear parking area and detached garage.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the portion of the east/west alley and entire north/south alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, EnWin Utilities Ltd., and MNSi as in Recommendations II and IV of this report respectively.

The closed alleys are to be conveyed to the abutting property owners as in Recommendations II and IV of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Denise Wright	Lease Administrator
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administration Officer

Notifications:

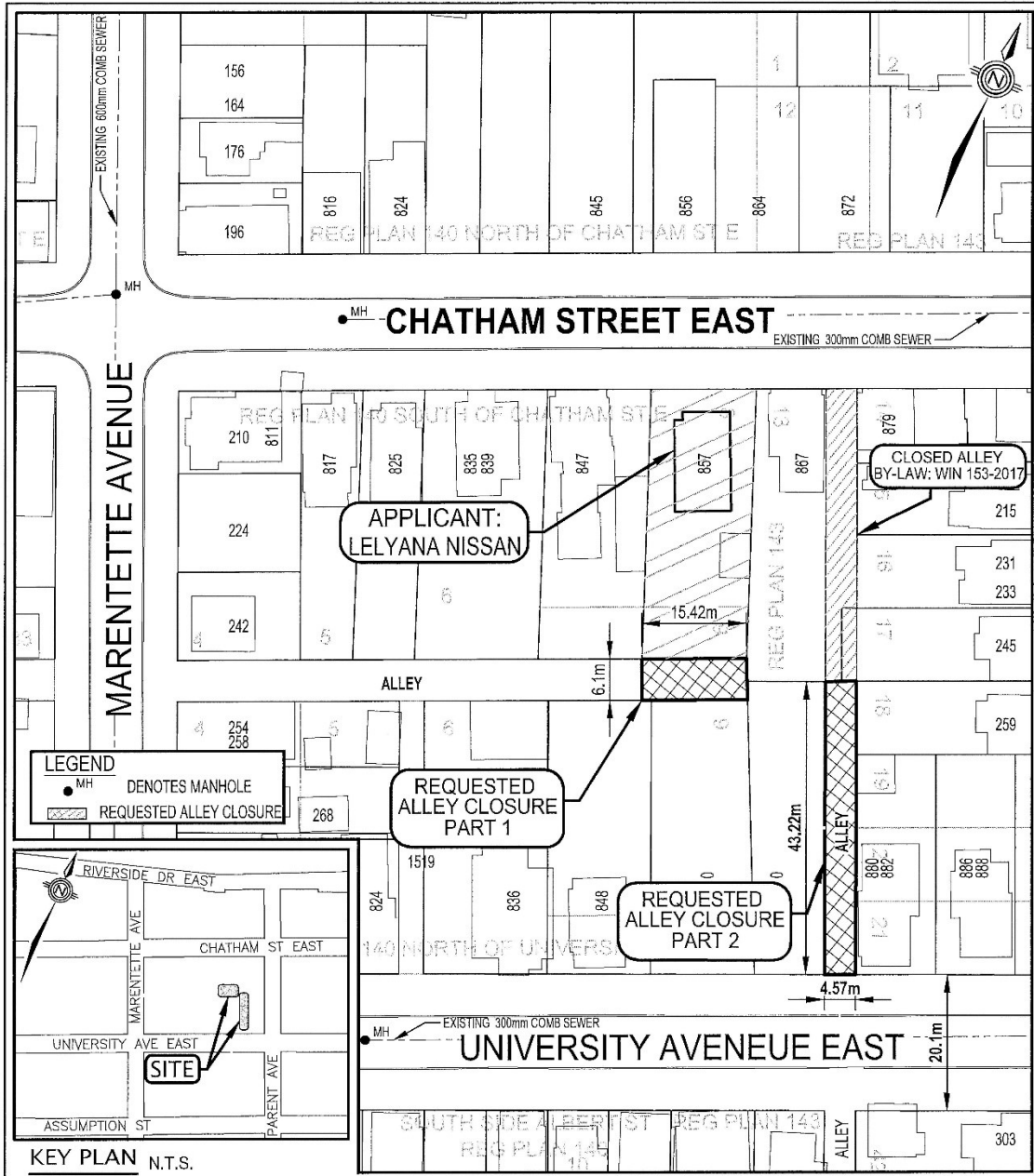
Name	Address	Email
Councillor Mark McKenzie	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	MMcKenzie@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

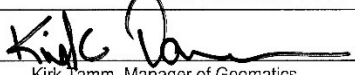
Appendices:

- 1 Appendix A - Drawing No. CC-1803
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - EnWin Utilities Ltd. Aboveground Hydro Easement Diagram
- 7 Appendix G - Comments to Notice of Application

APPENDIX "A"

Drawing No. CC-1803



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT			
Proposed Closure of a Portion of the NorthSouth & EastWest Alleys Abutting 857 Chatham East And Between University Avenue East And Chatham Street East			
 Kirk Tamm, Manager of Geomatics	SCALE: 1:750	DATE: NOV 2021	REVISED:
	DWN BY: JH	CHKD BY: PJU / JC/GP	REVISION NO.:
			DWG. NO. CC-1803

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6623)

1:1,000

APPLICANT : LELYANA NISSAN

 SUBJECT LANDS



PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: NOVEMBER, 2022

APPENDIX “C”**Consultations with Municipal Departments and Utility Companies****BELL CANADA WSP****November 9, 2022**

Bell Canada requests an easement over the entire closure area for protection of aerial facilities.

December 20, 2022

Bell Canada requests a 3.0 m easement, 1.5 m on either side, for the length of each section for protection of existing aerial facilities. If 3.0 m is not available, we request the entire width of the alley.

[Charleyne Hall, Bell Canada External Liaison - Right-of-Way]**CANADA POST**

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

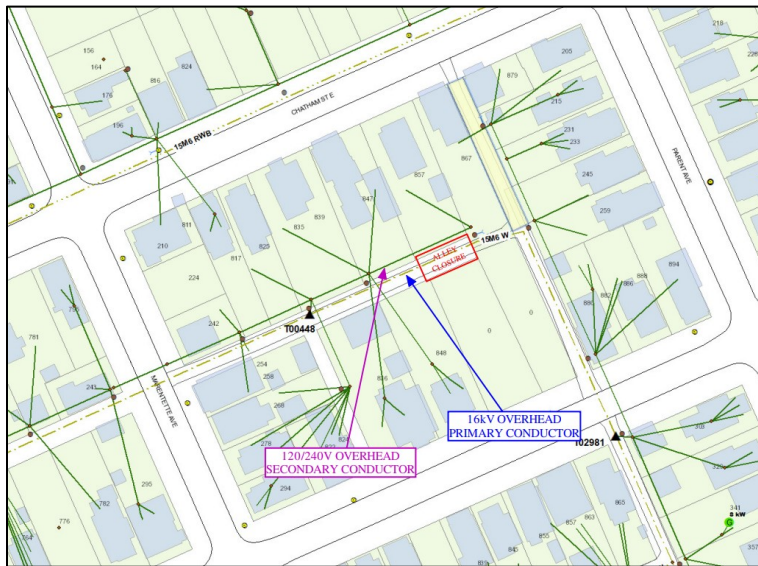
No concerns from Environmental Services.

[Anne-Marie Albidone, Manager, Environmental Services]**ENWIN UTILITIES - HYDRO****November 25, 2022**

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 overhead plant.

EnWin currently has 120/240V secondary and 16,000V primary conductor running East/West along the existing pole line in the alley. See attached sketch for reference.

[Nathan Short, Hydro Engineering Technologist]



December 21, 2022

No objection, however, easements named to EnWin Utilities Ltd. will be required in the eastern alley to accommodate existing overhead primary 27.6kV and secondary 120/240V hydro distribution poles highlighted below in red. A third easement will be required should the pole highlighted below in blue below be enclosed as well. Be aware of existing secondary connections to nearby buildings.

Prior to working in these areas, we would suggest notifying your contractor and referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for New Building Construction.

[Paulina Pacheco, Hydro Engineering Technologist]



ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

November 9, 2022

For lands abutting properties zoned Residential RD2.2: \$1 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

December 23, 2022

For the e/w alley, \$1 plus deed preparation and proportionate share of survey cost, as appropriate.

For the n/s alley, \$4,000/front foot without easements and \$2,000/front foot with easements.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

November 9, 2022

MNSi would like an aerial easement through the subject lands please.

December 16, 2022

MNSi would like to have Aerial Easements through both of these alleys as we have existing aerial plant on the pole lines.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

Please note that Parks D&D has no comments for this SAA/6623 Liaison.

[Sherif Barsom, Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No comments provided

PUBLIC WORKS - ENGINEERING

The subject alley closure is approximately 4.5m (15.0 ft) wide, traveled and composed of asphalt and grass. There are no municipal sewers or manholes that appear within the alley. There are guy-wires, wooden hydro poles, and overhead wires located within the alley, an easement would be required for utilities. This subject alley to have no usefulness by CR146/2005; therefore, we have no objections to the closure subject to the easement.

[Adam Pillon - Manager Right-of-Way]

PUBLIC WORKS - TRAFFIC

The alley east of the proposed closure is already partially closed, but highly used. Closing a portion of the alley as shown will not affect any existing access as there are access points to both Marentette and University; however it will close off any potential access to the rear of 0 University (parcel east of 848 University). If the alley is closed, propose closing to the east property line of 848 University so as not to affect access to the rear of their property.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

November 29, 2022

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval date.

[Derek Dukhu, CAD Technician]

December 16, 2022

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

[Meghna Patel, Permit Coordinator]

TRANSPORTATION PLANNING

There are no objections to the proposed closure.

[Rania Toufelli, Policy Analyst]

TRANSIT WINDSOR

No comments provided

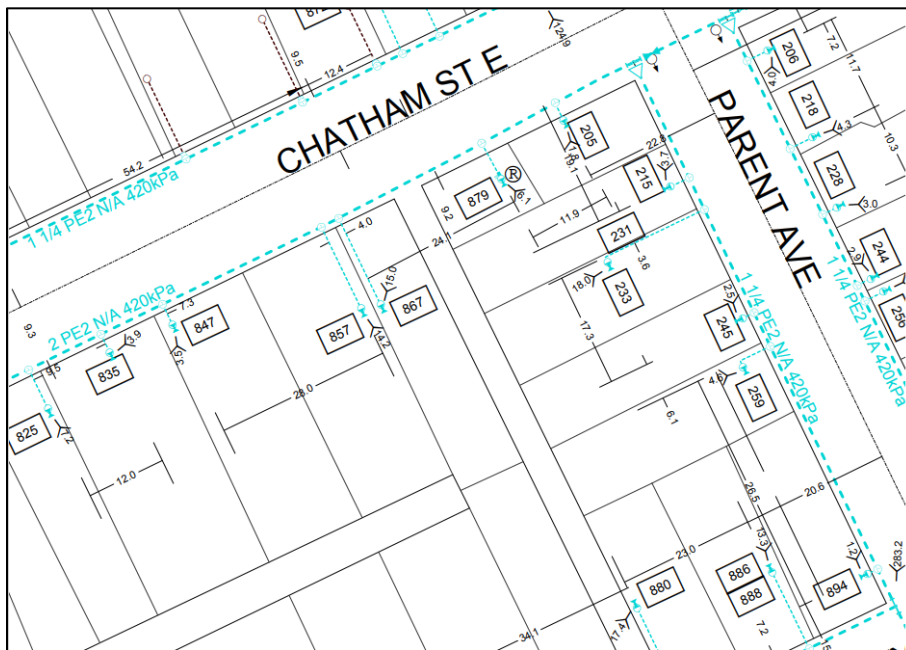
UNION GAS

After reviewing the provided drawing at 857 Chatham St E rear alley and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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]

**WINDSOR FIRE**

No comments provided

WINDSOR POLICE

No comments provided

APPENDIX "D"
Site Photos (June 29, 2022) & Google Street View (April 2021)



Figure 1 - Looking west towards east/west alley from 867 Chatham Street East (right side)



Figure 2 - East/west alley looking west from 857 Chatham Street East (right side)



Figure 3 - East/west alley looking west from 836 University Avenue East (left side)



Figure 4 - East/west alley looking west from 817 Chatham Street East (right side)



Figure 5 - East/west alley looking west towards Marentette Avenue



Figure 6 - Looking east towards east/west alley from Marentette Avenue



Figure 7 - Rear driveway at 817 Chatham Street East



Figure 8 - Detached garage at 836 University Avenue East, off of City owned lane



Figure 9 - Detached garage at 254-258 Marentette Avenue



Figure 10 - Rear driveway at 825 Chatham Street East



Figure 11 - Rear driveway at 835-839 Chatham Street East



Figure 12 - East/west alley looking east from 848 University Avenue East (right); gate to rear yard at 847 Chatham Street East to left



Figure 13 - East/west alley looking east towards 867 Chatham Street East; 857 Chatham Street East to left



Figure 14 - Looking south towards City owned lane from east/west alley



Figure 15 - Looking north towards City owned lane from University Avenue East (April 2021 Google Street View); 836 University Avenue East to right



Figure 16 - Looking north towards north/south alley from University Avenue East (April 2021 Google Street View); 880-882 University Avenue East to right

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.

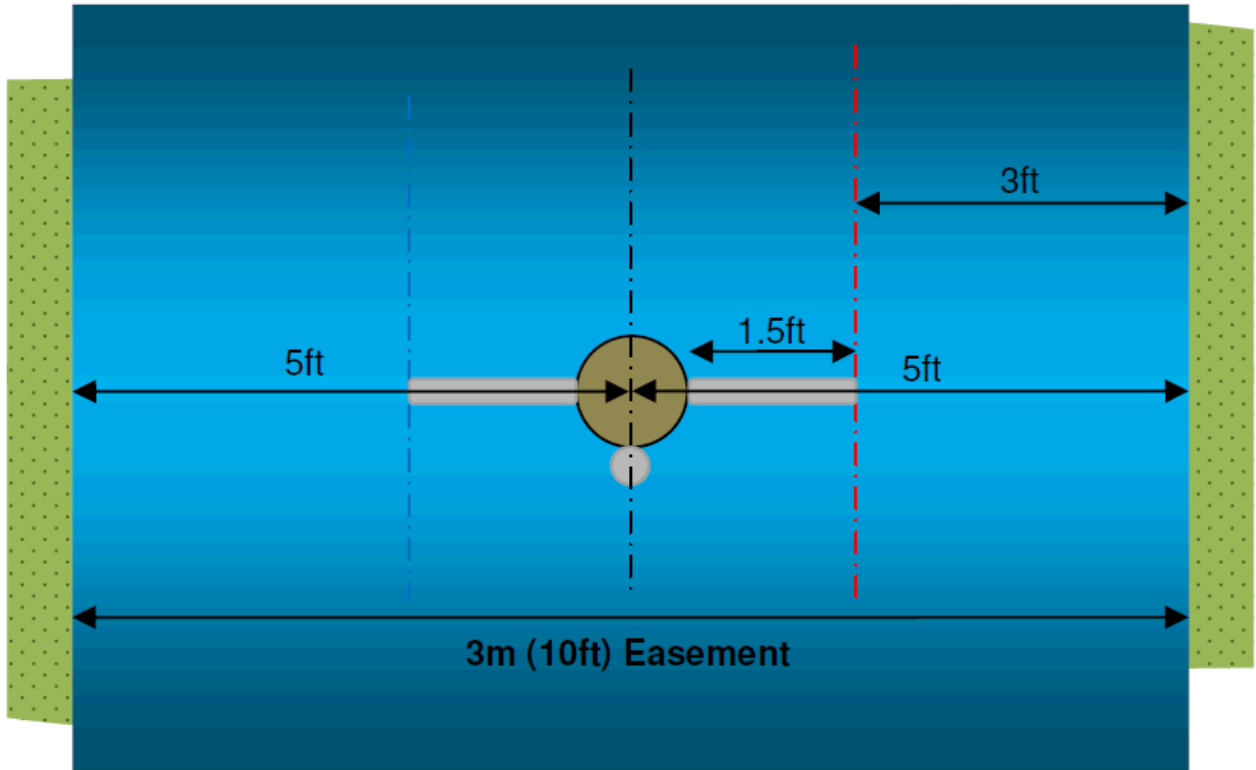
Suitability for Closing:

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.

APPENDIX "F"

EnWin Utilities Ltd. Aboveground Hydro Easement Diagram



APPENDIX “G”
Comments to Notice of Application

835 & 839 Chatham Street East (Email from Planning Department to Property Owner)

From: Matthews, Meghan

Sent: Monday, April 4, 2022 2:36 PM

To: [REDACTED]

Subject: SAA/6623 || 835/839 Chatham St. E.

[REDACTED]

I am writing in regards to your inquiry to close the alley behind 835/839 Chatham St. E. There is currently an application to close a portion of the Alley abutting 857 Chatham St. E, please see attached document (SAA 6623 – Aerial) for your reference. As this file is in need of a report, I will add your comment that you wish to have the alley closed up to your property (835 Chatham St. E.). Once a report is complete you will receive a copy. This report will include conditions, easements required, costs, and disposition of the land. You will have an opportunity at the Development & Heritage Standing Committee to speak either in favour or in opposition of the report. Currently, I do not have a timeline as to when this report will be completed or when it will be present to the Development & Heritage Standing Committee.

In regards to questions about your driveway please contact the right of way department at (519) 255-6257 ext. 6359

Lastly, here is a link to more information regarding [Alley Closures](#). I have also attached a brochure for your review.

Meghan Matthews (she/her) - Street & Alley Legal Clerk



City of Windsor Planning & Building Department
210-2nd Floor, 350 City Hall Sq. West, Windsor, Ontario N9A 6S1
Phone (519) 255-6543, Ext. 6310 / Fax (519) 255-6544
Email: mmatthews@citywindsor.ca
Website: www.citywindsor.ca

0 University Avenue East (Roll No. 030-050-03200) (Email from Property Owner)

From: [REDACTED]

Sent: Thursday, December 2, 2021 9:14 AM

To: Cabral, Jacqueline <jcabral@citywindsor.ca>

Subject: buying an Alley

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, I contacted you recently regarding an Alley that my [REDACTED] would like to buy behind our land and the land comes right next to 848 University Ave. we own the 2 empty lands that goes right next to this house.

Please let me know the procedure to buy it.

Thank you for your time

[REDACTED]

my phone number is [REDACTED]

Subject: Closure of south half of Pall Mall Street right-of-way, west of Alexandra Avenue; North/South alley between Northwood Street and Alexandra Avenue, Ward 10, SAS-6577

Reference:

Date to Council: May 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: August 5, 2022
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 4.57-metre-wide north/south alley located between Northwood Street and Alexandra Avenue, and shown on Drawing No. CC-1823 (*attached* hereto as Appendix "B"), and hereinafter referred to as the "alley", **BE ASSUMED** for subsequent closure;
- II. THAT the alley **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 3.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada to protect existing aerial facilities.
 - ii. EnWin to accommodate the existing pole line with overhead primary 16kV, secondary 120/240 volt, and secondary 347/600-volt hydro distribution; and
 - iii. MNSi to accommodate existing aerial facilities.
 - b. Ontario Land Surveyor be directed to use existing encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner, save and except that portion located between 2530 Longfellow Avenue (legally described as Lot 1007, and Part of Lots 1006 & 1008, Plan 1307) and 2539 Alexandra Avenue (legally described as Lots 961 & 962, and Part of Lot 963, Plan 1307), and 2564 Longfellow

Avenue (legally described as Lot 1013, and Part of Lots 1012 & 1014, Plan 1307; Parts 9 & 11, RP 12R-1148) and 2579 Alexandra Avenue (legally described as Lot 955, and Part of Lots 953, 954 & 956, Plan 1307; Part 19, RP 12R-1148), in which case the middle of the alley shall be used.

- III. THAT the 10.05-metre-wide south half of the Pall Mall Street right-of-way located between Alexandra Avenue and the alley, and shown on Drawing No. CC-1799 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “right-of-way”, **BE ASSUMED** for subsequent closure;
- IV. THAT the right-of-way **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 2511 Alexandra Avenue (legally described as Part of Lots 963 to 965, Plan 1307), in a manner deemed appropriate by the City Planner;
- V. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
 - b. For right-of-way conveyed to abutting lands zoned RD1.4, \$1,500.00 per front foot without easements and \$750.00 per front foot with easements.
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No.’s CC-1799 and CC-1823, *attached* hereto as Appendix “A” and Appendix “B”, respectively.
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VIII. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A



Figure 1 - Location Map

Background:

The applicant, Jason Pfaff, owner of the property known municipally as 2511 Alexandra Avenue (subject property), applied to close the 10.05-metre-wide south half of the Pall Mall Street right-of-way (right-of-way) located between Alexandra Avenue and the north/south alley situated between Northwood Street and Alexandra Avenue, and shown on Drawing No. CC-1799 *attached* hereto as **Appendix “A”**, and also shown on the aerial photo *attached* hereto as **Appendix “C”**.

The right-of-way is composed primarily of manicured lawn and topsoil, and includes a large mature deciduous tree. The abutting property to the north, known municipally as 2499 Alexandra Avenue, has extended a flower garden bordered by medium sized stones into a small portion of the right-of-way. There are no Encroachment Agreements on record for the use of the right-of-way. (Refer to Site Photos *attached* hereto as **Appendix “E”**)

The north half of the Pall Mall Street right-of-way was closed by Judges Order on November 13, 1962, registered as instrument number 270918, and now makes up part of 2499 Alexandra Avenue.

The applicant wishes to close the right-of-way for the purpose of enlarging the subject property.

In August 2022, the applicant subsequently requested that the scope of the application be amended to include the north/south alley (alley) located between Northwood Street and Alexandra Avenue, and shown on Drawing No. CC-1823 **attached** hereto as **Appendix “B”**, and also shown on the aerial photo **attached** hereto as **Appendix “C”**.

The alley was established by Windsor Manor No. 2 Registered Plan of Subdivision 1307, registered on June 14, 1928, and used for agricultural purposes until approximately 1954 when the abutting lands began to be developed as single family dwelling lots (refer to Figure 2 below). Over the years abutting properties encroached into the alley with accessory buildings and fences. Each lot roughly encroached into its abutting half alley. 2539 and 2579 Alexandra Avenue encroached on more than half of the alley. The alley also contains utility poles with guy wires and anchors. There are no Encroachment Agreements on record for the use of the alley.

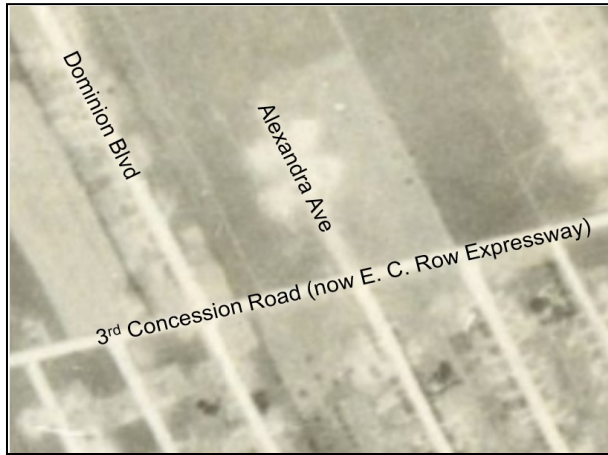


Figure 2 - 1954 Aerial Photo (Ontario Department of Lands and Forests)

The applicant wishes to close the alley for the purpose of enlarging the subject property.

Discussion:

The decision to recommend closure of an alley or right-of-way is derived from the City's *Classification of Alleys and Suitability for Closure* guideline document (the document), **attached** hereto as **Appendix “F”**. The document details four classifications of right-of-ways based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the alley and right-of-way are indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

Right-of-Way:

1. *Do the alley and right-of-way serve commercial properties?*
 - a. The alley and right-of-way do not serve any commercial properties.

2. *Do the alley and right-of-way serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley and right-of-way do not serve properties front on heavily traveled streets.
3. *Do the alley and right-of-way contain sewers, and must the alley and right-of-way remain accessible for servicing?*
 - a. The alley and right-of-way do not contain any sewers.
4. *Do the alley and right-of-way 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?*
 - a. The alley and right-of-way do not provide vehicular access to any rear parking areas or garages.
5. *Do the alley and right-of-way contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley and right-of-way do not contain any fire department connections.
6. *Do the alley and right-of-way lie within a Holding zone or other similar undeveloped areas where the right-of-way 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?*
 - a. The alley and right-of-way do not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the alley and right-of-way “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the alley in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance. This includes 2530 and 2564 Longfellow Avenue in order to be as fair as possible in conveying the alley which no abutting property owners have permission to encroach upon.

It is further our recommendation that, upon closure, the subject property owner be given the chance to acquire the right-of-way in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the right-of-way to the subject property owner, which is contrary to the standard manner of conveyance of offering abutting property owners first right to purchase their half of the right-of-way. This decision is based on the abutting property to the north, known municipally as 2499 Alexandra Avenue, already having ownership of the north half of the right-of-way.

Risk Analysis:

The recommended closures will divest the City of associated liability risks and maintenance costs. The recommended closures pose no known risk to the City.

The principle of adverse possession does not apply to municipal rights of way. Therefore, adverse possession cannot be claimed by an abutting owner. In the event that the right-of-way is transferred to the subject property in full, it will be the applicant's sole responsibility to address this issue with the abutting neighbour.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The rate for an alley conveyed to abutting lands zoned RD1.4 is assessed at \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

The rate for a right-of-way conveyed to abutting lands zoned RD1.4 is assessed at \$1,500.00 per front foot without easements and \$750.00 per front foot with easements.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in **attached** hereto as **Appendix "D"**.

Notice of Development & Heritage Standing Committee meeting and Council meeting are published in the Windsor Star prior to each of the meetings. In addition, notice of each of the public meetings will be mailed to the abutting/affected property owners prior to the meetings.

Conclusion:

The Planning Department recommends closure of the right-of-way and alley shown on attached Appendix "A" and Appendix "B" respectively.

The closed alley is to be conveyed to the abutting property owners, as in Recommendation II of this report

The closed right-of-way is to be conveyed to the subject property owner, as in Recommendation III of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Michael Cooke	Manager of Planning Policy/Deputy City Planner
Thom Hunt	City Planner/Executive Director, Planning & Development Services
Chris Carpenter	Coordinator of Real Estate Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administration Officer

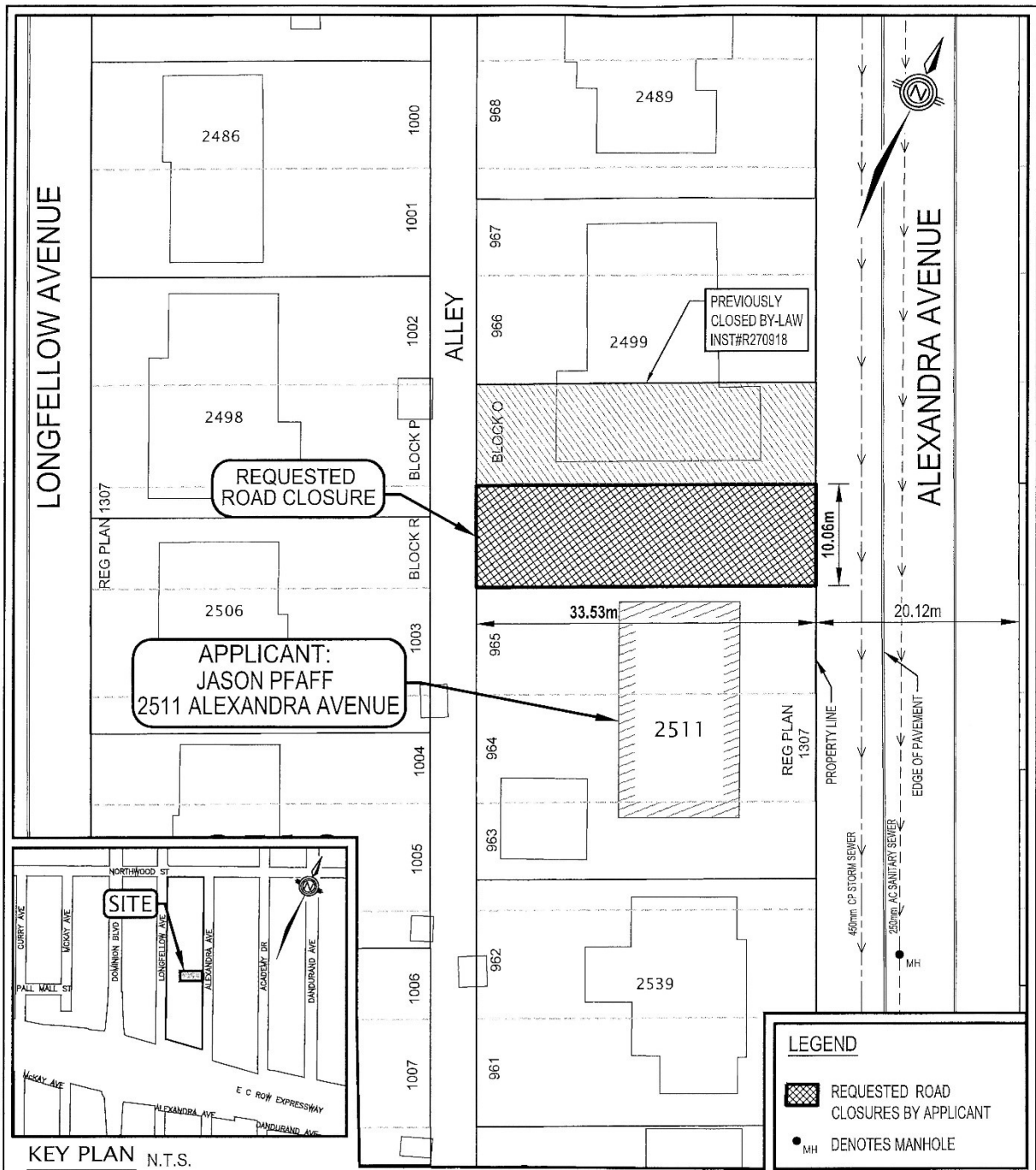
Notifications:

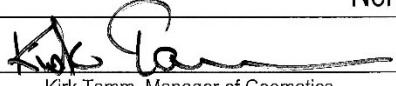
Name	Address	Email
Ward 10 Councillor Jim Morrison	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	jmorrison@citywindsor.ca

Appendices:

- 1 Appendix A - Drawing No. CC-1799
- 2 Appendix B - Drawing No. CC-1823
- 3 Appendix C - EIS Drawing - Aerial Photo
- 4 Appendix D - Consultations with Municipal Departments and Utility Companies
- 5 Appendix E - Site Photos
- 6 Appendix F - Classification of Alleys and Suitability for Closure

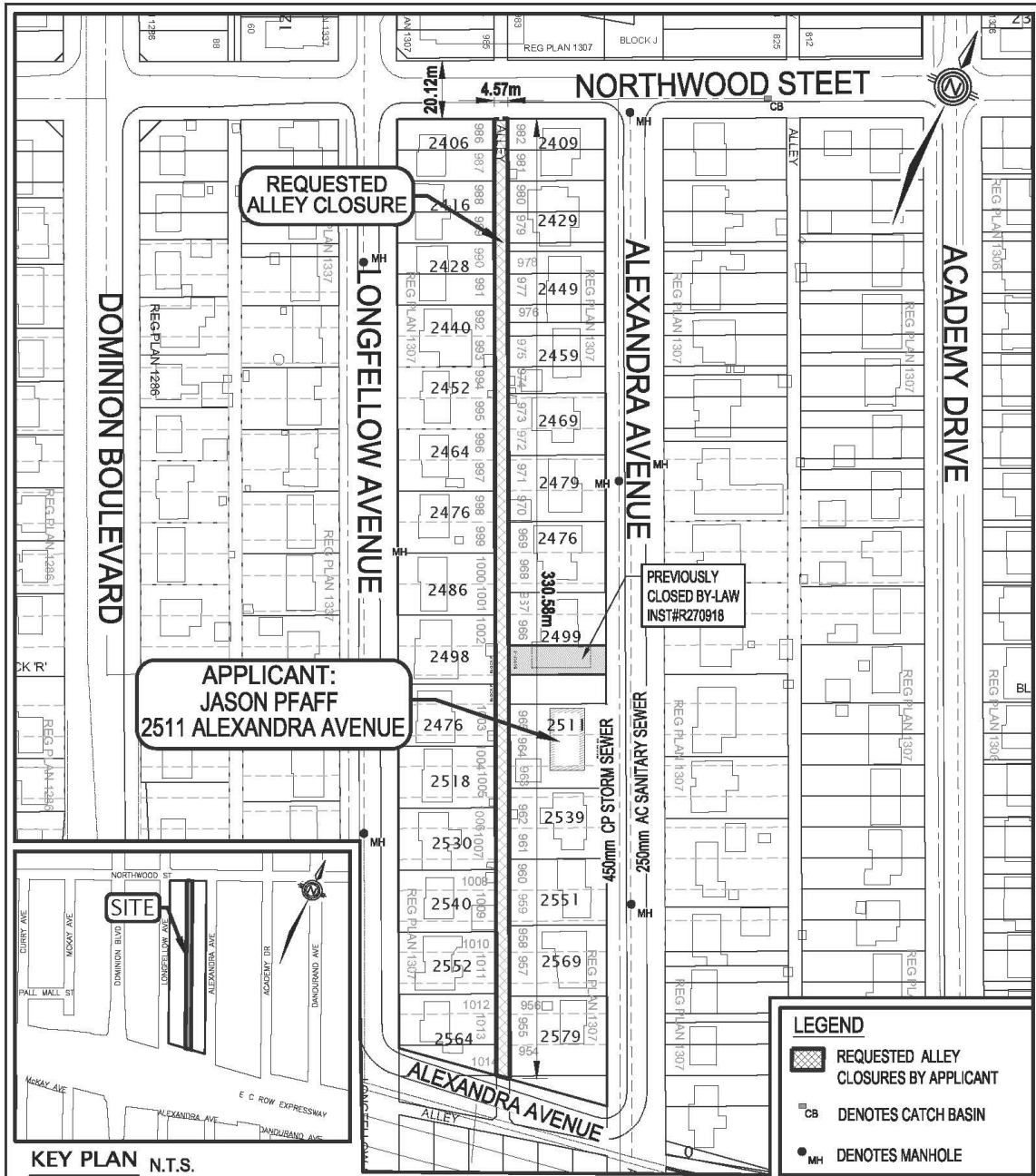
APPENDIX "A"
Drawing No. CC-1799



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT Proposed Closure of the East / West remaining portion of Pall Mall Street North of 2511 Alexandra Avenue			
 Kirk Tamm, Manager of Geomatics	SCALE: 1:500	DATE: SEP 2021	REVISED:
	DWN BY: A.C	CHKD BY: PJU / CA / AP	REVISION NO.:
			DWG. NO. CC-1799

APPENDIX "B"

Drawing No. CC-1823



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

**Proposed Closure of The North/South Alley between
Longfellow Avenue To Alexandra Avenue and from Northwood Street to Alexandra Avenue**

 Kirk Tamm, Manager of Geomatics	SCALE: 1:1750	DATE: MARCH 2023	REVISED:	DWG. NO. CC-1823
	DWN BY: UT	CHKD BY: PJU / MM	REVISION NO.:	

APPENDIX "C" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6577)

1:1,500

APPLICANT : JASON PFAFF

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: NOVEMBER, 2022



APPENDIX “D”**Consultations with Municipal Departments and Utility Companies****BELL CANADA WSP****September 24, 2022 (Right-of-Way)**

Bell Canada has no concerns with the proposed closure. We have aerial facilities in the alley behind.

December 5, 2022 (Alley)

Bell Canada requests a 3.0 m easement to measure 1.5 m on either side of the facilities, to protect existing aerial for the entire length of the alley.

[Charleyne Hall, Right of Way Associate]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS**September 24, 2022 (Right-of-Way)**

After reviewing the provided drawing at 2511 Alexandra Ave and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

- 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

[Gord Joynson, Drafter Estimator]



December 3, 2022 (Alley)

After reviewing the provided drawing at Alexandra Avenue and Northwood Street, and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

[Sandro Aversa, Drafter Estimator]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services

[Anne-Marie Albidone, Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

October 20, 2021

No Objection, however, easements named to ENWIN Utilities Ltd. will be required upon closing to accommodate existing overhead hydro distribution.

ENWIN has the existing hydro plant along the rear (west limit) of the above noted property:

- Overhead 16kV single-phase primary conductor
- Overhead 600/347V three-phase secondary quadruplex conductor
- Overhead 120/240V single-phase secondary triplex conductor

Prior to working in these areas, we would suggest referring to the Occupational Health and Safety Act and Regulations for Construction Projects to confirm clearance requirements during construction.

Also, we suggest referring to the Ontario Building Code for permanent required clearances for any New Building Construction.

August 4, 2022 (Right-of-Way)

If the alley stays open, then we remain in the alley and the customer won't build in the alley, therefore, we won't need an easement.

If the owner is buying the entire parcel of land (including the alley) then we will require a 15' wide easement to accommodate the existing hydro plant

Most, likely Bell, Cogeco and MNSi will require the same.

[Jerry Raniwsky, Hydro Engineering Technologist]

December 9, 2022 (Alley)

No objection, however an easement named to ENWIN Utilities Ltd is required for the entire North / South alley upon closing to accommodate the existing pole line with overhead primary 16kV, secondary 120/240 volt, and secondary 347/600-volt hydro distribution.

[Zachary Mancini, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For streets abutting RD1.4, \$1,500 per front foot without easements and \$750 per front foot with easements.

If easements are present, please ensure that their location within Pall Mall is noted so that the survey can identify which portions are subject to the easement and which are not.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi**September 28, 2022 (Right-of-Way)**

MNSi does not require an easement through these subject properties.

December 2, 2022 (Alley)

MNSi will require an Aerial Easement on the pole line that runs North/South from Northwood to the southerly extent. I do not require anything in the section that runs eastward toward Alexandra Ave.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES**September 26, 2022 (Right-of-Way)**

No comments / objection from Parks; pending further review by City Planning Landscape Architect (Stefan) copied on this e-mail.

[Wadah Al-Yassiri, Manager, Parks Development]

December 13, 2022 (Right-of-Way & Alley)

Parks D&D has no objection as for SAA/6577 *Updated* Liaison as most of houses there has already fenced their backyard back to back.

Our understanding as for the area located between 2499 and 2511 ALEXANDRA AVE, will be sold to those 2 home owners?

[Sherif Barsom, Manager, Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT**October 5, 2022 (Right-of-Way)**

No objection from a landscape architectural or Parks perspective.

December 20, 2022 (Alley)

No objection to the proposed closure from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING**October 4, 2022 (Right-of-Way)**

The subject road closure is approximately 10.0m (33ft) wide and composed of grass. There are no municipal sewers, manholes, hydro poles, guy-wires, or overhead wires located within the right-of-way. This right-of-way appears to serve no useful purpose; therefore, we have no objections to the closure.

December 28, 2022 (Alley)

The subject alley closure is composed of grass. Hydro poles and overhead wires are located within the closure area. An easement will be required for utilities. There are no driveway approaches to access the alley. There are no municipal sewers or manholes in the area subject to closure. There are numerous encroachments in the alley. This subject alley appears to serve no useful purpose under CR146/2005; therefore, we have no objections to the closure subject to the utility easement.

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

PUBLIC WORKS - TRAFFIC**September 24, 2022 (Right-of-Way)**

No concerns with closing the alley as proposed.

December 5, 2022

The currently alleyway is closed off at the north and south end, no access is currently provided. East leg does not have a curb cut and does not connect to any other infrastructure. Alleyways are not needed for vehicular or pedestrian access. No objections with closing the complete alley system as proposed.

[Mike Spagnuolo, Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS**September 24, 2022 (Right-of-Way)**

TELUS has no underground infrastructure in the area of your proposed work. Permit expires six (6) months from approval date.

[Derek Dukhu, CAD Technician]

December 6, 2022 (Alley)

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

[Meghna Patel, Permit Coordinator]

TRANSPORTATION PLANNING**October 13, 2022 (Right-of-Way)**

No concerns with the closure of this alley.

[Rania Toufelli, Policy Analyst]

December 29, 2022 (Alley)

Alley is not being used for transportation purposes. Transportation Planning has no concerns.

[Shannon Deehan, Transportation Planning Coordinator]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No comments provided

WINDSOR POLICE**October 12, 2022 (Right-of-Way)**

The Windsor Police Service has no concerns or objections with this closure request. The outcome from this is anticipated to be very minor, with no impact (negatively speaking) on the ability of the police to carry out patrol and incident response activities for the abutting properties.

January 3, 2023 (Alley)

The Windsor Police Service has no concerns or objections with the closure of this section of alley. Closure will not carry any negative impact to police response or service delivery capacity for the affected properties.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX “E”

Site Photos

June 28, 2022



Figure 1 - Looking west towards Pall Mall Street right-of-way from Alexandra Avenue



Figure 2 - Looking east towards Pall Mall Street right-of-way from north/south alley

December 5, 2022



Figure 3 - Looking north towards north/south alley from Alexandra Avenue



Figure 4 - Looking south towards north/south alley from Northwood Street

APPENDIX “F”

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.

Subject: Sandwich Town CIP Application; 511 Brock Street; JD Louie CORP. C/O: Jennifer Wong; REIGNS 740 INC; C/O: Sital Singh Garha – Ward 2

Reference:

Date to Council: May 1, 2023
Author: Kevin Alexander, MCIP RPP
Senior Planner-Special Projects
519-255-6543 ext. 6732
kalexander@citywindsor.ca

Planning & Building Services
Report Date: March 30, 2023
Clerk's File #: SPL2023

To: Mayor and Members of City Council

Recommendation:

- I. **THAT** CR307/2021 **BE AMENDED** by deleting Clause III ii) and substituting the following therefor:

III ii) If the redevelopment, including construction of a new building, is not substantially complete within three (3) years of the commencement of the demolition the Clerk enter the sum of Sixty Thousand Dollars (\$60,000) on the collectors roll of the property and prepare a certificate for registration;

- II. **THAT** CR307/2021 **BE FURTHER AMENDED** by deleting Clause VIII and substituting the following therefor:

VIII THAT grants **BE PAID** to the following owners upon completion of the two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units from the *Sandwich Community Development Plan Fund* (Project 7076176) to the satisfaction of the City Planner and Chief Building Official; and to transfer \$12,379.14 from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) when work is completed ,

- i. JD LOUIE CORP. (C/O Jennifer Wong) for *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/-**\$31,719.14**);

- ii. REIGNS 740 INC. (c/o: Sital Singh Garha) for *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/-**\$660.00**);
- iii. REIGNS 740 INC. (c/o: Sital Singh Garha) for *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-**\$4,434** per year);

III. **THAT** CR307/2021 **BE FURTHER AMENDED** by deleting Clause IX and substituting the following therefor:

IX THAT grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Executive Summary:

N/A

Background:

On January 26, 2009, City Council passed by-laws to establish the Olde Sandwich Towne Community Improvement Plan (By-law 27-2009), and Supplemental Development and Urban Design Guidelines (By-law 28-2009). These By-laws came into effect on October 18, 2012. One of the key recommendations of the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) is the implementation of the Incentive Program(s).

On June 17, 2013 through M265-2013 Council activated the majority of programs from the Sandwich Community Improvement Plan (CIP) Incentive Program including the *Revitalization Grant Program* and *Development and Building fees Grant Program*.

On June 17, 2013 Council also received the Development Review Process for development applications within the Sandwich Heritage Conservation District (HCD) area, and within the Sandwich Community Improvement Plan (CIP) Area (outside of the Sandwich HCD Area) (M264-2013).

On July 5, 2021, City Council approved the recommendations of Report S56/2021 to issue a demolition permit to JD LOUIE CORP., to demolish the two (2) storey three-unit dwelling located at 511 Brock Street (see Appendix 'A') to construct a two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units (one per unit).

By CR307/2021 City Council also approved grants through the Sandwich Town CIP for the construction of the new dwelling units identified in Appendix 'B'.

See Appendix 'C' for CR307/2021 regarding the details of the approval.

As a condition of obtaining a Building Permit for Demolition, the owner was required to provide the following as per Section 1.27.12 of the City's Official Plan:

- (a) a plan for redevelopment in conformity with the Official Plan and Zoning By-law requirements (all plans will be reviewed to ensure compliance the Official Plan and Zoning By-law),
- (b) an executed Site Plan Control Agreement ; and
- (c) appropriate securities to ensure the redevelopment occurs within a specified time period and to fulfill the conditions of the Site Plan Control Agreement

Following Council's July 5, 2021, approval, Site Plan Control Approval was granted on August 31, 2021, and a Site Plan Control Agreement was executed and registered on title (on October 1, 2021) to construct a two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units (one per unit). On September 22, 2021, a Building Permit for Demolition was issued and the Demolition was completed on May 12, 2022.

As a condition of obtaining a demolition permit the approved plans are required to be substantially completed within two (2) years following the issuance of a demolition permit. As of the date of this report replacement dwelling units have not be constructed as per the Registered Site Plan Control Agreement and are required to be substantially completed by September 22, 2023.

In 2023, JD LOUIE CORP. sold the property to REIGNS 740 INC. (c/o: Sital Singh Garha) and on February 16, 2023, the new owner applied for grants through the Sandwich Town CIP. Given that a Sandwich CIP grant agreement had not been executed, Administration felt that it would be appropriate to amend CR307/2021 to reflect the change in ownership and to request an extension to the demolition permit condition to substantially complete the new development by September 22, 2024.

Discussion:

The property is located within the Olde Sandwich Towne Community Improvement Plan (Sandwich CIP) area (outside of the Sandwich Heritage Conservation District), and for the purpose of financial incentives, located within Target Area 3. The property has also been identified as being within an area of High Archaeological Potential. A stage 1 and 2 Archeological Assessment has been conducted and the report was registered with the Province.

Exemption to Demolition Control By-law 20-2007

As discussed in the background section of this report, a Site Plan Control Agreement was registered on title on October 31, 2021 and a Building Permit for Demolition was issued on September 22, 2021.

At the time of Report S56/2021 the applicant indicated in the application that they intend to demolish the existing two (2) storey three-unit detached dwelling and construct a two

(2) storey three-unit townhome dwelling with three (3) ADUs which meets the intent of the Sandwich CIP Urban Design Guidelines. Section 6(b) of the Demolition Control By-law entitles the Clerk to enter on the collectors roll a maximum of \$20,000 per residential unit (to be collected in like manner as municipal taxes) if the applicant fails to construct the new dwelling units within two (2) years of the commencement of the demolition.

Given that a demolition permit was issued on September 22, 2021 for three (3) residential units the maximum amount of \$60,000 will be entered on the tax roll if the applicant fails to construct the new dwelling units within two (2) years of the commencement of the demolition. Therefore, unless an extension is granted the approved redevelopment is required to be substantially completed by September 22, 2023.

The new owner REIGNS 740 INC. (c/o: Sital Singh Garha) still plans to construct a two (2) storey three(3)-unit townhome dwelling with three (3) ADUs, which will provide additional residential units, improved living spaces for residents, and a visual enhancement to the neighbourhood. The proposed improvements are consistent with the intent of the Demolition Control By-law. The new owner REIGNS 740 INC. (c/o: Sital Singh Garha) is requesting an extension to the condition of the demolition permit to substantially complete the approved redevelopment by September 22, 2024. In keeping with Section 5 (a) of the Demolition Control By-law and Section 33 (7) of the Planning Act, Administration recommends that the condition should be extended from two (2) years from the date the demolition permit was issued (See Recommendation I.) to three (3) years to give the new owner sufficient time to complete the project.

Sandwich Incentive Program

The proposal is located within Target Area 3 of the Sandwich CIP Area and eligible for the following Incentive programs. The eligible costs for each incentive program are based on the costs estimates provided by the applicant, as the project is implemented these costs could fluctuate slightly which could have a minor impact on the eligible costs for each incentive program. The application is consistent with the general program requirements identified in Section 10.3 of the CIP, and with the following program specific requirements:

Development and Building fees Grant Program

The purpose of the program is to provide an additional incentive to augment the other incentive programs and to facilitate and spur adaptive re-use, redevelopment and new construction. The program provides a grant equal to 100% of the fees paid for the eligible types of development applications and building permits. At the time of the approval of Report S56/2021, the Building Permit fee amount was undetermined; therefore, Administration included a maximum amount of \$20,000. Since the approval of Report S56/2021, the previous owner (JD LOUIE CORP. C/O Jennifer Wong) applied for the following applications and paid the following fees, which are eligible under this program and therefore the fees have increased from \$20,000 to \$33,039.14.

- Site Plan Control--\$5,940.00
- Building Permit(s)—\$21,355.13;

- Parkland Dedication—\$4,034.01;
- Demolition Permit(s)—\$390.00

TOTAL: \$31,719.14

Recommendation II of this Report requests that the *Development and Building Fees Grant* in the amount of \$31,719.14 be paid to the previous owner JD LOUIE CORP. (C/O Jennifer Wong) who produced transaction receipts from the Building Division indicating that they paid for the Development and Building Fees.

Recommendation II of the Report also requests that the *Development and Building Fees Grant* in the amount of \$660.00 be paid to the new owner REIGNS 740 INC. (c/o: Sital Singh Garha) for recent Building Permit-resubmission fees incurred for foundation changes to the drawings identified in Appendix 'B'.

Revitalization Grant Program

The purpose of this program is to use the tax increase that can result when a property is rehabilitated, redeveloped, or developed to provide assistance in securing the project financing and offset some of the costs associated with the rehabilitation. The program will provide an annual grant equal to 70% of the increase in municipal property taxes for 10 years after project completion as long as the project results in an increase in assessment and therefore an increase in property taxes. Based on the project description and current value vs. estimated post-project assessment value of land, and buildings identified in the Grant Application, the property assessment is expected to increase.

At the time of the original application in 2021, the assessment value of the subject property located at 511 Brock Street was \$117,000. The amount of property taxes payable on that assessment is \$2,168.90 (using 2022 tax rates). The municipal portion, to which the grant would apply, is \$1,948.90. The Applicant's Estimated Post-Project Value of Land and Buildings based on the cost of construction is \$1,200,000. However, some of the proposed costs to be incurred, although eligible for purposes of the application, may not result in a direct increase in assessment value. In other words, the grant is calculated and paid, not on the post-project value or projections made in this report, but on the actual post-development value assessment, as determined by MPAC after project completion. Administration has estimated the Post-Redevelopment Property Value Assessment based on the drawings and information provided to be \$500,000. The grant will however be based upon the actual tax increment once the assessment has been determined by MPAC.

For illustrative purposes, the table below identifies the annual grant equal to 70% of the increase in City property taxes for 10 years after project completion, based on the assessment value at the time of the application and the (projected) Estimated Post Project Assessment Value. The taxes retained by the City over the duration of the grant program is equal to a 30% increase of the tax increment. After completion of the grant program (10 years), the City will collect the full value of municipal tax increase (\$6,334.90 annually).

Estimated Revitalization Tax Increment Grant for 511 Brock Street.		
Annual Pre Development Municipal Taxes	Annual Estimate Post Development Municipal Tax Increase	Annual Estimate Value of Grant (70% of the municipal increase)
\$2,168.90	\$8,503.80	\$4,434.43

Assumptions

Property Value Assessment (2021 – Residential)	\$117,000
Estimate Total Post Development Assessment (Residential)	\$500,000

Risk Analysis:

The Building Department has not received or conducted a review of the building plans to confirm compliance with the Ontario Building Code and applicable law (e.g. zoning by-law). A review of the drawings will be conducted to ensure that the City’s incentives are being used appropriately and the City is receiving good value for the public investment allocated through the Sandwich Incentive Program(s) “toolkit”. As a requirement of Section 28 (7.3) of the Planning Act, Administration has confirmed that the total amount of all of the grants does not exceed the total cost of the project.

The *Development and Building Fees Grant Program* will not be disbursed until all work is completed and inspected by Administration as per the Site Plan Control Agreement and Building Permit. The *Revitalization Grant Program* will not be dispersed until an agreement for the Sandwich Incentive Program have been registered on title between the owner and the City of Windsor and the property taxes for the applicable year paid.

There is little risk associated with approval of a tax increment-based grant such as the *Revitalization Grant Program* as the payments commence after the eligible work has been completed and the property reassessed by MPAC, and will only continue if the development remains eligible in accordance with the Sandwich CIP. Should the development fail to meet its requirements under the CIP, grant payments would cease.

Climate Change Risks

Climate Change Mitigation:

The demolition of the two (2) storey three-unit detached dwelling affects climate change, because the structure was not re-used and likely end up in a land fill. However, the proposed two (2) storey three (3)-unit townhome dwelling with three (3) ADUs provides additional units and intensification of the existing property. Construction of the building will utilize modern building methods, which will conform to the Ontario Building Code concerning safety and energy efficiency.

Climate Change Adaptation:

As temperatures increase and when considering the Urban Heat Island effect for the City of Windsor, the property does not appear to be located within a Heat Vulnerability

area. However, the rehabilitation of the existing site and construction of the new building will utilize modern building methods, which will conform to the Ontario Building Code concerning energy efficiency.

Financial Matters:

On February 22, 2021, Council approved the 2021 budget, which included a new reserve fund for all active CIPs in the City. As CIP grant applications are approved, the approved grant amount will be transferred to the capital project account to be kept as committed funds, until the grant is ready to be paid out. The current uncommitted balance of the CIP reserve fund is \$823,006 however this balance does not account for other CIP grant requests that are currently being considered by the Development & Heritage Standing Committee/City Council standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

If approved, the additional funds being requested will be transferred from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) to disperse the maximum amount of \$31,719.14 and \$660.00 for the *Development and Building Fees Grant Program* identified in this report. On July 15, 2021, \$20,000 was transferred from the reserve fund 226 to the capital project 7076176 as per CR307/2021- C 56/2021. Therefore, when work is completed only the remaining \$12,379.14 will need to be transferred from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176).

Eligible Incentive Programs	Grant
<i>Development and Building Fees Grant</i>	
JD LOUIE CORP. (c/o: Jennifer Wong)	\$31,719.14
REIGNS 740 INC. (c/o: Sital Singh Garha)	\$660.00
<i>Note: Development and Building Fees are paid upfront by the applicant and these fees are approximate and can change at the time of Building Permit</i>	
<i>Revitalization Grant</i>	
*\$4,434.43 per year between years 1 to 10	\$44,344.30
Total	\$76,723.44

Except for the *Revitalization Grant*, the owner will be reimbursed through Account *Sandwich Community Development Plan Fund (Account 7076176)*. The *Revitalization Grant* is funded through the municipal portion of the annual tax levy.

The *Revitalization Grant* will be based upon the municipal tax increase and will be calculated by the Finance Department in consultation with the Municipal Property Assessment Corporation (MPAC) once the project is completed.

Consultations:

Both the previous and new owners of the property located at 511 Brock Street have been consulted regarding grants related to the improvements outlined in this report. Carolyn Nelson, Manager of Property Valuation & Administration, Taxation & Financial Projects was consulted with respect to the Sandwich CIP *Revitalization Grant Program*. Josie Gualtieri, Financial Planning Administrator was also consulted regarding the Ford City CIP and Building Facade Improvement CIP grants, and related capital project/reserve fund balances.

Conclusion:

The new residential development will provide an opportunity to attract new residents to the neighbourhood and improve the physical appearance of the area through the redevelopment of a derelict property. The incentive program application meets all of the eligibility criteria as identified in the Discussion section of this report and is compatible with the Sandwich Urban Design Guidelines.

There are sufficient funds in the CIP Reserve Fund 226 to provide funds for the *Development & Building Fees* grant amount, which has been applied for by the applicant for this project with the Revitalization Grant portion funded through the municipal portion of the annual tax levy. Therefore, Administration recommends that the application request by the owner of 511 Brock Street for incentives under the Sandwich Incentive Program be approved.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kevin Alexander	Planner III – Special Projects
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	Manager of Urban Design
John Revell	Chief Building Official
Thom Hunt	City Planner/Executive Director of Planning and Building Services
Wira Vendrasco	Deputy City Solicitor
Janice Guthrie	Deputy Treasurer Taxation & Financial Planning

Janice Guthrie	On behalf of Chief Financial Officer/City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administrative Officer

Notifications:

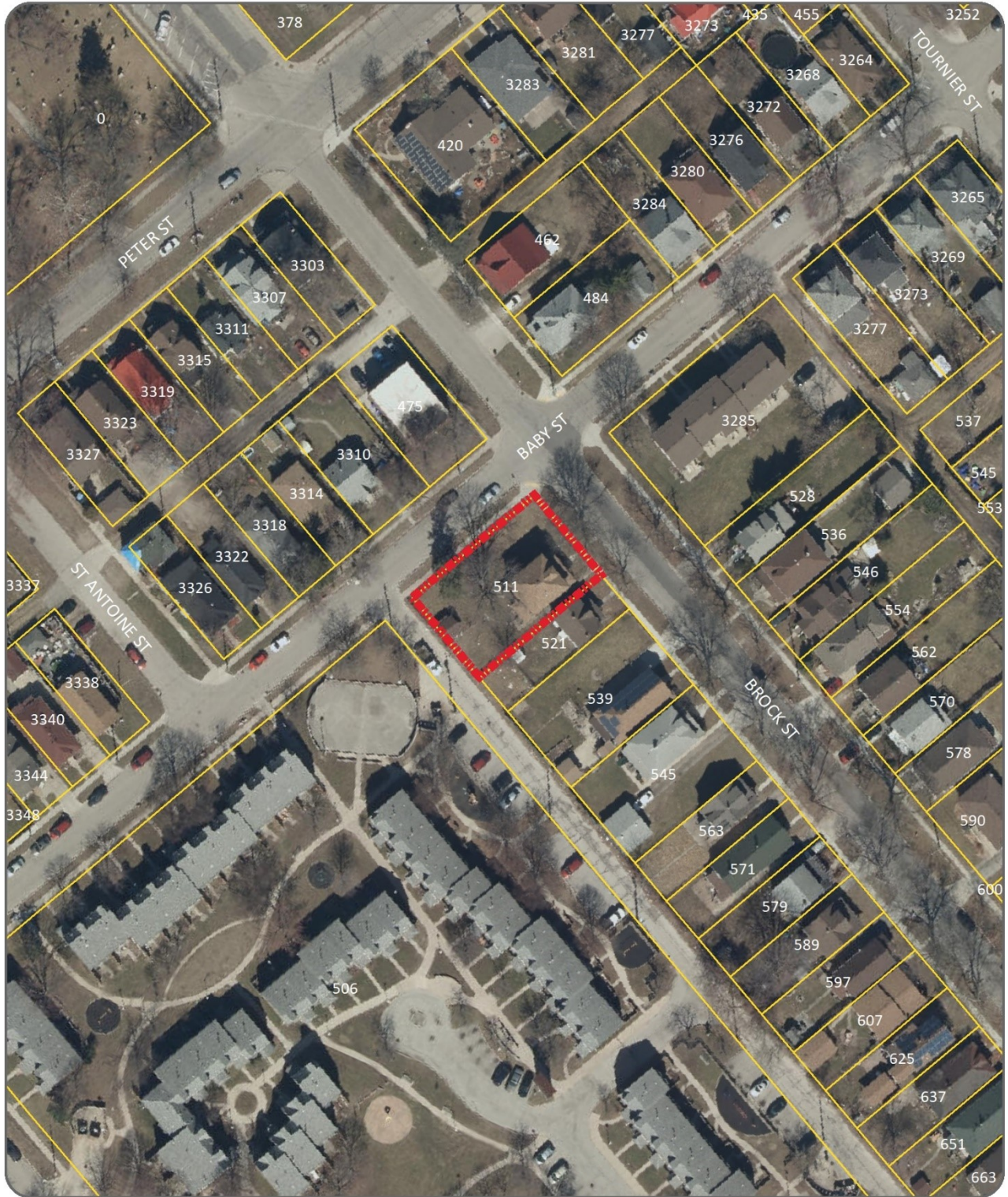
Name	Address	Email
REIGNS 740 INC. (C/O Sital Singh Gartha)		sitalsingh@hotmail.com
JD Louie Corp. (C/O Jennifer Wong)		darryljenn@gmail.com

Appendices:

- 1 Appendix 'A' - 511 Brock Street Prior to Demolition
- 2 Appendix 'B' - Proposed Development
- 3 Appendix 'C' - City Council Decision

APPENDIX 'A'

LOCATION MAP



LOCATION MAP



SUBJECT PROPERTY : 511 BROCK STREET

APPENDIX 'A'

511 Brock Street Prior to Demolition



APPENDIX 'A'

511 Brock Street Prior to Demolition



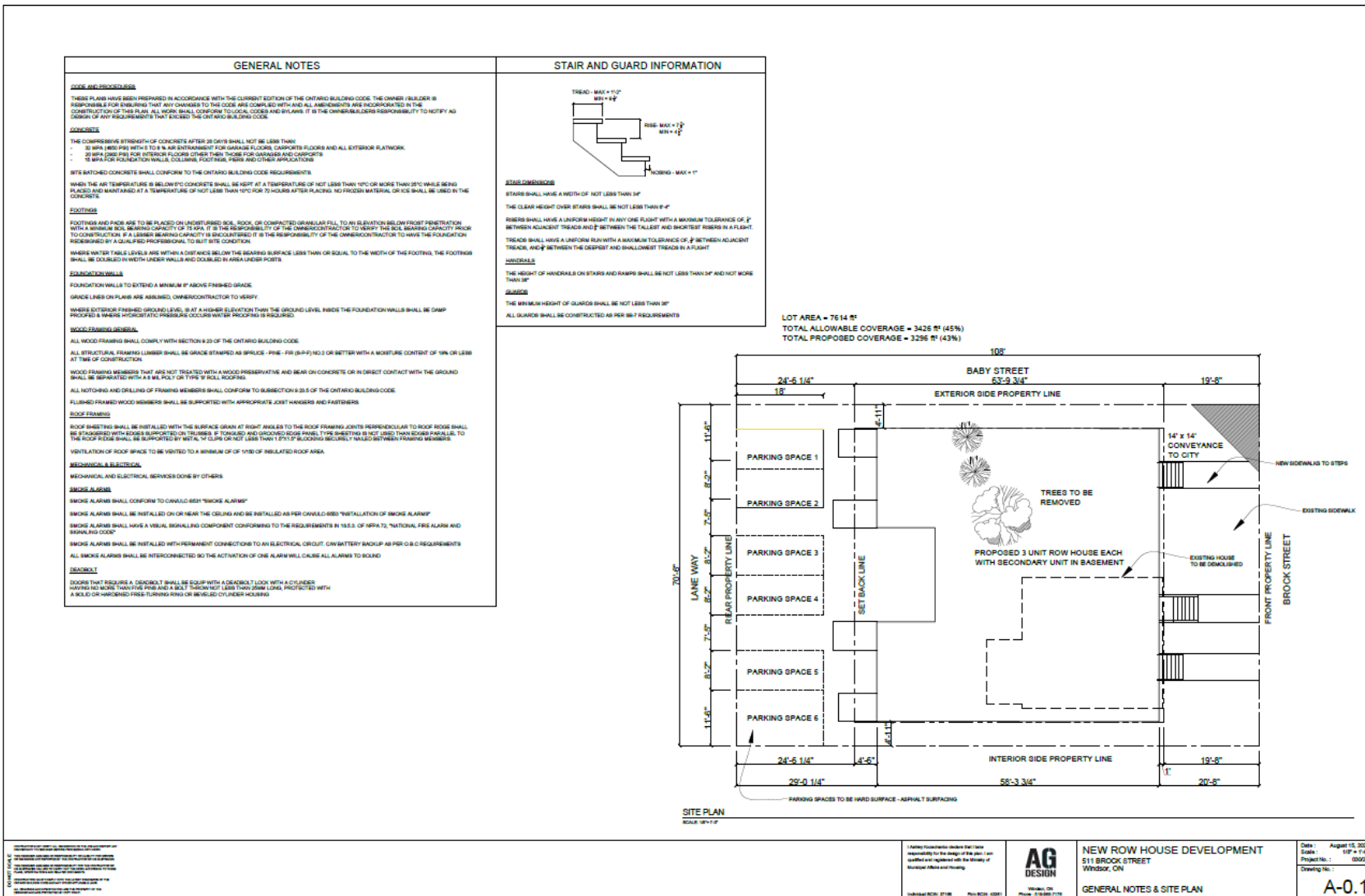
APPENDIX 'A'

511 Brock Street Prior to Demolition



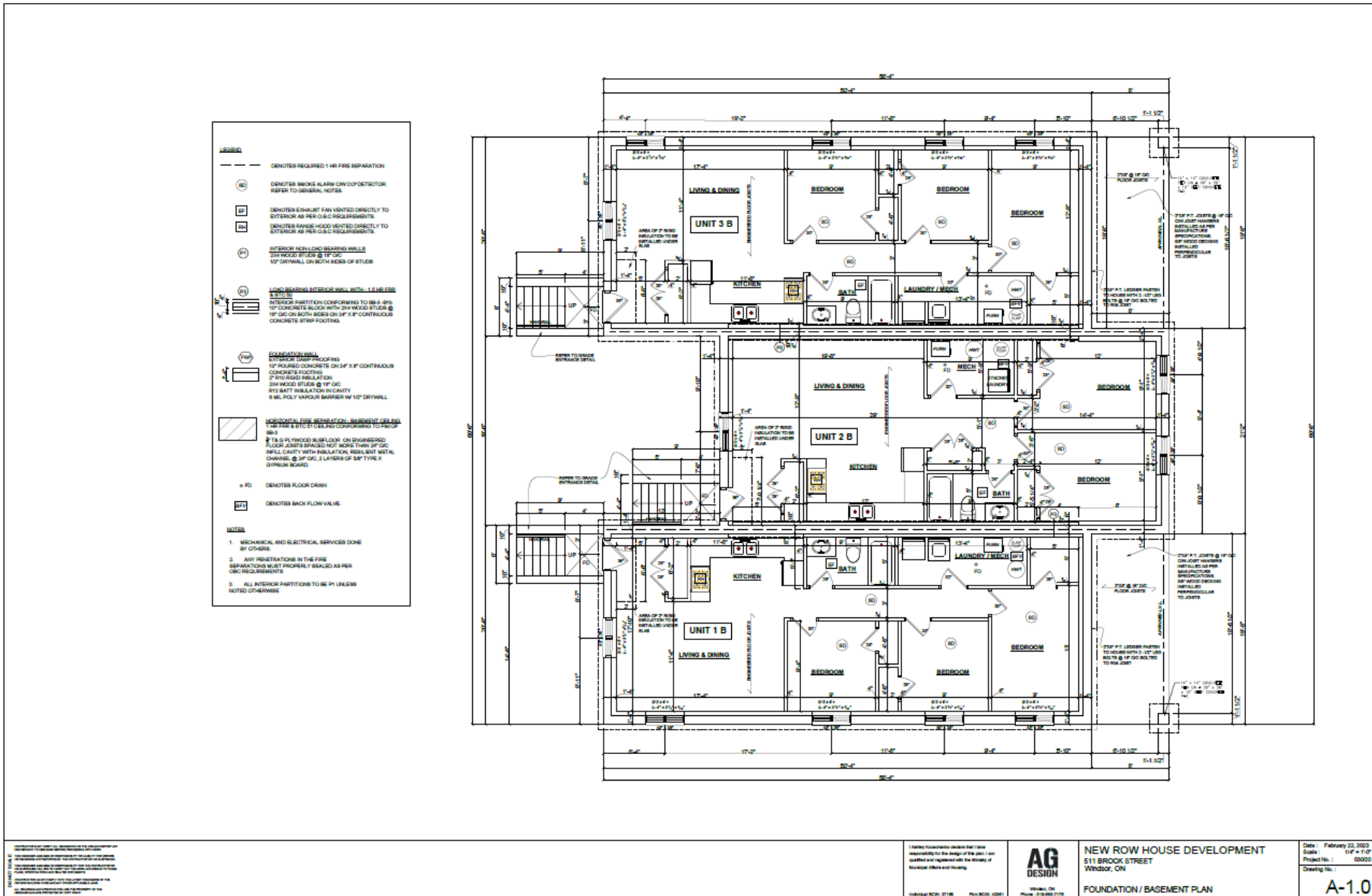
APPENDIX 'B'

PROPOSED DEVELOPMENT



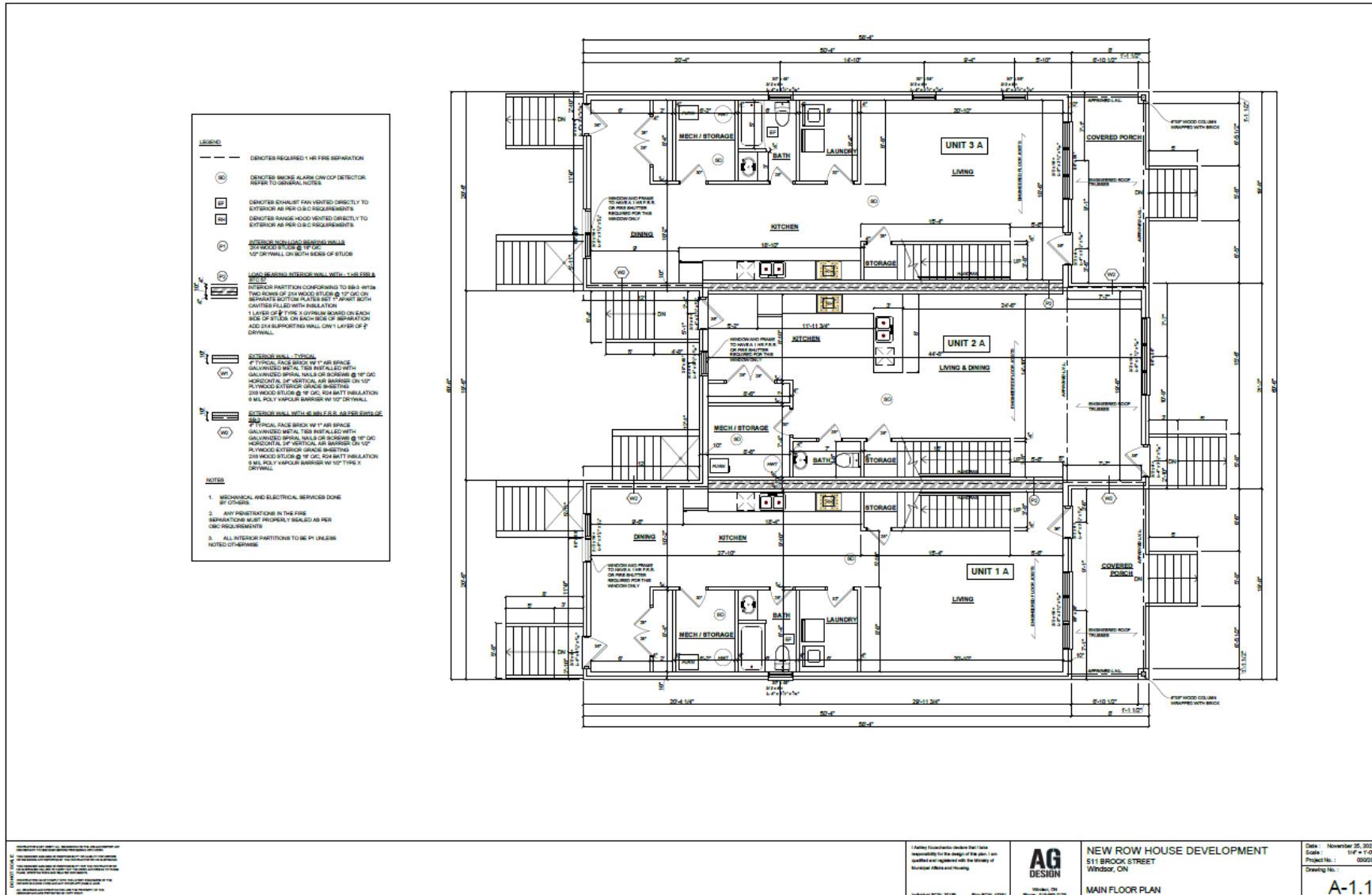
APPENDIX 'B'

PROPOSED DEVELOPMENT



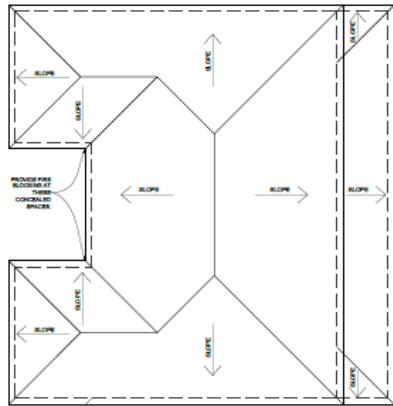
APPENDIX 'B'

PROPOSED DEVELOPMENT

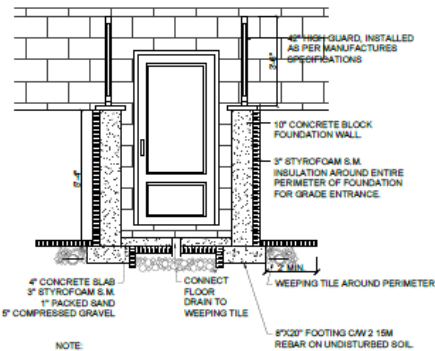


APPENDIX 'B'

PROPOSED DEVELOPMENT



ROOF PLAN
SCALE 1/4" = 1'-0"



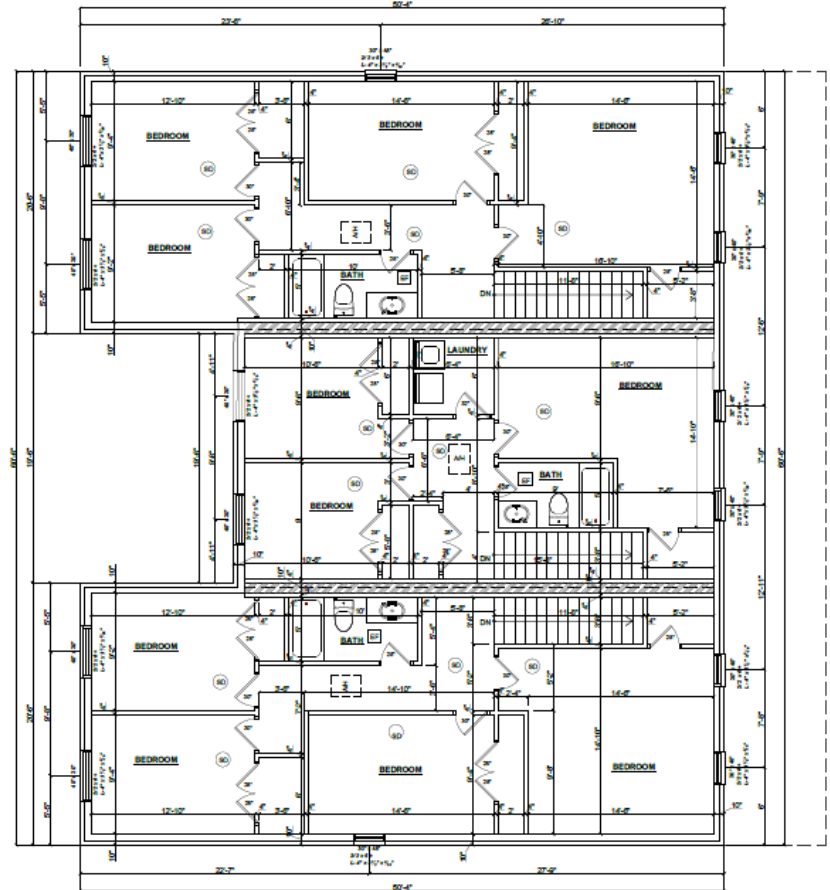
GRADE ENTRANCE DETAIL
SCALE 1/2" = 1'-0"

LEGEND

- DENOTES REQUIRED 1-HR FIRE SEPARATION
- (R) DENOTES SMOKE ALARM OR CO2 DETECTOR REFER TO GENERAL NOTES
- (E) DENOTES EXHAUST FAN VENTED DIRECTLY TO EXTERIOR AS PER OBC REQUIREMENTS
- (P) INTERIOR NONLOAD BEARING WALLS 2X4 WOOD STUDS @ 16" O.C. 1/2" DRYWALL ON BOTH SIDES OF STUDS
- (L) LOAD BEARING EXTERIOR WALL WITH 1-1/2" MIN. SILLING INTERIOR PARTITION CONFORMING TO M6.3 WITH TWO ROWS OF 2X4 WOOD STUDS @ 16" O.C. ON SEPARATE BOTTOM PLATES SET 1" APART BOTH SIDES WITH INSULATION 1 LAYER OF 5/8" TYPE X GYPSUM BOARD ON EACH SIDE OF STUDS ON EACH SIDE OF SEPARATION ADD 2X4 SUPPORTING WALL ON 1 LAYER OF 5/8" DRYWALL
- (W) EXTERIOR WALL TYPICAL 2" TYPICAL GOLF BRICK @ 1" AIR SPACE GALVANIZED METAL TEES INSTALLED WITH GALVANIZED SPIRAL WALLS OR SCORING @ 16" O.C. HORIZONTAL 3/4" VERTICAL OR BARRERS ON 1/2" PLYWOOD EXTERIOR GRADE BASED ON 2X4 WOOD STUDS @ 16" O.C. 5/8" BATT INSULATION 3 MIL POLY VAPOUR BARRIER W/ 1/2" DRYWALL
- (AH) ATTIC ACCESS HATCH 30" DIA MINIMUM INSTALLED AS PER OBC REQUIREMENTS

NOTES

- MECHANICAL AND ELECTRICAL SERVICES DONE BY OTHERS
- ANY PENETRATIONS IN THE FIRE SEPARATIONS MUST BE PROPERLY SEALED AS PER OBC REQUIREMENTS
- ALL INTERIOR PARTITIONS TO BE P1 UNLESS NOTED OTHERWISE



AG DESIGN is not responsible for the accuracy or completeness of the information provided in this drawing. The user of this drawing is responsible for verifying the accuracy and completeness of the information provided in this drawing. AG DESIGN is not responsible for any errors or omissions in this drawing. The user of this drawing is responsible for any errors or omissions in this drawing.

I, Ashley Goodwin, Designer, being duly sworn, depose and say that I am the author of the design of the plan herein and that I am a duly qualified and registered with the Ministry of Municipal Affairs and Housing.

AG DESIGN
Windsor, ON
Phone: 733-8871/73

NEW ROW HOUSE DEVELOPMENT
511 BROOK STREET
Windsor, ON

SECOND FLOOR PLAN, ROOF PLAN & DETAIL

Date: November 25, 2022
Scale: 1/4" = 1'-0"
Project No.: 00020
Drawing No.: **A-1.2**

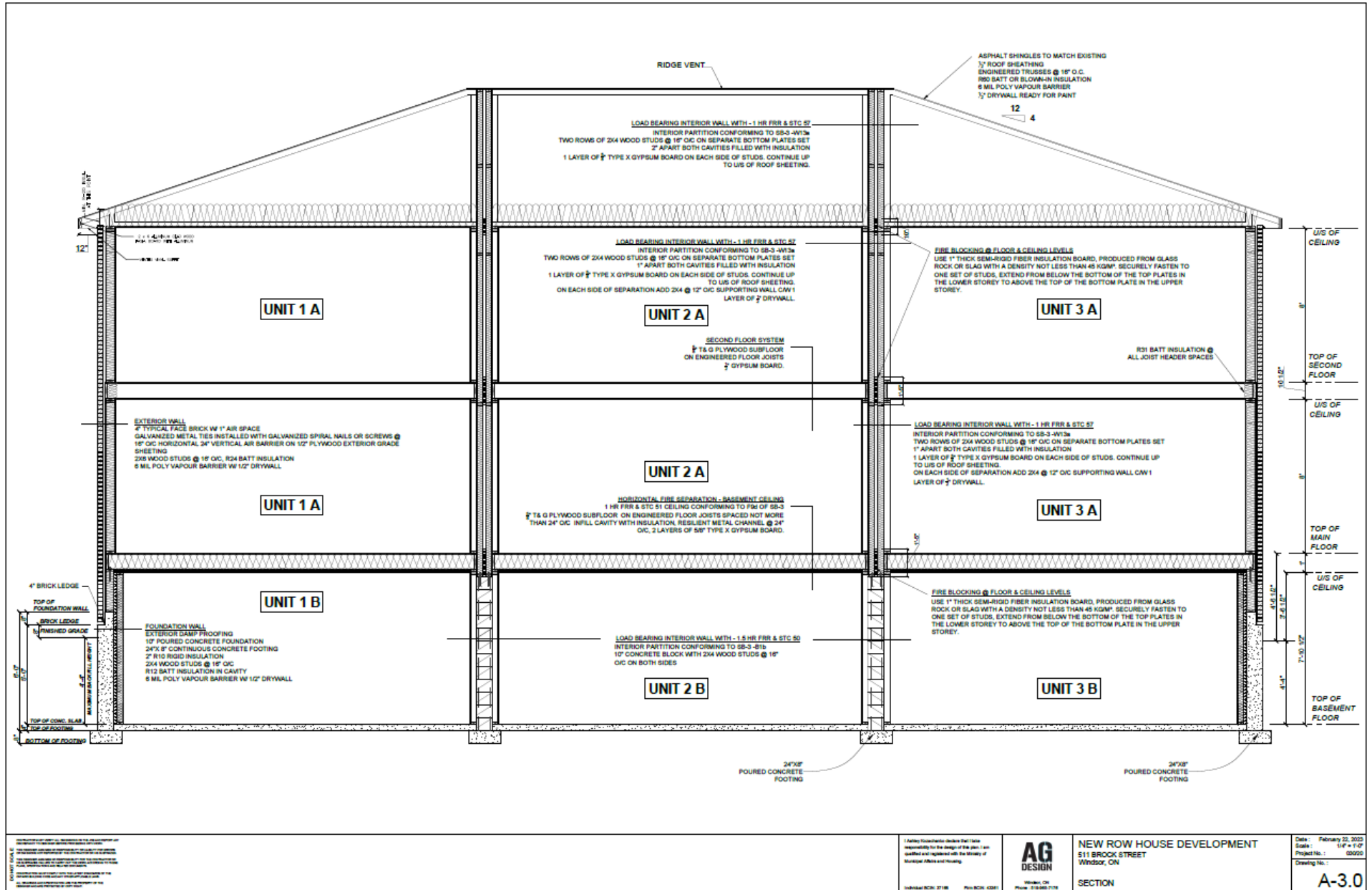
APPENDIX 'B'

PROPOSED DEVELOPMENT



APPENDIX 'B'

PROPOSED DEVELOPMENT



APPENDIX 'C'

CITY COUNCIL DECISION



OFFICE OF THE CITY CLERK COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
N9A 6S1

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

City Council Decision Monday, July 05, 2021

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

Decision Number: [CR307/2021 DHSC 294](#)

- I. That the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner JD LOUIE CORP. (C/O Jennifer Wong), to demolish a two (2) storey three-unit dwelling located at 511 Brock Street (see Appendix 'A'), to construct a two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units (one per unit) when an executed Site Plan Control Agreement has been registered on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement;
- II. That any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit;
- III. That the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
 - i. The Redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
 - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Sixty Thousand Dollars (\$60,000) on the collectors roll of the property and prepare a certificate for registration;
- IV. That the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property;
- V. That the request for incentives under the Sandwich Incentive Program made by the registered owner (JD Louie Corp.) of the property located at 511 Brock Street, **BE APPROVED** for the following programs:

APPENDIX 'C'

CITY COUNCIL DECISION



OFFICE OF THE CITY CLERK
COUNCIL SERVICES

Phone: (519)255-6211

CITY HALL
WINDSOR, ONTARIO
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- i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/- \$20,000);
 - ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/- \$4,465 per year);
- VI. That the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implication;
- VII. That funds in the maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Account 7076176);
- VIII. That grants **BE PAID** to JD LOUIE CORP. (C/O Jennifer Wong) upon completion of the two (2) storey three (3)-unit townhome dwelling with three Additional Dwelling Units from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- IX. That grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: SCM 207/2021 & S 56/2021

Clerk's File: Z/8581 8.14

Anna Ciacelli

Deputy City Clerk

March 14, 2023

Department Distribution

Kevin Alexander	Planner III – Special Projects
Neil Robertson	Manager of Urban Design
Josie Gualtieri	Financial Planning Administrator
John Revell	Chief Building Official

APPENDIX 'C'

CITY COUNCIL DECISION



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Thom Hunt	City Planner / Executive Director of Planning and Building Services
Wira Vendrasco	Deputy City Solicitor
Shelby Askin Hager	Commissioner, Legal & Legislative Services
Janice Guthrie	Deputy Treasurer, Taxation & Financial Planning
Joe Mancina	Commissioner, Corporate Services / Chief Financial Officer / City Treasurer
Jason Reynar	Chief Administrative Officer

External Distribution

JD Louie Corp. (C/O Jennifer Wong)	226 Cameron Avenue, Windsor, ON N9B 1Y6	darryljenn@gmail.com
Dr. Greg Hanaka	Sandwich Town BIA	ghanaka@aol.com
Mary Anne Cuderman	Sandwich Town BIA	macuderman@hotmail.com

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 1364722 Ontario Limited (King Holdings) for 930 Marion Avenue (Ward 4)

Reference:

Date to Council: May 1, 2023
Author: Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkenson@citywindsor.ca

Report Date: April 6, 2023
Clerk's File #: SPL2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by 1364722 Ontario Limited (King Holdings) to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 930 Marion Avenue pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$15,000 based upon the completion and submission of a Phase II Environmental Site completed in a form acceptable to the City Planner and City Solicitor;
- III. THAT the grant funds in the amount of \$15,000 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner;
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Executive Summary:

N/A

Background:

Brownfield Redevelopment Community Improvement Plan (CIP)

Brownfield sites are properties that may be contaminated due to previous industrial or commercial uses such as a manufacturing facility or gas station. City Council approved a Brownfield Redevelopment CIP at its April 19, 2010 meeting for the purpose of encouraging the study, clean-up, and redevelopment of contaminated properties. The approval of the CIP was the result of nearly five years of study and consultation, which began in October 2005.

Importance of Brownfield Redevelopment

In 2009 the City's Planning Department identified 137 brownfield properties (i.e. 226 hectares or 559 acres) that are candidates for redevelopment. While the inventory is not exhaustive, it illustrates the significance of Windsor's brownfield stock and the need to work with land owners to put these properties back into productive use. Based on approvals to date under the Brownfield CIP a total of 30.4 hectares (75.1 acres) or 13.5% of the inventory has been or is planned to be redeveloped. In total Council has approved over 50 applications under the CIP, which represents the potential addition of 1,225 residential dwelling units.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of clean-up. The Brownfield Redevelopment CIP provides financial incentives to undertake the necessary studies and remedial work necessary to redevelop brownfield sites and reduce the potential negative impacts to the City's environment and neighbourhoods.

The benefits associated with brownfield redevelopment go far beyond the boundaries of the property. For example, they are often strategically located within existing built up areas of the City where services and other infrastructure, such as roads, schools, community facilities and public transit are already available, therefore additional infrastructure costs are not incurred to service these areas. The redevelopment of these sites also remove the negative stigma often associated with brownfield properties, which increases the value of the subject property and adjacent properties.

Brownfield sites also represent a significant underutilization of the land base. According to the National Round Table on the Environment and the Economy (2003), every hectare redeveloped through a brownfield project saves up to an estimated 4.5 hectares of greenfield land from being developed (i.e. agricultural land on the edge of the City); and for every dollar invested in a brownfield redevelopment, it is estimated that \$3.80 is invested in the economy.

Site Background

The subject site is located on the east side of Marion Avenue between Niagara Street and Erie Street East—between the Downtown and Walkerville neighbourhoods (see location map). The property is 0.6 hectares (or 1.5 acres) in size and currently contains a vacant building. The site is designated 'Residential' on Official Plan Schedule D: Land Use and was rezoned in 2020 from Institutional to Residential District 3.15, which permits a Multiple Dwelling, Lodging House and Residential Care Facility.

The site was historically used as a school and residential purposes. Most recently the former school building was occupied by Science City, which is considered a commercial use. The principal owner of 1364722 Ontario Limited (King Holdings) is Mr. James King.

Discussion:

Environmental Site Assessment Grant Program

The Environmental Site Assessment (ESA) Grant Program offers a matching grant to property owners of brownfield sites to conduct environmental studies that provide information on the type and extent of contamination and potential remediation costs. The program offers 50% of the cost of an eligible study up to a maximum of \$15,000. If two studies are required, an additional \$10,000 is available for a maximum total grant value of \$25,000.

The owner proposes to redevelop the property for residential use, which requires the filing of a Record of Site Condition (RSC) with the Ministry of the Environment, Conservation and Parks. The owner has completed a Phase I Environmental Site Assessment (ESA) study to support the redevelopment of the property. The Phase I ESA study identified areas of potential environmental concern, and recommends that a Phase II ESA study be completed to assess the existing soil and groundwater conditions at the site and delineate the extent of any contamination (if required). The Phase II ESA study is necessary to support the filing of a RSC.

Clearly identifying the type and delineating the extent of any contamination is an essential step in moving forward with redevelopment plans. Upon completion, the City would retain a copy of the final study report.

CIP Goals

City staff is supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed study of the subject site also supports the following CIP goals:

- To promote the remediation, rehabilitation, adaptive re-use and redevelopment of brownfield sites throughout the City of Windsor in a fiscally responsible and sustainable manner over the long term;
- Improve the physical and visual quality of brownfield sites;
- Improve environmental health and public safety;
- Provide opportunities for new housing, employment uses, and commercial uses;
- Increase tax assessment and property tax revenues;
- Promote Smart Growth, including the reduction of urban sprawl and its related costs;
- Increase community awareness of the economic, environmental and social benefits of brownfield redevelopment; and
- Utilize public sector investment to leverage significant private sector investment in brownfield remediation, rehabilitation, adaptive re-use, and redevelopment.

Policy Support

The study of brownfield sites to support clean up and redevelopment is supported by policies within the 2020 Provincial Policy Statement, the City's Official Plan and the City's Environmental Master Plan.

Risk Analysis:

As with all brownfield sites, there is a degree of risk associated with the property remaining vacant. Uncertainty related to the presence of contamination will continue to act as a barrier to redevelopment if not addressed.

The proposed Phase II ESA study will assist in mitigating the above noted risk by providing an estimated cost to remediation and establishing next steps in the remediation process.

Climate Change Risks

Climate Change Mitigation:

The proposed residential redevelopment implements Environmental Master Plan Objective C1: Encourage in-fill and higher density in existing built areas. In particular, the redevelopment would implement the action that supports the existing Brownfields Redevelopment Strategy and achieve its work plan.

Climate Change Adaptation:

The proposed residential redevelopment may be affected by climate change, in

particular with respect to extreme precipitation and an increase in days above 30 degrees. While not the subject of this report, any new construction would be required to meet the current provisions of the Building Code, which would be implemented through the building permit process. The site would also be required to incorporate storm water management best practices. Any site plan control application will be reviewed for opportunities to enhance resiliency.

Financial Matters:

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$31,100. If approved, the maximum grant would total \$15,000. Should the actual costs of the study be less than what has been estimated, the grant payments would be based on the lower amount.

If approved, the grant would be paid from the Brownfield Strategy Remediation Fund (Project #7069003). The funds would be transferred from CIP reserve fund 226 for payment when the eligible study is complete. The current uncommitted balance of the CIP reserve fund is \$823,006 however this balance does not account for other CIP grant requests that are currently being considered by the standing committee or have been endorsed by the standing committee and are not yet approved by City Council.

Consultations:

The development and approval of the Brownfield Redevelopment CIP was subject to extensive stakeholder and public consultation, which sought input from a wide range of stakeholders and internal City departments.

Planning staff have consulted with the applicant prior to accepting the application for the Environmental Study Grant program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

Conclusion:

City Staff recommend Council approve the request from 1364722 Ontario Limited (King Holdings) to participate in the Environmental Site Assessment Grant Program. In the opinion of planning staff, the proposed study conforms to the Brownfield Redevelopment CIP and assists the City in the achievement of a number of the CIP goals.

Planning Act Matters:

N/A

Approvals:

Name	Title
Josie Gualtieri	Financial Planning Administrator
Michael Cooke	Manager of Planning Policy / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Joe Mancina	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Onorio Colucci	Chief Administration Officer

Notifications:

Name	Address	Email
Stephen Berrill		sberrill@ada-architect.ca

Appendices:

1. Location Map



LOCATION MAP : 930 MARION AVENUE



SUBJECT PROPERTY

