Development & Heritage Standing Committee Meeting

Date: Monday, November 06, 2023
Time: 4:30 o'clock p.m.

Members Present:

Councillors
Ward 1 - Councillor Fred Francis
Ward 4 - Councillor Mark McKenzie
Ward 7 - Councillor Angelo Marignani
Ward 9 - Councillor Kieran McKenzie (Vice Chairperson)
Ward 10 - Councillor Jim Morrison

Members
Member Arbour
Member Grenier
Member Polewski

Clerk's Note: Councillor Jim Morrison participated via video conference, 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

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Joe Mancina, Chief Administrative Officer
Jelena Payne, Commissioner, Economic Development & Innovation
Shawna Boakes, Executive Director of Operations
Neil Robertson, Acting City Planner
Greg Atkinson, Deputy City Planner
Patrick Winters, Manager, Development
Emilie Dunnigan, Manager, Development Revenue & Financial Administration
Aaron Farough, Senior Legal Counsel
Joe Baker, Senior Economic Development Officer
Frank Garardo, Senior Planner
Robert Perissinotti, Development Engineer
Adam Szymczak, Planner III – Development
Stefan Fediuk, Planner III – Senior Urban Designer

Jim Abbs, Planner III – Development
Justina Nwaesei, Planner III - Development
Brian Nagata, Planner II – Development Review
Siddharth (Sidd) Dhiman, Transportation Planner I
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 – Tracey Pillon-Abbs, agent
Item 7.2 – Aditiya Soma, applicant
Item 7.4 – Tracey Pillon-Abbs, agent
Item 7.4 – Jack Federer, applicant
Item 7.4 – Michael Kaye, applicant

Delegations—participating in person

Item 7.1 – Jackie Lassaline, Principal Planner
Item 7.1 – Joe Passa, PA Architects
Item 7.1 – Flora Sabatini, area resident
Item 7.1 – Dave Davis, area resident
Item 7.1 – Kim Morianti, area resident
Item 7.1 – Jay Abdoulrahmani, owner
Item 7.3 – Karl Tanner & Amy Farkas, Dillon Consulting
Item 7.4 – York Zhu, area resident
Item 7.5 – Karl Tanner & Theresa O'Neill, agents Dillon Consulting
Item 7.5 – Jeff Benedet, area resident
Item 7.6 – Karl Tanner & Amy Farkas, Dillon Consulting
Item 7.6 – Joan Ennis, area resident
Item 7.6 – Jeff Benedet, area resident
Item 7.6 – Kate Benedet, area resident
Item 7.6 – Nishnat John, area resident
Item 7.6 – Kim Friest, area resident
Item 7.6 – Maureen Flannery, area resident

1. CALL TO ORDER

The Vice 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

3.1. Closure of part of north half of Lillian Street right-of-way, between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 570**
THAT the report of the Planner II – Development Review dated August 22, 2023 entitled "Closure of part of north half of Lillian Street right-of-way between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629" **BE WITHDRAWN** due to a number of concerns being identified.
Carried.

Report Number: S 41/2023
Clerk's File: SAA2023

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee (*Planning Act* Matters) meeting minutes held October 3, 2023

Moved by: Councillor Fred Francis
Seconded by: Member Anthony Arbour

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held October 3, 2023 **BE ADOPTED** as amended.
Carried.

Report Number: SCM 275/2023

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See *Planning Act* Items 7.1 through 7.6 (inclusive).

7. *PLANNING ACT* MATTERS

7.1. OPA & Rezoning – Passa Architects - 1235 Huron Church Road - OPA 166 OPA/6902 Z-039/22 ZNG/6901 – Ward 2

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 563**
1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X 1235 Huron Church Road

LOCATION	1.X.1	The property described as Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366), known municipally as 1235 Huron Church Road, situated on the west side of Huron Church Road, south of Girardot Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
PERMITTED USES	1.X.2	Notwithstanding the "Open Space" designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, the following shall be additional permitted main uses: business office, child care centre, commercial school, hotel, medical appliance facility, medical office, multiple dwelling, personal service shop, place of entertainment and recreation, place of worship, professional studio, repair shop – light, retail store, workshop. Further, an automobile repair garage shall be permitted as an accessory use.
PROHIBITED USES	1.X.3	The following uses are prohibited: car wash automatic, car wash coin-operated, and outdoor storage yard.
LANDSCAPED SETBACK REQUIREMENTS	1.X.4	Notwithstanding Special Policy Area 1.2 Huron Church Road Corridor in Chapter 1 of Volume II of the City of Windsor Official Plan, the minimum landscaped setback from the Huron Church Road right-of-way shall be 3.0 m for a non-residential building and 4.5 m for a residential building.
DIRECT ACCESS TO HURON CHURCH ROAD	1.X.5	Notwithstanding Section 7.2.6.4 (iv) in Volume I of the City of Windsor Official Plan, direct access to Huron Church Road is permitted, subject to approval of the City Engineer.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, south of Girardot Street, from Green District 1.1 (GD1.1) to a new zoning district as follows:

16.11 COMMERCIAL DISTRICT 3.11 (CD3.11) [ZNG/6901]

16.11.1 PERMITTED MAIN USES

Business Office
Child Care Centre
Commercial School
Hotel
Medical Appliance Facility
Medical Office
Multiple Dwelling
Personal Service Shop
Place of Entertainment and Recreation
Place of Worship
Professional Studio
Repair Shop - Light
Retail Store
Workshop

16.11.2 PERMITTED ACCESSORY USES

Any use accessory to a permitted main use, including an *Automobile Repair Garage*

16.11.3 PROHIBITED USES

Car Wash Automatic
Car Wash Coin-operated
Outdoor Storage Yard

16.11.5 PROVISIONS

.1 Lot Frontage – minimum 15.0 m

.4 Building Height
- a) For a *multiple dwelling* – minimum 14.0 m
- b) For any non-residential *building* – minimum 9.0 m

.8 Landscaped Open Space Yard – minimum 30% of *lot area*

.17 Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited.

.20 Building Setback
- a) For a *Multiple Dwelling* from a:
  - Front Lot Line - minimum 4.50 m
  - Side Lot Line - minimum 0.90 m
  - Rear Lot Line - minimum 5.40 m
- b) For any non-residential *building* from a:
  - Front Lot Line - minimum 3.00 m
  - Side Lot Line - minimum 0.90 m
  - Rear Lot Line - minimum 1.90 m

.50 Section 20(1)278 shall not apply and the area forming the building setback from the *front lot line* shall be a *landscaped open space yard*.

.55 For a *Multiple Dwelling*, required parking shall be 1 parking space per d*welling unit* and Section 24.22.1 shall not apply.

.60 Notwithstanding Clause .1 in Table 25.5.20.1 in Section 25.5.20, the minimum separation of a *loading space*, *parking area*, or *parking space* from Huron Church Road shall be 3.0 m.

.65 Notwithstanding Clause .6 in Table 25.5.20.1 in Section 25.5.20, for a *Multiple Dwelling*, no separation is required between a *building* wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* and a *parking area*, *parking space* or *loading area*.

4. THAT, when Site Plan Control is applicable:

A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought.

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

i) Noise control measures identified in Tables 3, 4 and 5 in the Acoustic Assessment Report, prepared by Akoustik Engineering Limited, dated March 29, 2022, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
ii) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix G of Report S 124/2023, subject to the approval of the City Engineer.

C. The Site Plan Approval Officer **CONSIDER** all remaining comments contained in Appendix G of Report S 124/2023.

Carried.

Report Number: S 124/2023
Clerk's File: Z/14671 & Z/14672

7.2. Zoning By-law Amendment Application for the north part of the property known as 870 Wyandotte Street East; Applicant: Adiammu Real Estate Inc.; File No. Z-014-23, ZNG/7001; Ward 4.

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 564**

I. THAT Zoning By-law 8600 **BE AMENDED** for the northerly 1166.8m^2 portion of the lands located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street, described as Part of Lots 62 to 68 (incl.), Registered Plan 145, also designated as PART 2 on Reference Plan12R-18708, by adding a site specific zoning provision to permit "One *Multiple Dwelling* containing 11 or more *dwelling units"* as an additional permitted use, subject to additional regulations;

"491. WEST SIDE OF PARENT AVENUE, SOUTH OF BRANT STREET

For the northerly 1166.8m^2 portion of the lands comprising PART 2 on Reference Plan12R-18708, the following shall apply to a *Multiple Dwelling* containing 11 or more *dwelling units*:

1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.2 and section 11.2.5.4.4

2. Lot Area – minimum 96.0 m^2 per dwelling unit

3. Main Building Height - maximum 10.0 m

4. The provisions set out in section 24.40.1.5 and section 25.5.20.1.6 of By-law 8600 shall be implemented as noted below,
   a) loading space – minimum 0.0 space
   b) Parking Area separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – minimum 3.6 m

   [ZDM 6; ZNG/7001]"

II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the Site Plan Approval and the Site Plan Agreement for the proposed development on the subject land:

a) Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner's entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.

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

c) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;

d) Tree preservation for the site;

e) Enbridge Gas minimum separation requirements; and

f) Canada Post multi-unit policy.

Carried.

Report Number: S 136/2023
Clerk's File: Z/14601

7.4. Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place

Moved by: Councillor Mark McKenzie
Seconded by: Member Anthony Arbour

Decision Number: DHSC 566

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

X. WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST AND UNIVERSITY AVENUE

For the 1173.0 m^2 lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

.1 Lot Area – minimum 97.0 m^2 per dwelling unit
.2 Lot Frontage – minimum – 27.0 m
.3 Lot Coverage – maximum – 45.0 %
.4 Main Building Height – maximum – 10.0 m
.5 Building Setback:
a) front yard depth - minimum 6.0m
b) rear yard depth - minimum 7.5 m
c) side yard width - minimum 2.0 m on one side, and 3.4 m on the other side

6. Parking:
a) *Parking spaces* – minimum 7 spaces
b) *Bicycle Parking Spaces* –minimum 15 spaces
c) A *parking space* is prohibited in any required *front* yard
d) *Parking aisle width* – as existing

7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.

8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:

a) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix I attached.

Carried.

Report Number: S 135/2023
Clerk's File: Z/14670

7.3. Official Plan Amendment and Zoning By-law Amendment - City of Windsor - Airport Employment Lands - OPA 177 [OPA-7118] Z 027-23 [ZNG-7117] - Ward 9

Moved by: Councillor Fred Francis
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 565**

1. THAT the portion of the Windsor International Airport lands subject of this report (hereafter referenced as the 'subject lands') **BE IDENTIFIED** as the lands defined in Figures 1-4 within report # S115/2023 being located on the north side of County Road 42 between the 8th and 9th Concession Roads.

2. THAT Schedule D - Lands Use of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designations of the subject lands from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park' as shown on Appendix D.

3. THAT Schedule B – Greenway System and Schedule J – Urban Structure Plan of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Appendix D.

4. THAT Schedule 'A' of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the subject lands as a Specific Policy Area;

5. THAT Chapter 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.XX North Side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road

1.XX.1 The property located on the north side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road, which includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

1.XX.2 All development proposed within the airport employment lands shall consult with the Windsor International Airport and demonstrate compliance with the following requirements:

a) Building and structure height limits (to be derived from the Airport Zoning Regulations);
b) Transitional surface height restrictions;
c) Building and structure height limitations within the vicinity of existing solar panels;
d) Stormwater Management requirements for dry ponds; and
e) Requirements or limitations from Nav Canada to avoid or mitigate technological interference.

1.XX.3 Compliance with Ontario's D-6 Guidelines shall be required regarding minimum distance separation between industrial facilities and the Major Institutional land use designation shown in the County Road 42 Secondary Plan, to the satisfaction of the City Planner.

1.XX.4 Any outdoor storage area shall be located a minimum of 100 metres from County Road 42 and shall not be visible from County Road 42.

6. THAT Zoning By-law 85-18 **BE REPEALED** for the subject lands.

7. THAT Zoning By-law 8600 **BE AMENDED** by deleting S.20(1)321.

8. THAT Zoning By-law 8600 **BE AMENDED** by applying a Manufacturing District 2.2 (MD2.2), H-Manufacturing District 2.2 (HMD2.2), Manufacturing District 1.4 (MD1.4), and Green District 1.4 (GD1.4) to the subject lands as shown on Appendix E.

9. THAT the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding prefix and the following conditions are satisfied:

   a. Submission of an Environmental Evaluation Report to the satisfaction of the City Planner for any land within 120 m of any land with a Natural Heritage designation as shown on Schedule C: Development Constraints in the City of Windsor Official Plan.

Carried.

Report Number: S 115/2023
Clerk's File: Z/14649 & Z14650

7.5. Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 567**
THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

1.#.1 The property described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

a) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Block 1, Plan 12M-425 by adding site specific regulations as follows:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

For the lands described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, the following shall be additional permitted uses:

i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height within 30m of Banwell Road – Maximum –24 m
Landscaped Open Space – Minimum 24.5%

(ZDM 14; ZNG/7067)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 137/2023
Clerk's File: Z/14652 & Z/14653

7.6. Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7

Moved by: Councillor Fred Francis
Seconded by: Councillor Jim Morrison

Decision Number: **DHSC 568**

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF LEATHORNE DRIVE**

1.#.1 The property described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

b) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425.

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 7, Plan 12M-425 by adding site specific regulations as follow:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

For the lands described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the following shall be additional permitted uses:

i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,
Building height within 30m of Banwell Road – Maximum –24 m

(ZDM 14; ZNG/7068)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 138/2023
Clerk's File: Z/14654 & Z/14655

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 7:23 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 7:23 o'clock p.m

11. ADMINISTRATIVE ITEMS

None presented.

12. COMMITTEE MATTERS

12.1. Minutes of the International Relations Committee of its meeting held July 31, 2023

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

Decision Number: DHSC 569
THAT the minutes of the International Relations Committee meeting held July 31, 2023 **BE RECEIVED** for information.
Carried.

Report Number: SCM 258/2023

10. *HERITAGE ACT* MATTERS

None presented.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 7:23 o'clock p.m.
Carried.

Ward 10 – Councillor Kieran McKenzie (Vice Chairperson)	Deputy City Clerk / Supervisor of Council Services

Development & Heritage Standing Committee
(Planning Act Matters)

Date: Monday, November 06, 2023
Time: 4:30 o'clock p.m.

Members Present:

Councillors
Ward 1 - Councillor Fred Francis
Ward 4 - Councillor Mark McKenzie
Ward 7 - Councillor Angelo Marignani
Ward 9 - Councillor Kieran McKenzie (Vice Chairperson)
Ward 10 - Councillor Jim Morrison

Members
Member Arbour
Member Grenier
Member Polewski

Clerk's Note: Councillor Jim Morrison participated via video conference, 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

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Joe Mancina, Chief Administrative Officer
Jelena Payne, Commissioner, Economic Development & Innovation
Shawna Boakes, Executive Director of Operations
Neil Robertson, Acting City Planner
Greg Atkinson, Deputy City Planner
Patrick Winters, Manager, Development
Emilie Dunnigan, Manager, Development Revenue & Financial Administration
Aaron Farough, Senior Legal Counsel

Joe Baker, Senior Economic Development Officer
Frank Garardo, Senior Planner
Robert Perissinotti, Development Engineer
Adam Szymczak, Planner III – Development
Stefan Fediuk, Planner III – Senior Urban Designer
Jim Abbs, Planner III – Development
Justina Nwaesei, Planner III - Development
Brian Nagata, Planner II – Development Review
Siddharth (Sidd) Dhiman, Transportation Planner I
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 7.2 – Tracey Pillon-Abbs, agent
Item 7.2 – Aditiya Soma, applicant
Item 7.4 – Tracey Pillon-Abbs, agent
Item 7.4 – Jack Federer, applicant
Item 7.4 – Michael Kaye, applicant

Delegations—participating in person

Item 7.1 – Jackie Lassaline, Principal Planner
Item 7.1 – Joe Passa, PA Architects
Item 7.1 – Flora Sabatini, area resident
Item 7.1 – Dave Davis, area resident
Item 7.1 – Kim Morianti, area resident
Item 7.1 – Jay Abdoulrahmani, owner
Item 7.3 – Karl Tanner & Amy Farkas, Dillon Consulting
Item 7.4 – York Zhu, area resident
Item 7.5 – Karl Tanner & Theresa O'Neill, agents Dillon Consulting
Item 7.5 – Jeff Benedet, area resident
Item 7.6 – Karl Tanner & Amy Farkas, Dillon Consulting
Item 7.6 – Joan Ennis, area resident
Item 7.6 – Jeff Benedet, area resident
Item 7.6 – Kate Benedet, area resident
Item 7.6 – Nishnat John, area resident
Item 7.6 – Kim Friest, area resident
Item 7.6 – Maureen Flannery, area resident

1. CALL TO ORDER

The Vice 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

3.1. Closure of part of north half of Lillian Street right-of-way, between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 570**
THAT the report of the Planner II – Development Review dated August 22, 2023 entitled "Closure of part of north half of Lillian Street right-of-way between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629" **BE WITHDRAWN** due to a number of concerns being identified.
Carried.

Report Number: S 41/2023
Clerk's File: SAA2023

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Adoption of the Development & Heritage Standing Committee (*Planning Act* Matters) meeting minutes held October 3, 2023

Moved by: Councillor Fred Francis
Seconded by: Member Anthony Arbour

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held October 3, 2023 **BE ADOPTED** as amended.
Carried.

Report Number: SCM 275/2023

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See *Planning Act* Items 7.1 through 7.6 (inclusive).

7. PLANNING ACT MATTERS

7.1. OPA & Rezoning – Passa Architects - 1235 Huron Church Road - OPA 166 OPA/6902 Z-039/22 ZNG/6901 – Ward 2

Adam Szymczak (author), Planner III – presents application.

Jackie Lassaline (agent), Lassaline Planning Consultants – presents application.

Joe Passa (applicant), Passa Architects – is available for questions.

Flora Sabatini (area resident) – is not in support of the application and has various concerns, such as; privacy, noise, parking and increase in crime rates.

Dave Davis (area resident) – is not in support of the application and has concerns with building size, parking, noise, pollution, traffic and safety.

Kim Morianti (area resident) – is not in support of the application and has concerns with crime, parking and safety.

Councillor Francis asks if there is sufficient parking. Mr. Szymczak answers as per the Parking Study no concerns were raised.

Councillor Francis asks if Administration if there are any traffic concerns. Mrs. Boakes answers that there are no traffic concerns and if “U-Turns” become an issue in the future, a restriction can be put in place.

Councillor Francis asked if a privacy fence will be put in place. Mrs. Lassaline answers that there will be a 6-foot fence.

Councillor Kieran McKenzie asks if trees can be planted in the back of the lot. Mrs. Lassaline answers that there will be additional trees added during the Site Plan Control process.

Councillor Marignani asks if an 8-foot fence can be put in place rather than a 6-foot fence. Mrs. Lassaline answers that an 8-foot fence and privacy trees can be added.

Member Grenier asks if there will be noise pollution coming from the repair garage. Mrs. Lassaline states that there will be small engine repair for the taxi’s and the 8-Foot fence and landscaping will provide a buffer on any noise that may come from the garage.

Councillor Marignani asks for clarification on how many parking spaces are being proposed for the residential portion. Mr. Szymczak answers 1 space per unit, 37 parking spaces in total is proposed. A total of 51 parking spaces for the entire site.

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 563**
1. THAT Schedule "A" of Volume I: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, as a Special Policy Area.

2. THAT Chapter 1 in Volume II: Secondary Plans and Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a new Special Policy Area as follows:

1.X 1235 Huron Church Road

LOCATION	1.X.1	The property described as Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366), known municipally as 1235 Huron Church Road, situated on the west side of Huron Church Road, south of Girardot Street, is designated on Schedule A: Planning Districts and Policy Areas in Volume I - The Primary Plan.
PERMITTED USES	1.X.2	Notwithstanding the "Open Space" designation of these lands on Schedule D: Land Use in Volume I – The Primary Plan, the following shall be additional permitted main uses: business office, child care centre, commercial school, hotel, medical appliance facility, medical office, multiple dwelling, personal service shop, place of entertainment and recreation, place of worship, professional studio, repair shop – light, retail store, workshop. Further, an automobile repair garage shall be permitted as an accessory use.
PROHIBITED USES	1.X.3	The following uses are prohibited: car wash automatic, car wash coin-operated, and outdoor storage yard.
LANDSCAPED SETBACK REQUIREMENTS	1.X.4	Notwithstanding Special Policy Area 1.2 Huron Church Road Corridor in Chapter 1 of Volume II of the City of Windsor Official Plan, the minimum landscaped setback from the Huron Church Road right-of-way shall be 3.0 m

		for a non-residential building and 4.5 m for a residential building.
DIRECT ACCESS TO HURON CHURCH ROAD	1.X.5	Notwithstanding Section 7.2.6.4 (iv) in Volume I of the City of Windsor Official Plan, direct access to Huron Church Road is permitted, subject to approval of the City Engineer.

3. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 82 to 93, Plan 1046 Town of Sandwich (PIN 01240-0366; 1235 Huron Church Road; Roll No. 050-380-03000), situated on the west side of Huron Church Road, south of Girardot Street, from Green District 1.1 (GD1.1) to a new zoning district as follows:

16.11 COMMERCIAL DISTRICT 3.11 (CD3.11) [ZNG/6901]

16.11.1 PERMITTED MAIN USES

Business Office
Child Care Centre
Commercial School
Hotel
Medical Appliance Facility
Medical Office
Multiple Dwelling
Personal Service Shop
Place of Entertainment and Recreation
Place of Worship
Professional Studio
Repair Shop - Light
Retail Store
Workshop

16.11.2 PERMITTED ACCESSORY USES

Any use accessory to a permitted main use, including an *Automobile Repair Garage*

16.11.3 PROHIBITED USES

Car Wash Automatic
Car Wash Coin-operated
Outdoor Storage Yard

16.11.5 PROVISIONS

.1	Lot Frontage – minimum	15.0 m
.4	Building Height	
	a) For a *multiple dwelling* – minimum	14.0 m
	b) For any non-residential *building* – minimum	9.0 m
.8	Landscaped Open Space Yard – minimum	30% of *lot area*

.17 Exposed flat concrete block walls or exposed flat concrete walls, whether painted or unpainted, are prohibited.

.20 Building Setback

a) For a *Multiple Dwelling* from a:

Front Lot Line - minimum	4.50 m
Side Lot Line - minimum	0.90 m
Rear Lot Line - minimum	5.40 m

b) For any non-residential *building* from a:

Front Lot Line - minimum	3.00 m
Side Lot Line - minimum	0.90 m
Rear Lot Line - minimum	1.90 m

.50 Section 20(1)278 shall not apply and the area forming the building setback from the *front lot line* shall be a *landscaped open space yard*.

.55 For a *Multiple Dwelling*, required parking shall be 1 parking space per d*welling unit* and Section 24.22.1 shall not apply.

.60 Notwithstanding Clause .1 in Table 25.5.20.1 in Section 25.5.20, the minimum separation of a *loading space*, *parking area*, or *parking space* from Huron Church Road shall be 3.0 m.

.65 Notwithstanding Clause .6 in Table 25.5.20.1 in Section 25.5.20, for a *Multiple Dwelling*, no separation is required between a *building* wall containing a *habitable room window* or containing both a main pedestrian entrance and a *habitable room window* and a *parking area*, *parking space* or *loading area*.

4. THAT, when Site Plan Control is applicable:

A. Prior to the submission of an application for site plan approval, at the discretion of the City Planner, Deputy City Planner, or Site Plan Approval Officer, those documents submitted in support of the applications for amendments to the Official Plan and Zoning By-law 8600 **BE UPDATED** to reflect the site plan for which approval is being sought.

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

i) Noise control measures identified in Tables 3, 4 and 5 in the Acoustic Assessment Report, prepared by Akoustik Engineering Limited, dated March 29, 2022, subject to the approval of the City Planner, Deputy City Planner, or Site Plan Approval Officer.
ii) Requirements of the City of Windsor – Engineering and City of Windsor – Transportation Planning contained in Appendix G of Report S 124/2023, subject to the approval of the City Engineer.

C. The Site Plan Approval Officer **CONSIDER** all remaining comments contained in Appendix G of Report S 124/2023.

Carried.

Report Number: S 124/2023
Clerk's File: Z/14671 & Z/14672

7.2. Zoning By-law Amendment Application for the north part of the property known as 870 Wyandotte Street East; Applicant: Adiammu Real Estate Inc.; File No. Z-014-23, ZNG/7001; Ward 4.

Justina Nwaesei (author) – is available for questions.

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 564**

I. THAT Zoning By-law 8600 **BE AMENDED** for the northerly 1166.8m^2 portion of the lands located on the north side of Wyandotte Street East, west side of Parent Avenue, and south of Brant Street, described as Part of Lots 62 to 68 (incl.), Registered Plan 145, also designated as PART 2 on Reference Plan12R-18708, by adding a site specific zoning provision to permit "One *Multiple Dwelling* containing 11 or more *dwelling units"* as an additional permitted use, subject to additional regulations;

"491. WEST SIDE OF PARENT AVENUE, SOUTH OF BRANT STREET
For the northerly 1166.8m^2 portion of the lands comprising PART 2 on Reference Plan12R-18708, the following shall apply to a *Multiple Dwelling* containing 11 or more *dwelling units*:

1. The provisions in Section 11.2.5.4, save and except for section 11.2.5.4.2 and section 11.2.5.4.4

2. Lot Area – minimum 96.0 m^2 per dwelling unit

3. Main Building Height - maximum 10.0 m

4. The provisions set out in section 24.40.1.5 and section 25.5.20.1.6 of By-law 8600 shall be implemented as noted below,
   a) loading space – minimum 0.0 space
   b) Parking Area separation from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area – minimum 3.6 m

[ZDM 6; ZNG/7001]"

II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the Site Plan Approval and the Site Plan Agreement for the proposed development on the subject land:

a) Alley Paving – The owner shall agree to obtain a Right-of-Way permit to drain and pave at the owner's entire expense, any alley abutting the subject lands which is to remain open. All work shall be to the satisfaction of the City Engineer.

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

c) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;

d) Tree preservation for the site;

e) Enbridge Gas minimum separation requirements; and

f) Canada Post multi-unit policy.

Carried.

Report Number: S 136/2023
Clerk's File: Z/14601

7.3. Official Plan Amendment and Zoning By-law Amendment - City of Windsor - Airport Employment Lands - OPA 177 [OPA-7118] Z 027-23 [ZNG-7117] - Ward 9

Greg Atkinson (author) – presents application.

Councillor Kieran McKenzie asks if the wooded area on the subject property will be protected. Mr. Atkinson confirms that the amendments would further enshrine protection of the Provincially Significant Wetlands, which does not permit development on that portion of the subject lands. Further, development proposed within 120 metres of the wetlands would not proceed until an Environmental Evaluation Report is complete and the recommended holding prefix is removed by Council.

Councillor Kieran McKenzie asks if infrastructure and services will have extended as applications come forward for the subject property. Mr. Perissinotti answers that Engineering has no concerns with meeting the demands of servicing the lands in the future.

Moved by: Councillor Fred Francis
Seconded by: Member Anthony Arbour

Decision Number: **DHSC 565**

1. THAT the portion of the Windsor International Airport lands subject of this report (hereafter referenced as the 'subject lands') **BE IDENTIFIED** as the lands defined in Figures 1-4 within report # S115/2023 being located on the north side of County Road 42 between the 8th and 9th Concession Roads.

2. THAT Schedule D - Lands Use of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by changing the land use designations of the subject lands from 'Future Employment Area', 'Airport', and 'Open Space' to 'Industrial' and 'Business Park' as shown on Appendix D.

3. THAT Schedule B – Greenway System and Schedule J – Urban Structure Plan of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** as shown on Appendix D.

4. THAT Schedule 'A' of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by designating the subject lands as a Specific Policy Area;

5. THAT Chapter 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.XX North Side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road

1.XX.1 The property located on the north side of County Road 42 within the vicinity of the 8th Concession Road and 9th Concession Road, which includes portions of 3200 County Road 42, 0 County Road 42, and 0 Jefferson Boulevard is designated on Schedule A: Planning Districts and Policy Areas in Volume I: The Primary Plan.

1.XX.2 All development proposed within the airport employment lands shall consult with the Windsor International Airport and demonstrate compliance with the following requirements:

a) Building and structure height limits (to be derived from the Airport Zoning Regulations);
b) Transitional surface height restrictions;
c) Building and structure height limitations within the vicinity of existing solar panels;
d) Stormwater Management requirements for dry ponds; and
e) Requirements or limitations from Nav Canada to avoid or mitigate technological interference.

1.XX.3 Compliance with Ontario's D-6 Guidelines shall be required regarding minimum distance separation between industrial facilities and the Major Institutional land use designation shown in the County Road 42 Secondary Plan, to the satisfaction of the City Planner.

1.XX.4 Any outdoor storage area shall be located a minimum of 100 metres from County Road 42 and shall not be visible from County Road 42.

6. THAT Zoning By-law 85-18 **BE REPEALED** for the subject lands.

7. THAT Zoning By-law 8600 **BE AMENDED** by deleting S.20(1)321.

8. THAT Zoning By-law 8600 **BE AMENDED** by applying a Manufacturing District 2.2 (MD2.2), H-Manufacturing District 2.2 (HMD2.2), Manufacturing District 1.4 (MD1.4), and Green District 1.4 (GD1.4) to the subject lands as shown on Appendix E.

9. THAT the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding prefix and the following conditions are satisfied:

    a. Submission of an Environmental Evaluation Report to the satisfaction of the City Planner for any land within 120 m of any land with a Natural Heritage designation as shown on Schedule C: Development Constraints in the City of Windsor Official Plan.

Carried.

Report Number: S 115/2023
Clerk's File: Z/14649 & Z14650

7.4. Zoning By-Law Amendment Z028-23(ZNG/7140) - 185 Randolph Place

Frank Garardo (author) – presents application.

Tracey Pillon-Abbs (agent) – is available for questions.

Jack Federer (applicant) – is available for questions.

Michael Kaye (applicant) – is available for questions.

York Zhu (area resident) – has various concerns with the proposal, such as; noise, traffic, size of building, parking and increase of population in the neighbourhood.

Councillor Morrison asks if the surrounding properties are registered or designated as Heritage. Mr. Fediuk answers that the six properties are registered.

Councillor Grenier asks if the lot coverage and permitted units will remain similar. Mr. Garardo answers that lot coverage will remain similar to the current permitted 45 percent and the size of the lot is large in nature which could accommodate townhomes with additional dwelling units.

Councillor Marignani asks if there is an option for more parking spaces. Mr. Garardo answers that there is not an option at this time. Mr. Garardo adds that in order to maintain the street scape in the mature neighbourhood no front yard parking is recommended.

Councillor Kieran McKenzie asks what bicycle facilities will be available. Mrs. Pillon-Abbs answers that there are 15 spaces available at the exterior of the building.

Moved by: Councillor Mark McKenzie
Seconded by: Member Anthony Arbour

Decision Number: DHSC 566

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich situated on the west side of Randolph Place, and known municipally as 185 Randolph Place by adding a site specific exception to Section 20(1) as follows:

X. WEST SIDE OF RANDOLPH PLACE BETWEEN RIVERSIDE DRIVE EAST AND UNIVERSITY AVENUE

For the 1173.0 m^2 lands comprising of Lot 11 Plan 766 Town of Sandwich; Lot 12 Plan 766 Town of Sandwich; a *multiple dwelling* with 11 or more units shall be an additional permitted use subject to the following provisions:

.1 Lot Area – minimum 97.0 m^2 per dwelling unit
.2 Lot Frontage – minimum – 27.0 m
.3 Lot Coverage – maximum – 45.0 %
.4 Main Building Height – maximum – 10.0 m
.5 Building Setback:
- *a) front yard depth* - minimum 6.0m
- *b) rear yard depth* - minimum 7.5 m
- *c) side yard width* - minimum 2.0 m on one side, and 3.4 m on the other side

6. Parking:
   a) *Parking spaces* – minimum 7 spaces
   b) *Bicycle Parking Spaces* –minimum 15 spaces
   c) A *parking space* is prohibited in any required *front* yard
   d) *Parking aisle width* – as existing

7. Exterior walls shall be covered in facebrick on a minimum of 3.0 m from above grade on the North, East, and South elevations.

8. For the purpose of this provision any roof other than 4.5/12 is prohibited.

II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following, as required, in the site plan approval and site plan agreement:

a) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix I attached.

Carried.

Report Number: S 135/2023
Clerk's File: Z/14670

7.5. Official Plan & Zoning Bylaw Amendments Z 022-23 [ZNG-7067] & OPA 173 [OPA-7070] 1027458 Ontario Inc. Banwell & Leathorne (North A) Multiple Dwelling Development - Ward 7

Jim Abbs (author) – presents application.

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

Theresa O'Neil (agent) Dillon Consulting – available for questions.

Jeff Benedet (area resident) – is not in support of the proposal and has concerns with extreme noise levels. Mr. Benedet asks the Committee if the item can be heard at the same time as Item 7.6 (North B) is presented to avoid repetition from the delegates.

Item decision is deferred until Item 7.6 (North B) is presented.

Councillor Marignani asks how many parking spaces per unit. Mr. Abbs answers 1.45 parking spaces per unit. Mr. Abbs adds that the City of Windsor requires 1.25 spaces per unit.

Councillor Mariganani asks if the final design for the development has been completed and if features that will take safety into consideration, including a 45-degree angle on the corners of buildings at the Leathorne and Banwell intersection. Mr. Tanner answers that it can be looked into during the Site Plan Control process.

Moved by: Councillor Fred Francis
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 567**
THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

1.#.1 The property described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

a) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Block 1, Plan 12M-425 by adding site specific regulations as follows:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

For the lands described as Part of Block 1, Plan 12M-425, in the City of Windsor, known municipally as 0 Questa Drive, the following shall be additional permitted uses:

i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height within 30m of Banwell Road – Maximum –24 m
Landscaped Open Space – Minimum 24.5%

(ZDM 14; ZNG/7067)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 137/2023
Clerk's File: Z/14652 & Z/14653

7.6. Official Plan & Zoning Bylaw Amendments Z 023-23 [ZNG-7068] & OPA 174 [OPA-7071] 1027458 Ontario Inc. Banwell South of Leathorne (North B) Multiple Dwelling Development - Ward 7

Jim Abbs (author) – presents application.

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

Theresa O'Neil (agent) Dillon Consulting – available for questions.

Joan Ennis (area resident) – is not in support of the application and has various concerns, such as; flooding, removal of the protective berm, traffic, parking, pollution and noise.

Jeff Benedet (area resident) – presents power point highlighting concerns with lack of EV charging stations, drainage concerns and inquires about the privacy fence.

Kate Benedet (area resident) – presents power point highlighting concerns with the application, such as; traffic and flooding.

Nishnat John (area resident) – has various concerns with the application, such as; traffic, the storm water impact, the scale of the development and the negative environmental impact from the development.

Kim Friest (area resident) – has concerns with the environmental impact the development will have on the community.

Maureen Flannery (area resident) - has concerns with the application and states that the community would benefit greatly with a commercial plaza rather than residential.

Councillor Marignani asks if EV charging spaces are proposed for this development. Mr. Tanner answers that it will be a part of the submission for the Site Plan Approval process.

Councillor Mark McKenzie asks if there will be commercial use on main floor. Mr. Tanner answers that the commercial zoning still remains on the property and they are proposing to add multi residential. Mr. Tanner adds that although plans can change in the future, currently the are proposing residential.

Councillor Mark McKenzie asks if a "Right-In,Right-Out" is being considered on Banwell Rd. Mr. Tanner answers that on buildings A and B, a "Right-In,Right-Out" is not planned or supported.

Councillor Francis asks for clarification on flooding risks to the homes in the surrounding area. Mr. Tanner answers that background studies are done before considering a rezoning. Mr. Tanner explains that the storm water will be held underneath the parking lot and released into the existing Blue Heron Pond at a rate agreed upon with City Administration.

Councillor Marignani asks if the development will have a negative impact on the surrounding area in terms of flooding. Mr. Perissinotti answers that a Strom Water Servicing Study was submitted and is being reviewed. Mr. Perissinotti adds that climate change must be considered when they are reviewing new developments which would be looked into at the Site Plan Control stage.

Councillor Marignani asks about the increase in traffic volume in the area and if it will have a negative effect on the residents. Mrs. Boakes answers that a revised TIS was submitted and it is currently being reviewed.

Councillor Marignani asks if it is possible to reduce the height of the building to reduce shadows. Mr. Tanner answers that the building can not be reduced from 6-storeys (24 metres in height).

Councillor Kieran McKenzie asks regarding site "A",what the reduction would be in terms of green space. Mr. Abbs answers 30% would be 4,200 square metres and 35% would be 4,900 square metres.

Moved by: Councillor Fred Francis
Seconded by: Councillor Jim Morrison

Decision Number: **DHSC 568**

THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

1.# **WEST SIDE BANWELL ROAD SOUTH OF LEATHORNE DRIVE**

1.#.1 The property described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 2.7.5.5 of the Official Plan, Volume II:

b) Medium Profile Residential Buildings up to 24 m in height shall be permitted on the subject property within 30m of Banwell Road

THAT the hold prefix **BE APPLIED** to the existing CD2.7 zone at Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the hold prefix may be removed when the applicant/owner submits an application to remove the holding prefix and the following conditions are satisfied:

a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and
b) The applicant receives a development permit for the construction of the extension of Leathorne Street onto Block 19, 12M-425.

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 7, Plan 12M-425 by adding site specific regulations as follow:

4xx. **WEST SIDE BANWELL ROAD SOUTH OF FIRGROVE DRIVE**

For the lands described as Block 7, Plan 12M-425, in the City of Windsor, known municipally as 0 Banwell Road, the following shall be additional permitted uses:

i. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height within 30m of Banwell Road – Maximum –24 m

(ZDM 14; ZNG/7068)
Carried.
Councillor Angelo Marignani voting nay.

Report Number: S 138/2023
Clerk's File: Z/14654 & Z/14655

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 7:23 o'clock p.m.

Ward 10 – Councillor Kieran McKenzie (Vice Chairperson)	Deputy City Clerk / Supervisor of Council Services