

Development & Heritage Standing Committee Meeting

Date: Tuesday, August 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

2.	DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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3.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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4.	COMMUNICATIONS
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4.1.	Update: Amendment to Sign By-law 250-04 related to Billboards and Electronic Billboards - City Wide (CM 7/2023)
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5.	ADOPTION OF THE PLANNING ACT MINUTES
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5.1.	Minutes of the July 4, 2023 Development & Heritage Standing Committee (<i>Planning Act Matters</i>) (SCM 199/2023)
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6.	PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)
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7.	PLANNING ACT MATTERS
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7.1.	Zoning By-law Amendment Application for the property at 3841 -3847 Howard Avenue; Applicant: Dior Homes; File No. Z-040/2022, ZNG/6903; Ward 9 (S 91/2023)
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7.2.	Rezoning – 5050542 Ontario Inc. – 3623, 3631 & 3637 Howard Avenue – Z-003/23 ZNG/6949 - Ward 9 (S 92/2023)
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7.3.	Zoning By-law Amendment Application for 0 & 1466 St. Patrick Avenue, Z-037/22 [ZNG-6899], Ward 10 (S 56/2023)
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8. **ADOPTION OF THE MINUTES**

- 8.1. Adoption of the Development & Heritage Standing Committee Minutes held July 4, 2023
(SCM 185/2023)

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

10. **HERITAGE ACT MATTERS**

- 10.1. 546 and 548-550 Devonshire Road, Semi-Detached Houses - Heritage Permits & Community Heritage Fund Requests (Ward 4) (**S 86/2023**)
- 10.2. 160 Askin Avenue – Request for Partial Demolition of a Heritage Listed Property (Ward 2) (**S 87/2023**)
- 10.3. Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide) (**S 88/2023**)
- 10.4. 1646 Alexis Road, Former Gordon McGregor School – Heritage Designation Report (Ward 8) (**S 89/2023**)

11. **ADMINISTRATIVE ITEMS**

- 11.1. Closure of north/south alley located between Alexandra Avenue and Labelle Street, Ward 10, SAA-6786 (**S 81/2023**)
- 11.2. Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10, SAA-7025 (**S 57/2023**)
- 11.3. Closure of north/south alley located between Laforet Street and 3217 Baby Street, Ward 2, SAA-6994 (**S 71/2023**)
- 11.4. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Habitat for Humanity Windsor-Essex for 1067 Henry Ford Centre Drive (Ward 5) (**S 84/2023**)
- 11.5. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Investrade Developments (Ontario) Limited for 240 Albert Road (Ward 5) (**S 85/2023**)
- 11.6. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2821383 Ontario Inc, for 75 Mill Street (Ward 2) (**S 80/2023**)

12. **COMMITTEE MATTERS**

13. **QUESTION PERIOD**

14. **ADJOURNMENT**



Subject: Update: Amendment to Sign By-law 250-04 related to Billboards and Electronic Billboards - City Wide

Reference:

Date to Council: August 1, 2023
Author: Stefan Fediuk
Landscape Architect / Sr. Urban Designer
519-255-6543 ext.6025
Planning & Building Services
Report Date: July 6, 2023
Clerk's File #: SPL2023

To: Mayor and Members of City Council

Additional Information:

At the February 6, 2023 Development & Heritage Standing Committee, a temporary (1 year) moratorium on the issuance of Billboard Signs throughout the City of Windsor was granted to allow the Planning Department to undertake a comprehensive review with the goal of updating the Sign Bylaw 250-2002, as it relates to Paper Copy and Electronic Change Copy Billboards. This decision was made in response to the overwhelming number of new Electronic Billboards applications. In addition to the recommendations, Council requested that Administration (CR103/2023 DHSC 477) provide the Development & Heritage Standing Committee a status update of the review being undertaken at the mid-point (i.e. 6 months) of this project. This Communications Report has been prepared to provide that update (Appendix 'A').

Following Council's direction, Administration, has reviewed the Sign Bylaws of 24 Ontario municipalities, four (4) out-of-province municipalities, and four (4) municipalities in the United States (Appendix 'B'). Of the Ontario municipalities, 14 were detailed consultations/discussions with the authors and/or the administrators of their Sign Bylaw in relation to Billboards. Out-of-province review was conducted strictly to assess best practices because Provincial and State Legislation varies the ability to implement requirements.

Areas of interest during consultations with municipalities included: consultation processes employed to achieve results, issues related to billboard size and location, proximity to residential properties, prohibitions and fees and delegation of authority.

In addition, the industry stakeholders, including Billboard Sign manufacturers and Media Providers, have also been consulted (Appendix 'C'). Six Billboard Sign companies have applied for permits since the update to the revise Sign Bylaw 250-2004 to regulate Electronic Change Copy Billboards in Windsor (CR158/2017). Consultations with those companies have indicated a willingness across the industry to work with the

Administration to help revise the Sign Bylaw for fair distribution of Billboards through the City of Windsor. Those consultations identified: processes for permits including transparency between what is prohibited and permitted; residential and sensitive lands issues; factors that would be unreasonable to their operations; a desire for consistency and clarity throughout the bylaw without the need for interpretation; how to deal with sign clutter; length of time between images when they are illuminated; and, expected lifespan of electronic change copy billboards. Consultations, aside from further clarifications on specific issues have now concluded.

Planning Staff will now review the information collected from these consultations, to determine best practices appropriate for the City of Windsor while ensuring safe and healthy environments for the citizens and visitors. As per the approved recommendation of CR103/2023 DHSC 477, Administration is preparing a final report that is being targeted for the December 4, 2023 Development & Heritage Standing Committee meeting. The report will outline recommendations for amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium (February 6, 2024).

Approvals:

Name	Title
Stefan Fediuk	Landscape Architect / Sr.Urban Designer
Neil Robertson	Acting City Planner / Executive Director of Planning & Development
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Shannon Conheady Canada Signs		shannon@theecomnguys.com
Jocelyn Wigley Outfront Media Canada	377 Horner Ave, Toronto ON, M8W 1Z6	jocelyn.wigley@outfront.com
Nathan Jankowski Pattison Outdoor Advertising		njankowski@pattisonoutdoor.com
Scott Stover Pattison Outdoor Advertising		SStover@pattisonoutdoor.com
Harry Froussios Zelinka Priamo Ltd.	318 Wellington Rd, London, ON N6C 4P4	harry.f@zpplan.com
Roy Dzeko Target Outdoor		roydzeko1@gmail.com
Leticia Avanse Steward Logistics		leticia.avanse@stewardlogistics.com
Dom Claros Steward Logistics		dom@stewardlogistics.com
Shawna Petzold Permit World Consulting		spetzold@permitworld.ca

Name	Address	Email
Services Inc.		

Appendices:

- 1 Appendix 'A' -Council Decision 103-2023
- 2 Appendix 'B' - Municipal Consultations
- 3 Appendix 'C' - Stakeholder Consultations

Phone: (519)255-6211

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

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**City Council
Decision
Monday, February 27, 2023**

✓CLERK'S CORRECTION**

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Renaldo Agostino

Decision Number: CR103/2023 DHSC 477

- I. That City Council **DIRECT** the Planning Division to undertake a comprehensive review and update of the Sign By-law 250-2004, related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs on private property; and,
- II. That City Council **APPROVE** a one-year moratorium on permits for the installation of New Billboards and retrofitting of existing Paper Copy Billboards to Electronic Change Copy Billboards to allow for the Planning Division to complete its review; and,
- III. That the Planning Division **PROVIDE** Council with recommendations for Amendments to the Sign By-law related to Paper Copy Billboard and Electronic Change Copy Billboard Ground and Wall Signs, for a decision by Council prior to the expiry date of the moratorium.
- IV. That Administration **PROVIDE** a status update of the review being undertaken at the ~~August 23rd, 2023~~ ✓August 2023✓ meeting of the Development & Heritage Standing Committee meeting.

Carried.

Report Number: SCM 54/2023 & C 225/2022
Clerk's File: SBS2023 8.22

Anna Ciacelli
Deputy City Clerk
July 6, 2023

Appendix 'B' - Municipal Consultations

Municipality	Contact Name	Type of Consultation
Ontario Municipalities with Populations over 100,000		
Guelph	Kelly Patzner Kelly.Patzer@guelph.ca	MSTeams and Sign Bylaw Review
Hamilton	Ben Spychaj ben.spychaj@hamilton.ca	MSTeams and Sign Bylaw Review
Kingston	Jessica Dillon jdillon@cityofkingston.ca	MSTeams and Sign Bylaw Review
Milton	Robin Campbell robin.campbell@milton.ca	MSTeams and Sign Bylaw Review
Mississauga	Nathan de Sousa nathan.desousa@mississauga.ca	MSTeams and Sign Bylaw Review
Niagara Falls	Peggy Boyle pboyle@niagarafalls.ca	MSTeams and Sign Bylaw Review
Oshawa	Kathy Kozlowicz KKozlowicz@oshawa.ca	MSTeams and Sign Bylaw Review
Ottawa	Amy Scharff addressingandsigns@ottawa.ca	MSTeams and Sign Bylaw Review
Peterborough	Dylan Middleton dmiddleton@peterborough.ca	MSTeams and Sign Bylaw Review
Sudbury	Sherry Budgell Sherri.Budgell@greatersudbury.ca	MSTeams and Sign Bylaw Review
Toronto	Ted Van Vliet Ted.VanVliet@toronto.ca	MSTeams and Sign Bylaw Review
Waterloo	Kristen Sears kristen.sears@waterloo.ca	MSTeams and Sign Bylaw Review
Burlington		Sign Bylaw Review (no Response to Request)
London		Sign Bylaw Review (no Response to Request)
Ontario Municipalities with Populations under 100,000		
Brockton		Sign Bylaw Review
Centre Wellington		Sign Bylaw Review
Cornwall		Sign Bylaw Review
Innisfil		Sign Bylaw Review
North Grenville		Sign Bylaw Review
Owen Sound		Sign Bylaw Review
Quinte West		Sign Bylaw Review
Tecumseh		Sign Bylaw Review
Town of Bradford		Sign Bylaw Review
West Gwillimbury		Sign Bylaw Review
Town of Essex		Sign Bylaw Review
Canadian Municipalities		
Calgary		Sign Bylaw Best Practices Review
Edmonton		Sign Bylaw Best Practices Review
Saskatoon		Sign Bylaw Best Practices Review
Winnipeg		Sign Bylaw Best Practices Review
United States Municipalities		
Atlanta		Sign Bylaw Best Practices Review
Boston		Sign Bylaw Best Practices Review
Phoenix		Sign Bylaw Best Practices Review
San Antonio		Sign Bylaw Best Practices Review

Appendix 'C' - Stakeholder Consultations

Company	Contact Name	Type of Consultation
Digital Billboard Manufacturers & Media Providers		
Canada Billboards Inc.	Shannon Conheady	MSTeams - July 12, 2023
Outfront	Lee A. Beekman	MSTeams- March 13, 2023
Outfront	Jocelyn Wigley	Email Correspondance
Pattison Outdoor Advertising	Scott Stover	In-Person Meeting - March 14, 2023
Pattison Outdoor Advertising	Nathan Jankowski	In-Person Meeting - March 14, 2023
Pattison Outdoor Advertising	Nicholas Campeney	In-Person Meeting - March 14, 2023
Permit World	Shawna Petzold	MSTeams - June 12, 2023
Signal Out of Home	David Meikle	MSTeams - June 12, 2023
Stewart Logistic Industries (SLI)	Dom Carlos	MSTeams - June 21, 2023
Stewart Logistic Industries (SLI)	Leticia Avanse	MSTeams - June 21, 2023
Target Outdoor Signs	Roy Dzeko	MSTeams - April 11, 2023
Priamo Ltd.	Harry Froussios	MSTeams - April 11, 2023
Airport & Navigation		
NAV CANADA	Justin Peca	teleconference - July 17, 2023
Windsor Airport (YQG)	Donna Bartlett	teleconference - July 12, 2023
Windsor Airport (YQG)	Rosanna Pellerito	Email Correspondance
Windsor Airport (YQG)	Lukas Van Der Mark	Email Correspondance
Transportation Canada	aviation.ont@tc.gc.ca	Aerodromes Standards and Recommended Practices - TP 312

Item No. 5.1



Committee Matters: SCM 199/2023

Subject: Minutes of the July 4, 2023 Development & Heritage Standing Committee (Planning Act Matters)

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

**Date: Tuesday, July 04, 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
Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour
Member Daniel Grenier
Member John Miller
Member Charles Pidgeon
Member Robert Polewski
Member Khassan Saka
Member William Tape

Members Regrets

Member Jospeh Fratangeli

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING:

Sandra Gebauer – Council Assistant

**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM
ADMINISTRATION:**

Chris Nepszy – Commissioner, Infrastructure Services
Joe Baker – Senior Economic Development Officer
Greg Atkinson – Acting City Planner
Rob Vani – Manager Inspections / Deputy Chief Building Official
Micheal Cooke – Manager, Planning Policy
Stacey McGuire- Manager Development

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Kate Tracey – Senior Legal Counsel
Kevin Alexander, Planner II – Special Projects
Brian Nagata – Planner II – Development Review
Jim Abbs – Planner III – Subdivisions
Kristina Tang – Planner III – Heritage
Justina Nwaesei – Planner III – Subdivisions
Frank Garardo – Planner III – Policy and Special Studies
Shannon Mills – Technologist III
Clare Amicarelli – Transportation Planning Coordinator
Anna Ciacelli – Deputy City Clerk

Delegations—participating via video conference

- Item 7.1 Josh Burns, Development Manager, Fortis Group/applicant, available for questions
- Item 7.1 Mary-Ann Keefner, representing the applicant, available for questions
- Item 7.2 Ibram Sobhy, area resident
- Item 7.3 Tracey Pillon-Abbs, Principal Planner, representing the applicant, available for questions
- Item 7.3 Vijay Vasantgadkar, architect/agent, available for questions
- Item 10.1 Gail Hargreaves, property owner, available for questions
- Item 10.2 Raymond Colautti, Solicitor for Olivia Homes/Applicant
- Item 11.5 Shane Potvin, owner/applicant, available for questions

Delegations—participating in Council Chambers

- Item 7.2 Jackie Lassaline, Principal Planner, representing the applicant
- Item 7.2 Gwyneth Edgley, area resident
- Item 7.2 Giovanni (John) Miceli, applicant, available for questions
- Item 11.3 Raman Gill & Aditya Soma, applicants, available for questions
- Item 11.4 Caroline Taylor, Ward 2 resident

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 5:01 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF (*Planning Act Matters*)

None disclosed.

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5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the June 5, 2023 Development & Heritage Standing Committee (*Planning Act* Matters)

Moved by: Member Anthony Arbour

Seconded by: Member Daniel Grenier

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held June 5, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 180/2023

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See Item 7.2

7. *PLANNING ACT* MATTERS

7.1. Draft Plan of Condominium with Exemption under Section 9(3) of the *Condominium Act* –CDM 005-23 [CDM-7029] 2481939 Ontario Inc. 3817 Howard Ave Ward 9

Jim Abbs, Planner (author) is available for questions.

Josh Hurley-Burns, Applicant is available for questions.

Mary-Ann Keefner, Agent is available for questions.

Councillor Marignani asks if there will be charging stations available for vehicles. Mr. Hurley-Burns answers that there will not be any charging stations available for the on surface parking however, the parking garages will have the equipment for installation of charging stations.

Councillor Kieran Mackenzie asks if the Applicant would consider planting trees to the north side of the property for additional privacy. Mr. Hurley-Burns answers that they would consider planting more trees for privacy purposes.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 519**

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That the application of 2481939 Ontario 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 78 dwelling units and 6 commercial unit and 14 parking units, as shown on the attached Map No. CDM-005/23-1 and CDM-005/23-2 on a parcel legally described as; Part of Lot 85, Concession 3, Lot 28 and Part of Lot 29, Plan 1431; Part 2, 12R-29025 located at 3817 Howard Ave **BE APPROVED** for a period of three (3) years.
Carried.

Report Number: S 72/2023
Clerk's File: Z/14590

7.2. Zoning By-law Amendment Application for the property at the southwest corner of Tecumseh Road West and Mark Avenue; Applicant: 2832765 Ontario Inc.; File No. Z-036/2022, ZNG/6897; Ward 10.

Justina Nwaesei, Planner (author) presents item.

Jackie Lassaline, Agent (Lassaline Planning Consultants) present item.

Giovanni Micheli, Applicant is available for questions.

Ibram Sobby, 1431 Mark Avenue (area resident) has concerns with parking, noise pollution and height of the proposal.

Gwenyth Edgley, Mark Avenue (area resident) has concerns with the height of the development, parking and garbage disposals.

Councillor Marignani asks if the development will have charging stations. Mr. Micheli confirms that the development will have 2 charging stations.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 520**

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Tecumseh Road West and Mark Avenue, described as Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

“474 SOUTHWEST CORNER OF TECUMSEH ROAD WEST AND MARK AVENUE

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For the land comprising Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], a *Multiple Dwelling with 11 or more dwelling units* shall be an additional permitted use and the following shall apply:

1. The provisions in section 15.2.5, save and except for sections 15.2.5.10 and 15.2.5.15
2. Building setback from an exterior lot line
abutting Tecumseh Road West – minimum 5.0 m
3. Parking Area separation from the south lot line – minimum 1.2 m (to be maintained as a *landscaped open space*)
4. Parking - per Dwelling Unit – minimum 1 parking space per unit
5. Parking is prohibited in any front yard

[ZDM 4; ZNG/6897]"

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) Sanitary Sampling Manhole;
- b) Corner Cut-Off - 4.6 m x 4.6 m (15' x 15') corner cut-off required at the intersection of Tecumseh Road West and Mark Avenue per City of Windsor Standard;
- c) Land Conveyance – convey approximately 3.5 metres along the entire Tecumseh Road West frontage of the subject land for road widening;
- d) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
- e) Curbs and Gutters – construct new concrete curb and gutter along the entire Mark Avenue frontage of the subject land;
- f) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;
- g) Tree Survey to determine appropriate tree preservation for the site
- h) Noise mitigation measures as recommended in a Noise Impact Study that will be submitted at the time of Site Plan Control application;
- i) Railway Warning clause (s. 4.7.1.9 (d), South Cameron Planning Area, OP Vol. II);
- j) Enbridge Gas minimum separation requirements;
- k) Adequate clearance from existing ENWIN's pole lines and power lines;

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- l) Canada Post multi-unit policy; and
- m) Record of Site Condition.

Carried.

Report Number: S 73/2023
Clerk's File: Z/14571

7.3. Z 015-22 [ZNG-6738] 2356976 Ontario Inc 0 & 845 Riverside E and 856 & 864 Chatham E

Frank Garardo, Planner (author) is available for questions.

Tracy Pillon-Abbs, Agent (Pillon-Abbs Inc.) is available for questions.

Vijay Vasantgadkar, Agent is available for questions.

Councillor Marigani asks if there will be charging stations available. Ms. Pillon-Abbs answers that it will be taken into consideration during the Site Plan Control process.

Councillor Kieran Mackenzie asks if there will be bike parking on site. Ms. Pillon-Abbs answers that there will be four spaces provided as well as additional spaces inside the building.

Councillor Kieran Mackenzie asks Administration how the capacity is reviewed to ensure it is sufficient for the development. Mr. Garardo answers that Planning reviews the lot coverage. Ms. McGuire adds that the application is reviewed to ensure capacity and more in detail at the Site Plan Control stage.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 521**

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12 (Roll No: 3739-030-050-00200-0000, 3739-030-050-00100-0000, 3739-030-040-09400-0000, 3739-030-050-01400-0000, 3739-030-040-08800-0000), situated on the north side of Chatham Street east, west of Parent Avenue and known municipally as 0 & 845 Riverside Drive East, and 856, & 864 Chatham Street East by adding a site specific exception to Section 20(1) as follows:

X. SOUTH SIDE OF RIVERSIDE DRIVE EAST, NORTH OF CHATHAM STREET EAST, BETWEEN PARENT AVENUE AND MARENTETTE AVENUE

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For the lands comprising of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12; a *multiple dwelling* shall be an additional permitted use subject to the following provisions apply:

- .1 Lot Area – minimum
 - a) for the first 19 dwelling units – 1825.0 square metres
 - b) for each additional dwelling unit- 45.0 square metres per unit
- .2 Lot Frontage – minimum- 45.0 m
- .3 Lot Coverage – maximum - 35.0 %
- .4 Landscape Open Space Yard – minimum - 35% of the *lot area*
- .5 Main Building Height – maximum – 20.0 m
- .6 Building Setback:
 - a) *front yard depth*- from most northerly front lot line – minimum - 6.0m
 - b) *rear yard depth* - north limit of Chatham Street east right of way- minimum- 7.5 m
 - c) *side yard width*: minimum - 4.5 m
- 7. Parking:
 - a) *Parking spaces* – minimum - 1.1 *per unit*
 - b) A *parking space* is prohibited in any *front yard*
 - c) *Parking spaces* shall be setback a minimum of 6.0 m from the most northerly front lot line abutting the Riverside Drive East right-of-way, and shall be screened from Riverside Drive East
 - d) Vehicular *access* from Riverside Drive East is prohibited
 - e) Indoor ground floor *amenity space* – minimum – 4.0 square metres per unit

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) Provide an Energy Strategy as per the terms of reference from the Environmental and Sustainability Coordinator;
- b) Provide a Tree Preservation and Landscaping Plan as per the comments of the Landscape Architect;
- c) Noise warning clause(s) and other noise abatement measures identified in the Acoustical Study dated August 12, 2021;

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- d) Provide a design brief in accordance with the urban design chapter of the City of Windsor Official Plan as part of site plan control (pedestrian connectivity, enclosure of front facade); and,
- e) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix F attached.

Carried.

Report Number: S 74/2023
Clerk's File: Z/14430

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 5:35 o'clock p.m.

Ward 10 - Councillor Jim Morrisson
(Chairperson)

Deputy City Clerk / Supervisor
of Council Services



Council Report: S 91/2023

Subject: Zoning By-law Amendment Application for the property at 3841 -3847 Howard Avenue; Applicant: Dior Homes; File No. Z-040/2022, ZNG/6903; Ward 9

Reference:

Date to Council: August 1, 2023
Author: Justina Nwaesei, MCIP, RPP
Planner III - Subdivisions
519-255-6543, ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: July 12, 2023
Clerk's File #: Z/14574

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

"481" SOUTHWEST CORNER OF HOWARD AVENUE AND CABANA ROAD EAST

For the land comprising Part Lot 6, Concession 4, being PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], the following shall apply to a *Combined Use Building*:

- a) The provisions in section 15.2.5.
- b) Notwithstanding the provision in section 15.2.5.15, for a *Combined Use Building*, *dwelling units* can also be located alongside a *Business Office*, provided that the *Business Office* shall not be located above a *dwelling unit*;
- c) Any building erected shall have, at least, one building wall located on an *exterior lot line* and oriented to the *street*; and
- d) Parking - per *Dwelling Unit* – minimum 1 parking space per *dwelling unit*

[ZDM 9; ZNG 6903]

- II. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following and other requirements found in Appendix F of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:
- a) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
 - b) Parkland dedication (cash-in-lieu) - 5% for residential use and 2% for commercial per By-law 12780;
 - c) Adequate clearance from existing ENWIN's pole lines and power lines;
 - d) Canada Post multi-unit policy; and
 - e) Record of Site Condition.

Executive Summary: N/A

Background:

1. KEY MAP

2. APPLICATION INFORMATION

LOCATION: 3841-3847 Howard Avenue

APPLICANT: DIOR HOMES (C/O RIO AIELLO)

AGENT: ARCHITECTURA INC. ARCHITECTS (C/O DAN SOLESKI)

REGISTERED OWNER: CAPITAL PLUS REAL ESTATE CORP (C/O DOREEN AIELLO)

PROPOSAL:

The applicant is requesting an amendment to Zoning By-law 8600 for the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, being Part 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT]. The subject land is designated MIXED USE NODE on Schedule D-1 of OPA 159, and zoned Commercial District 2.1 (CD2.1) by Zoning By-law 8600.

The applicant proposes to change the zoning of the subject land from Commercial District 2.1 (CD2.1) to Commercial District 2.2 (CD2.2) to allow residential and commercial uses within a combined use building on the subject land. The applicant proposes to construct a 4-storey combined use building containing 18 dwelling units and a Business Office. Twenty (20) on-site parking spaces and one (1) loading space are proposed for the entire development, as shown on the applicant's concept plans. The subject zoning by-law amendment includes a request for site-specific zoning provision to allow a decrease in required minimum number of parking spaces, from 25 spaces to 20 spaces.

CONCEPT PLANS, ELEVATIONS & RENDERINGS are hereto attached as **Appendix A, Appendix B, Appendix C & Appendix D.**

SUBMISSIONS BY APPLICANT:

- Zoning By-law Amendment Application Form
- Concept Site Plan, Floor Plans, Elevations and Renderings
- Planning Rationale Report
- Parking Report
- Functional Service Report
- Stormwater Management Report
- Civil Report
- Energy Strategy

3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
MIXED USE NODE	COMMERCIAL DISTRICT 2.1 (CD2.1); ZDM 9	vacant	Mixed Use (commercial and residential)
FRONTAGE	DEPTH	AREA	SHAPE
39.8 m (along Cabana Rd. E.) 19.6 m (along Howard Ave.)	irregular	960.5 sq.m.	irregular
Note: All measurements are approximate			

4. REZONING MAP

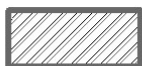


PART OF ZONING DISTRICT MAP 9

N.T.S.

REZONING

APPLICANT: DIOR HOMES



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY 2023
FILE NO. : Z-040/22, ZNG-6903

5. NEIGHBOURHOOD CHARACTERISTICS

The subject area contains a mix of commercial, residential and institutional uses along Cabana Road. Commercial uses exist on lands at the Cabana and Howard intersection, except the subject vacant land. Cabana Road is a four-lane R.O.W, whereas Howard Avenue is a two-lane R.O.W. At their mutual intersection, both rights-of-way have four lanes plus a fifth lane for left turns and a raised concrete median. Established residential neighbourhoods exist within the nearby local streets north and south of Cabana Rd. E., and east and west of Howard Avenue.



SURROUNDING LAND USES

North of subject land: Public R.O.W (Cabana Rd. E.), Commercial and Residential uses

- 4 Seasons Mediterranean Market at 3835 Howard Avenue
- Windsor Beauty Supply at 480 Cabana Rd. E.
- Commercial Plaza at 400 Cabana E. - Leblanc Centre occupied by Western Ontario Sports Injury Rehabilitation Centre, F.I.N.E. Counselling Services, Ronna Hope Warsh Leadership Coaching Office.
- 4-storey Combined Use building (commercial & residential units) at 3817 Howard Avenue.

Northwest of subject land: Commercial and Residential uses

- Casa Cabana Commercial Plaza at 350 Cabana Rd. E. - occupied by Ramzi's Men's Salon, Edward Jones Investments, PUREFRUIT Cafe, Elie Habib Salon SPA, Pampered Soul Laser Clinic SPA, Yemeni Corner Coffee House, Hear Canada, Mazaar Restaurant.
- Commercial Plaza at 300 Cabana Rd. E. - Armandos Restaurant, Cabana Dental, Armando's Market Place, Xaco Taco and Burger Farm.
- Low Profile Residential developments (single unit dwellings)

Northeast of subject land: Commercial, Residential and Institutional uses

- Rexall Pharmacy and Medical Clinic at 3840 Howard Avenue (northwest corner of Howard and Cabana)
- Low Profile Residential developments (Single unit dwellings)
- Roseland Public School at 620 Cabana Rd. E.

East of subject land: Public R.O.W (Howard Avenue), Commercial and Residential uses

- Commercial Plaza at 511 Cabana Rd. E. – Dr. Robert W. Froome Dental Office, China Kitchen Eatery, and Cabana @ Howard Pet Shop.
- Commercial building at 525 Cabana Rd. E. – Cabana Chiropractor and Health Centre, South Windsor Penalty Box.
- Low Profile Residential developments (Single unit dwellings)

Southeast of subject land: Residential uses

- Low Profile Residential developments (Single unit dwellings)

South of subject land: Commercial, Institutional and Residential uses

- Commercial Building at 3857 Howard Avenue - Personal Service shops and Business office (Prestige Barber shop, Nails & Co. Windsor, Avid Measurement Solutions, and Patti's Salon).
- Low Profile Residential developments (predominantly, single unit dwellings).
- Place of worship at 3919 Howard (Roseland Trinity United church).

West of subject land: Commercial, Residential and Institutional uses

- Commercial uses (Quick Sushi take-out restaurant at 425 Cabana Rd. E.; Parisien Denture Clinic at 375 Cabana Rd. E.; Willis Service Centre at 355 Cabana Rd. E.)
- Institutional (Olivia DiMaio Early Childhood Education Centre at 315 Cabana Rd. E.)
- Vacant parcel at 255 Cabana Rd. E. – permits a mid-profile residential development.
- Low Profile Residential developments (single unit dwellings).

Nearby Amenities within 1.2km distance of the subject land:

- Olivia DiMaio Early Childhood Education Centre (less than 100m distance)
- Roseland Public School (approx. 300 m distance);
- First Lutheran Christian Academy (approx. 1.2 km distance).
- Roseland Park – municipal park (approx. 1.0 km distance); and
- Patrick Mcquire Park – municipal park (approx. 850 m distance).

Attached to this report as **Appendix E** are site photos taken on July 10, 2023, showing some of the surrounding land uses and the character of the neighbourhood.

MUNICIPAL INFRASTRUCTURE

- The City's records show the following municipal sewers are available to service the subject land: (i) a 250 mm diameter RCP sanitary sewer and a 900 mm diameter RCP storm sewer located within the Howard Avenue R.O.W., and (ii) a 250 mm diameter PVC sanitary sewer and 600 mm diameter RCP storm sewer within the Cabana Road East R.O.W.
- Cabana Road Drain runs within the Cabana Road East R.O.W. from Howard Avenue going easterly to Dougall Avenue, then southerly to the Lennon Drain
- There is an existing 200 mm municipal watermain located on the west side of Howard Avenue R.O.W, along the frontage of the subject land, and a 750mm municipal watermain located on the east side of Howard Avenue across from the subject land. A 300mm municipal watermain exists on the north side of Cabana Road East R.O.W.
- Municipal fire hydrants are available at the four corner of Cabana & Howard intersection and along Howard Avenue and Cabana Road East, as well as within the nearby streets.
- LED streetlights are available within Cabana Road and Howard Avenue rights-of-way and in the subject neighbourhood.
- Overhead hydro poles with conductors are located on the north side of Cabana Road east R.O.W and the East side of Howard Avenue R.O.W.
- There are concrete sidewalks, curbs and gutters on both sides of the street along Cabana Road east and Howard Avenue. The existing sidewalks, curbs and gutters on the west side of Howard Avenue R.O.W are located closer to the intersection with Cabana Road.
- There are bike lanes on Cabana Road R.O.W.
- Transit Windsor Bus routes (Dougall 6 and South Windsor 7) are available to service the subject land and surrounding area.
- The closest existing bus stop to the subject land is located on Cabana Road East, at the southwest corner of Howard and Cabana. This bus stop is right in front of the subject land.
- Cabana Road East is classified as Class II Arterial Road and Howard Avenue is also classified as Class II Arterial Road.

Discussion:

PLANNING ANALYSIS:

1. PROVINCIAL POLICY STATEMENT (PPS) 2020

Provincial Policy Statement 2020 was issued under section 3 of the Planning Act and came into effect May 1, 2020, and replaces the Provincial Policy Statement issued April 30, 2014.

PPS 2020 provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The Provincial Policy Statement 2020 applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020.

The zoning by-law amendment under consideration promotes residential intensification and infill in an area surrounded by commercial, residential, and institutional uses. Therefore, in evaluating the subject Zoning By-law Amendment for consistency with PPS 2020, the following policies of the PPS 2020 are relevant for discussion:

1.0 Building Strong Healthy Communities:

Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

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

The PPS points to the important role of land use planning in achieving (i) orderly development of strong, sustainable, safe and healthy communities, (ii) a healthy environment, and (iii) economic growth.

Policy 1.1.1 states that *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; and*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*

With respect to 1.1.1(a) & (b) – This zoning by-law amendment facilitates infill residential development on the existing vacant subject land. The amendment will result in the construction of a 4-storey combined use building with 18 residential units and a business office on the vacant site; thereby, promoting efficient use of the existing infrastructure and land in the area. The land within the immediate area accommodates a range and mix of commercial, residential, and institutional uses as noted already in the “Surrounding Land Uses” section of this report. The existing residential developments near the subject land are predominantly 2 or 1 storey single unit dwellings. A -4-storey combined use building is under construction on Howard Avenue, north of the subject land. This amendment will further promote a mix in housing types/options in the subject area.

With respect to 1.1.1(c) – There is no known environmental or public health and safety concern resulting from the recommended amendment.

With respect to 1.1.1 (d) - The subject land is surrounded by existing developments and is within a neighbourhood located away from City of Windsor's mutual boundary with neighbouring settlement areas.

With respect to 1.1.1(e) – The subject amendment will promote intensification and a more compact development. The amendment will encourage the use of existing public transit and active transportation in area and help minimize land consumption and servicing costs.

With respect to 1.1.1 (f) – Sidewalks improve accessibility for persons with disabilities and older persons. As noted already in this report, there are existing concrete sidewalks in the subject area. Accessibility of the units will be reviewed at the time of building permit.

With respect to 1.1.1(g) – The subject land is in an area of the city that is serviced by necessary infrastructure (such as sanitary and storm sewers, watermains, electricity generation facilities and transmission and distribution systems) and public service facilities (such as public parks).

In summary, the subject amendment will facilitate an efficient development that will positively impact the financial well-being of the City of Windsor. This amendment will help minimize land consumption and servicing cost, and will increase the use of existing and planned public transit and active transportation services in the area. The recommended zoning by-law amendment is consistent with policy 1.1.1 of the PPS.

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

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.*

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.

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

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

The subject land is located within a settlement area (the City of Windsor) and this amendment creates opportunity for growth and development in the City. The recommended amendment promotes a land use that will make efficient use of land, resources, and existing infrastructure. There are existing active transportation options (such as sidewalks) and transit services adjacent to, or near the subject land. The proposed development has a scale, size, and location that are complementary to the existing building stock and area. The subject land represents an appropriate location for intensification. The proposed amendment will result in a zoning category and site-specific provisions that will help promote intensification and compact form of development. The subject amendment is consistent with policies 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.1.3.4 of the PPS.

1.4 Housing

1.4.3 *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:*

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, ...; 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;

This amendment will

- promote the construction of a higher density residential development within a combined use building on the vacant subject land;
- create an opportunity for a more compact development as a focal point within a mixed use node abutting established residential areas that are predominantly characterized by low density, low profile residential developments;
- facilitate a net increase in residential units or accommodation within the subject area;
- result in intensification of the subject site and area;
- facilitate the municipality's ability to accommodate residential growth through intensification;
- provide a form of housing that is appropriate in terms of range and mix, and
- meet the social, health and well-being of current and future residents.

Appropriate level of infrastructure, active transportation and transit services are available or will be available in the subject area. This amendment is consistent with policy 1.4 of the PPS.

1.6 Infrastructure and Public Service Facilities

1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

The subject land is within an area that is serviced by municipal sewage services and municipal water services. There are also existing public service facilities, like schools, in the subject area. This amendment will help optimize the use of existing municipal services and utilities, as well as schools and recreational facilities (municipal parks) in the surrounding area. The recommended amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 *Planning for stormwater management shall:*

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

With respect to 1.6.6.7 (f) - The applicant submitted a Functional Servicing Report, dated Apr. 17, 2023 and a Storm Water Management report dated Mar. 22, 2023. Both reports were prepared by D.C. McCloskey Engineering Ltd. McCloskey Engineering advised that the site has the capacity to detain the runoff from the minor and major storm events while maintaining a

maximum release rate of 8L/s. McCloskey Engineering also states that the storm water design proposed for this development meets the requirements of the Windsor-Essex Storm Water Management Manual and the City of Windsor Storm Sewer and Storm Water Management Guidelines without adversely affecting the adjacent properties. The recommended amendment is deemed consistent with policy 1.6.6.7(f) of the PPS.

In summary, the above planning analysis demonstrates that the recommended zoning by-law amendment is consistent with relevant Policies of PPS 2020.

It should also be noted that the applicant's professional Planner (Pillon Abbs Inc.) prepared a Planning Rationale Report dated Mar. 22, 2023, to support, explain and justify the subject zoning by-law amendment. The applicant's Planning Rationale Report also concludes that the subject zoning by-law amendment is consistent with the relevant Policies of the PPS.

2. OFFICIAL PLAN:

Land Use Designation: Mixed Use Node on Schedule D: Land Use Schedule, OP Vol. 1, and more specifically, Schedule D-1 to OPA 159.

OPA 159 changed the text "Mixed Use" in the Primary Plan (OP Vol.1) to "Mixed Use Node".

"Residential intensification shall be directed to the Mixed Use Nodes and areas generally within 200 metres of those Nodes. Within these areas mid-profile buildings, up to 4 storeys in height shall be permitted. These taller buildings shall be designed to provide a transition in height and massing from low-profile areas." (*new s.6.3.2.4, OP Vol. 1, approved by OPA 159*).

The proposed development is residential intensification within a 4-storey building. Lands adjacent to the subject site are in the area where mid-profile buildings of up to 4 storeys in height are permitted. The Zoning District Map on page 4 of this report shows the lands immediately abutting the subject site are zoned Commercial District 2.1, which permits a maximum building height of 14m and, as such, can accommodate building up to 4 storeys in height. Therefore, the lands immediately abutting the subject site are not in the "low-profile areas". The closest low-profile areas are further away from the subject site. Based on the analysis, requirement for transition in height and massing is not necessary in this report.

The lands designated as "Mixed Use Nodes" on Schedule D: Land Use provide the main locations for compact clusters of commercial, office, institutional, open space and residential uses. (*new s.6.9, OP Vol. 1, approved by OPA159*).

Permitted Uses (6.9.2.1, OP Vol. 1): Uses permitted in the Mixed Use Nodes land use designation include retail and service commercial establishments, offices, cultural, recreational and entertainment uses, and institutional, open space and residential uses, exclusive of small scale Low Profile residential development.

Locational Criteria (*new s.6.9.2.3, OP Vol. 1, approved by OPA 159*) is satisfied. The recommended zoning by-law amendment will promote the location of a Mixed Use Node development where

- there are Class II Arterial Roads (Cabana Rd. E. and Howard Avenue),
- full municipal physical services and public transportation service are available and can be provided, and
- the surrounding development pattern is compatible with the proposed Mixed Use Node development.

Evaluation Criteria (s.6.9.2.4, OP Vol. I) is satisfied. The proponent has, in their Planning Rationale Report and Parking Study demonstrated that the proposed development satisfies the evaluation criteria in s.6.9.2.4.

Design Guidelines (s.6.9.2.5, as amended by OPA159) is satisfied. The proponent has, in their Planning Rationale Report and Parking Study demonstrated that the proposed development can be designed to satisfy s.6.9.2.5. The OP, in the s.6.9.2.5(b) stipulates that “building should not exceed 4 storeys in height”. The proposed development is 4-storeys in height. The OP, in the s.6.9.2.5(c) stipulates that, “at least, one building wall should be located on an exterior lot line and oriented to the street to afford direct sidewalk pedestrian access from the public right-of-way”. The proposed design concept satisfies this policy. This planning report also includes a zoning provision to ensure implementation of the said policy.

The proposed Mixed Use Node development is subject to **Site Plan Control**; therefore, s.6.9.2.6 is satisfied.

Section 6.9.2.7 – **Reduced Parking Requirement**, OP Vol. 1, is satisfied by the recommended parking reduction in this report. This zoning by-law amendment will facilitate a transit supportive development.

Zoning By-law Amendment Evaluation Criteria - s.11.6.3.3, OP Vol. I. is satisfied.

As noted already in this report, this amendment is consistent with the relevant policies of the PPS. This amendment maintains conformity with the relevant policies of the Official Plan as discussed above. The Planning department received required support studies for the requested zoning by-law amendment and considered those studies in the preparation of this report. The requirements, comments and recommendations from municipal departments and circularized agencies were considered. The recommended zoning by-law amendment promotes opportunity for residential infill and intensification, which will create a compact form of mixed use development and ensure continuation of an orderly development pattern in the subject area. The amendment will provide additional housing opportunities/accommodation in the area without negatively impacting the adjacent properties. Therefore, the criteria in s.11.6.3.3, OP Vol. I is satisfied.

3. ZONING

The subject land is zoned Commercial District 2.1 (CD2.1) by City of Windsor Zoning By-law 8600. The CD2.1 zoning district does not permit residential developments. Therefore, the applicant is requesting a zoning change from CD2.1 to CD2.2 to permit residential development in a combined use building. The CD2.1 and CD2.2 zoning categories have the same maximum building height requirement of 14m, which can accommodate a 4-storey building. The proposed development is expected to comply with all applicable zoning by-law provisions, except minimum required on-site parking.

Parking requirement for the proposed development is as follows:

Dwelling units in a combined use building

- | | |
|--|--|
| - Containing a maximum of 4 dwelling units | 1 parking space for each dwelling unit |
| - Containing a minimum of 5 dwelling units | 1.25 parking spaces for each dwelling unit |

The proponent provided a Parking Study dated March 2, 2023, prepared by R.C. Spencer Associates Inc. The study makes reference to the fact that on-street parking is not allowed on Cabana Rd East nor on Howard Avenue within the subject area. The R. C. Spencer Traffic engineers, in their report state “any deficiency in on-site parking could be compensated by increasing resident reliance on transit use and / or active transportation modes”. The engineers’

opinion, in the Parking Study, is that the proposed on-site parking supply of 20 spaces will adequately accommodate the anticipated peak parking demand generated by the proposed 18-unit mid-rise residential development and office area.

Therefore, based on the engineer's professional opinion in the Parking Study, the availability of several services/amenities in the area, and the availability of public transit and active transportation in the subject area, the applicant's request for parking reduction is supported subject to the following:

- Minimum required Parking for the residential units shall be provided at a ratio of 1 parking space per dwelling unit; and
- Minimum required parking for the business office use shall be in compliance with section 24.20.5 of By-law 8600.

The applicant's concept plans show 1450 sq. ft. / 134.7 sq. m. of office use, 18 dwelling units, 20 parking spaces and 1 loading space; details are as follows:

- Basement Floor – storage (approx. 314 sq. ft. / 29.2 sq. m.), and mechanical & electrical rooms
- Main Floor – Business Office (approx. 526.6 sq. ft. / 48.9 sq. m.), 20 parking spaces and 1 loading space;
- Second Floor - Business Office (approx. 602sq. ft. / 56 sq. m.) and 6 dwelling units;
- Third Floor – 6 dwelling units and patio area; and
- Fourth Floor – 6 dwelling units

Section 15.2.5.15 of By-law 8600 states, "*For a Combined Use Building, all dwelling units, not including entrances thereto, shall be located above the non-residential uses.*" The proposed development shows an office space on the main floor and second floor. However, there are dwelling units located alongside the second-floor office space. To eliminate possible interpretation problems with respect to s.15.2.5.15, and facilitate the proposed mixed use (residential and office uses) on the second floor, this report includes the following:

"Notwithstanding the provision in section 15.2.5.15, for a *Combined Use Building*, dwelling units can also be located alongside a *Business Office*, provided that the *Business Office* shall not be located above a *dwelling unit*."

Conformity with s.6.9.2.5(c) - "*at least, one building wall shall be located on an exterior lot line and oriented to the street*": To implement the OP policy in s.6.9.2.5 (c), this report includes the following sit-specific provision: "Any building erected shall have, at least, one building wall located on an *exterior lot line* and oriented to the *street*".

Based on the above analysis of the relevant policies and objectives of the OP, together with the above zoning analysis, I am of the opinion that the recommended zoning by-law amendment maintains conformity with the Official Plan.

DRAFT BY-LAW: A draft by-law is attached as **Appendix G** to this report. The Planning Act, in subsection 24(1) requires that no by-law shall be passed for any purpose that does not conform with the Official Plan. As noted already in this report, the recommended amendment maintains conformity with the OP; therefore, the draft by-law can be passed at the appropriate time.

4. SITE PLAN

The recommended amendment will facilitate a development proposal that is subject to Site Plan Control pursuant to the Planning Act and City of Windsor By-law 1-2004. Therefore, Site Plan Approval and Execution of a Site Plan Agreement are required.

The applicant/developer may submit a request for Site Plan Control Pre-Consultation at <https://ca.cloudpermit.com/login>, following completion of the required public meeting of the Development and Heritage Standing Committee.

The following issues, found in the recommendations contained in the Studies submitted by the applicant, along with comments received from municipal departments and external agencies, are best addressed at the time of Site Plan Approval. These requirements, along with other conditions, will be more fittingly included in the Site Plan Agreement:

- a) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
- b) Parkland dedication (cash-in-lieu) - 5% for residential use and 2% for commercial per By-law 12780;
- c) Adequate clearance from existing ENWIN's pole lines and power lines;
- d) Canada Post multi-unit policy; and
- e) Record of Site Condition.

To address the sightline issue raised by the City's Transportation Planner, the option of relocating the driveway further south should be explored at the time of Site Plan review and approval.

5. BUILDING PERMIT

Section 8.(1) of the Building Code Act requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The applicant/developer is advised to contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

Risk Analysis: See Climate Change risk analysis below.

Climate Change Risks

Climate Change Mitigation:

Residential intensification minimizes the impact on the community greenhouse gas emissions. Development within existing communities and neighbourhoods use available infrastructure such as sewers, sidewalks, and public transit and, therefore, help to mitigate development impact. The proposed residential intensification on the subject land will encourage the use of existing and planned transit and active transportation in the neighbourhood, which will help to minimize the City's carbon footprint.

Climate Change Adaptation:

The proposed construction of a new combined use building containing residential units and a business office, provides opportunity to increase resiliency for the development and surrounding area. Implementation of the approved stormwater management measures and lot-grading plan for this proposed development will enhance the city's preparedness for climate change impact in the subject area.

In addition to the above, the applicant's Energy Strategy Report shows that the physical design characteristics of the proposed building were evaluated for the near zero emissions design. The results show *"an overall reduction of 90.5% in CO₂ emissions."*

Financial Matters: N/A

Consultations:

1. DEPARTMENT AND AGENCIES

Attached as **Appendix F**, to this report, are comments from the municipal departments and external agencies. There are no objections to the proposed amendment. However, there are conditions for approval of the rezoning as noted in the municipal and agency comments in Appendix F. Summarized below are some of the conditions of approval.

Sanitary 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 system, satisfactory in content to the City Engineer, and prior to the issuance of a construction permit. The study shall analyze the sanitary flow from the proposed development and recommend mitigation measures and implementation of those measures.

Note: the applicant's Functional Servicing Report dated April 17, 2023, indicates that municipal sanitary sewer in the subject area has adequate capacity for the ultimate flow of .96 L/s.

Parkland dedication – This requirement will be addressed at the time of Site Plan Control application stage and will be included in the site plan agreement.

Sightline - Since the recommended intersection sight distance for a right turn from stop condition cannot be met, the option of relocating the driveway further south should be explored at the time of Site Plan Control.

ENWIN Ltd. Requires adequate clearance from existing power lines west and south of subject property.

2. PUBLIC NOTICE

The City will advertise the official notice in the Windsor Star Newspaper as prescribed by the Planning Act. In addition, the City will mail courtesy notice to all properties within 120m (400 feet) of the subject parcel, prior to the Development & Heritage Standing Committee (DHSC) meeting.

Conclusion and Planner's Opinion:

This report addresses the applicant's request for zoning by-law amendment to change the zoning of the subject land from CD2.1 to CD2.2 to facilitate the construction of a 4-storey combined use building containing 18 dwelling units and a business office use on the subject land. The report further addresses the applicant's concurrent request for a site-specific provision to allow a reduction in the required minimum number of parking spaces for the subject development.

Note that (i) the relevant policies/provisions of the Planning Act, the Provincial Policy Statement 2020, the City of Windsor Official Plan and the Zoning By-law 8600, (ii) the comments received from municipal departments and external agencies, and (iii) the information found in the required supporting documents, including the Planning Rationale Report prepared by Pillon Abbs Inc., were all considered in the review of the applicant's request for the subject amendment.

Based on the analysis provided in this report, it is my professional planning opinion that the recommended amendment is consistent with the relevant policies of PPS 2020 and conforms with the City of Windsor Official Plan. The amendment is good planning.

A decision to approve this zoning by-law amendment is consistent with the PPS 2020.

Planning Act Matters:

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

Justina Nwaesei, MCIP, RPP
Acting Manager of Planning Policy/
Deputy City Planner

Greg Atkinson, MCIP, RPP
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Justina Nwaesei, MCIP, RPP	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson, MCIP, RPP	Acting City Planner
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

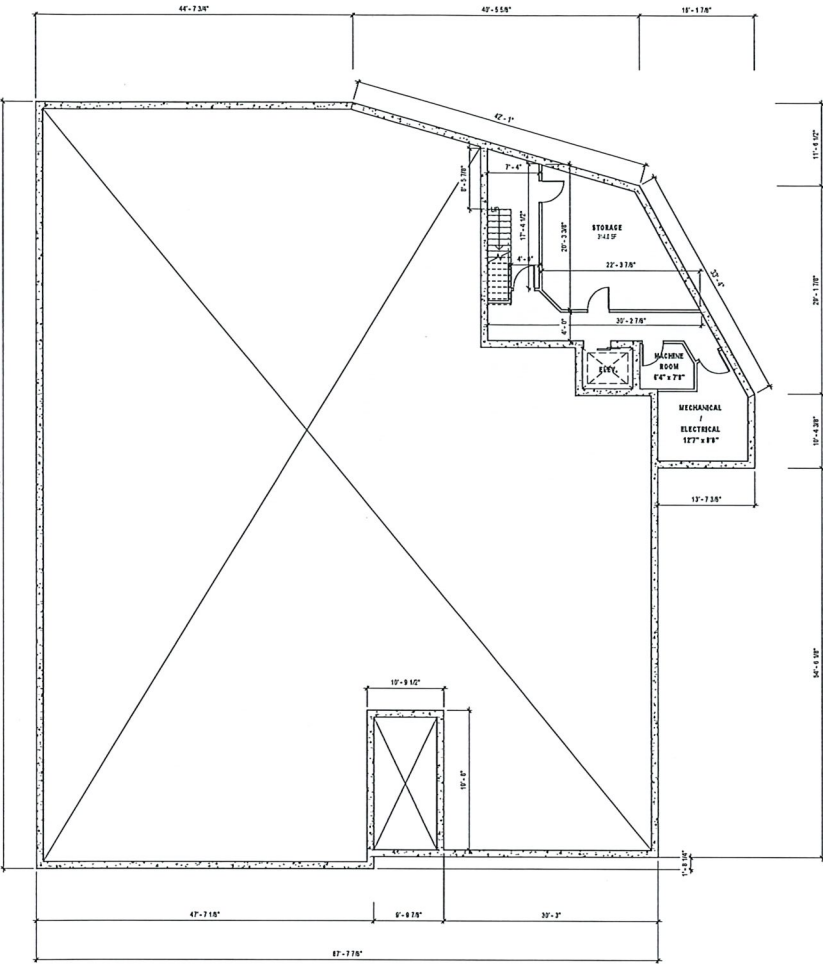
Notifications:

Name	Address	Email
Abutting property owners, tenants/ occupants within 120 meter (400 feet) radius of the subject land		
Applicant: Dior Homes, c/o Rio Aiello	201-380 Pelissier Street , Unit A, Windsor Ontario, N9A 6W8	build@diorhomes.ca
Registered Owner: Capital Plus Real Estate Corp, c/o Doreen Aiello	201-380 Pelissier Street , Unit A, Windsor Ontario, N9A 6W8	build@diorhomes.ca
Agent: Architecttura Inc. Architects, c/o Dan Soleski	180 Eugenie Street West, Windsor, Ontario, N8X 2X6	dsoleski@architectuttura.com
Councillor Kieran McKenzie	350 City Hall Square West - Suite 510, Windsor, ON, N9A 6S1	kmckenzie@citywindsor.ca

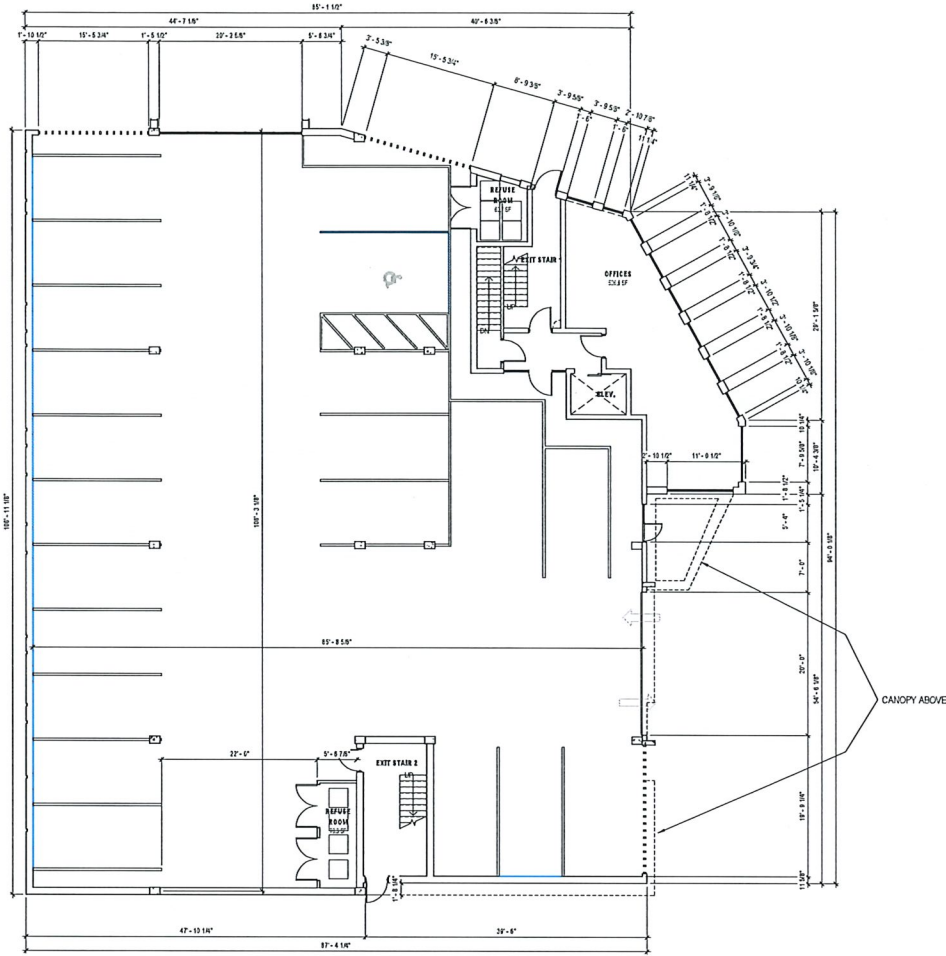
Appendices:

- 1 Appendix A – Concept Site Plan
- 2 Appendix B – Concept Floor Plans
- 3 Appendix C – Building Elevations
- 4 Appendix D – Renderings
- 5 Appendix E - Site Photos
- 6 Appendix F – Consultations (comments from Municipal departments & external Agencies)
- 7 Appendix G - Draft By-law for Z-040/22

APPENDIX B - Concept Floor Plans



2 FOUNDATION PLAN DIMS
SCALE: 1/8" = 1'-0"



1 1ST FLOOR DIMS
SCALE: 1/8" = 1'-0"



The drawing is to be used for information only. It is not to be used for construction without the approval of the Project Engineer.

Issued For: (signature)

Date:

Revision Schedule
Description

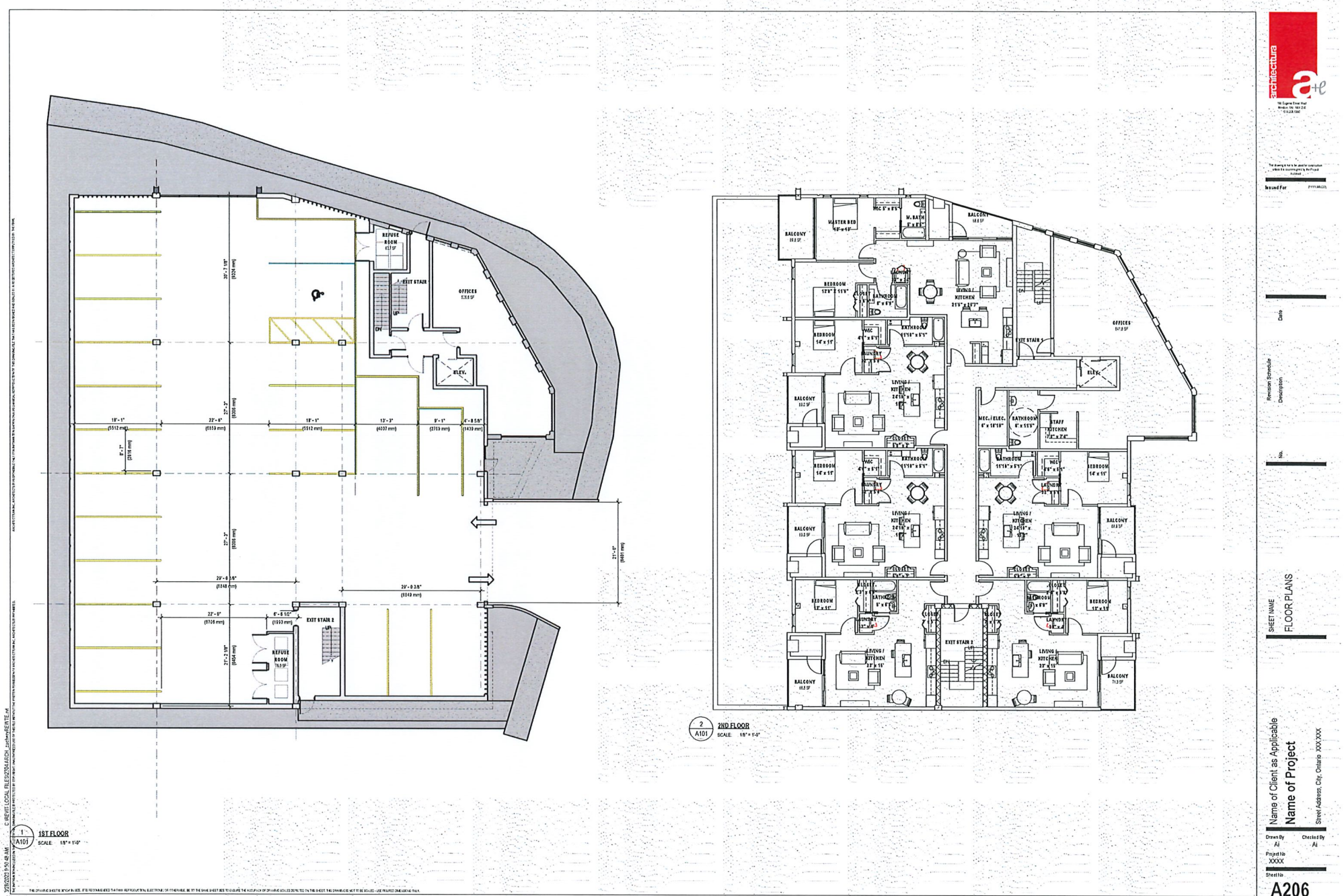
No.

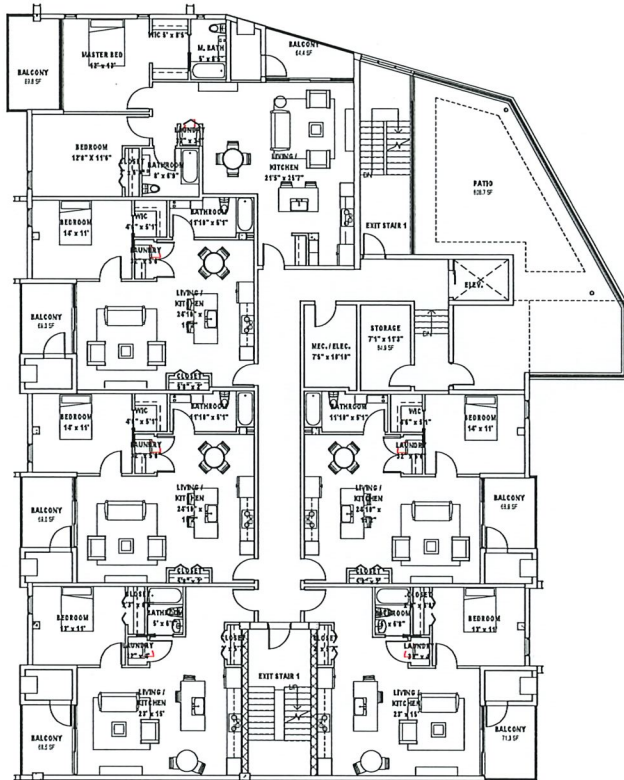
SHEET NAME
FLOOR PLANS DIMS

Name of Client as Applicable
Name of Project
Street Address, City, Ontario XXX XXX

Drawn By: AJ
Checked By: AJ
Project No: XXXXX
Sheet No:

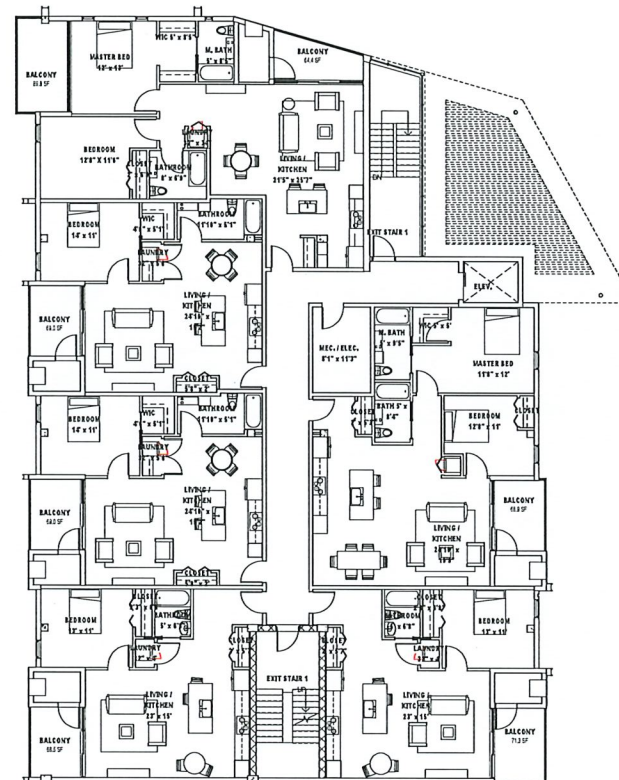
A202





1
A101

3RD FLOOR
SCALE 1/8" = 1'-0"



2
A101

4TH FLOOR
SCALE: 1/8" = 1'-0"

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 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS THE PROPERTY OF THE U.S. GOVERNMENT AND IS LOANED TO YOUR AGENCY; IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.



16 Eugene Street
Boston, MA 02114
(617) 267-5300

Issued For <http://www.scribd.com>

Date _____

Revision Schedule	Description
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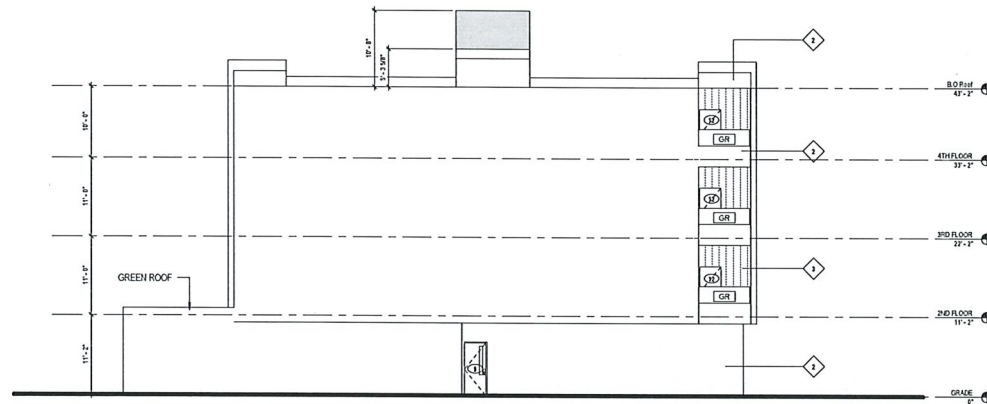
SHEET NAME
EXTERIOR ELEVATIONS

Name of Client as Applicable
Name of Project
Street Address, City, Ontario XXX XXX

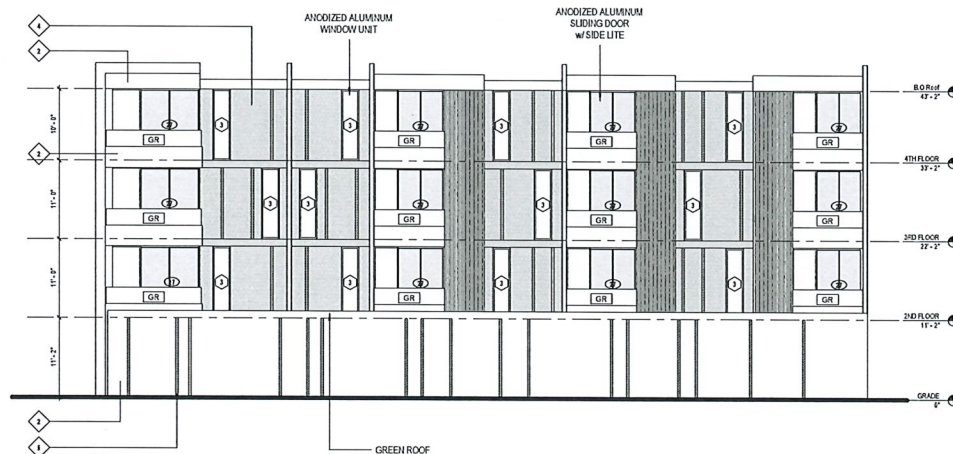
Drawn By
AJ
Project No
XXXX
Sheet No

A401

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 THE DRAWING SHEETS WERE PLACED FOR THE ARCHITECT'S RECORD. IT IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT'S RECORD IS THE ONLY SET OF DRAWINGS TO BE USED FOR CONSTRUCTION. THE ARCHITECT'S RECORD IS THE ONLY SET OF DRAWINGS TO BE USED FOR CONSTRUCTION. THE ARCHITECT'S RECORD IS THE ONLY SET OF DRAWINGS TO BE USED FOR CONSTRUCTION.



1 SOUTH
 SCALE: 1/8" = 1'-0"



2 WEST
 SCALE: 1/8" = 1'-0"

MATERIALS	
NUMBER	MATERIAL
1	FIBER CEMENT PANEL DARK GREY
2	STUCCO, WHITE
3	NEWTech COMPOSITE WOOD PANEL
4	STUCCO, GREY
5	WALL GROOVE, -5cm DEPTH
GR	GLASS RAILING



The drawing is to be used for construction
 unless the architect has approved
 otherwise.

Drawn for: [blank]

Date:

Revision Schedule
 Description

No.

SHEET NAME
 EXTERIOR ELEVATIONS

Name of Client as Applicable
 Name of Project
 Street Address, City, Ontario XXX XXX

Drawn By: AJ Checked By: AJ
 Project No: XXXXX
 Sheet No:

A402

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APPENDIX D - Renderings



The design is to be used for information only. It is not to be used for construction.

Head For

Date

Revision Schedule
Description

No.

SHEET NAME
RENDERINGS

Name of Client as Applicable
Name of Project
Street Address, City, Ontario XXX XXX

Drawn By
AI
Project No
XXXX
Sheet No

Checked By
AI

B001



Views of Subject vacant land and abutting buildings south and west



View of subject vacant land and surrounding buildings, looking south from Cabana Road



Views of north side of abutting commercial building next south of the subject land



Looking south, single unit dwellings S/E of subject land



Commercial Plaza, east of subject land



More views of commercial plaza and uses east of the subject land



View of N/W corner of Howard & Cabana



View of N/E corner of Howard & Cabana



Combined use building on Howard, near subject land



View of single unit dwellings on Howard Ave.,
across from the combined use building



View of Cabana Rd E., looking west from Cabana & Howard intersection



Commercial uses next west of the subject land

Day care further west of the subject land



View of commercial plaza/uses (Leblanc Centre) and 4-storey combined use building north of subject land



Casa Cabana Plaza and more view of 4-storey combined use building looking northwest of subject land



View of Armandos restaurant and SUDs further N/W of subject land, looking towards Dougall Ave.

APPENDIX F - CONSULTATIONS

(Comments from Municipal Departments & External Agencies)

Assessment Management Officer - Jose Mejalli

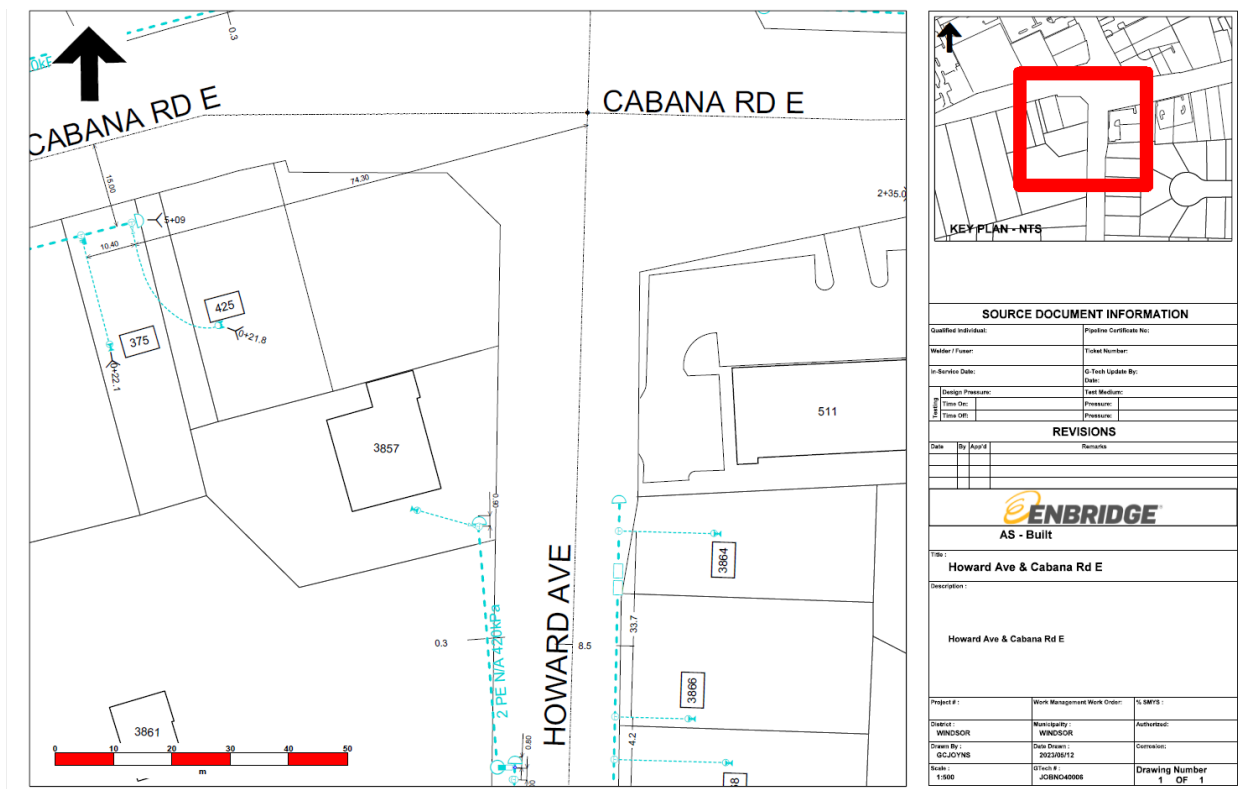
No objection to the zoning amendment from CD2.1 to CD2.2 to allow residential and commercial uses within a proposed combined use building on the subject land.

Enbridge – Gord Joynson

After reviewing the provided drawing at Howard Ave & Cabana Rd E. 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



Transit Windsor – Jason Scott

Transit Windsor has no objections to this development. The closest existing transit routes to this property are the Dougall 6 & South Windsor 7. The closest existing bus stop is directly adjacent to this property on Cabana at Howard Southwest Corner providing direct transit access. This will be maintained with our City Council approved Transit Master Plan. If the bus stop on Cabana at Howard Southwest Corner needs to be temporarily closed due to construction, Transit Windsor requires a minimum of 2 weeks notice. If the bus stop needs to temporarily be closed for more than 2 weeks in duration, the property owner will be responsible for the costs of the signage required to inform passengers on where to go to get on and off the bus. Transit Windsor is pleased to see the building along the road front as this helps to promote active transportation, such as transit, by reducing the walking distance required to get on the bus and not have to walk through a parking lot.

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.

Lock-Box Assembly Requirements

The complete Canada Post Standards Manual for Builders & Developers can be downloaded at: https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Compartment Size

- Horizontal lock-box models used in mailrooms must have the following minimums:
 - o Residential compartments must be at least 12.5 x 13.5 cm
 - o Commercial compartments at least 13.5 x 30.5 cm
 - o Parcel compartments at least 30.5 x 30.5 cm
- Vertical lock-box models must have min comp size of 25 x 12.5 cm. (Most models are 40 x 12.7 cm)

Heights

- All lock-box assemblies must be installed in a manner that will not require the delivery employee to reach higher than 170cm or lower than 45cm when delivering to the equipment. With respect to horizontal lock-boxes, the limits above will likely mean that maximum number of compartments that can be included in each column of residential compartments would be eight

Rear-loading Lock-boxes

- Projects with more than 100 units are required to be serviced via a rear-loading lock-box assembly.
- There must be a width of at least 100cm of working space from the back of the boxes to the wall.
- A ledge under the bottom row of boxes is also recommended in rear-loading designs. This ledge is to be directly under the bottom row of boxes (no space between ledge and bottom of boxes) and must stick out at least 20cm from the back of the boxes.
- Mailroom door is required to provide a minimum 81cm opening
- Lighting should be at least 100 lux (measured 75 cm from floor)

Access

- All buildings where the lock-boxes are required to be serviced from inside the building are required to install a Canada Post Crown lock in the building intercom. The intercom is pre-fabricated with an internal housing for the lock. The lock can be obtained from the local deliver supervisor.
- If the building has more than 100 units, a rear-loading lock-box assembly will be installed. The door to the Canada Post delivery area must be fitted with a specific model of deadbolt. This is because Canada Post will supply a key cylinder made specifically for the Canada Post key that will fit inside the deadbolt purchased by the developer.

Numbering

- Compartments should be numbered vertically and left to right on the delivery side of the boxes

Grade-level Components

- If the development includes grade level retail or residential units, please take note that door-to-door delivery will not be provided to these units. Canada Post is happy to install a Community Mailbox to provide service to these units. Please coordinate a location with the Canada Post Delivery Planner for the area. If there is no room on the property for the Community Mailbox, service can be provided via another Community Mailbox in the area. Options to service the units from the tower (lobby) lock-boxes or via a front-loading lock box erected on the outside of the building can also be discussed with the Delivery Planner.

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>.

ENWIN

HYDRO ENGINEERING:

No Objection, with respect to the following:

Please note that ENWIN has existing 120/240 volt secondary hydro distribution crossing the West side of the development property and proposed development, servicing the adjacent address at 3857 Howard Ave.

ENWIN also has a 120/240 volt secondary hydro service South of the property for the billboard South-East of the development.

Additionally, please note there is a City of Windsor streetlight pole located on the East side of the development property with a 120/240 volt secondary hydro service crossing Howard Ave.

The customer will burden any costs associated with the relocation of existing plant conflicting with the development. Depending on the relocation requirements, the customer would be responsible for coordinating with the adjacent property owner for any re-work needed if an overhead service to their existing service mast is not feasible. The same applies to the billboard owner for its service.

Please refer to the Ontario Building Code for adequate clearance requirements. Also, we recommend referring to the Occupational Health & Safety Act for the minimum safe limits of approach during construction.

Sketch attached for reference only:

as per AS-204, raised curbs are not permitted within the right-of-way. Driveway to be constructed as per BP2.1.1 and AS-204. Proposed driveway on Howard Ave should be 35 meters from the crossroad (Cabana Rd E), as a guideline. It is recommended that the distance from the driveway to the crossroad be maximized as much as possible.

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

Sanitary 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 system, satisfactory in content to the City Engineer and prior to the issuance of a construction permit. The study shall analyze the sanitary flow from the proposed development and recommend mitigation measures and implementation of those measures.

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

Landscape Architect – Sherif Barsom

No Objections or comments from Parks D&D.

Landscape & Urban Design – Stefan Fediuk

Pursuant to the application for a zoning amendment (**Z 040/22**) to permit a 4-storey mixed use building with 18 dwelling units and a business office on the subject with reduced parking, please note no objections. Please also note the following comments:

Zoning Provisions for Parking Setback:

There are no provisions for parking setbacks for landscaping in the proposed zoning.

The applicant is to be aware that there is an existing billboard on the abutting property immediately south, which appears to be encroaching onto the subject lands. This billboard as situated currently will impact the southeastern most dwelling units.

Tree Preservation:

N/A

Climate Change:

The application is addressing climate change adaptation through a canopy over the common area to provide thermal comfort.

Urban Design:

The applicant is to be commended for proposing a development that has considered interesting materials for the facade treatment. These materials and their details will help to enhance the corner and establish a sense of space.

Parkland Dedication:

There are no parkland implications beyond the usual requirement for cash-in-lieu of 5% parkland dedication for residential and 2% for commercial. Detailed landscape requirements will be provided at the time of site plan review.

Transportation Planning = Clare Amicarelli

- The Official Plan classifies Howard Ave as a Class 2 Arterial with a required right-of-way width of 32 metres per Schedule X. The current right-of-way width is not sufficient; however, a land conveyance is not required per the Howard Avenue Environmental Assessment (EA).
- The Official Plan classifies Cabana Rd E as a Class 2 Arterial with a required right-of-way width of 32 metres per Schedule X. The current right-of-way width is not sufficient; however, a land conveyance is not required per the Cabana Road Environmental Assessment (EA).
- Transportation Planning has reviewed the Parking Study/Sight Line Analysis titled, "3841-3847 Howard Avenue Windsor ON" conducted by RC Spencer Associates in March 2023. Transportation Planning has the following comments:
 - As stated in the study, the peak parking demands for the mid-rise residential building and the office space, are different. Transportation Planning suggests the shared use of visitor and commercial spaces, in order to accommodate the peak demands for each use.
 - As stated in the Sight Line Analysis, there is approximately 86 metres of available sight distance for egress from the proposed site access, which is 22m short of the recommended distance for a right turn from stop condition. The TAC estimates stopping sight distance to be approximately 85m. Since the recommended intersection sight distance for a right turn from stop condition cannot be met, it is recommended that the option of relocating the driveway further south be explored.
 - Type A accessible spaces must meet the minimum width of 3.5 metres

- 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.
 - Curved flares not permitted
 - Raised curbs not permitted within the right-of-way
 - Driveway proposed must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane) unless proper justification can be provided.
 - Driveway proposed on Howard Ave should be 35 metres from the crossroad (Cabana Rd E), as a guideline. It is recommended that the distance from the driveway to the crossroad be maximized as much as practical.

APPENDIX G – DRAFT BY-LAW AMENDMENT

B Y - L A W N U M B E R -2023
A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600
CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"

Passed the day of , 2023.

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

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

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol	6. New Zoning Symbol
1	9	Pt of Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], located on the southwest corner of Howard Avenue and Cabana Road East	-	CD2.1	CD2.2

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

“481” SOUTHWEST CORNER OF HOWARD AVENUE AND CABANA ROAD EAST

For the lands comprising Part Lot 6, Concession 4, being PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], the following shall apply to a Combined Use Building:

- a) The provisions in section 15.2.5;
- b) Notwithstanding the provision in section 15.2.5.15, for a Combined Use Building, dwelling units can also be located alongside a Business Office, provided that the Business Office shall not be located above a dwelling unit;
- c) Any building erected shall have, at least, one building wall located on an exterior lot line and oriented to the street; and
- d) Parking - per Dwelling Unit – minimum 1 parking space per dwelling unit [ZDM 9; ZNG 6903]”

3. The said by-law is further amended by changing the Zoning District Maps or parts thereof referred to in Column 2, of said by-law and made part thereof, so that the lands described in Column 3 are delineated by a broken line and further identified by the zoning symbol shown in Column 5:

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	9	Pt of Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], located on the southwest corner of Howard Avenue and Cabana Road East	-	S.20(1)481

DREW DILKENS, MAYOR

CLERK

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

SCHEDULE 2

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

To amend the zoning of the land located on the southwest corner of Howard Avenue and Cabana Road East, described as Pt Lot 6, Concession 4, designated as PARTS 22, 23, and 24 on Plan 12R-22126, [PIN 01290 0213 LT], so as to permit the development of a 4-storey combined use building with 18 dwelling units and a Business Office on the subject land.

The current CD2.1 zoning of the subject land will change to CD2.2 with site-specific zoning provision permitting reduction in required on-site parking spaces. This amending by-law will facilitate the development of an underutilized parcel situated in a prominent location within the subject neighbourhood. This amending by-law will also enhance the use of public transit and existing active transportation in the subject area.

2. Key map showing the location of the lands to which By-law _____ applies.

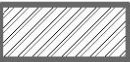


PART OF ZONING DISTRICT MAP 9

N.T.S.

SCHEDULE 2

APPLICANT: DIOR HOMES



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : MAY 2023
FILE NO. : Z-040/22, ZNG-6903



Subject: Rezoning – 5050542 Ontario Inc. – 3623, 3631 & 3637 Howard Avenue – Z-003/23 ZNG/6949 - Ward 9

Reference:

Date to Council: August 1, 2023
 Author: Adam Szymczak, MCIP, RPP
 Senior Planner
 519-255-6543 x6250
 aszymczak@citywindsor.ca
 Planning & Building Services
 Report Date: July 13, 2023
 Clerk's File #: Z/14539

To: Mayor and Members of City Council

Recommendation:

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431, situated on the west side of Howard Avenue, south of Maguire Street, known municipally as 3623, 3631 & 3637 Howard Avenue (Roll No.: 080-033-00100, 080-033-00200, 080-033-00300) from Residential District 1.1 (RD1.1 and HRD1.1) to Residential District 2.2 (RD2.2) and by adding a site specific exception as follows:

482. WEST SIDE OF HOWARD AVENUE, SOUTH OF MAGUIRE STREET

For the lands comprising Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13, Registered Plan 1431:

1. *A Double Duplex Dwelling, Duplex Dwelling, Semi-detached Dwelling, or Multiple Dwelling* shall be additional permitted *main uses*;
2. The additional permitted *main uses* shall be subject to the provisions of Section 11.2.5.4, except that:
 - a) the *front lot line* shall be the longest *exterior lot line*;
 - b) the minimum *lot area* shall be 135.0 m² per *dwelling unit*;
 - c) for any *building* located within 58 m of the westerly *lot line*, the minimum *side yard width* as measured from the northerly *lot line* shall be 1.50 m.
3. For any additional permitted use, the following additional provisions shall apply:
 - a) Parking Area Separation from any *building* wall without a *garage* - minimum 0.90 m
 - b) Parking Area Separation from any *building* wall with a *garage* - minimum 0.0 m
 - c) Loading Spaces – minimum 0

- d) A minimum of four parking spaces shall be marked as visitor parking.
[ZDM 8; ZNG/6949]
- 2. THAT the westerly 58 metres of the subject parcel **BE SUBJECT** to a Holding Symbol and that the Holding Symbol **BE REMOVED** when:
 - a) The Owner has submitted an application to remove the holding symbol, including the fee; and,
 - b) When the following conditions have been satisfied:
 - 1) Adoption of a Guideline Plan for the area generally bounded by Howard Avenue, Cabana Road East, Inglewood Avenue/Whiteside Drive, and Kenilworth Park, by Council Resolution.
- 3. THAT the Site Plan Approval Officer **BE DIRECTED**:
 - a) To incorporate the following into any site plan and site plan control agreement:
 - 1) Recommendations identified in the Traffic Impact Statement prepared RC Spencer Associates Inc. and dated April 2023, subject to any update and the approval of the City Engineer;
 - 2) Mitigation and protection measures identified in the Natural Heritage Evaluation and Tree Preservation Study prepared by Insight Environmental Solutions Inc. and dated December 22, 2022, subject to the approval of the City of Windsor Landscape Architect or the City Planner;
 - 3) Requirements of the City of Windsor - Engineering Department - Right-Of-Way Division in Appendix F to Report S 92/2023, subject to the approval of the City Engineer.
 - b) To review and consider the comments from municipal departments and external agencies in Appendix F to Report S 92/2023.

Executive Summary:

N/A

Background:**Application Information:**

Location: 3623, 3631 & 3637 Howard Avenue
West side of Howard Avenue, south of Maguire Street
Plan 1431 Lot 12, N Pt Lot 12, T/W & S/T ROW and S Pt Lot 13
Roll No.: 080-033-00100, 080-033-00200, 080-033-00300

Ward: 9 **Planning District:** South Windsor **Zoning District Map:** 8

Applicant: 5050542 ONTARIO INC. (Peter Vitti; Raplh Vitti)

Agent: Pillon Abbs Inc. (Tracey Pillon-Abbs, RPP)

Owner: Peter Vitti, Christina Vaciaros, Anna Vitti and Vitti Construction Ltd

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 changing the zoning of the subject lands from Residential 1.1 (RD1.1) and HRD1.1 to Residential District 2.2 (RD2.2) to allow a development consisting of 14 buildings (ten with 4 dwelling units and three with 8 dwelling units) for a total of 64 dwelling units. Building height is 8.0 m consisting of 2 storeys. A total of 4 bicycle parking spaces and 73 parking spaces (24 within attached garages and 49 in surface parking) including 2 accessible parking spaces are proposed. Vehicular access via a single private driveway to Howard Avenue is proposed. No access to Lochmoor Street to the east is proposed at this time.

The site plan, floor plans, and renderings are conceptual and subject to change. The proposed development is subject to site plan control. A Plan of Condominium application may be submitted in the future.

Submitted Material:

Attached to this report as an Appendix:

- Conceptual Site Plan Revised (2023 July 12) - See Appendix A
- Elevation Renderings (undated) – See Appendix B
- Floor Plans (2021 July) – See Appendix C
- Planning Rationale Report and Addendum (2023 July 13) – See Appendix D & E

Not attached to this report but available [online](#) or via [email](#):

- Conceptual Site Plan & Floor Plans – Original (2021 July)
- Endangered Species Act Screening SARS (2023 January 9)
- Natural Heritage Evaluation and Tree Preservation Study (2022 December 22)
- Rezoning Application Form (2023 January 10)
- Sanitary Sewer Study (2022 November 28)
- Storm Sewer Study (2022 November 28)
- Topographic Survey (2022 October 6)
- Traffic Impact Statement (2022 November) & Update (2023 April)
- Urban Design Brief (2022 December)

All documents are available online via the Current Development Applications [page](#) – click on [Z-003/23](#) or via email at aszymczak@citywindsor.ca

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 1.1 (RD1.1 / HRD1.1)	Dwellings	N/A
LOT FRONTAGE	LOT DEPTH	LOT AREA	LOT SHAPE
61.0 m	206.55 m	1.259 ha	Rectangular
200.1 ft	677.6 ft	3.111 ac	
All measurements are based on data provided by the applicant and are approximate.			

Neighbourhood Description and Amenities:

Section 2.0 in the Planning Rationale Report (PRR) provides a description of physical features of the site, municipal services, nearby amenities and surrounding land uses.

To the north, on both sides of Howard, are residential uses, a park and a small commercial plaza at the southwest corner of Howard and Kenilworth. Further north is a CN railway corridor and a larger commercial area dominated by Devonshire Mall. To the east are residential uses.

To the south, on both sides of Howard, are residential uses. Closer to Cabana Road, there are some newer medium profile residential uses consisting of 2 to 3 storey townhomes and apartment buildings. A commercial node with a range of uses is located at the intersection of Howard and Cabana. To the west is a low-profile residential neighbourhood.

Nearby significant uses include Devonshire Mall, a regional shopping centre, and the Roundhouse Centre, a complex with a range of commercial uses.

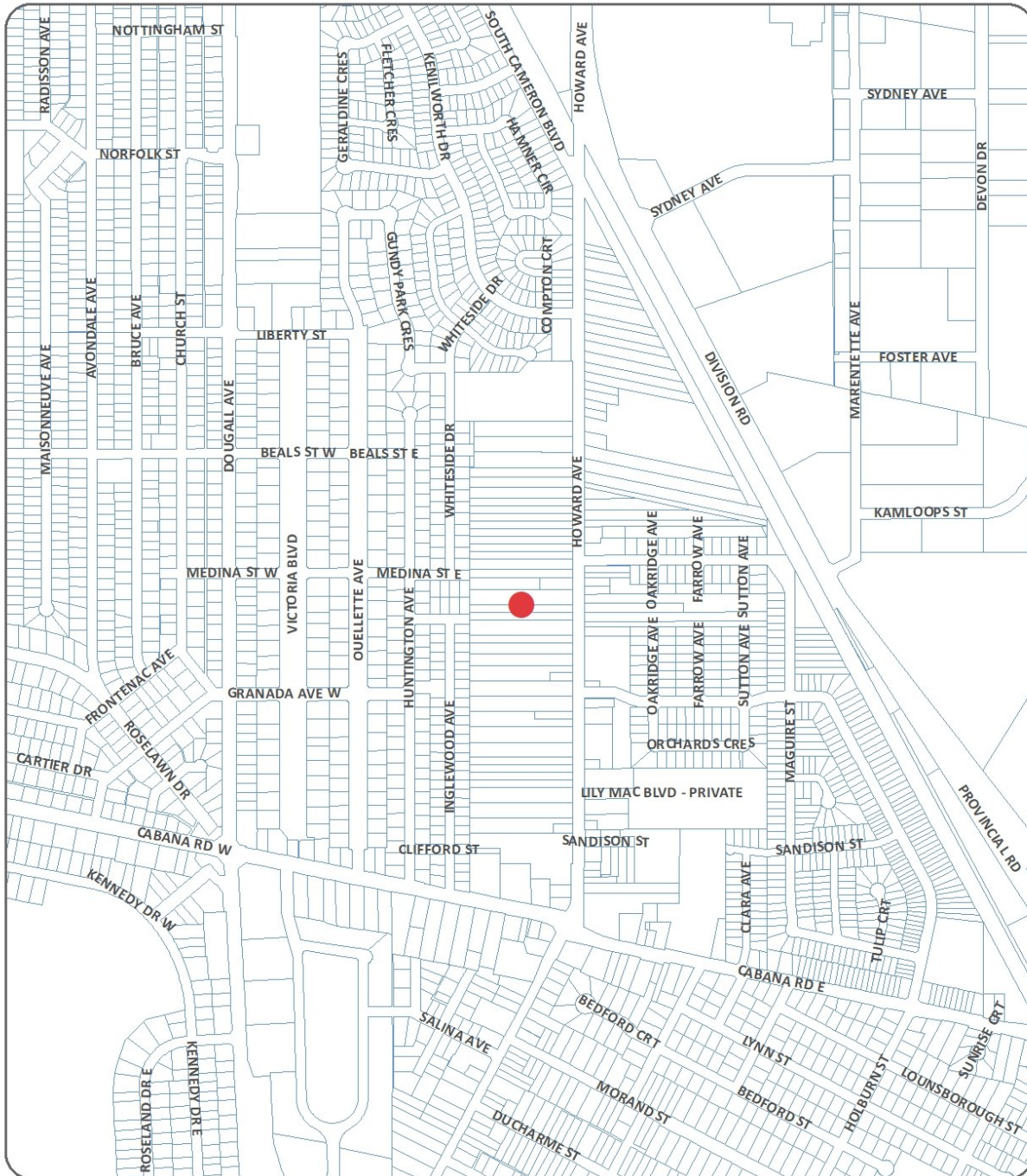
Kenilworth Park is located just over 400 m to the north between Whiteside Drive and Howard Avenue and consists of a natural area, playground equipment and some open space. The nearest school, Roseland Public School, is located just under 1 km to the southeast at 620 Cabana Road East. Four other elementary schools are within 2 km.

Howard Road is a Class II Arterial Road with a rural cross section consisting of two travel lanes and unpaved shoulders with a sidewalk on the east side. The EC Row Expressway, an east-west controlled-access highway, is accessible via Howard Avenue, just over 1.6 km to the north. Cabana Road to the south is an east-west Class II Arterial Road that has been upgraded to an urban cross-section with four vehicle lanes, bike lanes, sidewalks and curbs and gutters. Highway 401 is accessible via Howard Avenue and Dougall Parkway to the south.

Public transit is available via the South Windsor 7 bus. The closest stops are directly in front of the subject lands and at the northeast corner of Howard and Maguire. This will be maintained in the Council approved Transit Master Plan. Transit Windsor has no immediate or future plans on relocating the bus stop directly adjacent to this property. A transit hub is located at Devonshire Mall.

Existing water mains, storm sewers, sanitary sewers are available.

Figure 1: Key Map



KEY MAP - Z-003/23, ZNG-6949

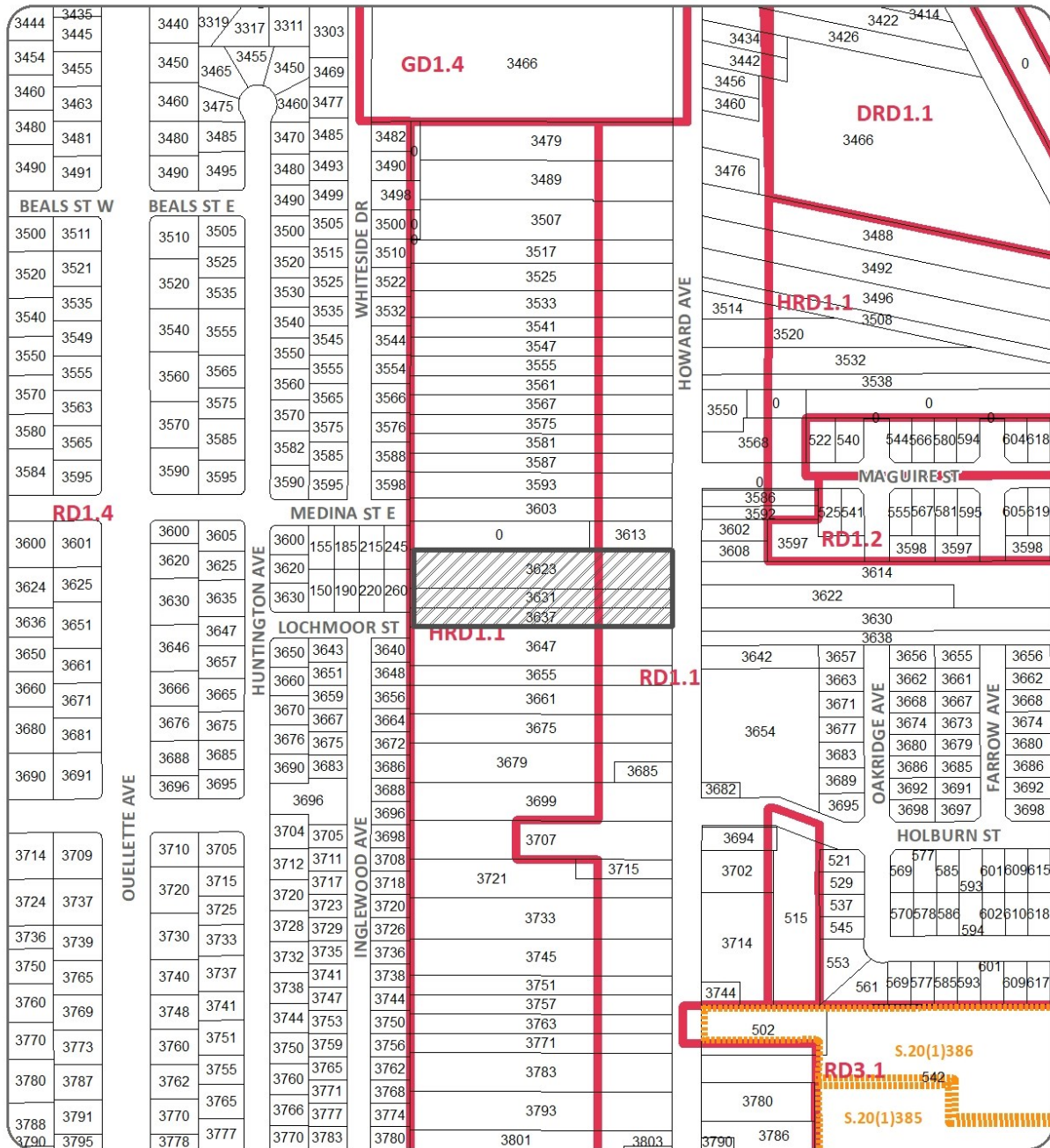
● SUBJECT LANDS

APPLICANT: 5050542 ONTARIO INC.

ADDRESS: 3623, 3631, 3637 HOWARD AVENUE



Figure 2: Subject Parcel - Rezoning

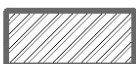


PART OF ZONING DISTRICT MAP 8

N.T.S.

REZONING

APPLICANT: 5050542 ONTARIO INC.



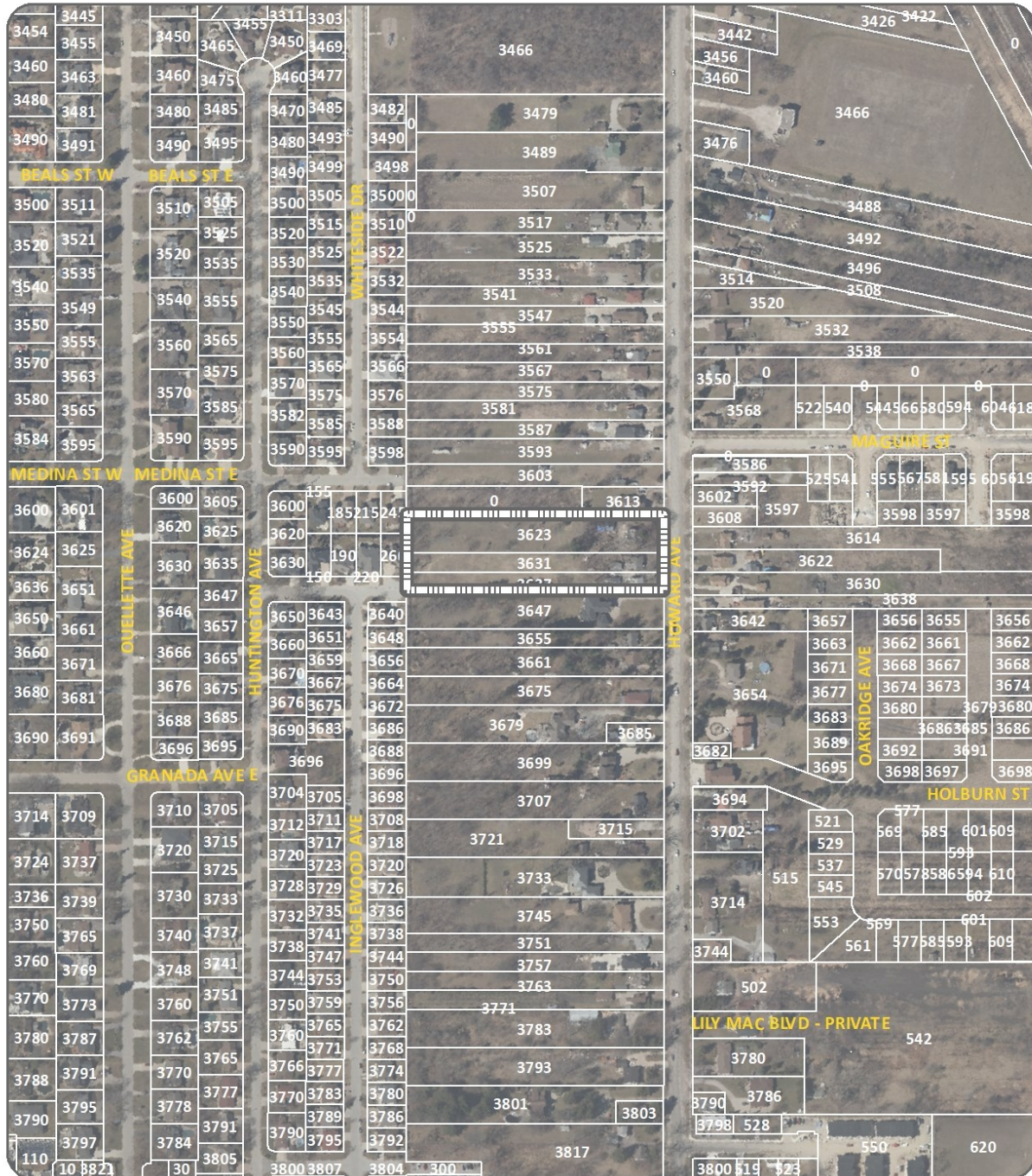
SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : FEBRUARY 2023
FILE NO. : Z-003/23, ZNG-6949

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-003/23, ZNG-6949



SUBJECT LANDS

APPLICANT: 5050542 ONTARIO INC.

ADDRESS: 3623, 3631, 3637 HOWARD AVENUE



Discussion:

Planning Rationale Report (PRR) (2023 January 10) and Addendum (2023 June 29) – Pillon Abbs Inc., Tracey Pillon-Abbs, RPP (See Appendix D1 and D2)

The PRR notes that the proposed development “*will provide for a new housing choice and density in the existing built-up area*”, “*is compatible with the surrounding area*”, and “*supports compact form within an existing built-up area of the City*”.

The PRR concludes that the proposed development “*is compatible with the surrounding area in terms of scale, massing, height and siting*”, “*represents good planning as it addresses the need for the City to provide ‘missing middle’ residential development*”, and “*promotes efficient development and land use pattern which sustains the financial well-being of the Municipality*”.

After discussions with municipal staff, the Applicant submitted a revised conceptual plan (attached as Appendix A) and a PRR Addendum. Ms. Pillon Abbs notes that the revised plan will “*allow for future vehicle and pedestrian connections to abutting lands to the west, north, and south to ensure future development is viable. Connections will also allow for coordinated provision of services and infrastructure*”. The holding symbol will allow for the completion of a Guideline Plan and the granting of easements and conveyances as required.

It is the professional opinion of Ms. Pillon-Abbs that “*the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines*”. She further notes that the “*proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL, and represents good planning.*”

Endangered Species Act Screening for Submission to the Ministry of the Environment, Conservation and Parks (Insight Environmental Solutions Inc. – 2023 January 9)

Section 4.0 provides mitigation measures in terms of project planning, drainage feature mitigation, and any species-at-risk (SAR). The screening report states that based on:

“information gathering efforts and field investigations...that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.”

Natural Heritage Evaluation and Tree Preservation Study (Insight Environmental Solutions Inc. – 2022 December 22)

The study identified 53 trees on the subject lands and recommends that 44 trees be removed. Mitigation measures for avoid impacts to natural heritage features, tree protection measures and mitigation to avoid impacts to species at risk are identified in the report. The study concludes that “*there should not be any adverse impacts to the natural system on or adjacent to the Subject Properties*”.

Sanitary Sewer Study

(Aleo Associates Inc. – John-Paul Aleo, P.Eng. – 2022 November 28)

The study states that there would be *“very small increase in sewage flow when compared to what this sewer was originally designed to accept from these properties”*. The study concludes that *“the sewage flow from the proposed medium density residential development will have a negligible effect on the capacity of the existing municipal sewer system. There is sufficient capacity available to support the proposed development.”*

The City of Windsor Engineering Department notes that a sanitary sampling manhole is required at the property line to the satisfaction of the City Engineer.

Storm Sewer Study

(Aleo Associates Inc. – John-Paul Aleo, P.Eng. – 2022 November 28)

The study notes that the *“runoff rate of the existing pre-developed condition is being maintained as part of the proposed development and therefore there will not be any effect on the receiving storm sewer system or surrounding properties.”*

The City of Windsor Engineering Department – Design and Development notes 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. A final storm sewer study / detailed storm detention scheme will be reviewed during site plan control.

Transportation Impact Statement Updated (TIS)

(RC Spencer Associates Inc. – 2023 April)

The City of Windsor Transportation Planning Department reviewed the original TIS dated November 2022 and required revisions. An updated TIS dated 2023 April was submitted and states that the *“proposed site access to Howard Avenue will operate satisfactorily”*. A slip-by lane should be integrated into the site access design during site plan control as an interim measure until Howard Avenue is reconstructed. Regarding sight lines, it is the *“engineers’ opinion that the proposed location of the site access is safe for egress; no undue hazard to traffic operations is expected at this location”*. The updated TIS concludes that the proposed development *“will not adversely impact area traffic operations”*.

City of Windsor Transportation Planning has no concerns with the updated TIS, that no conveyance along Howard Avenue is required, that a sidewalk is required, and that the “slip-by” lane be addressed during site plan control.

Urban Design Brief (MHBC Planning, 2022 December)

The brief concludes that the proposal *“adheres to the goals and design direction for development in the South Windsor Planning Area”* and that it is *“compatible with its surrounding area.”* The building design is *“focused on establishing a cohesive community and pedestrian scaled environment with building articulation, and built form being oriented towards the private internal road, reducing adverse impacts on the residential areas surrounding the subject lands”*. Further the development is *“attractive intensification in the area through the proposed density, building design, transit and pedestrian supportive site design, and a range of unit sizes.”*

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The vision of the PPS focuses growth and development within urban settlement areas, and that land use be managed to accommodate development to meet the full range of current and future needs, while achieving efficient development patterns.

Section 5.1.1 in the PRR contains a list of relevant PPS policies and an analysis of those policies. The Planning Department generally concurs with that analysis.

Regarding Policies 1.1.1, 1.1.2 & 1.1.3, the proposed development is an efficient development and promote a land use pattern that sustains the financial well being of the municipality and accommodates an appropriate market-based residential type that meets long-term needs. No environmental or public health concerns were noted.

The dwellings are located within the settlement area, and within walking distance of a bus route, making it a transit-supportive development that optimizes transit investments and an appropriate location for intensification. The proposed development will make use of existing infrastructure such as roads, sewers and watermains to achieve a cost-effective development pattern and minimize land consumption and servicing costs.

The proposed development represents an opportunity to incorporate climate change measures such as stormwater management to control the flow of rain water and the use of building materials and devices to mitigate heating, cooling and water use concerns.

The proposed development utilizes land within the settlement area through intensification, provides a density and a use that makes efficient use of land & resources and is appropriate for available infrastructure avoiding the need for any unjustified or uneconomical expansion. It minimizes negative impacts to air quality by allowing residents to use alternative transportations means such as walking, or public transit, and allows for the inclusion of modern building materials & construction methods to promote energy efficiency and deal with climate change impacts.

The proposed zoning amendment is consistent with Policies 1.1.1, 1.1.2, and 1.1.3.

Regarding Policy 1.4, the proposed development allows the City to accommodate residential growth through residential intensification, and directs development to where appropriate levels of infrastructure and public service facilities exist.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.4.

Policy 1.6 provides direction on infrastructure and public service facilities. Policy 1.6.3 a) states that *“the use of existing infrastructure and public service facilities should be optimized”* and Policy 1.6.6.2 states that for *“existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services”*. The proposed amendment promotes intensification that will optimize the use of existing infrastructure.

Given the availability of existing and proposed roads, public transit, and cycling facilities nearby, the proposed development allows for the efficient use of existing transportation infrastructure, minimizes the number and length of vehicle trips, and supports the use of transit and active transportation. This is consistent with Policy 1.6.6.7.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.6.

Policy 1.7 promotes long-term economic prosperity. The proposed development is responding to market-based needs and will provide a housing supply and options for a diverse workforce, that optimizes the use of land, resources, infrastructure and public service facilities, and that through modern construction and building materials, will promote energy conservation and minimize the impacts of climate change.

The proposed amendment to Zoning By-law 8600 is consistent with Policy 1.7.

The proposed residential development and the amendment to Zoning By-law 8600 are consistent with the PPS.

City of Windsor Official Plan (OP):

The parcel is located within the South Windsor Planning District and is designated Mixed Use Corridor on Schedule D: Land Use of the OP (as amended by OPA 159). Section 5.1.2 in the PRR provides an analysis of relevant OP policies.

Regarding the Safe, Caring and Diverse Community component (Section 3.2.1) of the Development Strategy in Chapter 3, the proposed zoning amendment expands the variety of housing types and provides an opportunity for area residents to live in their neighbourhoods as they pass through the various stages of their lives.

The proposed amendment conforms to the policy direction of Section 3.2.1.

Chapter 4 provides policy direction on creating a healthy and liveable city, a high quality of life, a strong sense of community and community empowerment. Section 4.2.1.5 encourages a mix of housing types and services to allow people to remain in their neighbourhoods as they age. The proposed development provides an opportunity for people to move from other dwellings but remain in the neighbourhood. The proposed development conforms to Section 4.2.3 - Quality of Life, in that it recognizes the shelter needs of the community and represents an appropriate range and mix of housing.

Council's land use goals include providing housing suited to the needs of Windsor's residents (6.1.3). Mixed Use Corridors are expected to accommodate higher density/intensity development while maintaining a broad mix of land uses that support investment in transit and complete communities (6.5.3). Buildings shall be not more than four storeys in height (6.5.3.3). Mixed Use Corridor development shall be located where there is access to Class I or Class II Arterial Roads and full municipal physical services can be located (6.5.3.6).

The proposed development will provide a dwelling type and form that will meet the needs of current and future Windsor residents, represents a higher density and intensification that will support investments in transit. Services are available and specific servicing requirements will be further reviewed during the preparation of a Guideline Plan and the Site Plan Control process. The proposed buildings are less than four storeys in height and have access to a Class II Arterial Road (Howard Avenue).

The proposed amendments to Zoning By-law 8600 are consistent with the land use policies in Section 6.

The use of the H or Holding Symbol on the westerly 58 metres of the parcel is appropriate to allow the preparation of a Guideline Plan for the larger area that will achieve orderly staging of development, and that adequate infrastructure, such as a

new north-south local road and connections to the existing transportation network are possible or will be available, among other things. Development of the remainder of the parcel will not impede the preparation of the Guideline Plan.

The proposed amendments are consistent with the direction of the Holding Zone Policies in Section 11.6.5

The proposed zoning change is consistent with the general policy direction of the Official Plan.

Guideline Plan:

Given the mid-block location of the subject lands, the Planning Department informed the Applicant that a portion of the lands will need to be placed in a Holding Zone to determine the location of a new north-south local street that could be located east of the existing dwellings on the east side of Inglewood Avenue and Whiteside Drive. The Applicant was further informed that a Guideline Plan is the best process to determine the location of that street and connections (to Howard Avenue, to Clifford Street and to other east-west streets to the west to the existing transportation network.

A municipal drain (Merritt Drain) is located along the westerly lot line. An easement over, and adjacent to, the drain is required to allow for maintenance of the drain. The City Engineer notes that there are options for covering or relocating the drain within the new right-of-way and this is a matter that the Guideline Plan may consider.

Section 10.2.6 in the Official Plan contains the policies for a Guideline Plan. The purpose of the Guideline Plan is to provide specific direction for areas where the existing land use designations are appropriate but more detailed guidance is required for areas experiencing transition or development pressures, and may vary in scope, depending on the size, nature and intent of the plan and the area under study.

The west side of Howard Avenue between Kenilworth Park and Cabana Road is characterized by deep lots with a single unit dwellings fronting on Howard Avenue. Ownership is fractured. The existing land use designations are appropriate, however guidance is required in terms of the location of infrastructure such as local roads, sidewalks, vehicular pedestrian connections to Howard Avenue and other streets, options for, and protection of, the Merritt Drain (a municipal drain), appropriate zoning districts, and any other matters such as design guidelines.

The Guideline Plan study will, among other things, identify and assess the area under study in terms of existing physical and environmental features, urban design attributes and other characteristics particular to the area, identify potential constraints, provide a statement of the desired development concept for the area, and provide recommendations for achieving the development concept including how they are in keeping with the direction of the Official Plan.

There is no approved work program for the preparation of the Guideline Plan by the Planning Department. The Applicant was informed that they could engage their own consultant to prepare the Guideline Plan. The Agent indicates that the Applicant has decided to wait for the City to prepare the Guideline Plan.

All property owners, residents located within 120 m of the study area will be notified of the study and will be provided opportunities to submit feedback on the Guideline Plan.

The Guideline Plan and a staff report will be brought forward to the Development & Heritage Standing Committee and Council for review and approval.

If the Guideline Plan is acceptable, Council will adopt the plan by resolution. Approval of the Guideline Plan is one condition of removing the holding symbol on the westerly 58 metres of the subject lands.

Zoning By-Law:

The site plan, floor plans, and renderings are conceptual and subject to change.

The subject lands are zoned Residential District 1.1 (RD1.1 and HRD1.1) which permits one Single Unit Dwelling on a lot having a minimum width of 15.0 m and a minimum area of 450.0 m² and having a maximum building height of 9.0 m and a gross floor area 400 m².

The applicant is requesting an amendment changing zoning from RD1.1 to Residential District 2.2 (RD2.2) and a site specific exception to allow the proposed development. The RD2.2 zone permits a limited range of low-profile dwelling types. Except for a Townhome Dwelling, only one dwelling (one building) is permitted. Lot width, lot area and side yard widths vary by dwelling type. The maximum lot coverage is 45.0 %, maximum main building height of 9.0 m and minimum front yard depth of 6.0 m. Minimum landscaped open space yard is not required, however, open space yard is achieved through the lot coverage and yard requirements.

The proposed development consists of 14 buildings (ten with 4 dwelling units and three with 8 dwelling units) for a total of 64 dwelling units. Building height is 8.0 m consisting of 2 storeys. A total of 4 bicycle parking spaces and 73 parking spaces (24 within attached garages and 49 in surface parking) including 2 accessible parking spaces are proposed with vehicular access via a single private driveway to Howard Avenue.

The subject parcel has an area of 12,591.6 m² and a lot frontage of 61.0 m. The proposed lot coverage is 31.0% and building height is 8.0 m. Proposed building setbacks are 6.2 m from the front lot line along Howard Avenue, 4.6 m from the side lot lines and 15.2 m from the rear lot line. Though not a requirement, landscaped open space yard is 39.7%, which exceeds the typical minimum of 35.0%.

The proposed development is largely in compliance with the provisions of Zoning By-law 8600. The site specific exception permits more than one dwelling and also permits a multiple dwelling with more than four dwelling units, clarifies that the RD2.2 provisions apply, that the minimum lot area shall be 135 m² per unit, clarifies parking area separation from a building wall, that no loading spaces are required, and that a minimum of four parking spaces be marked as visitor parking.

Site Plan Control:

If the number of dwelling units exceeds 10, Site Plan Control will apply. Recommendation 3 directs the Site Plan Approval Officer to consider the Guideline Plan (when approved by Council), the Urban Design Brief (as submitted by the Applicant), the City of Windsor Official Plan, the Intensification Guidelines, and the comments of municipal departments and external agencies during site plan review.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

In general, infill intensification will minimize the impacts on community greenhouse gas emissions as these developments create complete communities and neighbourhoods while using currently available infrastructure such as parks, sewers, sidewalks, streets, schools and public transit.

Climate Change Adaptation:

The proposed development will provide many opportunities to increase resiliency for the development and surrounding area, including improved stormwater management.

Financial Matters:

N/A

Consultations:

Comments from Municipal Departments and External Agencies are attached as Appendix F. Regarding Public Notice, statutory notice will be advertised in the Windsor Star, a local daily newspaper. A courtesy notice will be mailed to property owners and residents within 120m of the subject parcel. The Development & Heritage Standing Committee is the public meeting as required by the Planning Act.

Planner's Opinion and 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 amendment has been evaluated for consistency with the PPS and conformity with the policies of the OP.

The proposed development is an appropriate form of intensification and expands the range of dwelling types available in the area. It provides an opportunity for residents to age in place and allowing new residents to locate within an established area. It allows for future residents to use alternative and active transportation modes such as walking, cycling and public transit.

Existing infrastructure, such as roads, sidewalks, watermain, sewers and public transit, is being utilized, avoiding the need for any unjustified or uneconomical expansion of that infrastructure. Site plan control is the appropriate tool to incorporate the requirements, and consider the concerns, of municipal departments and external agencies.

Based on the documents submitted by the applicant, the comments received from municipal departments and external agencies, and the analysis presented in this report, it is my opinion that the requested amendment to Zoning By-law 8600 is consistent with the PPS 2020 and is in conformity with the City of Windsor Official Plan and represents good planning.

Staff recommend approval.

Planning Act Matters:

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

Neil Robertson, MCIP, RPP
Manager of Urban Design

Thom Hunt, MCIP, RPP
City Planner

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

JP

JM

Approvals:

Name	Title
Neil Robertson	Manager of Urban Design / Deputy City Planner
Thom Hunt	City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Peter Vitti 5050542 Ontario Inc.	2362 Tecumseh Road West, Windsor ON N9B 1W1	
Pillon Abbs Inc. Tracey Pillon-Abbs	23699 Prince Albert Road Chatham, ON N7M 5J7	tracey@pillonabbs.ca
Councillor McKenzie (Ward 9)		
Property owners and tenants within 120 m of the subject lands		

Appendices:

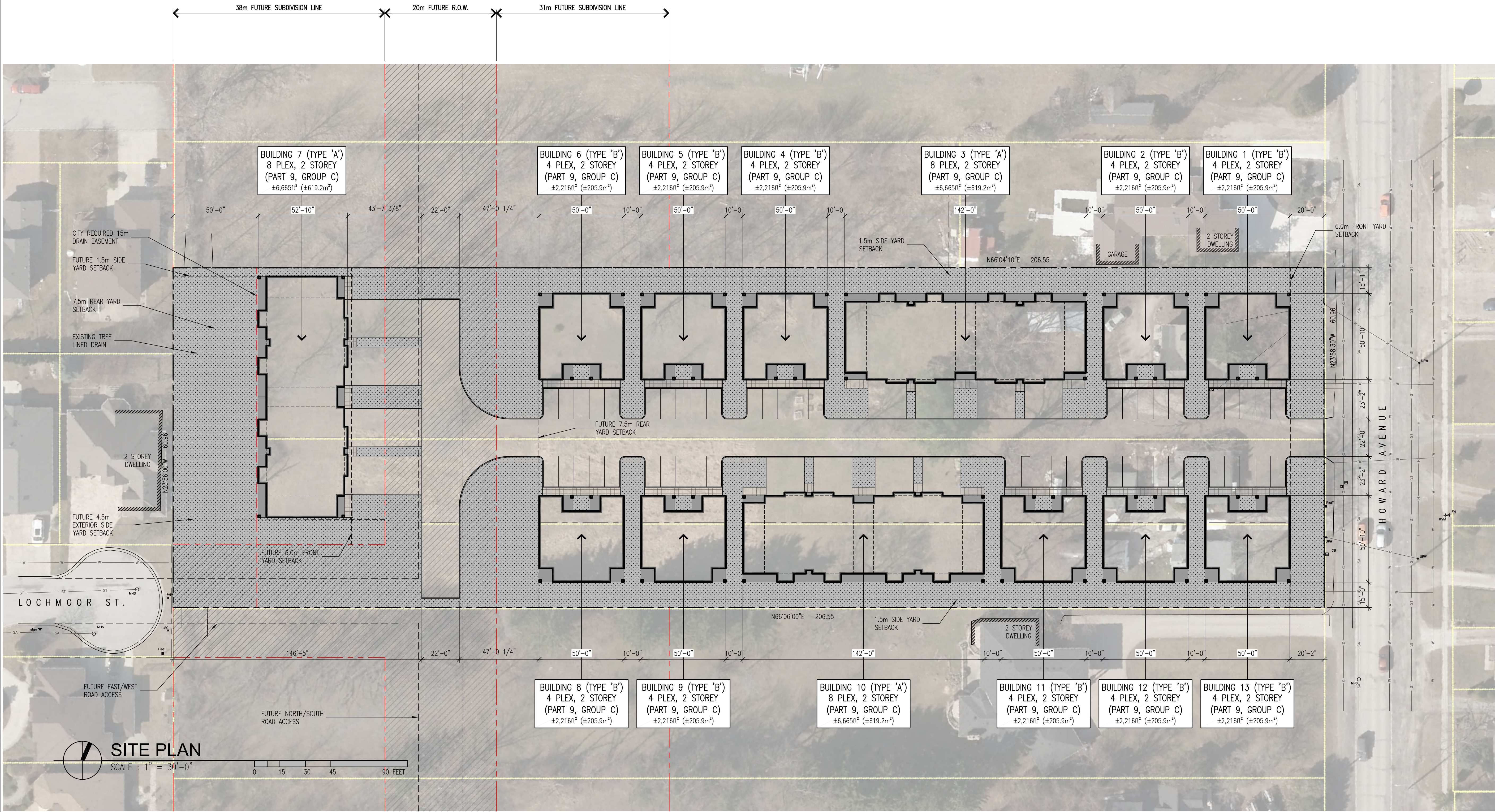
- 1 Appendix A - Conceptual Site Plan Revised 2023 Jul 12
- 2 Appendix B – Elevation Renderings
- 3 Appendix C – Floor Plans
- 4 Appendix D – Planning Rationale Report 2023 Apr 13
- 5 Appendix E – Planning Rationale Report Addendum 2023 Jul 13
- 6 Appendix F – Results of Circulation

BUILDING TYPE 'A' (6- 2BEDROOM UNITS + 2- 1BEDROOM UNITS)
= 8 UNITS X 3 BUILDINGS
= 24 UNITS

BUILDING TYPE 'B' (4- 2BEDROOM UNITS)
= 4 UNITS X 10 BUILDINGS
= 40 UNITS

TOTAL UNITS PER SITE = 64 UNITS

SITE DATA : SITE ZONING : RD1.1, HRD1.1			
	REQUIRED	PROPOSED	LEGEND
a. LOT AREA		12,591.6 m ²	
b. LOT FRONTAGE		61.0 m	
c. BUILDING AREA		3,916.6 m ²	
d. BLDG LOT COVERAGE	MAX. 45%	31.0 %	
e. BUILDING GROSS FLOOR AREA		N/A m ²	
f. BUILDING HEIGHT	MAX. 9.0 m	8.0 m	
g. BUILDING SETBACKS			
EAST	MIN. 6.0 m	6.2 m	
NORTH	MIN. 1.2 m	4.6 m	
WEST	MIN. 7.5 m	15.2 m	NOTE: FIRE-ROUTE SIGNS SHALL BE APPROVED BY THE CITY OF WINDSOR & FIRE DEPARTMENT - NEW SIGNS TO BE PLACED NO LESS THAN 50 FEET AND NOT MORE THAN 150 FEET APART.
SOUTH	MIN. 1.2 m	4.6 m	
h. NO. OF PARKING SPACES			
4 PLEX 1 PER DWELLING UNIT	40 SPACES	PRIVATE GARAGE 24	AS FR ACCESSIBLE PARKING SIGN FIRE ROUTE SIGN PER CITY OF WINDSOR STANDARDS
8 PLEX 1.25 PER DWELLING UNIT	30 SPACES	SURFACE PARK'G 49	
TOTAL	70 SPACES	73 SPACES	
i. NO. OF ACCESSIBLE PARKING SPACES	2 SPACES (1 'A' & 1 'B')	2 SPACES (1 'A' & 1 'B')	
50 SURFACE PARKING SPACES			
2% OF NO. OF SPACES			
j. PAVED AREA COVERAGE		4,898.1 m ² 38.9 %	
k. LANDSCAPED AREA			
HARD		710.7 m ²	
SOFT		4,286.0 m ²	
TOTAL		4,996.7 m ²	
COVERAGE		39.7 %	
l. LINEAR CONCRETE CURB		569.4 m	
m. NO. OF BICYCLE PARKING SPACE	4 SPACES	4 SPACES	



2023/06/29 OWNER REVIEW

date (yyyy/mm/dd): issued for:

- general notes:
- THIS PRINT IS AN INSTRUMENT OF SERVICE ONLY AND IS THE PROPERTY OF THE ARCHITECT.
 - DRAWINGS SHALL NOT BE SCALED.
 - CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.
 - ATTENTION IS DIRECTED TO PROVISIONS IN THE GENERAL CONDITIONS REGARDING CONTRACTOR'S RESPONSIBILITIES IN REGARD TO SUBMISSION OF SHOP DRAWINGS.
 - IN THE EVENT THE ARCHITECT IS RETAINED TO REVIEW SHOP DRAWINGS, SUCH REVIEW IS ONLY TO CHECK FOR CONFORMANCE WITH DESIGN CONCEPT AND WITH THE INFORMATION GIVEN IN THE CONTRACT DOCUMENTS.
 - CONTRACTORS SHALL PROMPTLY NOTIFY THE ARCHITECT IN WRITING OF THE EXISTENCE OF ANY OBSERVED VARIATIONS BETWEEN THE CONTRACT DOCUMENTS AND ANY APPLICABLE CODES OR BY-LAWS.
 - THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS AND OR TECHNIQUES IN THE CONSTRUCTION OF THIS FACILITY.

stamp:

A architectural
D design
A associates inc. architect

1670 mercer street
windsor ontario canada n8x 3p7
ph 519.254.3430 fax 519.254.3642
email - info@ada-architect.ca www.ada-architect.ca

project:
PROPOSED RESIDENTIAL DEVELOPMENT
3623, 3631, 3637 HOWARD

client:

VITTI

title:

SITE PLAN

scale: AS SHOWN

drawn by: PH/ JT

checked by: JBK

date: JULY, 2021

comm. no.: 2021-068

sheet no.:

A1.0

PROPOSED RESIDENTIAL COMPLEX 3631-3637 HOWARD AVE. WINDSOR R E N D E R P A C K A G E



1670 Mercer St.
Windsor | Ontario
N8X 3P7

Tel 519.254.3430

ada-architect.ca







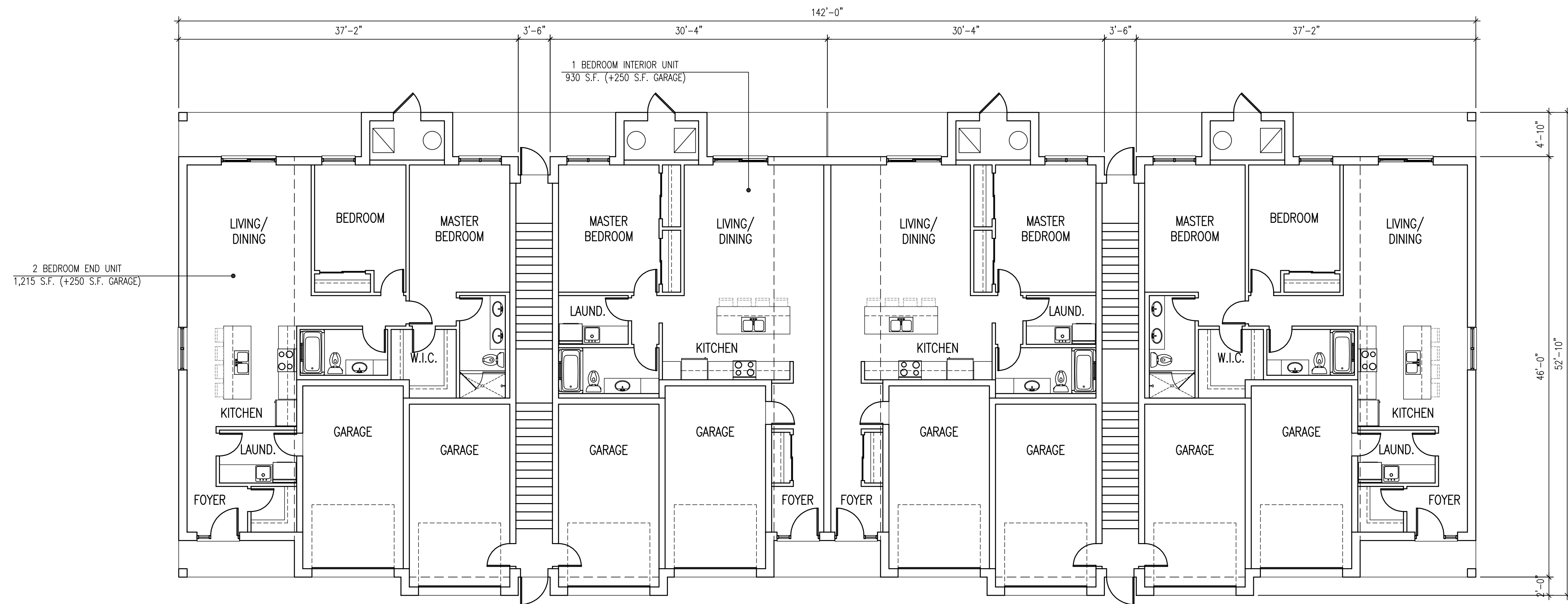




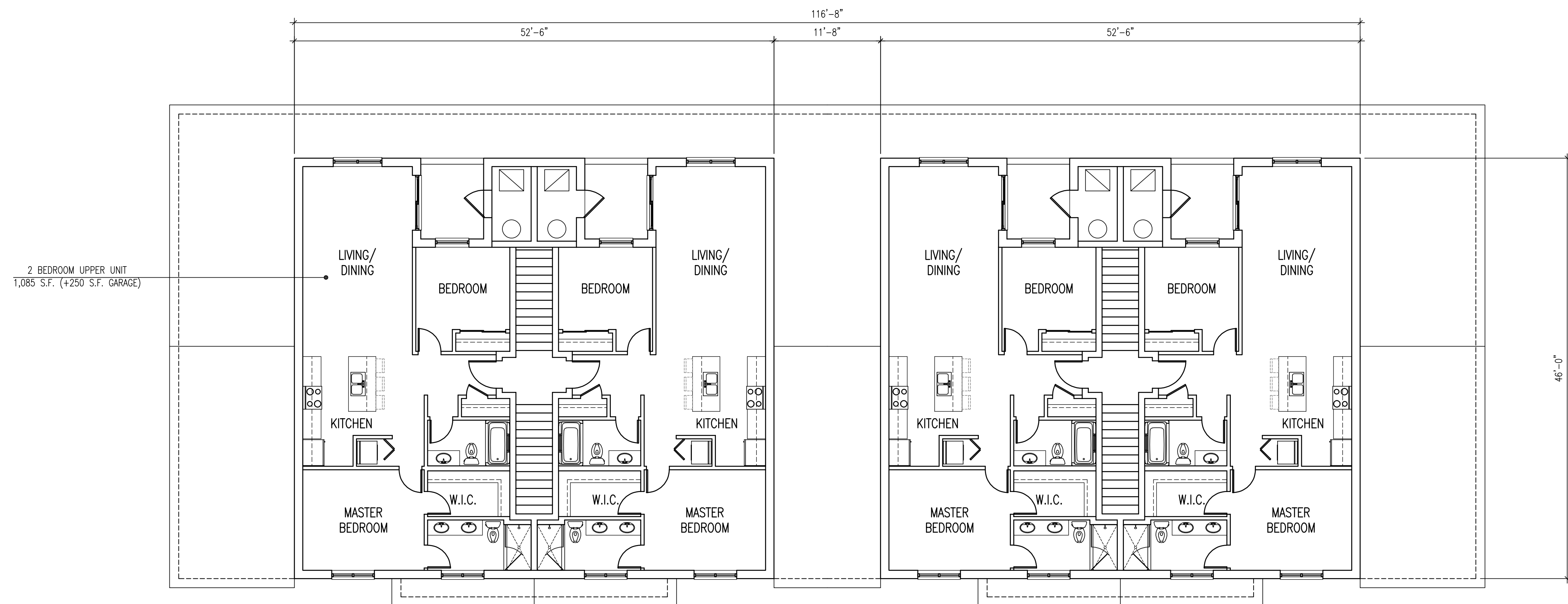








FIRST FLOOR PLAN, BLDG. TYPE 'A'
SCALE : 1/8" = 1'-0"
0 2 4 8 12 24 FEET



SECOND FLOOR PLAN, BLDG. TYPE 'A'
SCALE : 1/8" = 1'-0"
0 2 4 8 12 24 FEET

2022/10/25 OWNER REVIEW

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stamp:

A architectural
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project:
**PROPOSED RESIDENTIAL
DEVELOPMENT
3623, 3631, 3637 HOWARD**

client:
VITTI

title:
**FLOOR PLANS
BUILDING TYPE 'A'**

scale:
AS SHOWN

drawn by:
PH/ JT

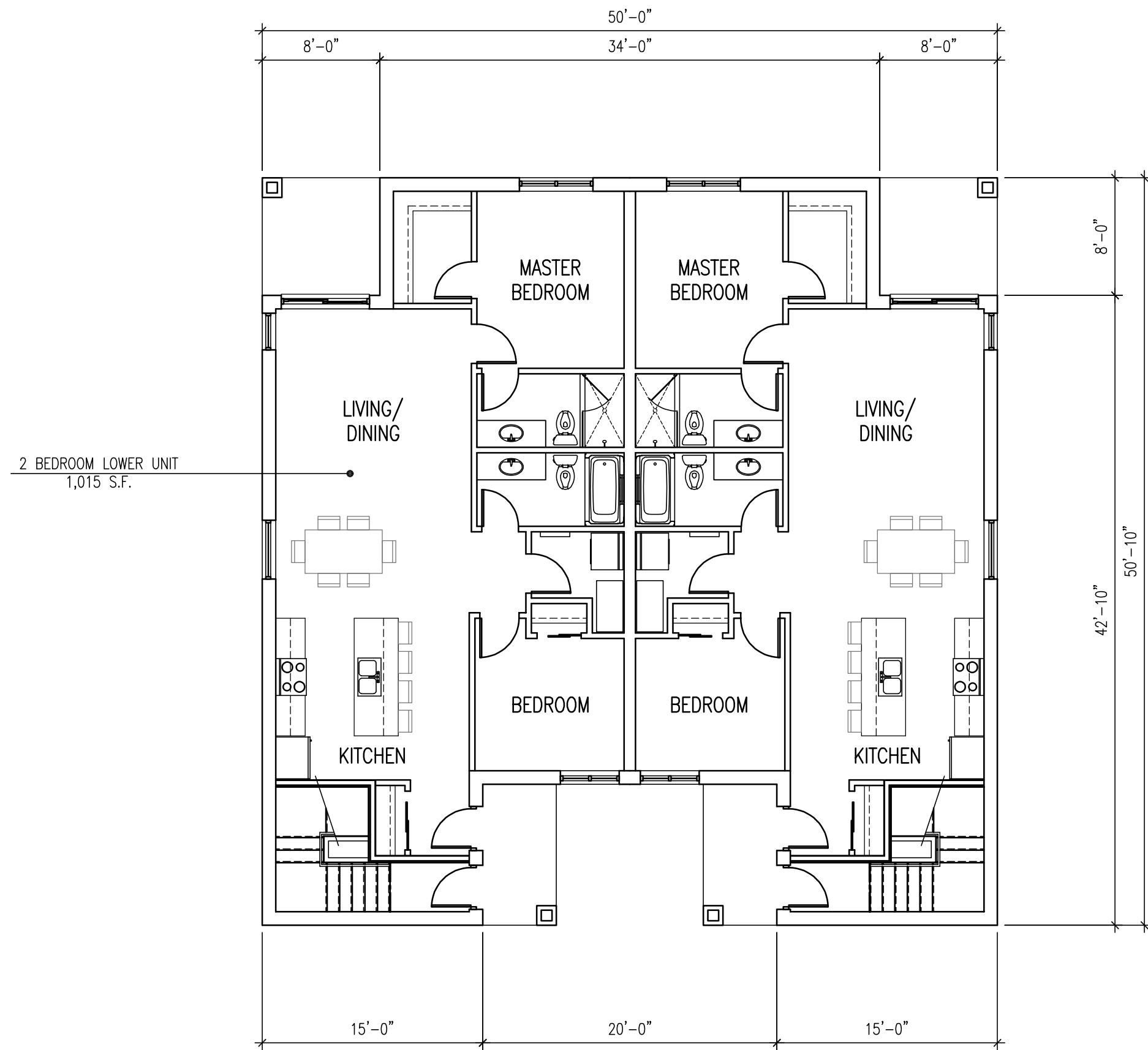
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JULY, 2021

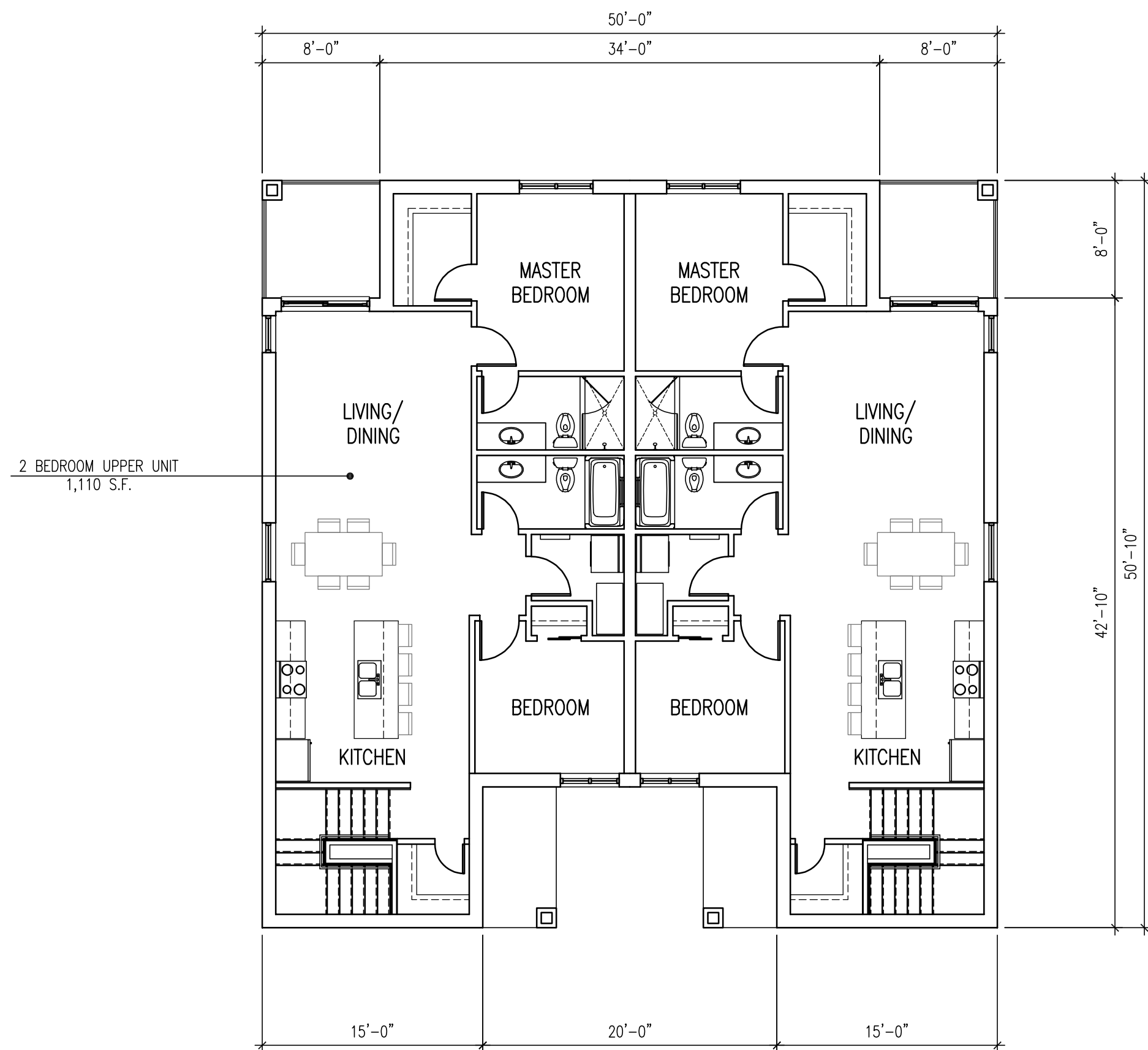
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2021-068

sheet no.:

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FIRST FLOOR PLAN, BLDG. TYPE 'B'
SCALE : 1/8" = 1'-0"
0 2 4 8 12 24 FEET



SECOND FLOOR PLAN, BLDG. TYPE 'B'
SCALE : 1/8" = 1'-0"
0 2 4 8 12 24 FEET

2022/10/25	OWNER REVIEW
date (yyyy/mm/dd):	issued for:

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sheet no.:

A1.2

PLANNING RATIONALE REPORT

ZONING BY-LAW AMENDMENT For Proposed RESIDENTIAL DEVELOPMENT

**3623, 3631, and 3637 Howard Ave
Windsor, Ontario**

April 13, 2023

Prepared by:



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1.0 INTRODUCTION

I have been retained by 5050542 Ontario Inc. (herein the “Applicant”) to provide a land use Planning Rationale Report (PRR) in support of a proposed residential development for property located at 3623, 3631 and 3637 Howard Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District. Combined, there are three single detached dwellings and four accessory buildings, which all will be removed from the Site prior to development.

The Applicant is proposing to consolidate all 3 parcels of land and develop for residential use.

A concept plan has been prepared with 11 multiple dwellings (six 4-plexs and five 8-plexs) for a total of 64 units. Each dwelling will be 2 storeys in height. A total of 74 parking spaces are proposed for residents, including barrier free, bicycle parking and visitor parking.

Access to the Site will be from one entrance off of Howard Avenue.

Tenure will be freehold (condominium).

The proposed development will provide the City of Windsor with residential ‘missing middle’, which contributes to affordability and intensification.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development. Council for the City of Windsor is the approval authority.

The proposed development will also be subject to Draft Plan of Condominium (CONDO) and Site Plan Control (SPC) prior to the issuance of any building permits.

The purpose of this report is to review the relevant land use documents, including the Provincial Policy Statement (PPS) 2020, the City of Windsor Official Plan (OP) and the City of Windsor Zoning By-law (ZBL).

Pre-submission was completed by the Applicant (City File #PS-047/22). Comments dated July 6, 2022, were received and have been incorporated into the proposed application.

This PRR will show that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL and represents good planning.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District. Combined, there are three single detached dwellings and four accessory buildings, which all will be removed from the Site prior to development (see Site located in red on Figure 1 – Key Map).

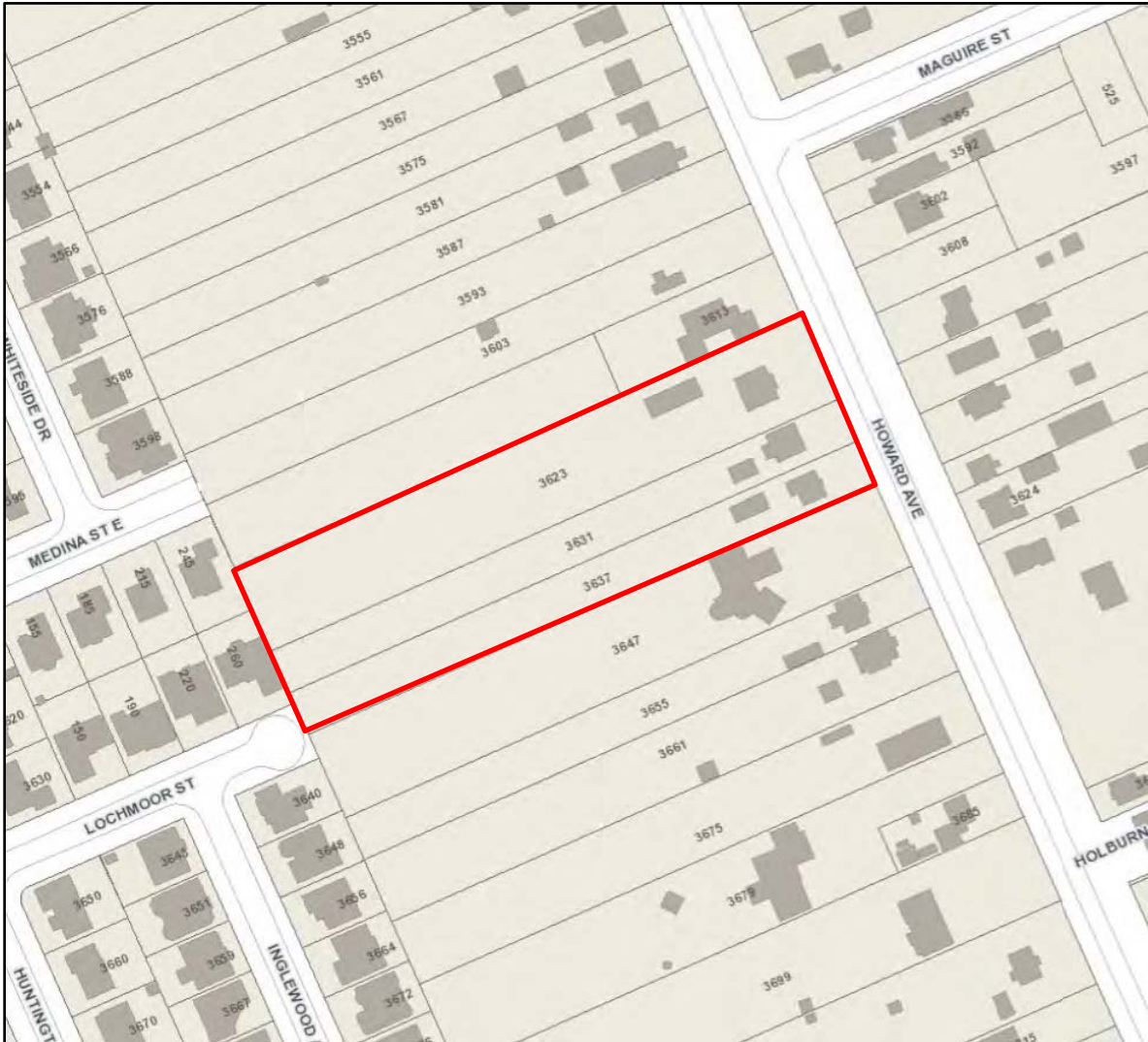


Figure 1 – Key Map (City of Windsor GIS)

The Site is local known and legally described as follows:

Address	ARN	Legal	PIN	Ownership Name	Ownership Date
3623 Howard Ave	080-033-00100-0000	PLAN 1431 LOT 12	01299-0012 LT	Vitti, Peter Vaciaros, Christina	2022
3631 Howard Ave	080-033-00200-0000	PLAN 1431 N PT LOT 13; T/W & S/T ROW	01299-0322 LT	Vitti Construction Ltd.	2001
3637 Howard Ave	080-033-00300-0000	PLAN 1431 S PT LOT 13	01299-0323 LT	Vitti, Anna	2001

2.2 Physical Features of the Site

2.2.1 Size and Site Dimension

The Site consists of a total area of approximately 12,591.6 m² / 1.259 ha in size.

The Site has a total frontage of 61.0 m along Howard Avenue and a depth of 206.55 m.

2.2.2 Vegetation and Soil

The Site currently has mowed lawn and landscaping.

There are some scattered trees, mown lawn, and hedgerows.

The soil is made up Brookston Clay Sand, Spot Phase (B-s).

2.2.3 Topography and Drainage

The Site is flat and is outside the regulated area of the Essex Region Conservation Authority (ERCA). A permit should not be required for development.

The Site is not impacted by the ERCA Source Water Protection Event Based Area (EBA).

The Site is part of the Turkey Creek subwatershed area. There is a drain which crosses the Site along the most western property line.

2.2.4 Other Physical Features

There is currently fencing along portions of the Site boundary.

2.2.5 Municipal Services

The property has access to municipal water, storm and sanitary services.

The closest fire hydrant is located on Howard Ave, directly east of the Site.

Streetlights and sidewalks are located on the east side of Howard Ave.

Howard Avenue is an arterial roadway (2-way / 2-lanes) with no on-street parking.

2.2.6 Nearby Amenities

Five Elementary Schools are located within a 2-kilometre radius of the subject lands, including three public schools (Roseland Public School, Central Public School, and Southwood Public School) one Catholic School (St Gabriel Catholic Elementary School) and one Christian School (First Lutheran Christian Academy). A public, catholic and French Secondary Schools are also located within 5-kilometres of the subject lands and are easily accessed by the Transit Windsor Bus Routes.

There are many parks and recreation opportunities in close proximity of the Site, including Kenilworth Park which is located within a 5-minute walk to the north along Howard Avenue. Additional open spaces, parks and community facilities are located within the existing community to the west, providing community programs and services.

There are nearby commercial uses, such as food service, personal service shops, and retail. There are also nearby employment lands, places of worship, and local/regional amenities.

The Site has access to transit, with the nearest bus stop located at the corner of Medina Street and Dougall Avenue (Stop ID 1784) on the City of Windsor 6 bus line.

The Site has access to major roadways, including Cabana Road, Provincial Road, Dougall Pkwy, E.C. Row Expressway, Hwy 401 and Hwy 3.

2.3 Surrounding Land Uses

Overall, the Site is located in an established residential area. The subject lands comprise part of a growing residential community in Windsor.

The surrounding area is characterized by a broad range of uses, including residential uses along Howard Avenue, a neighbourhood park and commercial center to the north, and additional commercial, residential and institutional uses to the south.

The subject lands are located along a Mixed-Use Corridor (Howard Avenue) that is transitioning from a typical automobile-oriented low density residential area to a higher density, pedestrian oriented and transit supportive community.

The following are the surrounding land uses immediately abutting the Site:

North – residential with frontage along Howard Ave.

East - residential with frontage along Howard Ave.

South – residential with frontage along Medina St and Lochmoor St.

West - residential with frontage along Howard Ave.

The buildings will face a new internal private 2-lane roadway (see Figure 3b – Elevations).



Figure 3b – Elevations

Howard Ave, Windsor, Ontario

Each dwelling will be 2 storeys / 8.0 m in height. The buildings will have a faux balcony at the front of the dwellings.

The 4-plex will be approximately 205.9 m² in size and the 8-plex will be approximately 619.2 m² in size. There will be six 2 bedroom units and two 1 bedroom units in the 8-plex buildings for a total of 40 units. There will be four 2 bedroom units in the 4-plex buildings for a total of 24 units.

Building entrances are planned to be highly visible and well lit with pedestrian scaled lighting. Waste receptacles are located at the rear of the property and setback and screened from sidewalks and adjacent land uses.

Building entrance points are planned to be highly visible from the internal road network, with landscaping and enhanced architectural features.

The townhome blocks have been sited to provide rear yard amenity space and allow for a side yard setback of a minimum of 5.4 metres. A setback of at least 7.5 metres will be provided from the proposed buildings fronting Howard Avenue. A minimum of 4.5 metres is provided between the buildings.

The existing surrounding uses have been considered in the design of the subject lands. The proposed buildings are setback from the existing adjacent residential uses to reduce the impacts of building height.

Accessible sidewalks will connect pedestrians to the proposed buildings from the parking areas and the municipal right-of-way (Howard Ave and Lochmoor St).

A total of 74 parking spaces are proposed for residents, including 2 barrier free, 3 bicycle parking and signed visitor parking. Parking will be located in private garages, in driveways, in front of the buildings and in a parking area to the east of the Site.

Access to the Site will be from one new 6.70 m wide entrance off of Howard Avenue. The internal roadway will include a signed fire route.

Landscaped area is proposed around the multiple dwellings. Landscaping on the Site will seek to provide an enhanced, functional, and attractive outdoor space. Pedestrian open spaces are located around the perimeter of the Site and between buildings. Pedestrian infrastructure is incorporated which provides connections to access the building and to Howard Avenue. Individual amenity space is also provided to each unit in the form of porches and rear yards.

The refuse will be located along the west side of the Site in a fenced bin with a double-door enclosure.

The proposed development will be serviced with full municipal services.

The municipal drain found along the western border of the Site will be retained with a 5m buffer. All of the trees within this buffer are proposed to be retained as part of the development and protected with tree protection measures.

3.2 Public Consultation Strategy

The *Planning Act* requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy, the Applicant proposes that the required public meeting will be sufficient as the size of the development is small scale.

At this time, no informal public open house is proposed to be held by the Applicant.

4.0 PROPOSED APPLICATION AND STUDIES

4.1 Zoning By-Law Amendment (ZBA)

A site-specific Zoning By-law Amendment (ZBA) is required to permit the proposed residential development.

The Site is currently zoned “Residential District 1.1 (RD1.1)” Zone and “Holding Residential District 1.1 (HRD1.1)” Zone on Map 8 of the City of Windsor Zoning By-Law #8600.

A site-specific zoning is required for the Site to permit the proposed multiple dwellings.

It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2 – S.20(1) (XXX))” Zone to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.

All other zone provisions can be complied with.

Further analysis is provided in Section 5.1.3 of this PRR.

4.2 Other Applications

The proposed development will also be subject to Draft Plan of Condominium (CONDO) and Site Plan Control (SPC) prior to the issuance of any building permits.

4.3 Supporting Studies

The following supporting studies have been completed as part of this PRR in support of the application for the zoning amendment.

4.3.1 Natural Heritage and Tree Preservation

A Natural Heritage Evaluation (NHE) and Tree Preservation Study were prepared by Insight Environmental Solutions Inc. dated December 22, 2022.

The purpose of the report is to identify natural heritage features and functions on or adjacent to the Site, assess impacts of the proposed development, and recommend mitigation measures to ensure that the significant natural features are not adversely affected by the proposed development.

The proposed development was evaluated for their impacts to potential Species at Risk (SAR) habitat and natural heritage features.

The report demonstrated that the proposed development complies with applicable environmental legislation, policies, and regulations at the provincial, regional, and local levels.

A total of 53 trees were assessed and 44 trees are recommended for removal and 9 to be preserved.

One provincially significant plant was detected, Eastern Burning-bush (*Euonymus atropurpureus*) in the THDM3 and FODM11 communities.

There is a small strip of woodland overlay is located outside of the Site and abuts the western property boundary.

The naturalized area/hedgerows found along the western portion of the property surrounding the drain may act as a movement corridor for snakes and other wildlife, leading to larger contiguous woodland habitats. The properties contained brush piles and cover objects behind the existing houses and around the ditch and hedgerows that are ideal for snakes to forage, find over and thermoregulate.

It was concluded that the following mitigation to avoid impacts could be applied:

- Timing
- Site selection
- Contaminant and spill management
- Operation of machinery
- Drainage feature retained with a 5 m buffer
- Good housekeeping and construction practices (ie snake fencing)
- A tree protection zone of 1 m

Therefore, it is reasonable to conclude that there should not be any adverse impacts to the natural system on or adjacent to the Subject Properties.

4.3.2 Sanitary Sewer

A Sanitary Sewer Study was prepared by Aleo Associates Inc., Consulting Engineers, dated November 28, 2022.

The purpose of the report is to assess the capacity for sanitary sewer and the impacts on the proposed development.

It was concluded that the sewage flow from the proposed medium density residential development will have a negligible effect on the capacity of the existing municipal sewer system. There is sufficient capacity available to support the proposed development.

4.3.3 Storm Sewer and Watershed

A Storm Sewer Study was prepared by Aleo Associates Inc., Consulting Engineers dated November 28, 2022.

The purpose of the report is to assess the capacity for storm sewer and the impacts on the proposed development and provide for a watershed plan.

It was concluded that the runoff rate of the existing pre-developed condition is being maintained as part of the proposed development and therefore there will not be any effect on the receiving storm sewer system or surrounding properties.

A storm detention scheme will be carried out during the detailed design phase and will be completed to conform to the Windsor-Essex Region Stormwater Management Standards. Storage will be provided through surface storage on the parking lot surface, in swales and depressed grass areas, and in underground storm pipe and structures.

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

4.3.4 Traffic

A Traffic impact Statement (TIS) was prepared by RC Spencer Associates Inc., dated November 2022 and further amended April 2023.

The purpose of the report is to examine the proposed development's potential impact on area traffic operations, including site line analysis and the need for improvement.

It was concluded that the proposed site access at Howard Ave will operate satisfactorily. A northbound left turn lane is warranted but not required at the proposed site access.

Further, the proposed location of the site access is safe for egress.

Therefore, the proposed development will not adversely impact area traffic operations.

4.3.5 Urban Design

An Urban Design Brief (UDB) was prepared by MHBC Planning Urban Design & Landscape Architecture dated December 2022.

The purpose of the report is to illustrate how the proposal is compatible with the surrounding neighbourhood and implements the design objectives provided by the City of Windsor Official Plan and the City of Windsor Intensification Guidelines.

This report recommends a preferred community concept plan that will be further refined through the more detailed site plan design process.

Recommendations are also advanced in order to give direction to the design and more detailed planning processes such as design considerations relating to site plans.

The proposal and related guidelines are intended to provide design direction to built form, landscape design, and the public realm with an overall objective of achieving a high standard of urban design. The design brief has been prepared to support the proposed zone change application. To this end, the proposed guidelines apply to the entirety of the subject lands.

The report has taken into consideration the City Intensification Urban Guidelines.

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The following was concluded;

- the proposal adheres to the goals and design direction for development in the South Windsor Planning Area,
- the introduction of more compact residential in the form of cluster townhouses is appropriate along Howard Avenue,
- the proposal represents a compact, transit-supportive development that will bring density and vibrancy to underutilized parcels of land within the Mixed-Use Corridor along Howard Avenue,
- the proposal provides for high-quality architecture and design that adds visual interest and a well-defined pedestrian-friendly streetscape, and
- the development will use enhanced landscaping and high-quality architectural design to create visually appealing frontages that are scaled and oriented to define the street edge.

It was recommended that the proposal is in keeping with the City's design intent and that the proposed application should be approved. Additional design elements and details will have an opportunity to be considered at the Site Plan stage.

4.3.6 Biology

A Species At Risk Screening (SARS) was prepared by Insight Environmental Solutions Inc. dated January 9, 2023.

The purpose of the report is to inspect the current site condition and applicable Endangered Species Act (ESA), 2007 policies, identify any constraints and opportunities, and provide recommendation.

Based on information gathering efforts and field investigations, it has been concluded that the project is not likely to contravene the ESA 2007. The proposed development will have no impact on any Endangered or Threatened species or their habitat if the mitigation measures stated in this report are implemented during construction activities.

The report has been submitted to the Ministry.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy considerations of the PPS as it relates to the proposed development.

PPS Policy #	Policy	Response
1.0 Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns.....	<p>The proposed development provides a new 'missing middle' housing choice in an existing settlement area.</p> <p>The subject lands are located along a Mixed-Use Corridor (Howard Avenue) that is transitioning from a typical automobile-oriented low density residential area to a higher density, pedestrian oriented and transit supportive community.</p>
1.1.1	<p>Healthy, liveable and safe communities are sustained by:</p> <p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p>	<p>The proposed development is consistent with the policy to build strong, healthy and livable communities as it provides for a new housing choice in the form of multiple dwellings.</p> <p>There are no environmental or public health and safety</p>

PPS Policy #	Policy	Response
	<p>b) accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>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;</p> <p>e) promoting.....cost-effective development patterns and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>h) promoting development and land use patterns that conserve biodiversity.</p>	<p>concerns as the area is well established.</p> <p>The development pattern does not require expansion of the settlement area as it is a use of an existing parcels of land.</p> <p>The Site has access to full municipal services and is close to nearby local parks, places of worship and schools.</p> <p>Accessibility of units will be addressed at the time of the building permit application.</p> <p>Public service facilities are available nearby, such as local schools.</p> <p>The development pattern is proposed to be an efficient use of the Site.</p>
1.1.2	<p>Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if</p>	<p>The proposed development will help the City of Windsor meet the full range of current and future residential needs through infill and intensification.</p> <p>The Site will provide for residential 'missing middle' within an existing settlement area in the form of multiple dwellings.</p>

PPS Policy #	Policy	Response
	necessary, designated growth areas.	
1.1.3.1	Settlement areas shall be the focus of growth and development.	<p>The proposal enhances the vitality of the Municipality, as the proposal is within the City's settlement area.</p> <p>The Site will provide for a new housing choice consistent with developments in the area.</p>
1.1.3.2	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> 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. 	<p>The total density of the proposed development is considered appropriate as there are similar types of multiple buildings in the area.</p> <p>The Site offers an opportunity for intensification by creating new residential housing choice in a built up area.</p> <p>The intensification can be accommodated for the proposed development as it is an infilling opportunity within an existing land use pattern.</p> <p>The proposed design and style of the proposed multiple dwellings will blend with the residential uses in the area.</p> <p>Residents will have immediate access to shopping, employment, transit, active transportation, recreational areas and institutional uses.</p> <p>Transit is available for the area.</p>

PPS Policy #	Policy	Response
1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	<p>The intensification can be accommodated for the proposed residential development as it is an appropriate development of the Site.</p> <p>The Site is well-located and in close proximity to a range of uses, including commercial, institutional and recreational uses. The Site is well connected to the arterial road network and utilizes existing access to public transportation.</p> <p>The proposed development will positively contribute to the vision outlined in the City of Windsor Official Plan for Mixed-Use Corridors by providing medium density residential uses along the Howard Avenue Corridor supporting active transportation and housing targets for the City of Windsor.</p>
1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	<p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing land use pattern.</p> <p>There will be no risks to the public.</p>
1.1.3.5	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The City has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located in an existing built-up area

PPS Policy #	Policy	Response
		and will add new residential units.
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	<p>The proposed development does have a compact form.</p> <p>The density will allow for the efficient use of land, infrastructure and public services.</p>
1.4.1	<p>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:</p> <p>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</p> <p>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.</p>	<p>The proposed development will provide for a new housing choice and density in the existing built-up area. This addressed the need for more 'missing middle' housing.</p> <p>The intensification can be accommodated for the proposed development as it is a development opportunity within an existing land use pattern.</p> <p>The area is pedestrian-friendly, allowing people to access nearby amenities, such as public spaces, commercial, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use existing municipal infrastructure.</p> <p>Full municipal services are available.</p>
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing	The proposed density is compatible with the surrounding area and will

PPS Policy #	Policy	Response
	options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.	<p>provide affordable intensification and infilling through the efficient use of the Site.</p> <p>The Site is close to nearby amenities.</p> <p>There is suitable and has access to full municipal infrastructure.</p>
1.6.1	Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.	<p>The development has access to full municipal services.</p> <p>Access to public transit is available.</p>
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	<p>The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.</p> <p>There will be no anticipated impacts on the municipal system and will not add to the capacity in a significant way, as supported by the required study.</p>
1.6.6.7	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</p>	<p>There will be no risk to health and safety.</p> <p>The area is outside of the ERCA regulated area.</p> <p>Support studies have been provided.</p>

PPS Policy #	Policy	Response
	b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	
1.6.7.1	Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.	The subject property is near major roadways and has access to transit.
1.6.7.2	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	The proposed development contributes to the City's requirements for development within a built-up area. The area is serviced by transit with a bus stop close by.
1.6.7.4	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.	The proposed development contributes to the City's requirement for infilling within a built-up area. Parking is provided on-site. No reduction of the required

PPS Policy #	Policy	Response
		<p>parking spaces is being requested.</p> <p>The area is pedestrian-friendly, allowing people to access nearby amenities, such as public spaces, commercial, and recreational activities.</p> <p>The proposed density offers an opportunity to efficiently use municipal infrastructure.</p>
1.8	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.	<p>The proposed development supports compact form within an existing built-up area of the City.</p> <p>The Site has access to transit and local amenities.</p>
2.1.1	Natural features and areas shall be protected for the long term.	<p>There are no natural features that apply to this Site.</p> <p>An NHE and Tree Study was completed. Some trees will be preserved.</p> <p>Mitigation measures are recommended including a buffer from the drain.</p>
2.2.1	Planning authorities shall protect, improve or restore the quality and quantity of water.	Full municipal services are available.
2.6.1	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	There are no heritage features that apply to this Site.
3.0	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not	<p>There are no natural or human-made hazards that apply to this Site.</p> <p>The Site is outside of the ERCA regulated area.</p>

PPS Policy #	Policy	Response
	create new or aggravate existing hazards.	

Therefore, the proposed development is consistent with the PPS.

5.1.2 Official Plan

The City of Windsor Official Plan (OP) was adopted by Council on October 25, 1999, approved in part by the Ministry of Municipal Affairs and Housing (MMAH) on March 28, 2000 and the remainder approved by the Ontario Municipal Board (OMB) on November 1, 2002. Office consolidation version is dated September 7, 2012.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the City.

The lands are designated “Mixed Use Corridor” according to Schedule “D-1: Land Use” (OPA 159) attached to the OP for the City of Windsor (see Figure 4 – OP).



Figure 4 – OP

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy #	Policy	Response
3.2.1.2	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.	<p>The proposed residential development supports the City's overall development strategies of providing for a range of housing types.</p> <p>Additional residents will contribute to the vitality of the neighbourhood and its multiple amenities, promote the increased reliance on transit, and provide additional economic benefits for the many existing businesses in the area.</p>
4.0	The implementing healthy community policies are interwoven throughout the remainder of the Plan, particularly within the Environment, Land Use, Infrastructure and Urban Design chapters, to ensure their consideration and application as a part of the planning process.	<p>The proposed development will support the City's goal of promoting a healthy community (live, work and play).</p> <p>The proposed development is close to nearby transit, employment, shopping, local/regional amenities and parks.</p>
5.0	A healthy and sustainable environment represents a balance between human activities and natural features and functions. In order to attain this balance, Council will enhance the quality of Windsor's natural environment and manage development in a manner that recognizes the environment as the basis of a safe, caring and diverse community and a vibrant economy.	<p>The proposed development will support the City's goal of a healthy and sustainable environment.</p> <p>The Site is pedestrian-friendly, as there are sidewalks that will link to the surrounding amenities.</p> <p>The Site is level, which is conducive to easy vehicular movements.</p> <p>There are no anticipated traffic concerns, no environmental</p>

OP Policy #	Policy	Response
		concerns, and no expected hazards.
6.0 - Preamble	A healthy and livable city is one in which people can enjoy a vibrant economy and a sustainable healthy environment in safe, caring and diverse neighbourhoods. In order to ensure that Windsor is such a city, Council will manage development through an approach which balances environmental, social and economic considerations.	<p>The proposed development supports the policy set out in the OP as it is suited for the residential needs of the City.</p> <p>The Site will provide for a new housing choice in the form of a 'missing middle' development.</p> <p>The subject lands comprise part of a growing residential community in Windsor, and if developed as proposed, would contribute to the existing population and housing density targets for the City of Windsor.</p>
6.1 - Goals	<p>In keeping with the Strategic Directions, Council's land use goals are to achieve:</p> <p>6.1.1 Safe, caring and diverse neighbourhoods.</p> <p>6.1.3 Housing suited to the needs of Windsor's residents.</p> <p>6.1.10 Pedestrian oriented clusters of residential, commercial, employment and institutional uses.</p>	<p>The proposed development supports the goals set out in the OP as it provides for housing that is suited to residents in this area of Windsor, is pedestrian-oriented, close to employment and schooling opportunities.</p> <p>The proposed development will make efficient use of existing land, infrastructure and services, and is located near the intersection of major roads, E.C. Row Expressway and Cabana Road East.</p> <p>Public transit is existing for the area, and the proposed development will provide a transit supportive density.</p> <p>The proposed development represents the development of underutilized parcels which</p>

OP Policy #	Policy	Response
		<p>were previously used for low-density residential uses. It is expected that redevelopment and new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development reflects the overall vision of the Windsor Official Plan and will contribute to the overall development of the area.</p>
6.2.1.2 – General Policies	<p>For the purpose of this Plan, Development Profile refers to the height of a building or structure. Accordingly, the following Development Profiles apply to all land use designations on Schedule D: Land Use unless specifically provided elsewhere in this Plan:</p> <p>(a) Low Profile developments are buildings or structures generally no greater than three (3) storeys in height;</p> <p>(b) Medium Profile developments are buildings or structures generally no greater than six (6) storeys in height; and</p> <p>(c) High Profile developments are buildings or structures generally, no greater than fourteen (14) storeys in height.</p>	The structure is considered a low profile building as the multiple dwellings are proposed to be 2 storeys in height.
6.5.3.1 – Mixed Use Corridor (OPA 159)	Uses permitted in the Mixed Use Corridor land use designation are primarily	Residential is proposed and supported as a permitted use

OP Policy #	Policy	Response
	<p>retail, wholesale store and service oriented uses and, to a lesser extent, office uses.</p> <p>Medium and High Profile residential uses either as standalone buildings or part of a commercial-residential mixed use buildings shall be throughout the Corridors.</p>	<p>in the Mixed Use Corridor land use designation.</p> <p>The Site is well-located and in close proximity to a range of uses, including commercial, institutional and recreational uses.</p> <p>The Site is well connected to the arterial road network and utilizes existing access to public transportation.</p> <p>The proposed development will positively contribute to the vision outlined in the City of Windsor Official Plan for Mixed-Use Corridors by providing medium density residential uses along the Howard Avenue Corridor supporting active transportation and housing targets for the City of Windsor.</p>
6.5.3.3	<p>Council will encourage Mixed-Use Corridor development to provide a continuous street frontage and presence. Accordingly, development along a Mixed-Use Corridor shall be:</p> <p>a) no more than four storeys in height, except on lands at an intersection of any combination of the following roads: Class I Arterial Road, Class II Arterial Road, Class I Collector, or Class II Collector Road. The height of buildings shall generally not exceed the width of the road right-of-way</p>	<p>Each dwelling will be 2 storeys / 8.0 m in height.</p> <p>The proposed development will be compatible with the surrounding area.</p> <p>Primary pedestrian entrances will be provided via access from Howard Avenue, and landscaping will be planned throughout the development to enhance the private realm streetscape and the delineated private/public realm. Elements in the private street realm may include street trees, lighting</p>

OP Policy #	Policy	Response
	<p>abutting the development site; and b) Notwithstanding the identified maximum building height, the Council may consider additional height, where the Council is satisfied that the proposed height achieves compatible development, and where appropriate transitions to abutting lower scale development are established. Appropriate transitions may be achieved through the implementation of regulatory techniques including, but not limited to new height limitations, enhanced building setbacks and step backs, enhanced landscape buffers and planting requirements and/or the implementation of an angular plane. Permissions for taller buildings may be established through a site specific Zoning Bylaw Amendment. c) encouraged to locate the buildings at the street frontage lot line with parking accommodated at the rear of the site.</p>	<p>and landscaping. These items will be detailed through the site plan process.</p> <p>Building entrances will be visibly located along the private internal road with barrier-free sidewalks connecting from the entrances to parking areas and existing sidewalk infrastructure on Howard Avenue.</p>
6.5.3.4 - Infill	Council shall promote the infilling and consolidation of existing Commercial Corridors.	The proposed development is support by the policy to infill existing parcels of land.
6.5.3.6 – Location Criteria	Commercial Corridor development shall be located where: (a) there is access to Class I or Class II Arterial Roads or Class I Collector Roads; (b) full municipal physical services can be provided; and (c) commercial	The Site has access to Howard Ave.

OP Policy #	Policy	Response
	related traffic can be directed away from residential areas.	
6.5.3.7 - Evaluation Criteria	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial 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 plan 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) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas; and (f) acceptable in terms of the proposal's market impacts on other commercial areas (see Procedures chapter).	<p>This PRR has addressed the PPS and the City OP policies.</p> <p>There are no constraint areas that impact this Site.</p> <p>There is no known contamination.</p> <p>Traffic is not anticipated to have any impact. A TIS has been prepared. Mitigation measures are recommended.</p> <p>There are no sensitive areas.</p> <p>Full municipal services are available.</p> <p>The proposed development will not have any impact on the enjoyment and privacy of abutting lands.</p> <p>The Site is pedestrian friendly and offers bicycle parking.</p> <p>On-site parking is provided.</p> <p>There is a need for more housing choices in the City of Windsor.</p>

OP Policy #	Policy	Response
6.5.3.8 - Design Guidelines	<p>The following guidelines shall be considered when evaluating the proposed design of a Commercial Corridor development: (a) the ability to achieve the associated policies as outlined in the Urban Design chapter of this Plan; (b) the provision of appropriate landscaping or other buffers to enhance: (i) all parking lots, and outdoor loading and service areas; and (ii) the separation between the use and adjacent sensitive uses, where appropriate; (c) as a general rule, the height of buildings are consistent with the height of buildings which characterize the Commercial Corridor. Where Council deems it desirable that higher profile development be permitted in an existing Commercial Corridor, the development should be built at a human scale by utilizing one or both of the following measures: (i) treatment of the lower floors of building(s) to provide continuity; and/or (ii) setting back the upper floors of building(s) from the street to avoid overpowering effects at-grade; (d) where possible, parking is located in the rear of the property to encourage continuous building facades adjacent to the street; and (e) measures are taken in site design which provide for ease of access for pedestrians between the public sidewalk and building main entrances in a manner</p>	<p>A UDB has been completed and includes design recommendations.</p> <p>The proposed development will be built with high design standards and will comply with the City's design guidelines.</p> <p>The multiple dwelling design is a compact form of residential development.</p> <p>The Site is pedestrian friendly.</p> <p>The proposed development will blend well with the mix of commercial and residential uses in the existing built up area.</p> <p>The proposed building design will create an identifiable character, and include a variety of colours, materials and facade.</p> <p>The proposed architectural features will have high quality design, consistent with the guidelines set out in the City of Windsor Intensification Guidelines.</p> <p>Landscaping will soften the built form and provide additional character and visual interest within the development and along the street frontage of Howard Avenue.</p> <p>The proposed development has regard for neighbouring buildings and ensures that</p>

OP Policy #	Policy	Response
	which is distinguishable from access provided for vehicles, (f) Council will adopt Design Guidelines that will assist in the design and review of development applications in a manner that will ensure implementation of these policies.	there is an appropriate transition in height and scale from the west and south of the lands. The new building massing has been limited to 2-storeys to ensure that the general proportions and fit with and complement the existing neighbourhood context. Adequate setbacks between adjacent buildings are proposed.
6.5.3.9 - Site Plan Control	Council shall require all development within areas designated as Commercial Corridor to be subject to site plan control, with the exception of Public Open Space uses.	The proposed development will be subject to SPC prior to the issuance of a building permit.
7.0 - Infrastructure	The provision of proper infrastructure provides a safe, healthy and efficient living environment. In order to accommodate transportation and physical service needs in Windsor, Council is committed to ensuring that infrastructure is provided in a sustainable, orderly and coordinated fashion.	The Site is close to nearby transit, off a major roadway and has access to full municipal services. An assessment of services has been completed. There will be no negative impacts on the municipal system as the proposed buildings will be limited to low profile and will not add to the capacity in a significant way.
8 – Urban Design	A memorable, attractive and liveable city is one where people feel comfortable and are inspired by their surroundings. The physical systems and built form of the City are also designed to protect, maintain and improve the quality of life for present and future generations by	A UDB has been prepared. The design of the proposed multiple dwellings will blend with the surrounding residential area as the dwellings are considered small scale low profile. The proposed building will be limited to 2 storeys in height.

OP Policy #	Policy	Response
	<p>integrating the principles of sustainability and place making. In order for Windsor to be such a city, Council is committed to urban design principles that enhance the enjoyment and image of Windsor and its people.</p>	<p>The Site is pedestrian-friendly and is a safe place for people to live.</p> <p>The Site is compatible with the surrounding area in terms of scale, massing, height, and siting.</p> <p>The proposed parking area will be integrated with the development.</p> <p>The dwellings will have a clean façade facing the private internal roadway.</p> <p>The proposed development will contribute to the overall image of Windsor by providing additional housing opportunities along Howard Avenue. Howard Avenue is designated as a Mixed Use Corridor that should foster a distinctive and attractive area identity.</p> <p>It is expected that the new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development will make efficient use of existing land, infrastructure and services, and is located near the intersection of major roads, E.C. Row Expressway and Cabana Road East. Public transit is existing for the</p>

OP Policy #	Policy	Response
		<p>area, and the proposed development will provide a transit supportive density.</p> <p>The proposed development represents the development of underutilized parcels which were previously used for low-density residential uses. It is expected that redevelopment and new development will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale.</p> <p>The proposed development reflects the overall vision of the OP and will contribute to the overall development of the area.</p>
8.7.2.3 – Infill	<p>Council will ensure that proposed development within an established neighbourhood is designed to function as an integral and complementary part of that area's existing development pattern by having regard for:</p> <ul style="list-style-type: none"> (a) massing; (b) building height; (c) architectural proportion; (d) volumes of defined space; (e) lot size; (f) position relative to the road; (g) building area to site area ratios; (h) the pattern, scale and character of existing development; and, (Added by OPA #66–11/05/07-B/L209-2007); 	<p>It is intended that the residential units will offer a new dwelling type within a primarily single detached residential neighbourhood.</p> <p>There is an appropriate transition in height and built-form to adjacent uses.</p> <p>This development is designed to become a functional component of the urban fabric of the existing and planned neighbourhood.</p> <p>The UDB has taken into consideration the City Intensification Urban Guidelines.</p>

OP Policy #	Policy	Response
	(i) exterior building appearance (Added by OPA #66–11/05/07-B/L209-2007); (j) Council adopted Design Guidelines that will assist in the design and review of applications for development in accordance with the policies noted above (OPA 159).	

Therefore, the proposed development conforms to the City of Windsor OP and an official plan amendment is not required.

5.1.3 Zoning By-law

The City of Windsor Zoning By-Law (ZBL) #8600 was passed by Council on July 8, 2002, and then a further Ontario Municipal Board (OMB) decision was issued on January 14, 2003.

A ZBL implements the PPS and the City OP by regulating the specific use of property and provide for its day-to-day administration.

The Site is currently zoned “Residential District 1.1 (RD1.1)” Zone and “Holding Residential District 1.1 (HRD1.1)” Zone on Map 8 of the City of Windsor Zoning By-Law #8600 (see Figure 5 – Zoning).



Figure 5 – Zoning

A site specific zoning is required for the Site in order to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.

It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2– S.20(1) (XXX))” Zone.

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 review of the RD2.2 zone provisions, as set out in Section 11.2.3.4 of the ZBL are as follows:

Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling	Multiple Dwellings - with four	Will comply, subject to the ZBA.

Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
	One Duplex Dwelling One Multiple Dwelling containing a maximum of four dwelling units One Semi-Detached Dwelling One Single Unit Dwelling Townhome Dwelling Any use accessory to any of the preceding uses	dwellings units or less and multiple dwellings with 5 or more dwelling units	Proposed 11 multiple dwellings (six 4-plexs and five 8-plexs) for a total of 64 units.
Lot Frontage – min	18.0 m	61.0 m	Complies
Lot Area – min	540.0 m ²	12,591.6 m ²	Complies
Lot Coverage - maximum	45.0%	34.4 %	Complies
Building Height – min/max	9.0 m	8.0 m	Complies
Front Yard Depth – min	6.0 m	9.4 m	Complies
Rear Yard Depth - minimum	7.50 m	7.50 m	Complies
Side Yard Width - minimum	1.80 m	North – 9.4 m South – 5.4 m	Complies
Parking Area Separation - minimum 25.5.20.2	A Street – 3.0 m	6.0 m	Complies
Parking Area Separation - minimum 25.5.20.3	An interior lot line or alley - 0.90 m	< 0.90 m	Complies

Zone Regulations	Required RD2.2	Proposed	Compliance and/or Relief Requested with Justification
Parking Area Separation - minimum 25.5.20.5	Building Wall (Main Entrance) – 2.0 m	< 2.0 m	Complies
Parking Area Separation - minimum 25.5.20.6	Building Wall (habitable room window) – 4.50 m	< 4.50 m	Complies
Parking Requirements 24.20.5.1	Multiple Dwelling containing a maximum of 4 Dwelling units - 1 for each dwelling unit 24 x 1 = 24 Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit 40 x 1.25 = 50	74	Complies Includes garage, driveways and parking area.
Accessible Parking Spaces 24.24.1	26 to 100 = 2	2	Complies
Visitor 24.24.1	N/A	N/A	Complies
Bicycle Parking Spaces 24.30.1.1	20 or more - 2 for the first 19 paces plus 1 for each additional 20 parking spaces = 2	3	Complies
Loading 24.40.1	N/A	0	Complies

Therefore, the proposed development will require a site-specific zoning RD2.2 - S.20(1)(XXX) Zone in order to permit the proposed multiple dwelling units.

All other zone provisions can be complied with.

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is generally level, which is conducive to easy vehicular movements,
- The Site already accommodates municipal water, storm and sewer systems,
- There are no anticipated traffic concerns,
- There are no environmental concerns, and
- There are no hazards.

6.1.2 Compatibility of Design

The Site is compatible with the surrounding area in terms of scale, massing, height and siting.

The overall proposed building design will incorporate unique aesthetic properties while utilizing high quality building materials to ensure a façade and structure that promote a cohesive and compatible urban character.

6.1.3 Good Planning

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The proposal represents good planning as it addresses the need for the City to provide 'missing middle' residential development.

The proposed units will contribute toward affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area which has residential and commercial uses surrounding the Site.

The proposed residential units will not put any additional stress on municipal infrastructure or the current Site.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environmental impacts, as there are no natural heritage features on the Site.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the residential development is limited to **low profile** and will not add to the capacity in a significant way.

6.1.6 Social and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, places of worship and community amenities.

Adding residential units on the Site contributes toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place.

The proposed development promotes efficient development and land use pattern, which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost-effective development pattern that minimizes land consumption and servicing costs.

There will be no urban sprawl as the proposed development is within the existing settlement area and is an ideal development opportunity.

6.2 Conclusion

The proposal to add multiple dwellings on the Site is appropriate and should be approved by the City of Windsor.

This PRR has shown that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL and represents good planning.

The report components for this PRR have set out the following, as required under the City of Windsor OP:

10.2.13.2 Where a Planning Rationale Report is required, such a study should:

- (a) Include a description of the proposal and the approvals required;*
- (b) Describe the Site's previous development approval history;*
- (c) Describe major physical features or attributes of the Site including current land uses(s) and surrounding land uses, built form and contextual considerations;*
- (d) Describe whether the proposal is consistent with the provincial policy statements issued under the Planning Act.*

- (e) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies;*
- (f) Describe whether the proposal addresses the Community Strategic Plan;*
- (g) Describe the suitability of the Site and indicate reasons why the proposal is appropriate for this Site and will function well to meet the needs of the intended future users;*
- (h) Provide an analysis of the compatibility of the design and massing of the proposed developments and land use designations;*
- (i) Provide an analysis and opinion as to why the proposal represents good planning, including the details of any methods that are used to mitigate potential negative impacts;*
- (j) Describe the impact on the natural environment;*
- (k) Describe the impact on municipal services;*
- (l) Describe how the proposal will affect the social and/or economic conditions using demographic information and current trends; and,*
- (m) Describe areas of compliance and non-compliance with the Zoning By-law.*

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.


Tracey Pillon-Abbs, RPP
Principal Planner



PLANNING RATIONALE REPORT ADDENDUM

ZONING BY-LAW AMENDMENT For Proposed RESIDENTIAL DEVELOPMENT

**3623, 3631, and 3637 Howard Ave
Windsor, Ontario**

July 13, 2023

Prepared by:



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1.0 INTRODUCTION

I have been retained by 5050542 Ontario Inc. (herein the “Applicant”) to provide a land use Planning Rationale Report (PRR) in support of a proposed residential development for property located at 3623, 3631 and 3637 Howard Avenue (herein the “Site”) in the City of Windsor, Province of Ontario.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The purpose of this report is to provide additional information based on a discussion with City of Windsor Staff and request an amendment to the ZBA application based on a revised concept plan.

2.0 SITE

The Site is made up of 3 parcels of land located on the west side of Howard Avenue in Ward 9, South Windsor Planning District (see Site located in red on Figure 1 – Key Map).



Figure 1 – Key Map (City of Windsor GIS)

The Site consists of a total area of approximately 12,591.6 m² / 1.259 ha in size. The Site has a total frontage of 61.0 m along Howard Avenue and a depth of 206.55 m.

The property has access to municipal water, storm and sanitary services.

3.0 PROPOSAL

The Applicant is proposing to consolidate all 3 parcels of land and develop them for residential use.

The overall vision for the proposed development is to create a medium density residential community that is transit supportive and compatible with the surrounding land uses.

The proposed building design complements and contributes to a desirable community character and strives to establish a sense of place along the Howard Avenue Corridor.

A concept plan was prepared by ADA Inc. Architect, dated July 2021 (see Figure 2a – Site Plan).

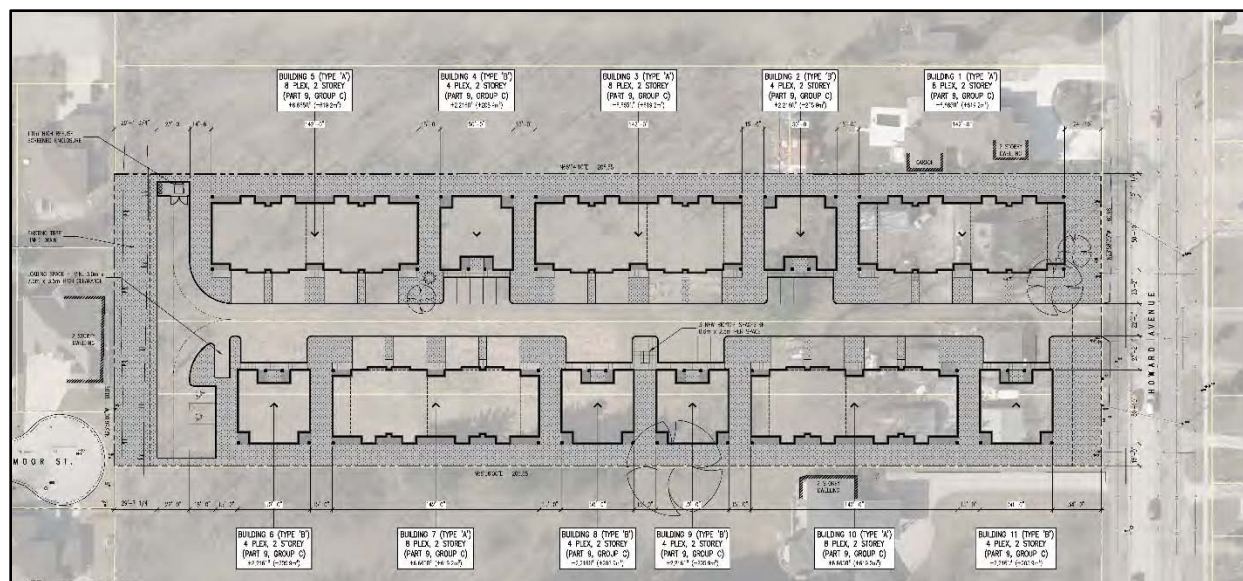


Figure 2 – Site Plan

The concept plan design included the redevelopment of the subject lands to establish multiple residential uses.

The proposed development included 11 multiple residential buildings consisting of six 4-plex buildings and five 8-plex buildings with a total of 64 residential units. Tenure condominium (freehold). On site parking was provided.

Based on discussions with City of Windsor Staff, a revised concept plan has been prepared by ADA Inc. Architect, dated July 12, 2023 (see Figure 3 – Revised Site Plan).

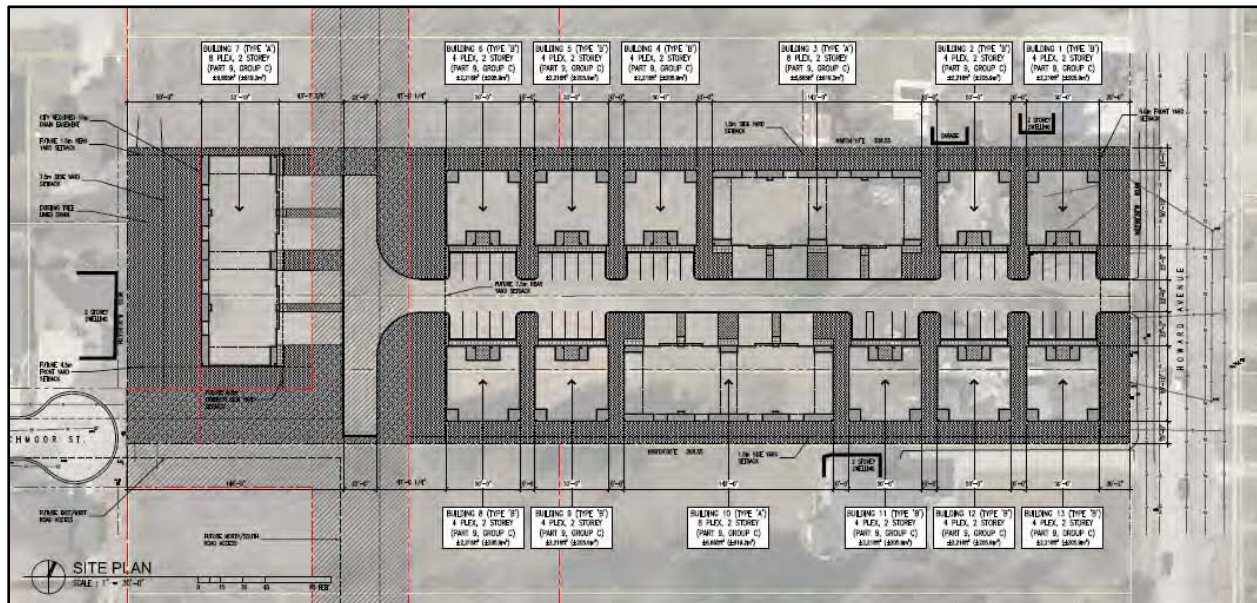


Figure 3 – Revised Site Plan

The revised concept plan still includes the redevelopment of the subject lands to establish multiple residential uses.

The proposed development now includes 13 multiple residential buildings consisting of ten 4-plex buildings and three 8-plex buildings with a total of 64 residential units.

Each dwelling will be 2 storeys / 8.0 m in height. Tenure will still be condominium (freehold).

On site parking is still proposed.

A new future right-of-way (r-o-w) of 20 m is proposed to facilitate any future connections and conveyed to the City.

An easement will be required for the Merritt Drain located on the west side of the Site.

The purpose of the revised concept is to allow for future vehicle and pedestrian connections to abutting lands to the west, north, and south to ensure future development is viable. Connections will also allow for coordinated provision of services and infrastructure.

A Guideline Plan is required to be undertaken to determine roads, infrastructure, and the form of development that should be permitted. This will include consultation with abutting property owners 120 m from the Site.

The Site can be placed in a Holding (h) symbol provision. The h symbol can be removed once the Guideline Plan is completed and adopted by Council as well as the grating of easements and conveyance of land for the road purposed and any other conditions required.

The h symbol can be applied to the westerly most 58 m of the Site and allow the balance to be developed in a phased approach.

4.0 ZONING ANALYSIS

An amendment to the Zoning By-Law Amendment (ZBA) application is required to facilitate the revised concept plan.

The Site is currently zoned “Residential District 1.1 (RD1.1)” Zone and “Holding Residential District 1.1 (HRD1.1)” Zone on Map 8 of the City of Windsor Zoning By-Law #8600 (see Figure 4 – Zoning).



Figure 4 – Zoning

A site specific zoning is required for the Site in order to permit multiple dwellings with four dwelling units or less and multiple dwellings with 5 or more dwelling units.

It is proposed to change the zoning of the Site to a site specific “Residential District 2.2 (RD2.2–S.20(1) (XXX))” Zone.

If the new r-o-w is constructed, the proposed building 7, as shown on the revised concept plan will be located on a separate lot. The proposed building will be freehold. The front yard will be the east side of the lot and the rear yard will be the west side of the lot.

A review of the RD2.2 zone provisions, as set out in Section 11.2.3.4 of the ZBL are as follows:

Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
Permitted Uses	One Double Duplex Dwelling One Duplex Dwelling One Multiple Dwelling containing a maximum of four dwelling units One Semi-Detached Dwelling One Single Unit Dwelling Townhome Dwelling Any use accessory to any of the preceding uses	Multiple Dwellings - with four dwellings units or less and multiple dwellings with 5 or more dwelling units	Will comply, subject to the ZBA. Proposed multiple dwellings
Lot Frontage – min	18.0 m	61.0 m (building 7 – 49.56 m, east side, along north-south r-o-w)	Complies
Lot Area – min	540.0 m ²	12,591.6 m ² (building 7 lot area – 1,885 m ²)	Complies

Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
		(10,706.6 m ² - without building 7)	
Lot Coverage - maximum	45.0%	31.0 % (building 7 – 32.8 %) (without building 7 – 36.4 %)	Complies
Building Height – min/max	9.0 m	8.0 m	Complies
Front Yard Depth – minimum	6.0 m	East – 6.2 m (building 7 – east 6 m)	Complies
Rear Yard Depth - minimum	7.50 m	West – 15.2 m (building 7 – west 7.5 m)	Complies
Side Yard Width - minimum	1.80 m	North – 4.6 m South – 4.6 m (building 7 – north 1.5 m and south 6.0)	Complies Building 7 complies south side. Relief is required for Building 7 on the north side (interior lot).
Parking Area Separation - minimum 25.5.20.2	A Street – 3.0 m	>3.0 m	Complies
Parking Area Separation - minimum 25.5.20.3	An interior lot line or alley - 0.90 m	>0.90 m	Complies

Zone Regulations	Required RD2.2	Proposed (As Revised)	Compliance and/or Relief Requested with Justification
Parking Area Separation - minimum 25.5.20.5	Building Wall (Main Entrance) – 2.0 m	>2.0 m	Complies
Parking Area Separation - minimum 25.5.20.6	Building Wall (habitable room window) – 4.50 m	>4.50m	Complies
Parking Requirements 24.20.5.1	<p>Multiple Dwelling containing a maximum of 4 Dwelling units - 1 for each dwelling unit</p> <p>40 x 1 = 40</p> <p>Multiple Dwelling containing a minimum of 5 Dwelling units - 1.25 for each dwelling unit</p> <p>24 x 1.25 = 30</p> <p>TOTAL = 70</p>	73	<p>Complies</p> <p>Includes garage, driveways, and parking area.</p>
Accessible Parking Spaces 24.24.1	26 to 100 = 2	2	Complies
Visitor 24.24.1	N/A	N/A	Complies
Bicycle Parking Spaces 24.30.1.1	<p>20 or more - 2 for the first 19 paces plus 1 for each additional 20 parking spaces</p> <p>2 + 2.7 = 4.7 (4 rounded down)</p>	4	Complies
Loading 24.40.1	N/A	0	Complies

Therefore, the proposed development will require a site-specific zoning RD2.2 - S.20(1)(XXX) Zone in order to permit the proposed multiple dwelling units.

For Building 7, the following relief is required:

- a) Decrease the required minimum interior side yard width for building 7 (north side) from 1.80m to 1.5m.*

All other zone provisions can be complied with.

5.0 CONCLUSION

Overall, the proposed development supports intensification within the Mixed-Use Corridor and will contribute positively towards the economic development and vitality of South Windsor and implements the objectives within the City of Windsor Official Plan and Intensification Guidelines.

The proposal represents good planning as it addresses the need for the City to provide 'missing middle' residential development.

The proposed units will contribute toward affordability and intensification requirements.

Residential use on the Site represents an efficient development pattern that optimizes the use of land in an existing built-up area which has residential and commercial uses surrounding the Site.

The proposed residential units will not put any additional stress on municipal infrastructure or the current Site.

This PRR has shown that the proposed development is suitable, is consistent with the PPS, conforms with the intent and purpose of the City of Windsor OP, compiles with the intent of the City of Windsor ZBL, and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.



Tracey Pillon-Abbs, RPP
Principal Planner



APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

CANADA POST – BRUNO DESANDO

Thank you for contacting Canada Post regarding plans for a proposed new multi-unit residential development in the City of Windsor. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - A Community Mailbox concrete base pad per Canada Post specifications.

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

CITY OF WINDSOR – 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 reached by phoning 519-255-6267 or, through email at buildingdept@citywindsor.ca

CITY OF WINDSOR – ENGINEERING - SHANNON MILLS

Sewers - The site may be serviced by a 525mm sanitary sewer and a 1050mm storm sewer located within the Howard Ave 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 Sewer Memo submitted with this application confirms that the proposed medium-density residential development sewage flow rates will not have a negative impact to the existing sanitary sewer system. A sanitary sampling manhole is required 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. A Storm Sewer Memo submitted with this application confirms the pre-development release rate to be 33L/s.

<https://essexregionconservation.ca/wp-content/uploads/2018/12/WE-Region-SWM-Standards-Manual.pdf>.

Right-of-Way - Howard Ave is classified as a Class II Arterial Road with a required right-of-way width of 23 meters per Howard Avenue Environmental Assessment (EA). The existing right-of-way along the frontage of the subject property is sufficient, therefore, a land conveyance is not required. A 0.3m reserve is required along the Lochmoor Street frontage of the subject property.

Currently, Howard Avenue is lacking curb and gutter as well as sidewalk along both sides of Howard Avenue. The owner shall agree to contribute \$7,010.00 towards the construction of sidewalks within the right-of-way, as well as contribute \$3,660.00 towards the future construction of curb and gutter along Howard Avenue.

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

Site Plan Control Agreement - The applicant enter 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.

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

Curb & Gutters – The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, the sum of \$3,660.00 being the Owner's contribution towards the future construction of concrete curb and gutter on the frontage of the subject lands.

Reserves – The owner covenants and agrees that dead-ended highways shall terminate in 0.3 metre reserve blocks. The owner further agrees to gratuitously convey to the Corporation those 0.3 metre reserves in fee simple and without encumbrance and *prior to the issuance of any construction permits*, in order that the Corporation may hold the aforesaid reserve blocks, until required for future highway purposes or for development of adjacent lands.

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.

Sidewalks –The owner(s) agrees, to pay to the Corporation, prior to the issuance of a Building Permit, the sum of \$7,010.00 being the Owner's contribution towards the future construction of a concrete sidewalk on the Howard Avenue frontage of the subject lands.

If you have any further questions or concerns, please contact Shannon Mills at smills@citywindsor.ca

CITY OF WINDSOR – PARKS & FACILITIES – CITY FORESTER – YEMI ADEYEYE

Forestry is in agreement with Stefan Fediuk's feedback.

CITY OF WINDSOR – PARKS & FACILITIES – LANDSCAPE ARCHITECT – BARSOM SHERIF

After reviewing the submitted concept plans, layout, Planning Rationale Report that covers the points of 4.3.5 Urban design and point 4.3.6 Biology as for the SARS, Parks Development & Design has no issue or comments.

CITY OF WINDSOR – PLANNING DEPARTMENT – 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 note 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.

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

Contacts:

Windsor Planning 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

CITY OF WINDSOR – PLANNING DEPARTMENT – LANDSCAPE ARCHITECT & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment Z 003/23 to rezone to RD2.2 to permit development consisting of 11 multiple dwellings on the subject, please note also the following comments:

Zoning Provisions for Parking Setback: The proposed development respects the setback requirements for the proposed zoning. Therefore, no additional landscape requirements are requested.

Climate Change and Tree & Natural Features Preservation: The applicant has provided a Natural Heritage Evaluation and Tree Preservation Study prepared by Insight Environmental Solutions Inc. which, identifies no evidence of SARS Flora but that presence of a provincially significant S3 plant (*Euonymus atropurpureus*) Eastern Burning-Bush which is vulnerable due to its fairly restricted range as it rarely occurs outside of Essex Region.

The report identifies 53 existing trees on site of varying species, size and structure. It further recommends that nine trees within/adjacent to the municipal drain or buffer, near the south-west corner of the property, be preserved and protected. The proposed site plan however does not identify these trees and indicates five different trees that may or may not be able to be preserved due their proximity to the proposed building and/or paved areas. The proposed development is reducing a significant amount green field, which are considered a means to mitigate storm water runoff from hard surfaces. Preservation of and addition to the urban tree canopy will help to continue the sustainability of this site and reduce the amount of stormwater from reaching the city's sewers.

Any loss to the urban tree canopy is to be compensated at a rate of caliper-to-caliper based on the NHETP provided. It is calculated that there is 2710 cm of tree on the property, with 271.5 cm recommended to be retained for a net loss of 2438.5cm. Compensation would be 49 at 50 cm caliper trees to be planted in addition to the minimum requirements for Site Plan Approval, or cash-in-lieu to the satisfaction of the City Forester at the rate of 1 tree per 50cm tree as found in the Schedule of Fees at the time of a building permit being issued.

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

The NHETP makes several recommendations related to project which are supported by the Landscape Architect from a healthy urban design perspective. These Include:

- 5.1.1. Timing for clearing to align with the Migratory Birds Convention Act 1994.
- 5.1.2. Clearing to be kept to a minimum especially along the civic drain to reduce any potential amphibian breeding habitat destruction.
- 5.1.3. Contaminant and Spill Mitigation.
- 5.1.4. Operation of Machinery to reduce any soil contamination and habitat destruction.

In addition, the recommended tree preservation techniques and recommendations found in section 6.5 of the report are supported.

Urban Design: The proposed facades on the development retain a suburban character and are supported. It is recommended however that the colour variation between the lower brickwork and the vertical siding be increased to provide better visual cues for persons with visual disabilities. Darker brickwork would also aid in temperature modification from a climate change perspective.

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

CITY OF WINDSOR – PLANNING DEPARTMENT – SITE PLAN CONTROL – JACQUELINE CABRAL

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

CITY OF WINDSOR – TRANSPORTATION PLANNING – CLARE AMICARELLI

- Howard Ave is classified as a Class II Arterial Road with a required right-of-way width of 23 meters per Howard Avenue Environmental Assessment (EA). The existing right-of-way along the frontage of the subject property is sufficient, therefore, a land conveyance is not required.
- Per the Official Plan, a sidewalk is required on two sides of an Arterial Road. Engineering Right-of-Way to determine if a contribution or construction is required.
- The updated Traffic Impact Statement conducted by RC Spencer Associates Inc. dated April 2023 was reviewed and Transportation Planning has the following comments:
 - Report states the intersection of the proposed site access at Howard Ave will perform satisfactorily in the both AM and PM peak hours.
 - Report states, “a “slip-by” lane (ie. paved shoulder) should be integrated into the site access design as an interim measure until Howard Avenue is reconstructed to a four-lane cross section (in accordance with the May 2003 Environmental Assessment).” This offsite improvement should be provided at the time of development and should be provided at the developer’s cost. This can be addressed at time of Site Plan Control.
 - Report states sight lines at the site access appear to be unobstructed.

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949

- If development is significantly different at time of site plan, such as number of units or driveway location, supplementary view may be required at time of Site Plan Control.
- All parking must comply with ZBL 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).

ENBRIDGE

After reviewing the provided drawing at 3623-3631-3637 Howard 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 onsite locates prior to excavating, digging, etc

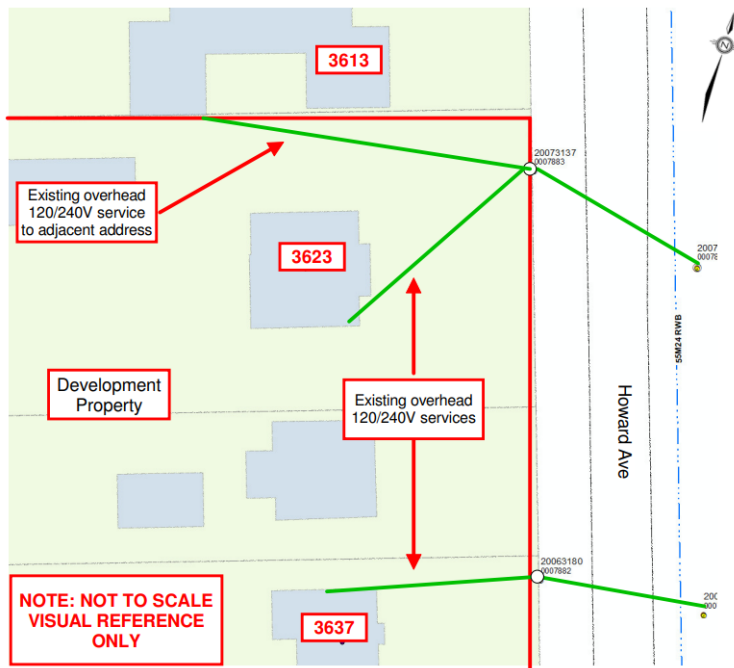
Enbridge Gas requires a minimum separation of 0.6m horizontal and 0.3m vertical from all of our plant less than NPS 16 and a minimum separation 1.0m horizontal and 0.6m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the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

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

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

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

APPENDIX F - RESULTS OF CIRCULATION – Z-003/23 ZNG/6949



Water Engineering: Water Engineering has no objections.

TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the South Windsor 7. The closest existing bus stop is directly in front of this property on Howard at Maguire Southwest Corner providing direct transit service. This will remain unchanged with our Council approved Transit Master Plan. Transit Windsor has no immediate or future plans on relocating the bus stop directly adjacent to this property. If the bus stop needs to temporarily be closed due to construction, Transit Windsor requires a minimum of 2 weeks notice.

Subject: Zoning By-law Amendment Application for 0 & 1466 St. Patrick Avenue, Z-037/22 [ZNG-6899], Ward 10

Reference:

Date to Council: August 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: May 2, 2023
Clerk's File #: Z/14541

To: Mayor and Members of City Council

Recommendation:

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, described as Lots 14 to 16, Plan 973, by adding a site specific holding provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations:

472. EAST SIDE OF ST. PATRICK'S AVENUE, BETWEEN TECUMSEH ROAD WEST AND ALGONQUIN STREET

(1) For the lands comprising of Lots 14 to 16, Plan 973, PIN No. 01213-0284 LT & PIN No. 01213-0286 LT, a *Semi-Detached Dwelling* shall be an additional permitted use and the following shall apply:

1. Provisions in section 10.2.5, save and except s.10.2.5.1 and s.10.2.5.2
2. Lot Width - minimum 13.7 m
3. Lot Area - minimum 418.9 m²

[ZDM 4; ZNG/6899]

- 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) Servicing Study

The owner shall, at its own expense, 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.

b) Off-site Improvements

The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:

- i. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services;
- ii. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record;
- iii. Approval by the Manager of Risk Management of all necessary securities and insurance;
- iv. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule; and
- v. The following special provisions are to be included in the Enhanced Permit:

- Sewer Extension

- The owner(s) shall, prior to the issuance of a building permit and at their entire expense, extend the sanitary sewer on St. Patrick's Avenue to service the subject lands.
- All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

- c) Landscape Plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the necessary stormwater runoff, to the satisfaction of the City Planner.

[ZDM 4; ZNG/6899]

Executive Summary:

N/A

Background:

Application Information:

Location: 0 St. Patrick's Avenue
(Lot 16 & Part of Lot 15, Plan 973; Roll No. 080-640-19700;
PIN No. 01213-0284)
1466 St. Patrick's Avenue
(Lot 14 & Part of Lot 15, Plan 973; Roll No. 080-640-19600;
PIN No. 01213-0286)

Ward: 10

Planning District: South Cameron

Zoning District Map: 4

Owner: Tian Yao Investment Ltd. [Yao Li (Eric)]

**Applicant/
Authorized Agent:** Avant Group Inc. (Mohammad Hanash)

Proposal:

The applicant is requesting an amendment to Zoning By-law 8600 for the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, known municipally as 0 St. Patrick's Avenue and 1466 St. Patrick's Avenue (the subject property).

The applicant proposes to develop two (2) Semi-Detached Dwellings on the subject property. The applicant indicated that the Semi-Detached Dwellings will have two (2) storeys and contain an attached street-facing single car garage and accessory Additional Dwelling Unit (ADU) within each Semi-Detached Dwelling Unit. The Residential District 1.2 (RD1.2) zoning does not permit a Semi-Detached Dwelling use. The applicant proposes to change the current zoning to a Residential District 2.2 (RD2.2) zoning with a site specific exception to allow a Semi-Detached Dwelling use with a minimum lot width of 13.7 metres, minimum lot area of 418.9 m² and minimum rear yard depth of 5.30 metres.

Two (2) Semi-Detached Dwellings on a lot is not permitted under the RD1.2 zoning, and will not be supported through a site specific exception by the Planning Department. Consequently, the applicant has been advised and has acknowledged that the proposed development is dependent on the subject property being severed to create an equal sized lot for each Semi-Detached Dwelling.

Note:

The applicant has submitted a concurrent Alley Closure application (File No. SAA-7025) to close and purchase the section of alley abutting the subject property for the purpose of increasing the lot depth. The alley closure is necessary to achieve the desired building area, as the Planning Department is not in support of the requested reduction in minimum rear yard depth for the reasons noted herein.

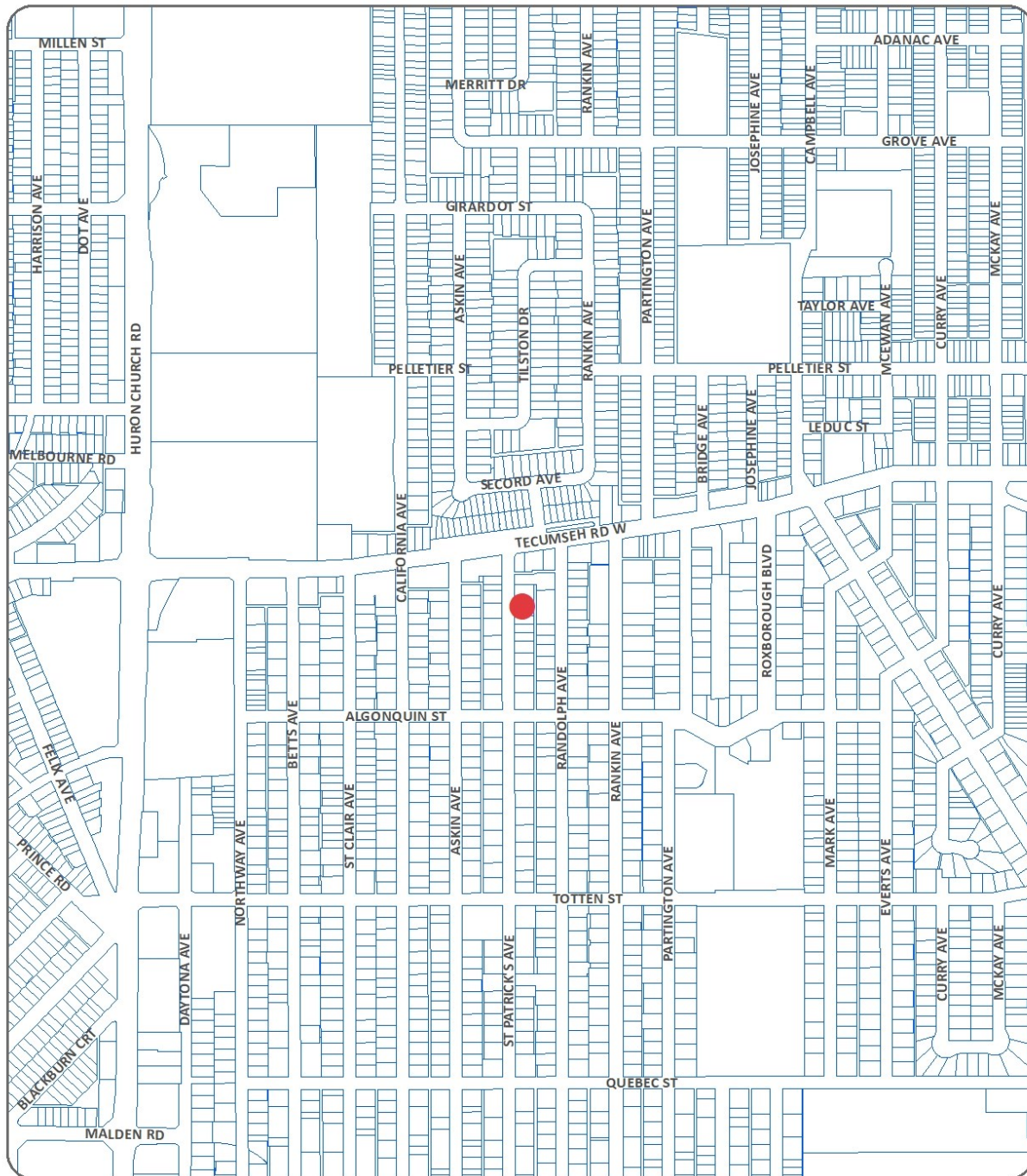
Submitted Information: Conceptual Site Plan (See Appendix A), Planning Pre-Submission Letter (File No. PS-064/21), Topographic Survey, and Zoning By-law Amendment Application Form.

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Residential Low Profile Residential (South Cameron Secondary Plan)	Residential District 1.2 (RD1.2)	Single Family Dwelling	Agricultural
Lot Width	Lot Depth	Lot Area	Lot Shape
27.5 m	30.4 m	837.7 m ²	Rectangular
<i>All measurements are based on Topographic Survey provided by the applicant.</i>			

The subject property contains a 1940 one (1) storey single family dwelling with detached side garage to the south. The remainder of the subject property is maintained as landscaped open space yard. The subject property is bound by a 4.27-metre-wide open alley to the east, which has been encroached on by the abutting property owners over the years. The applicant has a shed and a small portion of the detached garage located within the alley, both of which are proposed to be demolished along with the existing single family dwelling. The subject property was used for agricultural purposes prior to the residential use.

Figure 1: Key Map



KEY MAP - Z-037/22, ZNG-6899



● SUBJECT LANDS

Figure 2: Subject Parcel - Rezoning



PART OF ZONING DISTRICT MAP 4

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Avant Group



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2023
FILE NO. : Z-037/22, ZNG/6899

Figure 3: Neighborhood Map



NEIGHBOURHOOD MAP - Z-037/22, ZNG/6899



SUBJECT LANDS

Neighbourhood Characteristics:

The subject property is located on the northern periphery of the South Cameron neighbourhood. The South Cameron neighbourhood constitutes the area north of E. C. Row Expressway, east of Huron Church Road, south of Tecumseh Road West and west of the Canadian Pacific Railway corridor and yard.

The neighbourhood is primarily occupied by a mix of low-density residential uses, interspersed with institutional, natural heritage, and open space uses throughout. The neighbourhood also includes Mixed-Use-Corridor uses along its northern periphery flanking Tecumseh Road West and northern part of its western periphery flanking Huron Church Road, Business Park uses along the southern part of its western periphery flanking Huron Church Road, and sporadic Industrial uses along its eastern periphery flanking South Cameron Boulevard. The neighbourhood also contains two (2) medium density residential uses at the southeast corner of Daytona Avenue and Totten Street.

Surrounding Land Uses:

North:

- A & D Enterprise (Automobile Sales Lot) (2195 Tecumseh Road West)
- Imperial Auto Wash (1429 Randolph Avenue)
- Kim's Nails & Spa (2101 Tecumseh Road West)
- Piccolo's Pizza and Pasta House (2135 Tecumseh Road West)
- Single Family Dwelling (1450 St. Patrick's Avenue)

East:

- C. Landscaping & Design Inc. (Contractor's Office) (1465 Randolph Avenue)
- Low Density Residential
- Mei Mee Asian Foods Wholesaler (1425 Rankin Avenue)

South:

- Low Density Residential

West:

- Low Density Residential
- University Plaza (1420-1590 Huron Church Road)

Municipal Infrastructure:

- Huron Church Road is classified as a Class I Arterial Road on *Schedule F - Roads & Bikeways* to the Official Plan.
- St. Patrick's Avenue is classified as a Local Road, which has a two-lane cross section with curbs and gutters on both sides, and a sidewalk and LED streetlights on the west side.

- Tecumseh Road West is classified as a Class II Arterial Road on *Schedule F - Roads & Bikeways* to the Official Plan.
- Sanitary sewers are not available to the subject property.
- Storm sewers and water lines are located within the St. Patrick's Avenue right-of-way.
- Transit Windsor operates the Central 3 bus route in both directions on Tecumseh Road West.

Discussion:

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

The following policies of PPS 2020 are considered relevant in discussing provincial interests related to this amendment:

1.0 Building Strong Healthy Communities

Policy 1.1.1 states:

- *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.*
 - This amendment will allow for a Semi-Detached Dwelling infill development that optimizes existing municipal services.
 - *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.*
 - This amendment will allow for a Semi-Detached Dwelling development, further diversifying the range and mix of residential types available in the South Cameron neighbourhood.
 - *c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.*
 - This amendment will not cause any environmental or public health and safety concerns.
 - *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.

- This amendment will allow for the redevelopment of an underutilized parcel of land within a built-up area, thus avoiding the removal of agricultural lands and the construction of unnecessary new municipal infrastructure and public service facilities.
 - This amendment will allow for a development that optimizes existing municipal storm and water services.
 - This amendment requires the extension of the existing municipal sanitary service within St. Patrick's Avenue, consequently providing the following intensification opportunities for properties currently on private septic system:
 - Establishment of ADU's in an Accessory Building
 - Establishment of an ADU or ADU's in existing Single Family Dwelling
 - Subdivision of larger lots to create new building lots
 - This amendment will allow for a development in close proximity (e.g. biking or walking distance, short car or bus ride) to existing commercial uses, open spaces, public service facilities and institutional uses that are complementary to residential land uses.
 - This amendment will allow for a Semi-Detached Dwelling development that is compatible with surrounding land uses in the South Cameron Neighbourhood.
- *f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society.*
- The interior layout and exterior site design for a Semi-Detached Dwelling is exempt from having to comply with the Barrier-Free Design requirements of the *Ontario Building Code*.
 - The *Accessibility for Ontarians with Disabilities Act* does not apply to Semi-Detached Dwellings.
- *g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*
- There is a 150-millimetre watermain and 300-millimetre concrete storm sewer available in the St. Patrick's Avenue right-of-way to service the subject property.
 - There is a 200-millimetre concrete sanitary sewer located approximately 55.0 metres south of the subject property in the St. Patrick's Avenue right-of-way.
 - The Planning Department is recommending that a site-specific Holding symbol "H" (or "h") provision be added to require the extension of the sanitary sewer in accordance

with the conditions set forth by the Engineering Department in their comments *attached* hereto as Appendix F.

- Existing dwellings on properties abutting the sanitary sewer extension will be required to connect to it in a timeframe determined by the City Engineer.
- There are overhead hydro lines available to service the subject property.
- The subject property has direct access to a public highway in the form of St. Patrick's Avenue.
- Assumption College Catholic High School and Assumption College Catholic Middle School, École élémentaire catholique Saint-Edmond, École Secondaire De Lamothe-Cadillac, West Gate Public School and Westview Freedom Academy are located within approximately 1.2 kilometres, 750.0 metres, 1.2 kilometres, 950.0 metres and 400.0 metres of the subject property respectively.
- Adie Knox Arena and Adie Knox Herman Recreation Complex, and Windsor Public Library - Bridgeview Branch are located within approximately 2.3 kilometres and 900.0 metres of the subject property respectively.

Policy 1.1.3.1 states:

- *Settlement areas shall be the focus of growth and development.*
 - The subject property is located within a Settlement area.

Policy 1.4.3 states:

- *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:*
 - *b) permitting and facilitating:*
 - *2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
 - Refer to the response provided to PPS Policy 1.1.1 e) above.
 - *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;*
 - Refer to the response provided to PPS Policy 1.1.1 g) above.

One or more of the aforesaid responses to PPS Policy 1.1.1 also speak to the following relevant PPS Policies:

- 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;
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;
- 1.7.1 Long-term economic prosperity should be supported by:
 - 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;

Official Plan

Relevant excerpts from Volume I and Volume II of the Official Plan are attached as Appendix C and Appendix D respectively. The following policies from these excerpts are considered relevant in discussing the amendment's conformity with the Official Plan.

The subject property is located within the South Cameron Planning District and South Cameron Planning Area on *Schedule A - Planning Districts & Policy Areas*, and a Residential land use designation on *Schedule D - Land Use Plan* of Volume I to the City of Windsor Official Plan. The subject property is located within a Low Profile Residential designation on *Schedule SC-1: Development Concept* of Volume II to the City of Windsor Official Plan.

Volume I

Chapter 3 - Development Strategy

3.2.1 - Safe, Caring and Diverse Communities

This amendment complies with the following applicable key policy direction for managing growth consistent with the Vision of the City of Windsor Community Strategic Plan.

Encouraging a range of housing types will ensure that people have an opportunity to live in their neighbourhoods as they pass through the various stages of their lives. Residents will have a voice in how this new housing fits within their neighbourhood. As

the city grows, more housing opportunities will mean less sprawl onto agricultural and natural lands (Policy 3.2.1.2).

Chapter 6 - Land Use:

6.1 Goals

This amendment complies with the following applicable land use goals:

- *Housing suited to the needs of Windsor residents (Goal 6.1.3).*
- *To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available (Goal 6.1.14).*

6.3 Residential

6.3.1 Objectives

The amendment complies with the following applicable Residential land use objectives:

- *To support a complementary range of housing forms and tenures in all neighbourhoods (Objective 6.3.1.1).*
- *To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan (Objective 6.3.1.3).*

6.3.2 Policies

Evaluation Criteria

Policy 6.3.2.5 states:

- *At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is:*
 - *(a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:*
 - *(ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;*
 - The contractor's office at 1465 Randolph Avenue is located behind the subject property on the other side of the alley.
 - Nuisances commonly associated with the use and uses permitted under the property's Commercial District 2.1 (CD2.1) zoning will not be a factor, as an Outdoor Storage Yard is prohibited under the CD2.1 zoning.

- *(c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.*
 - This amendment will allow for a development that is compatible with the established built environment found within the block and surrounding neighbourhood.
 - The Planning Department undertook a detailed analysis of the lots and buildings contained within the block, focusing on a variety of different factors. The purpose of the analysis was to determine if a development permitted through this amendment will be compatible with the established built environment within the block. The data collected through this analysis is included in the table *attached* hereto as Appendix H.
 - The analysis found the block to have a diverse built environment, resulting from a buildout occurring over a period of six decades. In this time building areas and amenity areas changed on multiple occasions to suit the needs of the consumer of the day.

Chapter 7 - Infrastructure:

Policy 7.3.2.3 states:

- *Council shall require all new developments to have full municipal infrastructure available, or agreements in place to provide such infrastructure, as a condition of approving a development proposal.*
 - Provision of required municipal infrastructure is included in the conditions for approval of the recommended zoning by-law amendment; and,
 - The site-specific Holding provision being recommended herein will prevent a building permit from being issued for any new development on the subject property until such time that its conditions have been satisfied and it has been removed by an amending by-law.

Policy 7.3.2.5 states:

- *Council shall not permit the installation of individual on-site sewage services in new developments.*
 - This amendment does not propose a development on on-site sewage services.
 - Zoning By-law 8600 prohibits the erection of a building or structure on a lot where municipal sanitary sewers are not available.

Chapter 11 - Tools:

Land use compatibility throughout Windsor is an implementation goal to be achieved when administering a planning tool under this Chapter. Compatibility between land uses is also an objective of the Zoning By-law Amendment planning tool (Policy 11.6.1.2).

- Land use compatibility was considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Policy 11.6.3.3 states:

- *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 ramifications of this amendment are the extension of existing municipal sanitary services within St. Patrick's Avenue, consequently providing intensification opportunities for properties currently on private septic system.

The aforesaid matters were considered as part of the evaluation of the applicable Official Plan and PPS policies referenced herein.

Volume II

Chapter 4 - South Cameron Planning Area

Land Use Designation: *Low Profile Residential, Schedule SC-1, Development Concept, South Cameron Planning Area, OP. Vol. II*

4.5 Goals

This amendment complies with the following applicable development goals:

- Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure (Goal 4.5.1).
- Provide for a pattern of development in keeping with the scale and use of existing development in this district (Goal 4.5.8).

4.7 Policies

4.7.1 Residential

Low Profile Residential Development

Policy 4.7.1.4 states:

- *For the purpose of this secondary plan, Low Profile Residential development comprise of single detached and semi-detached dwellings only.*

4.10 Implementation

4.10.4 Zoning By-law Amendments

Policy 4.10.4.1 states:

- *Amendments to Zoning By-law 3072 (superseded by Zoning By-law 8600) will be considered having regard to the development policies for the South Cameron Planning District established by this secondary plan.*
 - The policies of the South Cameron Secondary Plan were considered as part of the analysis for this amendment.

Policy 4.10.4.2 states:

- *Zoning amendments will normally be considered when applications are received from property owners (or their authorized agents) within this planning district.*

Zoning By-Law

Relevant excerpts from Zoning By-law 8600 are *attached* as Appendix E.

The subject property is within a RD1.2 zone of Zoning By-law 8600, which does not permit a Semi-Detached Dwelling use.

The applicant is requesting an amendment to Zoning By-law 8600 to change the zoning to RD2.2 with a site specific provision to allow a Semi-Detached Dwelling with a minimum lot width of 13.7 metres, minimum lot area of 418.9 square metres and minimum rear yard depth of 5.30 metres.

The applicant's request for a change in zoning with a site specific provision has been considered and is supported in this report, save and except for the change in zoning district and the reduction in minimum rear yard depth. The following rationale is provided for retaining the RD1.2 zoning and not supporting the reduction in minimum rear yard depth:

- Retention of RD1.2 Zoning
 - The Double Duplex Dwelling, Duplex Dwelling, Multiple Dwelling and Townhome Dwelling uses permitted under the RD2.2 zoning are **not** permitted in the Low Profile Residential Land Use designation within the South Cameron Secondary Plan Area, OP Volume II, as shown in section 4.7.1.4, OP Vol. II.
 - The Semi-Detached Dwelling provisions under both zoning districts are identical.
 - The minimum lot area and lot width provisions for a Single Unit Dwelling under the RD2.2 zoning are not consistent with those of properties within

the block. This could potentially result in the subject property being developed with three (3) Single Unit Dwellings with lot areas and lot widths that are not complimentary to those within the block.

- Reduction in minimum Rear Yard Depth
 - The Planning Department does not agree with the justification submitted by the applicant via email, *attached* hereto as Appendix I. The justification does not explain why compliance with the rear yard depth provision is not possible for a new development on a vacant regular shaped lot with no known constraints (i.e. easement, irregular lot configuration, natural heritage feature, heritage conservation district, etc.).
 - The Planning Department is of the opinion that the request for a reduction in rear yard depth is solely for the purpose of achieving a greater building area.

The Planning Department is recommending that the zoning for the subject property be amended in the following manner to support the proposed Semi-Detached Dwelling development.

- Adding a site specific holding provision to permit a *Semi-Detached Dwelling* as an additional permitted use, subject to additional regulations to permit its development on a lot with a reduced lot width and lot area.
- The holding provision will remain until such time that the conditions referenced herein have been fulfilled to the satisfaction of the designated approval authority.

No other zoning deficiencies have been identified or supported.

A draft amending by-law is attached as Appendix G. Subsection 24 (1) of the *Planning Act*, R.S.O. 1990, c. P.13., prohibits a by-law from being passed that does not conform with the Official Plan. As discussed through the Official Plan section herein, the proposed amendment conforms to the applicable policies of the Official Plan.

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 received from City Departments, external agencies and members of the public on this application were taken into consideration when preparing this report. A record of the comments is included as Appendix E herein.

There are no objections to the proposed amendment.

Public Notice: Statutory notice was advertised in the Windsor Star, a local daily newspaper. A courtesy notice was mailed to property owners and residents within 120 metres of the subject parcel.

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 recommended 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 recommended 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:

Brian Nagata, MCIP, RPP
Planner II - Development Review

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

Justina Nwaesei, MCIP, RPP
Acting Manager of Policy Planning

Thom Hunt, MCIP, RPP
City Planner

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

JP

JM

Approvals:

Name	Title
Justina Nwaesei	Acting 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, Economic Development & Innovation
Joe Mancini	Chief Administration Officer

Notifications:

Name	Address	Email
Applicant & Authorized Agent: Avant Group Inc. c/o Mohammad Hanash	5980 Tecumseh Rd. E. Windsor, ON N8T 1E3	mohammad@avantgroupincorp.com
Owner: Tian Yao Investment Ltd. c/o Eric Yao Li	1638 St. Clair Ave. Windsor, ON N9B 3L1	tianyaoltd@gmail.com
Councillor Jim Morrison (Ward 10)	350 City Hall Square West, Suite 530 Windsor, ON N9A 6S1	jmorrison@citywindsor.ca
Abutting property owners, tenants/occupants within 120-meter (400 feet) radius of the subject property		

Appendices:

- 1 Appendix A - Conceptual Site Plan
- 2 Appendix B - Site Images
- 3 Appendix C - Excerpts from Official Plan Volume I
- 4 Appendix D - Excerpts from Official Plan Volume II
- 5 Appendix E - Excerpts from Zoning By-law 8600
- 6 Appendix F - Consultations
- 7 Appendix G - Draft Amending By-law
- 8 Appendix H - Lot and Building Analysis (1400 to 1500 Block of St. Patrick Avenue)
- 9 Appendix I - Applicant's Rationale for Reduction in Rear Yard Depth

AREA OF WORK:

1466 & 0 St Patricks Ave, Windsor, ON N9B 3K4

Aerial View

NOT TO SCALE

Current Zoning	
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APPENDIX “B”
Site Photos (April 20, 2023)



Figure 1 - Looking east towards subject property from St. Patrick Avenue



Figure 2 - Looking east towards subject property from St. Patrick Avenue (1450 St. Patrick Avenue on left)



Figure 3 - Looking east towards subject property from St. Patrick Avenue (1482 St. Patrick Avenue on right)



Figure 4 - St. Patrick Avenue looking south from subject property



Figure 5 - St. Patrick Avenue looking north from subject property



Figure 6 - Looking east towards single family dwelling and detached garage on subject property

APPENDIX “C”

Excerpts from Official Plan Volume I

3 Development Strategy

This chapter was amended as part of Official Plan Amendments #76 and #79 as part of a 5-year review of the Official Plan. Official Plan Amendment #76 was approved by the Ministry of Municipal Affairs and Housing on 01/06/2012. Official Plan Amendment #79 was approved by the Ministry of Municipal Affairs and Housing on 06/05/2012.

3.2 Growth Concept

3.2.1 Safe, Caring and Diverse Community

*NEIGHBOURHOOD
HOUSING
VARIETY*

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

3.3 Urban Structure Plan

The Urban Structure Plan identifies the key structural elements within the municipality. These key structural elements and the linkages between these elements establish the strategic framework within which more detailed land use designations can be established.

3.3.3 Neighbourhoods

Neighbourhoods are the most basic component of Windsor’s urban structure and occupy the greatest proportion of the City. Neighbourhoods are stable, low-to-medium-density residential areas and are comprised of local streets, parks, open spaces, schools, minor institutions and neighbourhood and convenience scale retail services.

The three dominant types of dwellings in Windsor’s neighbourhoods are single detached, semi-detached and townhouses. The density range for Windsor’s neighbourhoods is between 20 to 35 units per net hectare. This density range provides for low and some medium-density intensification to occur in existing neighbourhoods. Multiple dwelling buildings with medium and high-densities are encouraged at nodes identified in the Urban Structure Plan.

6. Land Use

6.1 Goals

In keeping with the Strategic Directions, Council's land use goals are to achieve:

<i>RESIDENTIAL</i>	6.1.3	Housing suited to the needs of Windsor's residents.
<i>RESIDENTIAL INTENSIFICATION</i>	6.1.14	To direct residential intensification to those areas of the City where transportation, municipal services, community facilities and goods and services are readily available.

6.3 Residential

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

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

6.3.1 Objectives

<i>RANGE OF FORMS & TENURES</i>	6.3.1.1	To support a complementary range of housing forms and tenures in all neighbourhoods.
<i>INTENSIFICATION, INFILL AND REHABILITATION</i>	6.3.1.3	To promote residential redevelopment, infill and intensification initiatives in locations in accordance with this plan.

6.3.2 Policies

In order to facilitate the orderly development and integration of housing in Windsor, the following policies shall apply.

<i>EVALUATION CRITERIA FOR A NEIGHBOURHOOD DEVELOPMENT PATTERN</i>	6.3.2.5	At the time of submission, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed residential development within an area having a Neighbourhood development pattern is: <ul style="list-style-type: none"> (a) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
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- (ii) adjacent to sources of nuisance, such as noise, odour, vibration and dust;
- (c) In existing neighbourhoods, compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas.

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;

7 Infrastructure

This chapter was amended as part of Official Plan Amendments #81 as part of a 5-year review of the Official Plan. Official Plan Amendment #81 was approved by the Ministry of Municipal Affairs and Housing on 09/07/2012.

7.3.2 General Policies

NEW
DEVELOPMENT

- 7.3.2.3 Council shall require all new developments to have full municipal infrastructure available, or agreements in place to provide such infrastructure, as a condition of approving a development proposal.

NEW INDIVIDUAL
ON-SITE SEWAGE
SERVICES

- 7.3.2.5 Council shall not permit the installation of individual on-site sewage services in new developments.

11 Tools

This chapter was amended as part of Official Plan Amendments #84 as part of a 5-year review of the Official Plan. Official Plan Amendment #84 was approved by the Ministry of Municipal Affairs and Housing on 07/09/2012.

11.6 Zoning

A municipality can regulate the use and development of lands, buildings and other structures under the zoning provisions of the *Planning Act*.

11.6.1 Objectives

- 11.6.1.1 To provide for the establishment of a zoning by-law.
- 11.6.1.2 To ensure compatibility between land uses.

11.6.3 Zoning By-law Amendment Policies

- 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.
- 11.6.3.2 All applications for Zoning By-law amendments shall be processed in accordance with the provisions of the *Planning Act*, and regulations pursuant thereto, and the procedural requirements of this Plan. In general, after an applicant's pre-application consultation meeting with municipal staff and submission of an application that is determined to be complete, all applications shall: **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- (a) Be circulated to appropriate agencies and those agencies be provided with sufficient time to respond; **Added by OPA 65 – 10/22/2007– By-law 192-2007**
 - (b) Be advertised and be presented to the public and the views of the public ascertained at a public meeting to be held in accordance with the Planning Act; and **Added by OPA 65 – 10/22/2007– By-law 192-2007**
 - (c) Be given due and thorough consideration by Council. **Added by OPA 65 – 10/22/2007– By-law 192-2007**
- 11.6.3.3 When considering applications for Zoning By-law amendments, Council shall consider the policies of this Plan and will, without limiting the generality of the foregoing, consider such matters as the following:
- (a) The relevant evaluation criteria contained in the Land Use Chapter of this Plan, Volume II: Secondary Plans & Special Policy Areas and other relevant standards and guidelines;
 - (b) Relevant support studies;
 - (c) The comments and recommendations from municipal staff and circularized agencies;
 - (d) Relevant provincial legislation, policies and appropriate guidelines; and
 - (e) The ramifications of the decision on the use of adjacent or similar lands.

APPENDIX “D”

Excerpts from Official Plan Volume II

4. South Cameron Planning Area

4.5 Goals

Based on the background analysis and input received at the public meetings, the following development goals are established.

<i>EFFICIENT LAND USE</i>	4.5.1	Promote land use patterns, residential densities and building forms that make efficient use of existing resources, services and infrastructure.
<i>COMPATIBLE SCALE & USE</i>	4.5.8	Provide for a pattern of development in keeping with the scale and use of existing development in this district.

4.7 Policies

Based upon the background analysis, public input, and consultants’ studies, a development concept was prepared (refer to Schedule SC-1: Development Concept). The intent of this secondary plan is to achieve the previously described goals and objectives, establish a land use pattern and set out policies to guide future development.

4.7.1 Residential

This secondary plan provides primarily for residential development which complements the development that has already occurred within this planning district. In this regard, residential development will be primarily low profile with limited provision for medium and high profile housing to afford a variety of choices in housing forms.

Residential areas are allocated to allow safe and convenient access to parks, schools and major roads leading to commercial facilities and employment areas.

<i>LOW PROFILE RESIDENTIAL DEFINED</i>	4.7.1.4	For the purpose of this secondary plan, Low Profile Residential development comprise single detached and semi-detached dwellings only.
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4.10 Implementation

4.10.4 Zoning By-law Amendments

ZONING AMENDMENTS

- 4.10.4.1 Amendments to Zoning By-law 3072 will be considered having regard to the development policies for the South Cameron Planning District established by this secondary plan.

INITIATION

- 4.10.4.2 Zoning amendments will normally be considered when applications are received from property owners (or their authorized agents) within this planning district. This does not, however, preclude the Corporation of the City of Windsor from initiating amendments to Zoning By-law 3072 where the amendments are perceived to be in the interest of good planning.

APPENDIX “E”

Excerpts from Zoning By-law 8600

SECTION 10 - RESIDENTIAL DISTRICTS 1. (RD1.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233; B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 220-2002, Feb 24/2003; B/L 10-2004 OMB Order PL040143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005 B/L 114-2016 Sep 19/2016); B/L 164-2017, Dec. 7/2017 [ZNG/5270]; B/L 95-2019, Sept. 27/2019

10.2 RESIDENTIAL DISTRICT 1.2 (RD1.2)

10.2.1 PERMITTED USES

Existing Duplex Dwelling

Existing Semi-Detached Dwelling

One Single Unit Dwelling

Any use accessory to the preceding uses

10.2.5 PROVISIONS

	Duplex Dwelling	Semi-Detached Dwelling	Single Unit Dwelling
.1 Lot Width – minimum	9.0 m	15.0 m	12.0 m
.2 Lot Area – minimum	360.0 m ²	450.0 m ²	360.0 m ²
.3 Lot Coverage – maximum	45.0%	45.0%	45.0%
.4 Main Building Height – maximum	10.0 m	10.0 m	10.0 m
.5 Front Yard Depth – minimum	6.0 m	6.0 m	6.0 m
.6 Rear Yard Depth – minimum	7.50 m	7.50 m	7.50 m
.7 Side Yard Width – minimum	1.20 m	1.20 m	1.20 m

SECTION 11 - RESIDENTIAL DISTRICTS 2. (RD2.)

(B/L 10358 Jul 16/1990; B/L 11093 Jul 20/1992; B/L 12651 Approved by OMB Order R960323, Feb 25/1997
 B/L 169-2001 Jun 1/2001; B/L 33-2001 Oct 23/2001, OMB Decision/Order No. 1716 Case No. PL010233
 B/L 370-2001 Nov 15/2001; B/L 363-2002 Dec 31/2002; B/L 142-2006 Aug 24/2006; B/L 114-2016 Sep 19/2016)
 B/L 164-2017, Dec. 7/2017 [ZNG/5270]

11.2 RESIDENTIAL DISTRICT 2.2 (RD2.2)

11.2.1 PERMITTED USES

One Double Duplex Dwelling

One Duplex Dwelling

One Multiple Dwelling containing a maximum of four dwelling units

One Semi-Detached Dwelling

One Single Unit Dwelling

Townhome Dwelling

Any use accessory to any of the preceding uses

11.2.5 PROVISIONS

.1 Duplex Dwelling

.1	Lot Width – minimum	12.0 m
.2	Lot Area – minimum	360.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 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

.2 Semi-Detached Dwelling

.1	Lot Width – minimum	15.0 m
.2	Lot Area – minimum	450.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 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

.3 Single Unit Dwelling

.1	Lot Width – minimum	9.0 m
.2	Lot Area – minimum	270.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 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

.4 Double Duplex Dwelling or Multiple Dwelling

.1	Lot Width – minimum	18.0 m
.2	Lot Area – minimum	540.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 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 <i>dwelling unit</i> – minimum	200.0 m ²
.3	Lot Coverage – maximum	45.0%
.4	Main Building Height – maximum	10.0 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

APPENDIX “F”

Consultations

BELL CANADA WSP

No comments provided

[Charleyne Hall, Bell Canada External Liaison]

CALDWELL FIRST NATION COMMUNITY

No comments provided

COGECO

No comments provided

ENBRIDGE (FORMERLY UNION GAS)

After reviewing the provided drawing at 1466 St Patrick's 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.

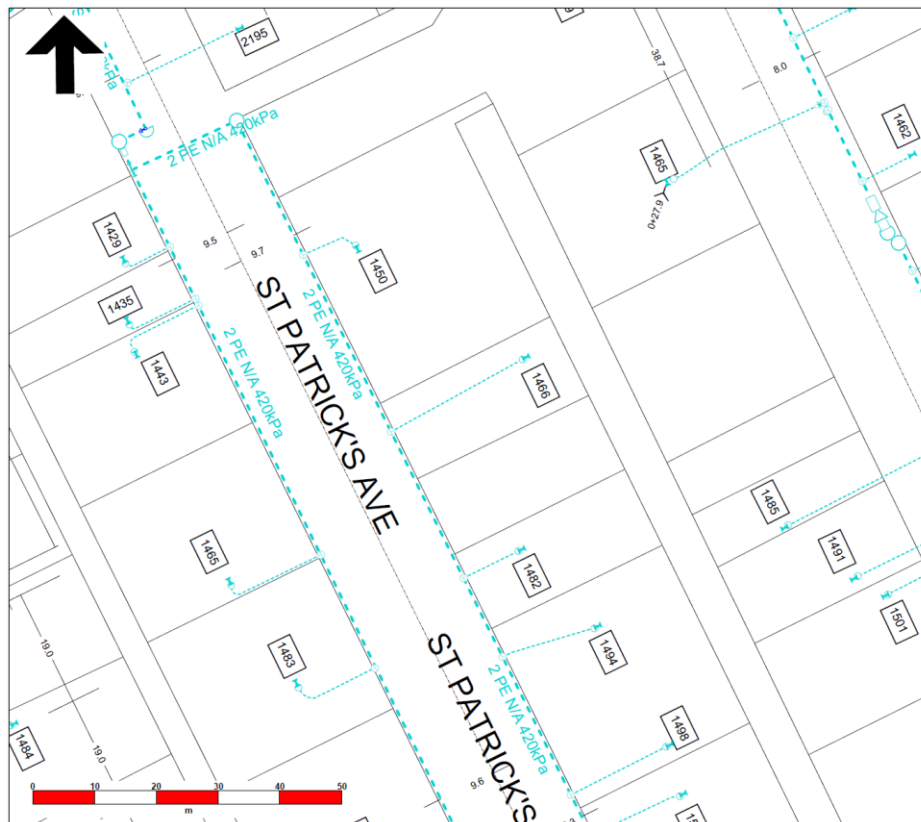
Please Note:

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 onsite locates prior to excavating, digging, etc.

Enbridge Gas requires a minimum separation of 0.6 m horizontal and 0.3 m vertical from all of our plant less than NPS 16 and a minimum separation 1.0 m horizontal and 0.6 m vertical between any CER-regulated and vital pipelines. For all pipelines (including vital pipelines), when drilling parallel to the pipeline, a minimum horizontal clearance measured from the edge of the pipeline to the edge of the final bore hole of 1.0 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

[Gord Joynson, Drafter Estimator]

KEY PLAN - NTS

SOURCE DOCUMENT INFORMATION

Qualified Individual:	Pipeline Certificate No.:
Welder / Fitter:	Ticket Number:
In-Service Date:	As Task Update By:
Design Pressure:	Test Medium:
Drawn On:	Pressure:
Drawn Off:	Pressure:

REVISIONS

Date	By	Rev	Remarks

ENBRIDGE
AS - Built

Title: **1466 - 1482 St Patricks Ave Windsor**

Description: **1466 St Patricks Ave Windsor**

Project #:	Work Management Work Order:	% SMTS:
Client: WINDSOR	Municipality: WINDSOR	Authorized:
Drawn By: GCJOYNS	Date Drawn: 2023/06/27	Correction:
Scale: 1:500	Group: JOBN040006	Drawing Number: 1 OF 1

ENWIN UTILITIES - HYDRO

No objection, provided clearances are maintained from our distribution plants.

Please note the following distribution services:

- Overhead 120/240V secondary triplex distribution pole line with associated down guy wires / anchors adjacent to the East limit of the property.
- Overhead 600/347V secondary quadplex distribution adjacent to the East limit of the property.
- Overhead Streetlights across the street to the West of the above noted property.
- The above noted property also has a 120/240V secondary triplex servicing it.
- To the North of the above noted property, 1456 St Patrick's Ave have 120/240V secondary triplex servicing them.
- To the South of the above noted property, 1482 St Patrick's Ave have 120/240V secondary triplex servicing them.

Owner will need to make appropriate arrangements for removals with ENWIN (they can send request to tsd@enwin.com when the time comes) for any hydro service/meter removal as well as account closures.

Prior to working in these areas, we recommend notifying your contractor and referring to the proposed buildings and/or building additions must have adequate clearance requirements from all hydro distribution and services.

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

[Tia McCloskey, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections. 0 St. Patrick's does not have a water service and the existing water service for 1466 St. Patrick's would not be sufficient for the proposed development and would need to be abandoned and a new water service installed.

[Bruce Ogg, Water Project Review Officer]

ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone, Manager, Environmental Services]

PARKS & FACILITIES

2 City trees in front of these 2 lots: Maple 48 cm & Lilac 11 cm. Given that proposal calls for both to be removed. Recovery costs are as noted below

REMOVALS

- By city contractor: \$1,100.00

REPLACEMENT

- Diameter to replace 59 cm
- 5 cm Tree Required: 12 New Trees
- Replacement costs \$600.00/tree
- REPLACEMENT: \$7,200.00

Also, there are 2 other Larger private trees on this lot. An assessment to confirm species, size and condition for possible canopy replacement should be completed.

[Yemi Adeyeye, City Forester]

PLANNING DEPARTMENT - LANDSCAPE

Pursuant to the application for a zoning amendment (Z 037/22) to permit the construction of a two (2) storey four (4) unit Townhome Dwelling on the subject, please note the following comments:

Zoning Provisions for Parking Setback:

The revised proposal retains 50.5% of the front yard as soft landscape and is therefore now compliant with the Zoning Bylaw.

Tree Preservation:

There are two existing trees on the privately owned developed property at 1466 St. Patrick's Avenue as well two existing municipal trees on St. Patrick's. This new proposed development will result in the removal of all four trees.

A large Norway Maple tree (*Acer platanoides*) with a 76 cm trunk diameter and a mature Arborvitae (*Thuja occidentalis*) with a 45 cm trunk diameter are situated in the middle of the proposed development and are scheduled to be removed.

A large Norway Maple tree (*Acer platanoides*) with a 50.8 cm trunk diameter and a smaller Ivory Silk Lilac tree (*Syringa reticulata*) with a 12.7 cm trunk diameter are situated in the City right-of-way on St. Patrick's immediately in front of the subject properties.

The applicant will require to compensated this loss to the urban tree canopy and the municipal trees in the form of a cash-in-lieu payment, to the satisfaction of the City Forester.

Parkland Dedication:

Require a parkland dedication in the form of cash-in-lieu representing 5% of the subject lands, to the satisfaction of the Executive Director of Parks, as per By-law 12780 and the Planning Act, payable at the time of issuance of a building permit.

[Stefan Fediuk, Landscape Architect]

PLANNING DEPARTMENT - URBAN DESIGN**Climate Change and Urban Design:**

The revised proposal has addressed the previous concerns related to stormwater runoff by increasing the amount of soft landscape area on the property. The separating into two buildings instead of a single row of townhouses, will also aid in stormwater to not collect in the rear of the yard which would have had a potential for standing water. This solution is now more contextually appropriate to the neighbourhood.

As identified in the Planning Rationale, Section 3.1 the owner is proposing new trees to manage storm water runoff. A landscape plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the

necessary runoff. The additional greenspace above will provide area where those trees can be planted to provide additional stormwater mitigation.

[Stefan Fediuk, Landscape Architect]

PUBLIC WORKS DEPARTMENT

We have reviewed the subject Zoning By-law Amendment application and have the following comments:

Sewer

The site may be serviced by an existing 300mm concrete storm sewer located below the centerline of St. Patrick's Ave. Currently, St. Patrick's Ave. does not contain a municipal sanitary sewer, fronting the subject site. The applicant has submitted a sanitary sewer study, prepared by McCloskey Engineering Ltd, dated January 31, 2023, which has been review by the City. This report demonstrates that there is adequate capacity and invert in the existing receiving municipal sanitary sewers to support the proposed sewer extension. No negative impacts will be realized by existing areas adjacent to the proposed development. An official approval of this report will be issues following a detailed review.

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.

Right-of-Way

St. Patrick's Ave is classified as a Local Road, as per the Official Plan. The current right-of-way width is 20 meters; therefore, no land conveyance is required.

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

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

Off-site Improvements - The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense for all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:

- a. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services
- b. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record.
- c. Approval by the Manager of Risk Management of all necessary securities and insurance
- d. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule
- e. The following special provisions are to be included in the Enhanced Permit:
 - Sewer Extension - The owner(s) further agrees, prior to the issuance of a building permit and at their entire expense, to extend the sanitary sewer on St. Patrick's Ave. to service the subject lands. Any oversizing shall be based on cost-sharing satisfactory to the City Engineer. Payment of any oversizing will be based on its inclusion in a Capital budget, subject to City Council's approval in a future year and may be subject to a servicing agreement. All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

[Rob Perissinotti, Development Engineer]

TRANSPORTATION PLANNING

The Official Plan classifies St. Patrick's Ave as a Local Road with a required right-of-way width of 20 metres. The current right-of-way width is sufficient, therefore, a land conveyance is not required.

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.

[Clare Amicarelli, Transportation Planner I]

WALPOLE ISLAND FIRST NATION

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the proposed amendment to the Zoning By-law to change the zoning from RD1.2 to RD2.2 to permit construction of two, two-storey, semi-detached dwellings plus accessory dwelling units. The revised design features improvements to the driveway access configuration, making it safer for ongoing vehicular entry and egress from the property, compared to what was originally proposed. The outcome from this Zoning By-law amendment is not anticipated to negatively impact public safety or affect the ability to provide police service delivery to the subject property or those properties abutting it. Since the nature of the application is such that it will not be

subject to site plan control, we do recommend the following measures that are intended to enhance safety and security:

- Porch lights be provided that will yield sufficient illumination to allow good visibility of the building's entry points and street address numbers. Lights that yield at least 4.0 foot-candles (43 lux) would be optimal.
- Both new semi-detached dwellings should have their own highly visible (with no obstructions) street address number with numerals that are at least 6 - 8" high, be of a contrasting colour to the background onto which they are mounted, and be clearly visible from the adjacent roadway (St. Patrick Avenue).
- To protect each building and its contents against unlawful access that will trigger crime, appropriate target hardening measures should be considered as follows:
 - All windows should lock to guard against unlawful entry being gained, particularly all ground floor windows.
 - Exterior doors should have a dead bolt lock (with a minimum 1" bolt throw), steel door frame, and a one-way privacy viewing port to allow tenants to safely screen visitors before opening their door.

[Barry Horrobin, Director of Planning & Physical Resources]

BY-LAW NUMBER -2023

Passed the _____ day of _____, 2023.

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	4	Lots 14 to 16, Plan 973 PIN 01213-0284 LT and PIN 01213-0286 LT (located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street)		S.20(1)H472

3. 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) Servicing Study

The owner shall, at its own expense, 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.

b) Off-site Improvements

The owner shall obtain, prior to the issuance of a building permit, an Enhanced Permit from the Right-of-way Division of the Engineering Department to supply, construct and install at its entire expense for all applicable right-of-way improvements identified by the Engineering Department, submit detailed design drawings and obtain street opening permits to the satisfaction of the City Engineer and the Transportation Planning Senior Engineer.

The Enhanced Permit shall include all of the applicable Servicing General Provisions, as updated from time to time. Prior to issuance of the Enhanced Permit the following will be required:

- i. A detailed design, prepared by an Engineer licensed in the Province of Ontario, for the approval of the Commissioner of Infrastructure Services;
- ii. A detailed cost estimate for the Offsite Improvements prepared by the engineer of record;
- iii. Approval by the Manager of Risk Management of all necessary securities and insurance;
- iv. Engineering Development Review fee in accordance with the current City of Windsor User Fee Schedule; and
- v. The following special provisions are to be included in the Enhanced Permit:
 - Sewer Extension
 - The owner(s) shall, prior to the issuance of a building permit and at their entire expense, extend the sanitary sewer on St. Patrick's Avenue to service the subject lands.
 - All work to be completed to the satisfaction of the Commissioner of Infrastructure Services.

- c) Landscape Plan prepared by a Landscape Architect (OALA) is to be provided by the owner to demonstrate how the tree plantings will provide the necessary runoff, to the satisfaction of the City Planner.

DREW DILKENS, MAYOR

CLERK

First Reading - , 2023

Second Reading - , 2023

Third Reading - , 2023

SCHEDULE 2

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

To amend the zoning of the lands located on the east side of St. Patrick's Avenue, between Tecumseh Road West and Algonquin Street, described as Lots 14 to 16, Plan 973, PIN 01213-0284 LT and PIN 01213-0286 LT, so as to permit the development of a semi-detached dwelling on the subject land.

The amending by-law maintains the RD1.2 zoning on the subject land and adds a special zoning provision permitting a semi-detached dwelling on a lot with a reduced lot width and lot area.

2. Key map showing the location of the lands to which By-law _____ applies.



PART OF ZONING DISTRICT MAP 4

N.T.S.

REQUESTED ZONING AMENDMENT

Applicant: Avant Group

**SUBJECT LANDS**

PLANNING & BUILDING DEPARTMENT



DATE : JANUARY, 2023
FILE NO. : Z-037/22, ZNG/6899

APPENDIX “H”
Lot and Building Analysis
(1400 to 1500 Block of St. Patrick Avenue)

Municipal No.	Building Area (m2) (Approx.)	Site Area (ha) (Approx.)	Lot Coverage (Approx.)	Building Area to Site Area Ratio (Approx.)	Storeys	Lot Width (m) (Approx.)	Main Building Construction Date	Lot Coverage Max (m2) (Approx.)
0 St. Patrick Ave*	208.1	0.042	49.7%	2.0	2.0	13.7	N/A	188.5
1429 St. Patrick Ave	121.9	0.041	29.8%	3.4	1.5	13.4	1925	183.9
1435 St. Patrick Ave	104.5	0.028	37.5%	2.7	1.0	9.1	1930	125.3
1443 St. Patrick Ave	118.0	0.065	18.1%	5.5	1.0	21.3	1925	292.6
1450 St. Patrick Ave	160.4	0.111	14.4%	6.9	1.0	36.4	1955	501.6
1465 St. Patrick Ave	227.8	0.074	30.7%	3.3	1.0	24.3	1972	334.4
1466 St. Patrick Ave*	208.1	0.042	49.7%	2.0	2.0	13.7	1940	188.5
1482 St. Patrick Ave	105.4	0.042	25.2%	4.0	2.0	13.7	1923	188.1
1483 St. Patrick Ave	238.8	0.084	28.6%	3.5	1.0	27.3	1950	376.2
1494 St. Patrick Ave	241.3	0.042	57.7%	1.7	2.0	13.7	1923	188.1
1498 St. Patrick Ave	202.8	0.056	36.4%	2.7	2.0	18.3	1940	250.7
1501 St. Patrick Ave	207.2	0.070	29.7%	3.4	1.0	22.8	1971	313.5
1515 St. Patrick Ave	199.1	0.070	28.6%	3.5	1.0	22.8	1965	313.5
1520 St. Patrick Ave	103.0	0.056	18.5%	5.4	2.0	18.2	1978	250.8
1535 St. Patrick Ave	229.3	0.074	30.9%	3.2	2.0	24.3	1964	334.4
1542 St. Patrick Ave	207.8	0.056	37.3%	2.7	1.0	18.2	1955	250.8
1555 St. Patrick Ave	116.9	0.075	15.7%	6.4	2.0	21.4	1965	335.5
1560 St. Patrick Ave	296.7	0.084	35.5%	2.8	2.0	27.3	1977	376.2
1580 St. Patrick Ave	249.5	0.084	29.8%	3.4	2.0	27.3	1975	376.2
1585 St. Patrick Ave	247.3	0.074	33.3%	3.0	1.0	24.3	1972	334.3
*Denotes the subject property								
	Minimum Value							
	Maximum Value							
Average (Excludes 0 & 1466 St. Patrick Avenue)	187.7	0.1	29.9%	3.7	1.5	21.3		295.9
Average (Includes 0 & 1466 St. Patrick Avenue)	189.7	0.1	31.9%	3.6	1.5	20.6		285.1

APPENDIX “I”

Applicant's Rationale for Reduction in Rear Yard Depth

From: Jacky Ng <jacky@avantgroupincorp.com>

Sent: April 26, 2023 9:00 PM

To: Nagata, Brian <bnagata@citywindsor.ca>

Cc: Porter, Ashley <aporter@citywindsor.ca>; mohammad@avantgroupincorp.com; 'Tian Yao Li'

[REDACTED]; Matthews, Meghan (She/Her) <MMatthews@citywindsor.ca>

Subject: RE: Z-037/22 [ZNG-6899] (0 & 1466 St Patrick Avenue)

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 Brian,

I've reached out to Andrew from Verhaegen regarding conducting the survey but he has yet to reply. But with their current schedule it would take them at least a month or so to conduct our survey. We'd like to move forward with the site specific provision for rear yard setback. We believe the below justification would explain the reduction of rear yard setback along with not favoring the alley closure:

1. **Historical Ineffectiveness of the Alley:** As indicated on the City map, the alley in question has not served its intended function prior to 2000. This extended period of ineffectiveness suggests that alternative routes and access points have been established, rendering the alley redundant for regular traffic flow and property access. Given its historical ineffectiveness, permanently closing the alley may not significantly impact the community's daily routines and accessibility. Therefore, allowing a reduction in the rear yard setback would not compromise the overall functionality of the neighborhood.
2. **Preservation of Green Space:** We recognize the importance of preserving green space for landscaping and environmental considerations. By not favoring an alley closure, we can retain the existing alley area as green space, which provides various benefits. Green spaces enhance the aesthetic appeal of the neighborhood, improve air quality, mitigate the urban heat island effect, and support biodiversity. By leaving the alley intact, we can contribute to the preservation of valuable green space and create a more sustainable and pleasant environment for the community.
3. **Prevention of Changes to Stormwater Direction:** Altering the existing stormwater flow direction can have adverse effects on the surrounding infrastructure and natural drainage patterns. By maintaining the alley, we can prevent further changes to stormwater direction, ensuring that the current drainage system remains intact. This approach minimizes the need for costly alterations, preserves the natural stormwater flow, and reduces the potential for drainage issues and increased flood risks in the area.
4. **Community Well-being:** The preservation of green space can positively impact the community's well-being by providing recreational opportunities, promoting a connection with nature, and creating a sense of tranquility within the urban environment. Green spaces are known to contribute to mental health, physical activity, and overall quality of life. Retaining the alley as a green space can enhance the community's livability and contribute to a more vibrant and sustainable neighborhood.
5. **Sustainable Development:** Incorporating green space and preserving the natural stormwater flow aligns with principles of sustainable development. It promotes environmental stewardship,

biodiversity conservation, and the overall resilience of the built environment. By embracing sustainable practices, the proposed development can serve as a positive example of responsible urban planning and contribute to a healthier and more sustainable city.

Regarding the requirement for completing the sanitary sewer connection before obtaining a building permit. To streamline the process and minimize delays, we propose submitting the building permit application concurrently with the sanitary sewer connection work. We acknowledge that the permit will only be issued upon completion and approval of the connection.

Applying for the permit in tandem aims to expedite the review and pre-approval process, allowing us to address any identified issues beforehand. This ensures all necessary documentation and requirements are met in advance, facilitating a smooth transition from the sewer connection completion to prompt permit issuance.

Please let us know if you have questions, thank you.

Best Regards,

JACKY NG

PROJECT & ARCHITECTURAL DESIGNER



e: jacky@avantgroupincorp.com

m: 519.300.9839

w: <https://avantgroupincorp.com>

a: 5980 Tecumseh Rd. East, Windsor, ON, N8T 1E3

Development & Heritage Standing Committee
June 5, 2023
Item 7.2 – Written Submission

From: Cynthia Williams
Sent: June 2, 2023 9:26 AM
To: clerks <clerks@citywindsor.ca>
Subject: Amendment to Zoning By-Law 8600 for 1466 St Patrick's Windsor Ontario N8X 3P7

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.

Good morning:

We would like to communicate our concerns for this proposed development.

First we would like comment that building new homes on this proper, would be preferable to the abandoned lot and shack that that is current their. However, we have concerns about the multiple dwelling (8 unit) rental properties being proposed for this space.

Here is a list of some of our concerns:

Financial Burden due to a new sewer connection that would be required for the current residents

- Many of the residents in this neighbourhood are retired and on a fixed income. The cost of connecting to the sewer system would be a financial burden for many. Currently some of the residence are on septic systems or Sewer to storm drain connections.
- The cost of the connection and interest would overwhelm many of the residence

Parking Congestion on the Street

- Street parking is already congested at times due to Tecumseh Rd businesses/restaurant overflow
- These proposed additional 8 units in this very small lot space would create additional burden to an already taxed parking situation

Green Space

- The volume of land consumption on this lot due to the proposed dwellings will greatly diminished the current green space

The Overall Aesthetic of the neighbourhood

- Most homes in this neighbourhood are single family range style homes that are privately owned, occupied and maintained.
 - Building rental properties in this neighbourhood will diminish the overall aesthetic of the neighbourhood
 - I have additional concerns of the care and maintenance of the property by renters:
 - Snow removal
 - Grass and Landscaping maintenance
 - Property repair and maintenance

Please submit our concerns to Standing Committee for the hearing on June 5th. In addition, we had a neighbourhood meeting yesterday, and to respect Standing Committee's time we have assigned two delegates on behalf of our group to speak to our collective concerns.

Your consideration on this matter is appreciated. Also can you advise do I have to register to attend the zoom meeting or just log onto the link provided in the communication?

Regards. Donald and Cynthia Williams
1498 St Patrick's Ave
Windsor Ontario N8X 3 P7

June 5, 2023
Development & Heritage Standing Committee
Item 7.2 – Written Submission

From:
Sent: June 2, 2023 9:10 AM
To: clerks <clerks@citywindsor.ca>
Subject: amendment to zoning by-law8600

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.

I am completely opposed to amending the zoning by-law 8600 which would allow for the construction of two(2) two?(2) story semi-detached dwellings with an accessory additional dwelling unit within each semi detached dwelling unit which is now zoned as a low profile residential.

By allowing this, it would alter the character of the neighborhood as it would be for many renters, not homeowners. It would also cause street congestion and lack of parking. This would also put a financial burden on homeowners who would have to put in sewers to city connections who are now on septic systems or sewer to storm drain connections. Please leave our peaceful, well maintained , long-established neighborhood as is.

Respectfully Mrs.W Robertson
1501 St.Patrick's

Item No. 8.1



Committee Matters: SCM 185/2023

**Subject: Adoption of the Development & Heritage Standing Committee Minutes
held July 4, 2023**

Development & Heritage Standing Committee Meeting

Date: Tuesday, July 04, 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
Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour
Member Daniel Grenier
Member John Miller
Member Charles Pidgeon
Member Robert Polewski
Member Khassan Saka
Member William Tape

Members Regrets

Member Josphe Fratangeli

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING:

Sandra Gebauer – Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Chris Nepszy – Commissioner, Infrastructure Services
Joe Baker – Senior Economic Development Officer
Rob Vani – Manager Inspections / Deputy Chief Building Official
Micheal Cooke – Manager, Planning Policy
Stacey McGuire – Manager, Development
Kate Tracey – Senior Legal Counsel

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Kevin Alexander, Planner II – Special Projects
Brian Nagata – Planner II – Development Review
Jim Abbs – Planner III – Subdivisions
Kristina Tang – Planner III – Heritage
Greg Atkinson – Planner III – Economic Development
Justina Nwaesei – Planner III – Subdivisions
Frank Garardo – Planner III – Policy and Special Studies
Shannon Mills – Technologist III
Clare Amicarelli – Transportation Planning Coordinator
Anna Ciacelli – Deputy City Clerk

Delegations—participating via video conference

Item 7.1 Josh Burns, Development Manager, Fortis Group/applicant, available for questions
Item 7.1 Mary-Ann Keefner, representing the applicant, available for questions
Item 7.2 Ibram Sobhy, area resident
Item 7.3 Tracey Pillon-Abbs, Principal Planner, representing the applicant, available for questions
Item 7.3 Vijay Vasantgadkar, architect/agent, available for questions
Item 10.1 Gail Hargreaves, property owner, available for questions
Item 10.2 Raymond Colautti, Solicitor for Olivia Homes/Applicant

Delegations—participating in Council Chambers

Item 7.2 Jackie Lassaline, Principal Planner, representing the applicant
Item 7.2 Gwyneth Edgley, area resident
Item 7.2 Giovanni (John) Miceli, applicant, available for questions
Item 11.3 Raman Gill & Aditya Soma, applicants, available for questions
Item 11.4 Caroline Taylor, Ward 2 resident
Item 11.5 Shane Potvin, owner/applicant, available for questions

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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

Member William Tape discloses an interest and abstains from voting on Item 10.2 being the report of the Heritage Planner dated May 23, 2023 entitled "1982 Norman Road, St Jules School – Heritage Evaluation Report (Ward 8)" as he is the Senior Engineer for the project.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

None presented.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee meeting minutes held June 5, 2023

Moved by: Councillor Fred Francis

Seconded by: Councillor Angelo Marignani

That the minutes of the Development & Heritage Standing Committee minutes of its meeting held June 5, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 170/2023

10. HERITAGE ACT MATTERS

10.1. 1148 Victoria Avenue, Kathleen Henderson House - Heritage Permit & Community Heritage Fund Request (Ward 3)

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Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 522**

- I. That a Heritage Permit at 1148 Victoria Ave, Kathleen Henderson House, **BE GRANTED** for reconstruction of the front porch.
- II. That the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the restoration.
- III. That a total grant of an upset amount of \$5,000 from the Community Heritage Fund (Reserve Fund 157) for the cost of the reconstruction of the front porch, **BE GRANTED** to the Owner of the Kathleen Henderson House (Gail Hargreaves), at 1148 Victoria Ave, subject to:
 - a. Submission of drawings, conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
 - b. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance;
 - c. Owner's submission of paid receipts for work completed;
 - d. That the Community Heritage Fund (Reserve Fund 157), 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: S 76/2023
Clerk's File: MBA/4881

10.2. 1982 Norman Road, St Jules School – Heritage Evaluation Report (Ward 8)

Raymond Colautti, Solicitor for Olivia Homes/Applicant

Raymond Colautti, Solicitor for Olivia Homes/Applicant appears before the Development and Heritage Standing Committee regarding the Administrative report "1982 Norman Road, St Jules School – Heritage Evaluation Report" (Ward 8) and provides a brief summary of the owners position related to the application as well as some details related to a possible future development on this property. Mr. Colautti requests that the committee either do nothing or simply leave it on the Windsor Municipal Heritage Register. Mr. Colautti provides information related to his client being opposed to the Notice of Intention to Designate in accordance with the *Ontario Heritage Act* due to previous additions to the property that are causing some concern and may require a demolition permit which would be difficult to obtain if the property is designated.

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Councillor Francis inquires whether designating the property would put the development in jeopardy. Mr. Colautti responds yes.

Councillor Kieran McKenzie, inquires about the additions completed in the 1960's as it relates to the administrative report. Mr. Colautti provides details about the structure, which changes the characteristic of the building which is in contravention to what the Heritage Planner thinks and in his opinion negates the Heritage value of the property.

Councillor Kieran McKenzie inquires whether Mr. Colautti's client was aware of his property being on the Heritage Register when he purchased it. Mr. Colautti indicates that his client was aware of it. Mr. Colautti provides details related to ongoing concerns with vandalism and security of the property.

Member John Miller expresses concern related to the potential demolition of the building if it isn't designated and the probability of demolition. Mr. Colautti indicates that the process to demolish the building has to be followed prior to any demolition being issued which would protect the building.

Councillor Kieran McKenzie inquires when the property was listed on the Heritage register and when it was purchased by Mr. Colautti's client. Kristina Tang, Heritage Planner appears before the Development and Heritage Standing Committee regarding the Administrative report "1982 Norman Road, St Jules School – Heritage Evaluation Report" (Ward 8) and indicates the property was added to the list on June 4 2013 and the planning department was contacted by new owner in the Fall of 2019. Ms. Tang indicates that the Catholic School Board knew the property was listed on the register.

Councillor Kieran McKenzie inquires about what impact the other parts of the property have that are not on the registered. Ms. Tang indicates through the Heritage Listed property development review process, currently, the whole parcel is reviewed. The Heritage Planner has oversight of new construction and re-development details related to adaptive re-use are provided.

Councillor Kieran McKenzie, requests clarification related to the administrative recommendations and the 2 options. Administration provides next steps related to the process.. Ms. Tang indicates that related to Bill 23 the property will be removed from the register if there is no designation by January 2025. Administration indicates they have been open and receptive to development, although they haven't seen an application. The school continues to deteriorate and may lose the potential for restoration. There are ways that development at a school can support the heritage impact summary.

Councillor Jim Morrison inquires about how many properties are currently listed on the heritage register. Ms. Tang indicates that there are 884 properties on the heritage register. Ms. Tang indicated as per Bill 23, the City will have until Jan 1, 2025 to make decisions related to properties on the heritage register and whether to designate them or remove them.

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Moved by: Councillor Fred Francis

Seconded by: Councillor Kieran McKenzie

Decision Number: **DHSC 523**

I. That the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the St Jules School, at 1982 Norman Road, in accordance with Part IV of the *Ontario Heritage Act* for the reasons attached in Appendix 'A'; and,

II. That City Legal staff **PREPARE** the By-law for Council to designate the property.

Carried.

Member William Tape discloses an interest and abstains from voting on this matter.

Report Number: S 37/2023

Clerk's File: MBA/14604

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 4:57 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:01 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF (*Planning Act Matters*)

None disclosed.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the June 5, 2023 Development & Heritage Standing Committee (*Planning Act Matters*)

Moved by: Member Anthony Arbour

Seconded by: Member Daniel Grenier

That the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held June 5, 2023 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 180/2023

6. PRESENTATION DELEGATIONS (*PLANNING ACT MATTERS*)

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See Item 7.2

7. PLANNING ACT MATTERS

7.1. Draft Plan of Condominium with Exemption under Section 9(3) of the *Condominium Act* –CDM 005-23 [CDM-7029] 2481939 Ontario Inc. 3817 Howard Ave Ward 9

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

Decision Number: **DHSC 519**

That the application of 2481939 Ontario 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 78 dwelling units and 6 commercial unit and 14 parking units, as shown on the attached Map No. CDM-005/23-1 and CDM-005/23-2 on a parcel legally described as; Part of Lot 85, Concession 3, Lot 28 and Part of Lot 29, Plan 1431; Part 2, 12R-29025 located at 3817 Howard Ave **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: S 72/2023
Clerk's File: Z/14590

7.2. Zoning By-law Amendment Application for the property at the southwest corner of Tecumseh Road West and Mark Avenue; Applicant: 2832765 Ontario Inc.; File No. Z-036/2022, ZNG/6897; Ward 10.

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

Decision Number: **DHSC 520**

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning of the land located on the southwest corner of Tecumseh Road West and Mark Avenue, described as Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], from CD2.1 to CD2.2, subject to the following site-specific zoning provisions:

“474 SOUTHWEST CORNER OF TECUMSEH ROAD WEST AND MARK AVENUE

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For the land comprising Lots 131 and 132, Registered Plan 1342 [PIN 01208-0145 LT], a *Multiple Dwelling with 11 or more dwelling units* shall be an additional permitted use and the following shall apply:

1. The provisions in section 15.2.5, save and except for sections 15.2.5.10 and 15.2.5.15
2. Building setback from an exterior lot line
abutting Tecumseh Road West – minimum 5.0 m
3. Parking Area separation from the south lot line – minimum 1.2 m (to be maintained as a *landscaped open space*)
4. Parking - per Dwelling Unit – minimum 1 parking space per unit
5. Parking is prohibited in any front yard
[ZDM 4; ZNG/6897]"

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) Sanitary Sampling Manhole;
- b) Corner Cut-Off - 4.6 m x 4.6 m (15' x 15') corner cut-off required at the intersection of Tecumseh Road West and Mark Avenue per City of Windsor Standard;
- c) Land Conveyance – convey approximately 3.5 metres along the entire Tecumseh Road West frontage of the subject land for road widening;
- d) Sanitary Servicing Study - retain a Consulting Engineer to provide a detailed servicing study report;
- e) Curbs and Gutters – construct new concrete curb and gutter along the entire Mark Avenue frontage of the subject land;
- f) Parkland dedication of 5% (cash-in-lieu) of the subject vacant parcel;
- g) Tree Survey to determine appropriate tree preservation for the site
- h) Noise mitigation measures as recommended in a Noise Impact Study that will be submitted at the time of Site Plan Control application;
- i) Railway Warning clause (s. 4.7.1.9 (d), South Cameron Planning Area, OP Vol. II);
- j) Enbridge Gas minimum separation requirements;
- k) Adequate clearance from existing ENWIN's pole lines and power lines;
- l) Canada Post multi-unit policy; and
- m) Record of Site Condition.

Carried.

Report Number: S 73/2023
Clerk's File: Z/14571

7.3. Z 015-22 [ZNG-6738] 2356976 Ontario Inc 0 & 845 Riverside E and 856 & 864 Chatham E

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Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 521**

- I. That Zoning By-law 8600 **BE AMENDED** by changing the zoning on the lands of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12 (Roll No: 3739-030-050-00200-0000, 3739-030-050-00100-0000, 3739-030-040-09400-0000, 3739-030-050-01400-0000, 3739-030-040-08800-0000), situated on the north side of Chatham Street east, west of Parent Avenue and known municipally as 0 & 845 Riverside Drive East, and 856, & 864 Chatham Street East by adding a site specific exception to Section 20(1) as follows:

X. SOUTH SIDE OF RIVERSIDE DRIVE EAST, NORTH OF CHATHAM STREET EAST, BETWEEN PARENT AVENUE AND MARENTETTE AVENUE

For the lands comprising of Plan 140 W PT lot 7, Plan 143 E PT lot 1, Plan 140 W PT Lot 7, Plan 143 E PT lot 12; a *multiple dwelling* shall be an additional permitted use subject to the following provisions apply:

- .1 Lot Area – minimum
 - a) for the first 19 dwelling units – 1825.0 square metres
 - b) for each additional dwelling unit- 45.0 square metres per unit
- .2 Lot Frontage – minimum- 45.0 m
- .3 Lot Coverage – maximum - 35.0 %
- .4 Landscape Open Space Yard – minimum - 35% of the *lot area*
- .5 Main Building Height – maximum – 20.0 m
- .6 Building Setback:
 - a) *front yard depth*- from most northerly front lot line – minimum - 6.0m
 - b) *rear yard depth* - north limit of Chatham Street east right of way- minimum- 7.5 m
 - c) *side yard width*: minimum - 4.5 m
7. Parking:
 - a) *Parking spaces* – minimum - 1.1 *per unit*
 - b) A *parking space* is prohibited in any *front yard*
 - c) *Parking spaces* shall be setback a minimum of 6.0 m from the most northerly front lot line abutting the Riverside Drive East right-of-way, and shall be screened from Riverside Drive East
 - d) Vehicular *access* from Riverside Drive East is prohibited
 - e) Indoor ground floor *amenity space* – minimum – 4.0 square metres per unit

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- 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) Provide an Energy Strategy as per the terms of reference from the Environmental and Sustainability Coordinator;
 - b) Provide a Tree Preservation and Landscaping Plan as per the comments of the Landscape Architect;
 - c) Noise warning clause(s) and other noise abatement measures identified in the Acoustical Study dated August 12, 2021;
 - d) Provide a design brief in accordance with the urban design chapter of the City of Windsor Official Plan as part of site plan control (pedestrian connectivity, enclosure of front facade); and,
 - e) The requirements and recommendations of municipal departments and agencies as noted in this report and detailed in Appendix F attached.

Carried.

Report Number: S 74/2023
Clerk's File: Z/14430

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:34 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:34 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Items 11.1 and 11.4

11. ADMINISTRATIVE ITEMS

11.3. Closure of east/west alley between Rockwell Avenue and Closed Woodland Avenue; east/west alley between Closed Woodland Avenue and Granada Avenue West, Ward 1, SAA-6921

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

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Decision Number: **DHSC 526**

- I. That the 4.27-metre-wide east/west alley located between Rockwell Avenue and Closed Woodland Avenue, and shown on Drawing No. CC-1825 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “subject west alley”, **BE ASSUMED** for subsequent closure;
- II. That the subject west 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 (measured 1.50 metres from either side of utility infrastructure), 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 accommodate existing aerial facilities;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V hydro pole distribution with guy and anchor; and
 - iii. MNSi to accommodate existing aerial facilities.
- III. That the 4.88-metre-wide east/west alley located between Closed Woodland Avenue and Granada Avenue West, and shown on Drawing No. CC-1825 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “subject east alley”, **BE ASSUMED** for subsequent closure;
- IV. That the subject east 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 (measured 1.50 metres from either side of utility infrastructure), 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 accommodate existing aerial facilities;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead 120/240V hydro pole distribution with guy and anchor; 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.
- V. That Conveyance Cost **BE SET** as follows:
 - c. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus HST (if applicable), 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.
- VI. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1825, *attached* hereto as Appendix “A”.

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- 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.
- Carried.

Report Number: S 69/2023
Clerk's File: SAA2023

11.5. MAin Street CIP/Ford City CIP Application,1000 Drouillard Road, Owner: SPOTVIN INC. (C/O: Shane Potvin)

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

Decision Number: **DHSC 528**

- I. That the request for incentives through the *Main Streets Community Improvement Plan (CIP)*, *Building Facade Improvement Program* made by Spotvin Inc. (c/o: Shane Potvin) , owner of the property located at 1000 Drouillard Road **BE APPROVED** for grants totalling +/- \$5,367.50 in principle for the supply and installation of a projecting wall sign (see Appendix 'B') subject to completion and review satisfactory to the City Planner, Chief Building Official, and Manager of Right-of-Way;
- II. That request for incentives under the *Ford City Community Improvement Plan (CIP)*, *Municipal Development Fees Grant Program* made by Spotvin Inc., (c/o Shane Potvin), owner of the property located at 1000 Drouillard Road **BE APPROVED**, for grants totalling +/- \$3,247.85 for costs related to the installation of the a projecting wall sign, subject to completion and review satisfactory to the City Planner, Chief Building Official, and Manager of Right-of-Way;
- III. That funds in the amount of +/- \$5,367.50 under the *Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund to the *Main Streets CIP* Fund (Project #7219018) upon completion of the work;
- IV. That funds in the amount of +/- \$3,247.85 for the *Municipal Development Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund to the *Ford City CIP* Fund (Project #7181046) upon completion of the work;
- V. That grants **BE PAID** to Spotvin Inc., (c/o Shane Potvin), upon completion and installation of a projecting sign located at 1000 Drouillard Road from the *Main Streets CIP* Fund (Project #7219018) and *Ford City CIP* Fund (Project #7181046) to the satisfaction of the City Planner, Chief Building Official and Manager of Right-of-Way;

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- VI. That the annual Encroachment Fee of \$25.00 and Annual Inspection Fee of \$68.00 identified in Encroachment Policy M67-2015 **BE WAIVED** for the projecting wall sign located at the corner of 1000 Drouillard Road; and
- VII. That grants approved **SHALL LAPSE** and be **UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Report Number: S 77/2023

Clerk's File:Z/13002

11.4. Riverside Drive Streetscape Standards Manual, Spans Wards 2 through 7.

Caroline Taylor, Ward 2 resident

Caroline Taylor, Ward 2 resident appears before the Development and Heritage Standing Committee regarding the Administrative report "Riverside Drive Streetscape Standards Manual, Spans Ward 2 through 7" and urges Council to consider reducing Riverside Drive to 2 lanes, to allow safer pedestrian crossing from Devonshire to Caron. Ms. Taylor expresses concern with the narrow sidewalk on the South Side of Riverside Drive with no barrier; and concludes by suggesting that separated bike lanes and a turning lane in middle will allow traffic to move slowly and smoothly; bike racks should be mounted closer to the buildings and benches should be facing the road way.

Councillor Fred Francis indicates that benches are situated facing away from the street so that when people stand up they likely won't stumble into traffic. Kevin Alexander, Senior Planner, Special Projects appears before the Development & Heritage Standing Committee regarding the administrative report "Riverside Drive Streetscape Standards Manual, Spans Wards 2 through 7, and indicates that every location is reviewed on a case by case basis, related to the public's safety.

Councillor Kieran McKenzie inquires about traffic calming. Mr. Alexander indicates there is an opportunity for traffic calming, there will be nodes and special activities areas with pedestrian crossings, raised tables, intersection lights, different landscape elements, lanes narrowing and bike lanes which will create a visual impact and alert drivers.

Councillor Kieran McKenzie inquires about the challenging areas to cross the street. Mr. Alexander indicates there will be more pedestrian crossings and extra traffic lights which will make it easier and safer for people to drive and walk through the area. Mr. Alexander indicates that each phase will be brought forward with different implementation plans related to budgeting.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

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Decision Number: **DHSC 527**

- I. That the Riverside Drive Streetscape Standards Manual identified in Appendix 'A' **BE ADOPTED** as the minimum design standard to consistently implement the *Riverside Drive Vista Improvement Streetscape Guidelines* identified through the Riverside Drive Vista Improvement Project Environmental Assessment (E.A.) and future phases of the Riverside Drive Vista Improvements.

Carried.

Report Number: S 67/2023

Clerk's File: SR2023

11.1. Municipal Sewer Servicing Charges for Residential Properties - Septic System Changeover - City Wide

Councillor Kieran McKenzie inquires about the Baseline LIP project being development driven and part of the official plan, and the St. Patrick's potential development on a different scale and whether there is a prioritization. Stacey McGuire, Manager of Development appears before the Development and Heritage Standing Committee regarding the Administrative report "Municipal sewer Servicing Charges for Residential Properties-Septic system Changeover-City Wide" and indicates that the administrative report provides another option where the LIP is not appropriate, when development is driving it, there is a disadvantage with no LIP policies, or special payment options, this report provides for a level playing field while moving development forward.

Councillor Kieran McKenzie inquires about the size of a development. Ms. McGuire indicates that it isn't a scale or size and that any development would precipitate this, as soon as it affects other properties the policy will kick in.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 524**

- I. That Council **APPROVE** the extension of the local improvement charges flat rate, private drain connection flat rate and local improvement payment terms for the construction of sanitary sewers and private drain connections to those properties that:
 - A. Are zoned residential for single unit, duplex or semi-detached dwellings only; and,
 - B. Contain an existing dwelling currently on private septic system and not connected to a municipal sanitary sewer; and,
 - C. Have a municipal mainline sanitary sewer within 30m of any property abutting a municipal right-of-way; and,
- II. That Council **APPROVE** the extension of local improvement charges flat rate, private drain connection flat rate and local improvement payment terms for the construction of storm sewers and private drain connections for those properties that qualify under

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Recommendation I above, when the property owner connects to the municipal storm sewer if one is available plus interest at a rate deemed appropriate by administration applied from the date the storm mainline sewer was substantially completed; and,

- III. That property owners qualifying under Recommendation I above with permits issued by the City for septic systems less than 10 years old **BE GRANTED** either three (3) years to connect to the available sanitary sewer system once it is made available or the difference between the age of their septic system and ten (10) years, whichever is greater; and,
 - IV. That Council **APPROVE** the use of the private local improvement process in Part III of O. Reg. 586/06 under the *Municipal Act*, for property owners qualifying under Recommendation I above for the cost of the work related to the decommissioning of septic systems and construction of sanitary private drain connections on private property, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements, with property owners that consent to their lots being specially charged to raise which agreement shall be satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,
 - V. That for property owners qualifying under Recommendation I above, Council **PASS** by-laws as required for the decommissioning of septic systems and construction of sanitary private drain connections on private property as a local improvement in accordance with Part III of O. Reg. 586/06 under the *Municipal Act*, for a period of up to 20 years and at an interest rate deemed appropriate by Administration; and,
 - VI. That Administration **BE DIRECTED** to prepare the appropriate by-laws and policies to effect the recommendations above.
- Carried.

Report Number: S 78/2023
Clerk's File: SL2023

11.2. Closure of east/west alley between closed Fifth Street R.O.W. and E. C. Row Expressway westbound onramp; Closure of Hudson Avenue R.O.W. between 4505 Fourth Street and E. C. Row Expressway westbound onramp; Amend Alley Closing By-law 10354, Ward 2, SAA-6688

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

Decision Number: **DHSC 525**

- I. That the 4.57-metre-wide east/west alley located between the closed Fifth Street right-of-way and E. C. Row Expressway westbound onramp at Huron Church Road, shown on

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Drawing No. CC-1831 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;

- II. That the subject alley **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 0 Hudson Avenue (legally described as Lots 94 & 95, Plan 1154) and as necessary, in a manner deemed appropriate by the City Planner, subject to the following;
 - a. Location survey to determine if existing City of Windsor underground street light conductor is situated within the subject alley; and
 - b. Relocation of City of Windsor underground street light conductor from the subject alley if deemed necessary by EnWin Utilities Ltd.
- III. That the 20.12-metre-wide Hudson Avenue right-of-way located between the property known municipally as 4505 Fourth Street (P.I.N. No. 01262-1533) and E. C. Row Expressway westbound onramp at Huron Church Road, shown on Drawing No. CC-1831 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject right-of-way", **BE ASSUMED** for subsequent closure;
- IV. That the subject right-of-way **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 0 Hudson Avenue (legally described as Lots 94 & 95, Plan 1154) and as necessary, in a manner deemed appropriate by the City Planner;
- V. That Conveyance Cost **BE SET** as follows:
 - a. For right-of-way and alley abutting lands zoned MD1.4, \$7.00 per square foot without easements plus HST (if applicable), and \$3.50 per square foot with easements plus HST (if applicable). Survey cost and deed preparation cost included.
- VI. That Alley Closing By-law 10354, adopted on July 16, 1990, and registered on title on July 24, 1990 as Registration No. R1135300 **BE AMENDED** as follows:

By **DELETING** the following wording under section 2. to the By-law:

That each of the owners whose lands abut upon lands described herein shall have the right to purchase, at a price of \$1.00 per square foot, that part thereof upon which his land abuts to the middle line of such closed up and stopped up part; provided, however, that any such owner shall notify the Clerk of The Corporation of the City of Windsor, in writing, of his intention to exercise his right to purchase by not later than July 27, 1990, provided that, if such owner does not exercise his right to purchase on or before such date, the Council may sell the part that he has the right to purchase to any other person at the same or a greater price, as the Council shall see fit.

And **INSERTING**:

That Conveyance Cost **BE SET** as follows:

Minutes

Development & Heritage Standing Committee

Tuesday, July 04, 2023

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-
- a. For alley abutting lands zoned MD1.4, \$7.00 per square foot without easements plus HST (if applicable), and \$3.50 per square foot with easements plus HST (if applicable). Survey cost and deed preparation cost included.
 - VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1831, *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. Carried.

Report Number: S 66/2023

Clerk's File: SAA2023

12. COMMITTEE MATTERS

12.1. Minutes of the Property Standards Committee of its meeting held May 2, 2023

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 529**

That the minutes of the Property Standards Committee of its meeting held May 2, 2023 **BE RECEIVED** as presented.
Carried.

Report Number: SCM 161/2023

12.2. Minutes of the International Relations Committee of its meeting held May 10, 2023

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: **DHSC 530**

That the minutes of the International Relations Committee of its meeting held May 10, 2023 **BE RECEIVED** as presented.
Carried.

Report Number: SCM 169/2023

Minutes

Development & Heritage Standing Committee Tuesday, July 04, 2023

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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 5:55 o'clock p.m.
Carried.

Ward 10 - Councillor Jim Morrisson
(Chairperson)

Deputy City Clerk / Supervisor
of Council Services



Council Report: S 86/2023

Subject: 546 and 548-550 Devonshire Road, Semi-Detached Houses - Heritage Permits & Community Heritage Fund Requests (Ward 4)

Reference:

Date to Council: August 1, 2023
Author: Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 x 6179

Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: July 7, 2023
Clerk's File #: MBA/14621

To: Mayor and Members of City Council

Recommendation:

- I. THAT the Heritage Permit at 546 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Natalie Delia Deckard for the removal and replacement of the existing cedar wood roof, gable ends, and dormer walls shingles with Perfection cedar shingles; and,
- II. THAT the Heritage Permit at 548-550 Devonshire Rd, Semi-detached House, **BE GRANTED** to the Property Owner Scott Mayrand for the removal and replacement of the existing cedar wood roof and dormer walls shingles and synthetic gable ends siding with Perfection cedar shingles; and,
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the roof replacement and gable ends and dormers cladding replacement; and,
- IV. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer shingles, from the Community Heritage Fund (Reserve Fund 157), **BE GRANTED** to the Owner of the Semi-detached House at 546 Devonshire Rd, subject to:

- a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
 - b. Determination by the City Planner that the work is completed to heritage conservation standards;
 - c. Owner's submission of paid receipts for work completed;
 - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.
- V. THAT a total grant of 30% of the cost to an upset amount of \$18,224.76 for the cedar roof shingles and \$10,645.03 for the cedar gable ends and dormer shingles, from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owner of the Semi-detached House at 548-550 Devonshire Rd, subject to:
- a. Submission of conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;
 - b. Determination by the City Planner that the work is completed to heritage conservation standards;
 - c. Owner's submission of paid receipts for work completed;
 - d. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Executive Summary:

n/a

Background:

The properties at 546 and 548-550 Devonshire Road are known as the Semi-detached Houses, which were constructed in c.1890 by locally significant architects Mason & Rice. The subject properties are located in the 500 block of Devonshire Road, on the east side between Brant Street and Wyandotte Street East. The properties are prominently visible as one of the three large semi-detached buildings on the east side of the block. The building is a two-and-one-half-storey semi-detached red brick structure in Richardson Romanesque residential architectural style. The semi-detached houses are demonstrative of the lifestyle of the managerial middle-class in the early days of the

former Town of Walkerville. The two properties each make up half of the semi-detached structure. These two properties were designated simultaneously by City of Windsor Council through By-laws No. 9978 and 9979 respectively on October 10, 1989. The Statements of Cultural Heritage Value or Interest from the two Designation By-laws are included as Appendix 'A'.



Front view of the semi-detached houses from Devonshire Road

Heritage Planning staff have had discussions with the Property Owners regarding the need for roof repairs or replacement on their homes to address the aging and deteriorating wood shingles which are causing leaking issues on the interior. The Property Owners of each side of the semi-detached building are collaborating to share the costs of the roofing project to ensure a consistent look on both sides of the building.

The Owners have each submitted a Heritage Permit application for the shared work on the properties (Appendix 'B'). The Owners intend to complete the roofing project within this calendar year, as to prevent further deterioration of the current state.

The Owners have also submitted Community Heritage Fund Applications for a grant of \$28,869.79 for each Property Owner, and included a rationale for the request (See Appendix 'C'). Administration is recommending for approval of these requests.

Legal Provisions:

Part IV, 39 (1) of the *Ontario Heritage Act* (OHA) provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe." The City's Community Heritage Fund (Reserve Fund 157) exists to provide grants to heritage conservation works on designated heritage properties.

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 its 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. Council also has the option to further delegate the item to an employee or official of the municipality. The delegation of final details would be more expediently handled through staff review and approval.

Discussion:

Proposal:

In 1991, the Property Owners of 546 and 548-550 Devonshire Road each submitted a Community Heritage Fund application for the purpose of altering the property. The scope of work was to restore the roof with cedar shingles, with conditions which included entering into a heritage easement and following proper cedar roof restoration specifications. On July 29, 1991, both applications were approved by City Council and the Windsor Architectural Conservation Advisory Committee (WACAC) for a grant of \$16,264 to each semi-detached Property Owner. From this historical record, it is assumed that the current cedar roof on the semi-detached building has been existing since c. 1990-1992.

It has been 30 years since then and the roof has exhibited signs that is at the end of its life cycle. Current Property Owners have expressed their need for roof repairs or replacement on their homes, as there are missing shingles, moss growth, moisture rot, and overall wear and tear. The Property Owner of 548-550 Devonshire Road, which experiences more weathering from the south-facing exposure, has reported significant cedar shingle deterioration which has resulted in leaking issues on the interior of the building. Thus, the Property Owners expressed their urgency in replacing the aging cedar roof to ensure that no further deterioration or damages occur to the properties.





Photos of the existing cedar roof (taken June 23, 2023).

It has been a large task for the Owners to source a contractor who can do the work for a replacement cedar roof in Windsor. Hiring somebody locally with the skills who was also available to undertake the project was challenging. After much research, the Owners are considering the following works.

Cedar Roof Replacement with new Perfection Cedar Shingles Roof

The Owner's preference is to retain the local contractor Dayus Roofing. Dayus Roofing has experience with roofing for local heritage properties, including repairs and replacements of cedar wood roofs. The Dayus quote for replacement with a new cedar roof includes complete removal of the existing roof, inspection of decking and any required structural repairs, material delivery and supply, cedar shingle installation, and new flashing. The cedar shingle material is quoted as 18" Perfection Cedar Shingles which are sourced from British Columbia.



Sample of the new Perfection Cedar Shingles with pieces of the existing cedar roof shingles on bottom left (photo taken June 23, 2023). (The cedar shingles will age to the grey colour.)

The roof replacement work using cedar shingles follows the Standards & Guidelines for Conservation of Historic Places. Standards 13 and 14 are listed below.

Additional Standards Relating to Restoration

- 13.** Repair rather than replace *character-defining elements* from the *restoration period*. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration period* with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

The alteration request to replace the existing cedar roof with a new cedar roof would be eligible for a 30% grant of the total roof replacement project through the Community Heritage Fund.

Replacement of Gable Ends Cladding and Dormer Walls with new Perfection Cedar Shingles

To optimize the use of lifts and scaffolding while undertaking the roofing project, the Property Owners intend to also remove and replace of the existing cladding on all the gable ends (north, south, and east/rear facing) and front dormers. The north- and east-facing gable end walls of 546 Devonshire Road are currently clad in a cedar shingle with “dragon-teeth” edging details. There are remnants of a brown ochre paint application that is now mostly faded down to bare wood. Similar to the cedar roof shingles, the current shingles on the gable walls have deteriorated and some have fallen off entirely. The Owner plans to remove the current cedar wood shingles on their gable end walls and dormer, and replace them with new Perfection cedar shingles matching what is currently on the walls.

The south-facing gable end walls of 548-550 Devonshire Road are currently clad in a synthetic siding with a brown wood finish. The finish on the cladding has started to wear off, and entire pieces of the cladding have fallen off the walls over the years, leaving behind gaps in the surface which provide opportunities for water penetration. The east-facing gable end walls are similar to 546 Devonshire Road and clad in cedar shingles with “dragon-teeth” edging details. These shingles are painted in an orange colour which has begun to fade, and they are also deteriorated. The Owner plans to remove the current cladding on their gable end walls and dormer, and replace them with new Perfection cedar shingles matching what is proposed on the adjacent 548 Devonshire Road gable end walls and dormer for consistency.

The Owners were able to obtain one set of quotes for the gable end walls and dormers cladding project from Dayus Roofing, as they have experienced challenges obtaining the required minimum of two quotes.

Heritage Conservation Considerations:

The roof, gable ends, and dormer walls have been deteriorating over the years with higher intensity and more frequent precipitation events, sometimes causing leaking into the interior of 548-550 Devonshire Road. The Property Owners searched for quotes to repair the roof in accordance with the *Standards & Guidelines for Conservation of Historic Places* (S&G), which recommends for repairs over complete replacements. However, given the age and current deteriorating condition of the cedar shingles, the Property Owners are opting to undergo a complete replacement. Section 4.3.3 Roofs in the S&G provides direction for the best heritage practices when dealing with roofs.

	Recommended	Not Recommended
3	Documenting the form, materials and condition of roof assemblies before undertaking an intervention, including the roof's pitch, shape, decorative and functional elements, and materials, and its size, colour and patterning.	Undertaking an intervention that affects character-defining roofs and roof elements, without first documenting their existing character and condition.
12	Testing proposed interventions to establish appropriate replacement materials, quality of workmanship and methodology. This can include reviewing samples, testing products, methods or assemblies, or creating a mock-up. Testing should be carried out under the same conditions as the proposed intervention.	
16	Replacing in kind an entire element of the roof that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model to reproduce the element. This can include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.	Removing a roof element that is irreparable, such as a chimney or dormer, and not replacing it, or replacing it with a new element that does not convey the same appearance or serve the same function. Replacing deteriorated roof elements and materials that are no longer available with physically or visually incompatible substitutes.

Roofing contractors from different companies assessed the current condition of the cedar roof and all came to the conclusion that repair is not possible, and wholesale replacement is needed. Thus, careful consideration of the S&G Recommendation #16 under 4.3.3 Roofs is required. Approval of the heritage permits and CHF requests will be subject to review of the additional technical information on the material and techniques employed to confirm that the ultimate appearance and techniques would be a visually and physically compatible substitute to the existing cedar roof and gable ends.

Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), “Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”.

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 ...” and enhancement [9.3.5.1(b)] “Council will enhance heritage resources by: (b) Promoting, maintaining and administering the [Community Heritage] Fund for special heritage conservation projects; “.

Risk Analysis:

The risk of taking no action for this property is the potential deterioration of a designated heritage property and potential loss of the heritage attributes due to age and water intrusion.

Cedar roof shingles and shakes are relatively rare in Windsor, with a limited number of properties still retaining such roofing material. There is a real risk of loss of these unique heritage features in the City due to the lack of specialized tradespersons, limited material supply, and inflated costs, as well as the general appeal to homeowners of the affordability and low-maintenance of modern materials such as asphalt and metal.

No city funds will be expended until the project is determined by Planning Staff to be completed according to good heritage practices. Conditions of this determination include provision of technical information through details within the quote and request for provision of material samples or mock-up, to ensure that the conservation work is heritage appropriate prior to disbursement of the funds.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The Community Heritage Fund (CHF) guidelines includes the following:

"As a general principle, awards will be limited to a maximum of \$50,000 unless the DHSC (Development & Heritage Standing Committee) so recommends and Council approves." The award from the Community Heritage Fund is generally given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award". In this particular case, the applicant is asking to proceed with 30% grant approval for replacements to cedar shingles with no loan component. As well, the Community Heritage Fund asks for "A minimum of two cost estimates, based on specifications approved by the DHSC and the City Planner or Designate, shall be obtained by the owner for all restoration work to be done." The estimates will then be reviewed to ensure that all work specified is covered. The lower bid will usually be recommended for funding."

The Owners made significant efforts to solicit bids and quotes from local companies. However up to the time of the writing of the report, they were unable to obtain multiple quotes for the gable ends siding walls and dormer walls replacement project, and were only able to consider two qualified vendors for the roofing project. A summary table of the quotes are as below. The Owners have provided their explanation of the preferred

qualified vendor based on the quote provided, expertise and experience of the vendor, and eagerness of the vendor. The Owners would like to retain Dayus Roofing to undertake the roof and siding replacement project.

TOTAL SUMMARY ROOF PROJECT (costs are for both properties together; owners to split costs 50/50)		
Quote from Vendor	Cost (without HST)	Total Cost (with HST)
Dayus Roofing – Perfection Cedar	\$107,520.72	\$121,498.42
Heritage Roofing – Cedar	\$167,000.00	\$188,710.00
TOTAL SUMMARY GABLES AND DORMERS PROJECT (costs are for individual properties)		
Quote from Vendor	Cost (without HST)	Total Cost (with HST)
Dayus Roofing – Perfection Cedar (546 Devonshire Rd)	\$31,401.26	\$35,483.42
Dayus Roofing – Perfection Cedar (548-550 Devonshire Rd)	\$31,401.26	\$35,483.42

Based on the estimates of the Owners' preferred qualified vendor and material, the total cost of the project is anticipated to be \$121,498.42 after tax for re-roofing the entire building (\$60,749.21 for each property), and \$35,483.42 after tax for each property for the gable ends sidings walls and dormer walls. This total project amounts to approximately \$96,232.63 for each Property Owner. The Owners are requesting for 30% of the cost of the replacement work to be covered by the CHF due to the very high cost of conserving the cedar roof appearance and special heritage features, especially in today's climate of increasingly expensive trades work and inflation. The cost of the roof replacement work is encouraged to be conducted soon and is a significant cost for a private property owner. Therefore, administration recommends approval of the request by the Owners for CHF of 30% for the work to be done to replace the deteriorating cedar shingles on roof and siding.

The heritage financial incentive through the Community Heritage Fund (CHF) would provide support to the continued conservation of the heritage features of this designated building. As of June 30, 2023, the Community Heritage Fund (Reserve Fund 157) has an uncommitted balance of \$142,329.75 available (including the safeguard of having the minimum balance of \$50,000 in the Committed funds). Therefore, there is sufficient funds in Fund 157 to cover the cost of the grant project. Administration recommends that the amounts of 30% after HST to an upset amount of \$28,869.79 to each Property Owner be provided for the roof, gable ends, and dormer walls replacement project.

The Owners have also applied for the Heritage Property Tax Reduction program which will be administratively processed when amounts are under \$20,000 as per By-law 164-

2015. The total property taxes payable in 2023 for 546 Devonshire Road is \$4,034.49, and for 548-550 Devonshire Road is \$3,879.32. The annual rebate would be up to 30% or approximately \$1,210.35 for 546 Devonshire Road and approximately \$1,163.80 for 548-550 Devonshire Road, for a maximum of 3 years up to the cost of the restoration. Over the three year period, the combined financial incentives from the CHF and the Heritage Property Tax Reduction program would offset 33.7% of the total project costs for the Perfection Cedar roof, gable ends, and dormer walls replacement.

Consultations:

City staff have been consulting with the Owners in recent months. Josie Gaultieri, Financial Planning Administrator, assisted with confirmation of fund balance.

Conclusion:

A total grant amount of 30% of the cost of the roof, gable ends, and dormer walls replacement at 546 and 548-550 Devonshire Road to the upset amount of \$28,869.79 to each Property Owner from the Community Heritage Fund (Reserve Fund 157) is recommended to be approved, subject to conditions. Further heritage alteration approvals necessitated for this scope of work are recommended to be delegated to the City Planner or designate to direct further conservation details.

Planning Act Matters:

N/A

Approvals:

Name	Title
Kristina Tang	Heritage Planner
Josie Gaultieri	Financial Planning Administrator
Carolyn Nelson	Manager, Property Valuations & Administration
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Janice Guthrie	Chief Financial Officer
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
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Name	Address	Email
Natalie Delia Deckard		
Scott Mayrand		

Appendices:

- 1 Appendix A - Designation By-laws 9978 and 9979
- 2 Appendix B - Heritage Permit Applications
- 3 Appendix C - Community Heritage Fund Applications
- 4 Appendix D - Additional Photos of 546 and 548-550 Devonshire Rd

Appendix A - Designation By-laws 9978 and 9979

Semi-Detached House, 546 Devonshire Road

From By-Law No. 9978, passed by Council on October 10, 1989:

SCHEDULE "B"

Reasons for Designation:

- (i) Well preserved local example of Richardsonian Romanesque residential architecture exhibited principally in the hip roofs with flared eaves, low sprung decorated brick arch entrance, and 2-storey bayfront with shared brick balustrade balcony.
- (ii) Dormer with cedar shakes and 4 sash type windows of 16 lights each and upper storey windows, double hung, eight lights each.
- (iii) Demonstrative of the lifestyle of the managerial middle-class in early Walkerville.
- (iv) Integral component of the 19th Century group of semi-detached homes intact in the 500 block of Devonshire Road.

Semi-Detached House, 548-550 Devonshire Road
From By-Law No. 9979, passed by Council on October 10, 1989:

SCHEDULE "B"

Reasons for Designation:

- (i) Well preserved local example of Richardsonian Romanesque residential architecture exhibited principally in the hip roofs with flared eaves, low sprung decorated brick arch entrance, and 2-storey bayfront with shared brick balustrade balcony.
- (ii) Dormer with cedar shakes and 4 sash type windows of 16 lights each and upper storey windows, double hung, eight lights each.
- (iii) Demonstrative of the lifestyle of the managerial middle-class in early Walkerville.
- (iv) Integral component of the 19th Century group of semi-detached homes intact in the 500 block of Devonshire Road.



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) Natalie Delia Deckard
Company or Organization _____
Mailing Address 546 Devonshire Rd - Windsor, ON N8Y 2L7

Email [REDACTED] Postal Code N8Y 2L7
Phone(s) [REDACTED]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Email _____ Postal Code _____
Phone(s) _____

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Email _____ Postal Code _____
Phone(s) _____

Who is the primary contact?

☒ Applicant ☐ Registered Owner ☐ Agent

2. SUBJECT PROPERTY

Municipal Address: 546 DEVONSHIRE RD - WINDSOR, ON N8Y 2L7

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..

Currently cedar shake roof, to be replaced by new cedar shake roof (at 30% grant rate) or synthetic roof if 30% grant is not approved.

Home is already fully described in Heritage records.

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.

Included in quotes - including pictures and diagrams.

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Roof is past useful life and beginning to leak. We want to avoid property deterioration and keep the building (both homes) insurable.

Describe the potential impacts to the heritage attributes of the property.

None if replaced per plan with rebate.

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

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

APPLICANT Signature(s)

[Handwritten Signature]

Date

3 July 2023

Date

SCHEDULE A**A. Authorization of Registered Owner for Agent to Make the Application**

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

I, _____, am the registered owner of the land that is
name of registered owner
subject of this application for a Heritage Alteration Permit and I authorize
_____ to make this application on my behalf.
name of agent

Signature of Registered Owner_____
Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, Natalie Delia Deckard, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Natalie Delia Deckard

Signature of Registered Owner

3 July 2023
Date

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

I understand that receipt of this application by the City of Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the Ontario Heritage Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Natalie Delia Deckard

Signature of Applicant

3 July 2023
Date

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>

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) Scott Mayrand
Company or Organization _____
Mailing Address 550 Devonshire rd. Windsor ON

Email [REDACTED] Postal Code N8Y 2L7
Phone(s) [REDACTED]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Email _____ Postal Code _____
Phone(s) _____

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) _____
Company or Organization _____
Mailing Address _____

Email _____ Postal Code _____
Phone(s) _____

Who is the primary contact?

☒ Applicant ☐ Registered Owner ☐ Agent

2. SUBJECT PROPERTY

Municipal Address: 550 Devonshire rd Windsor ON N8Y 2L7

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..

current cedar shake roof to be replaced
by new cedar shake roof (at 30% grant rate)
or synthetic roof if 30% grant is not approved

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.

Replace roof as is

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Life span of existing roof has run out.
Roof is actively leaking.

Describe the potential impacts to the heritage attributes of the property.

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

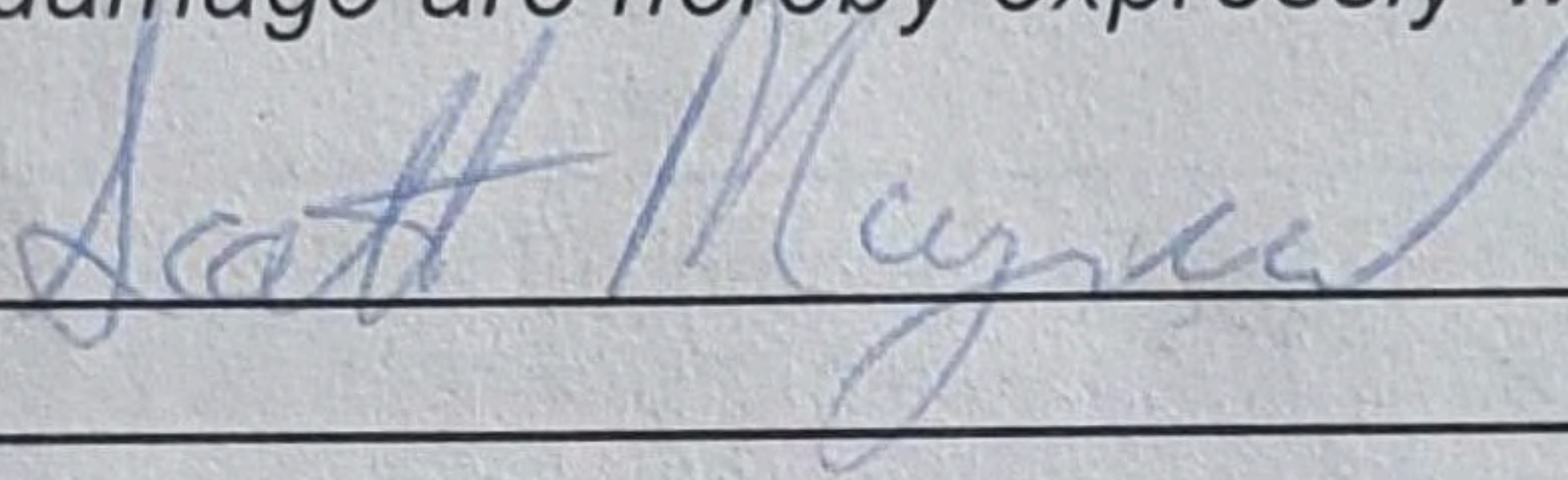
8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

APPLICANT Signature(s) _____



Date _____

July 3rd 2023

Date _____

SCHEDULE A

A. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

I, _____, am the registered owner of the land that is
name of registered owner
subject of this application for a Heritage Alteration Permit and I authorize
_____ to make this application on my behalf.
name of agent

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, Scott Mayrand, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.

Scott Mayrand
Signature of Registered Owner

July 3rd 2023
Date

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

I understand that receipt of this application by the City of Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the Ontario Heritage Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Scott Mayrand
Signature of Applicant

July 3rd 2023
Date

DO NOT COMPLETE BELOW – STAFF USE ONLY

Approval Record

Date Received by Heritage Planner: _____

Building Permit Application Date, if needed: _____

☐ Application Approval (City Council):

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City Council: _____

☐ Application Approval (City Planner):

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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

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Suite 320 - 350 City Hall Square West
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519-255-6544 (fax)
<http://www.citywindsor.ca>

CITY OF WINDSOR
COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT
(To be completed in full)

APPLICANT/AGENT/OWNER INFORMATION

1. APPLICANT(S): Natalie Delia Deband
Address, City: 546 Devonshire Rd Postal Code: N8Y 2C7
Email: [REDACTED] Telephone: [REDACTED]
2. AGENT/ARCHITECT/ENGINEER/SOLICITOR: _____
Address, City: _____ Postal Code: _____
Email: _____ Telephone: _____
3. REGISTERED OWNER(S): _____
Address, City: _____ Postal Code: _____
Email: _____ Telephone: _____

PROPERTY FOR WHICH HERITAGE FUND ASSISTANCE IS REQUESTED

4. HERITAGE NAME OF PROPERTY _____
5. MUNICIPAL ADDRESS _____
6. LEGAL DESCRIPTION (Lot and Plan) _____
7. ASSESSMENT ROLL NUMBER(S) _____
8. EXISTING USE residential
9. THIS PROPERTY IS DESIGNATED UNDER THE ONTARIO HERITAGE ACT
YES ☐ By-law No. _____ Date _____

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ _____ 30% of roof = \$ 8,224.76 30% of
Grant \$ 28,869.79 TOTAL \$ 28,869.79 siding = \$10,645.03

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: _____ years.
12. Are there any outstanding mortgages or liens against this property?
NO ☐
YES ☐ Amount: _____ Institution: _____
13. If your application for a loan, grant or loan/grant combination is in an amount not to exceed \$15,000, you may be required to obtain a property appraisal from a real estate agent or certified appraiser. If your application is in an amount in excess of \$15,000, you may be required to obtain an appraisal from a certified appraiser.
14. Have you previously received assistance from the City for the property named above?
NO ☒

YES ☐ Amount: _____ Date: _____
Source of funds: _____

REASONS FOR REQUESTING HERITAGE FUND ASSISTANCE

A. Rehabilitation of Owner's designated property:

15. Describe fully here (or on attached sheets) the proposed work to be undertaken:

Per the quotes, cedar shake siding and
roof replacement

16. The applicant is responsible for providing at least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing. (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.)

17. Describe any new uses of the property, if different from the existing use.

18. The application shall include recent, dated photographs of the property, to clearly illustrate the areas of the property that are the subject of the proposed work. Any available architectural drawings should be included as well.

19. Early photographs or drawings showing the property's original appearance should be submitted, if available, to assist in the review of the application.

B. Purchase of designated property:

20. Indicate the full price of the property you wish to purchase: \$ _____ and include a copy of the "offer to purchase."

21. Indicate your other sources of funding, the amount you will receive, and any subsequent liens/mortgages.

C. Architectural/engineering study of Owner's designated property:

22. Indicate the full price of the architectural/engineering study by a restoration specialist: \$ _____ and include a copy of the estimate or invoice from the study.

SIGNATURES

APPLICANT OR AGENT

Walter D. Dickard

Date

13 July 2023

REGISTERED OWNER(S)

Date

CHECKED/RECEIVED BY

HERITAGE PLANNER

Date

This application should be completed and filed with the:
Planning Department
Suite 320 - 350 City Hall Square West
Windsor ON, N9A 6S1

For assistance and/or information on filing, please contact the Planning Department:
Telephone 519-255-6543 x 6179 Fax 519-255-6544

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION:

I/We also acknowledge that the information requested on this form is required in order to process the application to the Development & Heritage Standing Committee. Please be advised that the information in this application form may be released to the public in an electronic form, i.e. web site and/or paper format, i.e. agenda or minutes.

Dated: _____

Signed: _____

Signature of Applicant

CITY OF WINDSOR
COMMUNITY HERITAGE FUND

APPLICATION FOR LOAN AND/OR GRANT
(To be completed in full)

APPLICANT/AGENT/OWNER INFORMATION

1. APPLICANT(S): Scott Mayrand
Address: 7618-550 Devonshire rd Postal Code: N8Y 2L7
Email: [REDACTED] Telephone: [REDACTED]
2. AGENT/ARCHITECT/ENGINEER/SOLICITOR: _____
Address, City: _____ Postal Code: _____
Email: _____ Telephone: _____
3. REGISTERED OWNER(S): _____
Address, City: _____ Postal Code: _____
Email: _____ Telephone: _____

PROPERTY FOR WHICH HERITAGE FUND ASSISTANCE IS REQUESTED

4. HERITAGE NAME OF PROPERTY _____
5. MUNICIPAL ADDRESS _____
6. LEGAL DESCRIPTION (Lot and Plan) _____
7. ASSESSMENT ROLL NUMBER(S) _____
8. EXISTING USE _____
9. THIS PROPERTY IS DESIGNATED UNDER THE ONTARIO HERITAGE ACT
YES ☐ By-law No. _____ Date _____

REQUESTED HERITAGE FUND ASSISTANCE

10. AMOUNT AND TYPE OF FINANCIAL ASSISTANCE REQUESTED:

Loan \$ _____ \$28,869.79 \$28,869.79
Grant \$ 25,489.81 TOTAL \$ 25,489.81

30% of roof =
\$18,224.76
30% of siding =
\$10,645.03

NOTE: Details for loan/grant are set out in the attached pamphlet "Windsor's Community Heritage Fund".

11. If a loan is requested, please indicate your term of repayment: _____ years.
12. Are there any outstanding mortgages or liens against this property?
NO ☐
YES ☐ Amount: _____ Institution: _____
13. If your application for a loan, grant or loan/grant combination is in an amount not to exceed \$15,000, you may be required to obtain a property appraisal from a real estate agent or certified appraiser. If your application is in an amount in excess of \$15,000, you may be required to obtain an appraisal from a certified appraiser.
14. Have you previously received assistance from the City for the property named above?
NO ☒

YES ☐ Amount: _____ Date: _____

Source of funds: _____

REASONS FOR REQUESTING HERITAGE FUND ASSISTANCE

A. Rehabilitation of Owner's designated property:

15. Describe fully here (or on attached sheets) the proposed work to be undertaken:

cedar shake roof/siding (gables)

16. The applicant is responsible for providing at least two written estimates from qualified contractors and/or qualified design consultants for the proposed restoration work. The estimates should contain sufficient detail to permit a review of individual components of the proposed work. Attach estimates to this form when filing. (Some specifications are available from the Heritage Planner – see contact information at the bottom of this page.)

17. Describe any new uses of the property, if different from the existing use.

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C. Architectural/engineering study of Owner's designated property:

22. Indicate the full price of the architectural/engineering study by a restoration specialist: \$ _____ and include a copy of the estimate or invoice from the study.

SIGNATURES

APPLICANT OR AGENT _____ Date _____

REGISTERED OWNER(S) _____ Date _____

CHECKED/RECEIVED BY
HERITAGE PLANNER _____ Date _____

This application should be completed and filed with the:

Planning Department
Suite 320 - 350 City Hall Square West
Windsor ON, N9A 6S1

For assistance and/or information on filing, please contact the Planning Department:
Telephone 519-255-6543 x 6179 Fax 519-255-6544

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Dated: July 13, 2023

Signed: Scott Maynard
Signature of Applicant

546, 548, and 550 Devonshire Rd – Windsor, Ontario

Thank you to the Heritage Planner, Kristina Tang, for giving us the opportunity to walk the Heritage Board and the City Council through the heritage project on our home, the Mason-Rice semi-detached at 546-550 Devonshire Rd. We – Natalie Delia Deckard and Scott Maynard – are the homeowners of these beautiful heritage homes, and we are dedicated to maintaining and restoring the properties so that the City of Windsor can continue to have pride in our community heritage. We are grateful that the City is willing to partner with us, as the cost of doing justice to owning these homes is substantial. Only through programs like these are we able to preserve our heritage, and we are happy to be moving forward in tandem.

The Home

The property is a beautiful building comprised of two semi-detached homes – one of which is a single residence (546) and one of which was divided into two units (548 and 550) many years ago. The home has three storeys, and the bottom two are brick. The top, third floor is externally covered by a combination of roof and siding, and includes a number of gables and dormers. At present, the 30-year old roof is leaking at 550, and extraordinarily worn on both sides. The siding is also in need of replacement, especially on the southern, 548 and 550, side of the building. At present, there is a variety of siding material, including the original cedar shake and a type of vinyl siding, and a variety of paint on some parts of the siding. This inconsistency has degraded the heritage value of the home, and made it less a testimony to the history of the neighborhood and City than it should be.

The Project

We are replacing the roof and siding of the home, returning them to the original cedar shake shingle. The roof needs to be done immediately, and after reviewing the options for synthetic cedar shake products, we have chosen (with City financial support) to replace the roof in the original heritage material of cedar shake. We also seek to replace the siding over all currently sided areas, including gables and dormers, on the entire building – again, replacing them with the original cedar shake throughout. We seek City support to engage in this major, and urgently necessary, restoration project.

The Cost

We have struggled to find tradespeople who are able to expertly install cedar shake on the scale of a project of this magnitude. We are also attentive to the need to have a reliable and established contractor on this project, rather than a fly-by-night company that makes promises they are unable or unwilling to fulfill. To this end, we have secured two roof quotes with well-regarded roofers – Dayus Roofing and Heritage Roofing. Heritage is not available for the siding project, and we have struggled to find a siding contractor that can do cedar shake. Dayus is able to complete the siding work, and has offered us a price that is competitive in recognition of the fact that they will be able to do all of the work and thus achieve an economy of scale on the project as a whole. We are confident that the prices of the quotes offered are the best possible prices given the scope of work and its historical importance.

Thank you for your consideration.



2023-05-25

Dear Natalie,

We are pleased you have taken the time to review re-roofing your home with us at Dayus.

Today, there are numerous roofing systems and roofing contractors – each one with just the answer for you. Customers are often confused by similarities in contractors' specifications, overlooking the key differences that are critical to a quality roof installation.

Hundreds of homeowners have lost thousands of dollars in home damage and/or having to replace new roofs because they selected the cheapest roof quoted to them. Furthermore, 95% of roofing contractors go out of business within 10 years leaving many customers without warranty support.

All contractors are not alike! Dayus Roofing has been **On Top Since 1920** and we assure you a job second to none. We employ qualified, experienced roofers who will see to a safe, neat and professional installation.

I, Frank Dayus IV, have had the privilege of learning the roofing industry from three generations of expertise. Our goal at Dayus Roofing is to ensure you peace of mind with your roofing system. After all, your roof is responsible for protecting everything underneath it.

I sincerely hope our proposal meets with your approval. If there is any further information you require, please feel free to contact your salesperson or myself.

Yours truly,

A handwritten signature in black ink, appearing to read "Frank Dayus IV", with a large, stylized flourish at the end.

Frank Dayus IV
President



Dayus Roofing
5120 Halford Dr - Oldcastle - ON - N9G 0B8
Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
05/25/23	FSF4Q11506
Rep:	Frank Dayus 4

Sold To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]

Ship To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]

We are pleased to submit a proposal as outlined herein

#1 PERFECTION CEDAR SHINGLE ROOFING SYSTEM - NO SIDING INCLUDED

Total protection of homeowner's and neighbour's property.

Complete tear-off existing roof to sound deck and disposal of all related roofing rubbish.

Thorough deck inspection. Deteriorated plywood decking will be replaced for \$3.50 / sq ft (3/8")
Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Delivery of all materials to be supplied by Dayus Roofing.

Install new Aluminum Drip Edge to eave and gable edges of home

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

Install GAF Stormguard Leak Barrier to eave edges of home (3'), valleys and sidewall junctions

Install 18" #1 Perfection Cedar Shingles

Install 18" #1 Cedar shingle caps to hips and ridges of home

Install custom bent 26GA prefinished steel valley detail

Install 13 Lomanco 750 Slantback Roof Vents

Install Ultimate Pipe flashings/duroflo flashings to pipes through roof

Install new custom bent aluminum counter flashing at brick wall transitions

Install new custom bent chimney flashing with ice and watershield around base

Supply and install roofing system as outlined above

\$107,520.72 + HST

Specification Approved: _____

Date: _____



Dayus Roofing
5120 Halford Dr - Oldcastle - ON - N9G 0B8
Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
05/25/23	FSF4Q11506
Rep:	Frank Dayus 4

Sold To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]

Ship To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

\$107,520.72 + HST

Optional Items

\$0.00



Payment plans available for as low as **\$0.00** /month.

* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$2.90/sqft.

Sub-Total:	\$107,520.72
HST:	\$13,977.70
TOTAL :	\$121,498.42

Colour Specification					
Shingle		Drip Edge		Trough	
Flat Roof		Chimney Flashing		Fascia	
Vents		Wall Flashing		Soffit	

Submitted by Dayus Roofing
(herein after called the "Company")

Authorization to proceed with work
(herein after called the "Customer")

By: 
Date: _____

By: _____
Date: _____

ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
6. Dayus Roofing may have to trim back branches if they limit the workers ability to work effectively at the customer's expense.
7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
20. Proper interior connection of kitchen, bathroom and other exhaust ventilation is the responsibility of the homeowner. Vibrations from the roof installation can cause connections to loosen or detach. It is advised that you check your exhaust ventilation after roof installation is complete.
21. Dayus roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
22. Dayus Roofing cannot be held responsible for damages to trough protection systems.
23. Extra charges may apply if additional layers of roofing material are discovered during tear-off unless otherwise specified on a time and materials basis.
24. When several layers of roofing are removed, a gap may be created between the siding transitions. Also, caulking marks may not be able to be removed from siding.
25. Dayus Roofing accepts responsibility of cleaning the exterior of the property of related roofing rubbish as best as possible. Small pieces of shingle, shingle granules, roofing nails and small pieces of other debris may be missed and are the responsibility of the homeowner. Dayus Roofing cannot be held responsible for damages caused by left over debris including nails.
26. Excess materials remains the sole property of Dayus Roofing, no credits will be given.
27. Customer agrees to allow images of property (roof) to be captured during work hours for marketing and promotional purposes. Customer understands that there will be no financial gain or exchange involved.

The customer acknowledges and agrees to all addendums listed above as part of the contract.

CONDITIONS

This Agreement including any specifications, Terms and conditions, as set forth herein and any change orders issued by the customer, shall constitute the entire contract and shall be binding upon both parties regardless of any warranties, agreements or representations, written or verbal, expressed or implied.

This Agreement shall become binding upon written acceptance by the company commencing performance of the said work.

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The Company's obligations under this contract are subject to unforeseeable delay, breakdown, strikes, labor disputes, accidents, casualty or any other cause or causes beyond the company's reasonable control, and the Company shall not be liable for any loss or damages of any kind suffered by any person as a result of such causes or any resulting delay.

Unless otherwise set-out in the agreement, it shall be the Customer's responsibility to obtain all necessary building permits, inspections and approvals as may be required.

The Company shall not be liable for costs associated with any revision as may be required by the Building Departments or other authorities having jurisdiction.

The customer is responsible for the costs incurred to investigate any leak and or defects not covered under the guarantee; for example, but not limited to: leaks caused by walls, siding, drains, chimneys and physical damage or alterations to the roof.

The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

GUARANTEE

The Company hereby guarantees to repair or correct, at no charge to the Customer, any defects resulting from faulty workmanship for a period of two years on roofing and one year on all other installations commencing 30 days after substantial completion. This Guarantee is a given and accepted subject to the following limitations:

- a) The Company's obligations under this guarantee represent the full extent of liability for or arising out of the work.
- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
- e) Repairs are not guaranteed. All other conditions remain as stated.
- f) The Company's officers, directors, agents, employees and servants shall not be liable to the buyer nor to any other party for any liability howsoever arising.
- g) This guarantee does not cover any changes to the services and products made by the customer.

The Company hereby assigns the benefit of all extended product guarantees or warranties offered by the manufacturers of the product delivered by the Company to the customer. The Company's guarantee does not cover any costs associated with manufacturer's warranty claims.

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The Customer agrees to make payments upon substantial completion unless otherwise set-out in the agreement.

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The Customer shall be responsible for all costs incurred by the Company as a result of cancellation of this agreement including all restocking charges, handling costs and all costs associated with purchasing and coordinating such work.

The customer confirms receipt of a duplicate original of Development & Heritage Standing Committee Minutes Tuesday, August 1, 2023



Dayus Roofing
5120 Halford Dr - Oldcastle - ON - N9G 0B8
Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
06/28/23	FSF4Q11550
Rep:	Frank Dayus 4

Sold To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

Ship To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

We are pleased to submit a proposal as outlined herein

PERFECTION CEDAR SHINGLE - LARGE GABLE END

Total protection of homeowner's and neighbour's property.

Complete tear-off existing siding to sound deck and disposal of all related roofing rubbish.

Delivery of all materials to be supplied by Dayus Roofing.

Thorough base wall inspection. Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Install new breathable GAF Deck Armour to sidewalls

Install custom bent aluminum starter flashing to base of sidewall and headwall junction

Install 18" #1 Perfection Cedar Shingles as per cedar bureau recommended installation detail

Install custom bent friezeboard detail to top cut of cedar sidewall
NOTE: Crown moulding details and options to be reviewed with owner

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

Supply and install cedar siding as outlined above **\$21,430.82 + HST**

Specification Approved: _____

Date: _____





Dayus Roofing
5120 Halford Dr - Oldcastle - ON - N9G 0B8
Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
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QUOTE

Date	Quote #
06/28/23	FSF4Q11550
Rep:	Frank Dayus 4

Sold To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

Ship To: Deckard Residence
Natalie Deckard
546 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

\$21,430.82 + HST

Optional Items

Rear facing gable siding replacement	\$6,728.80	<input type="checkbox"/>
Install 18" #1 Perfection Cedar Shingles		
Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface		
Front dormer Siding Replacement	\$3,241.64	<input type="checkbox"/>
Install 18" #1 Perfection Cedar Shingles		
Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface		



Payment plans available for as low as **\$0.00** /month.

* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$4.00/sqft subject to market price changes.

Sub-Total:	\$21,430.82
HST:	\$2,786.01
TOTAL :	\$24,216.83

Colour Specification					
Shingle		Drip Edge		Valley	
Flat Roof		Chimney Flashing		Trough	
Vents		Wall Flashing		Fascia	

Submitted by Dayus Roofing
(herein after called the "Company")

Authorization to proceed with work
(herein after called the "Customer")

By: 
Date: _____

By: _____
Date: _____

ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
2. All coupons must be presented to a Dayus Roofing representative at the date/time of quotation in order to be honoured.
3. Dayus Roofing reserves the right to place a sign on the property as a form of advertising during the installation and extending a time period of 7 days after completion.
4. Dayus Roofing will require access to your driveway, walkway and other yard accesses while re-roofing your home. Please keep driveway clear of vehicles and unlock gates prior to arrival to allow Dayus Roofing access to the perimeter of your home. Any resulting setbacks are chargeable on time and materials basis.
5. Please remove all sensitive items from around the house including but not limited to pool/patio furniture, potted plants, garden equipment, to allow full access/avoid damage. Dayus Roofing cannot assume responsibility for damage to these items.
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7. Dayus Roofing recommends you check all hanging items and/or delicate items in your home to ensure they are secure. Dayus Roofing cannot assume responsibility for damage to these items.
8. Please inform Dayus Roofing if you have cathedral ceilings. Dayus Roofing will attempt to keep the vibrations to a minimum but cannot assume responsibility to cracking of the ceiling.
9. Dayus Roofing cannot be held responsible for cracking or sinking concrete, impressions in grass/soil, oil/grease stains, scratches to decks, burning to lawns, or any other unforeseen damages of that nature.
10. Some debris may fall through the sheathing boards and dust will be created during installation. Dayus Roofing recommends covering or removal of any items which require protection in your attic space. The cleaning of this minimal debris in the attic space is the responsibility of the customer.
11. Dayus Roofing will remove and re-install antennas and satellite dishes unless otherwise specified. Dayus Roofing cannot be held responsible for loss of reception during installation, physical damage or poor reception of the re-installed unit. Re-alignment may be required at the customer's expense.
12. The customer assumes responsibility for the removal and replacement of solar panels to accommodate the installation of the new roof.
13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
14. Please be aware that roof installations are noisy and prepare accordingly.
15. Customer agrees to allow Dayus Roofing the use of electrical power outlets as necessary to operate power tools.
16. Due to potential uneven surfaces of the roof that may be present due to rotting wood or age of home, Dayus Roofing cannot guarantee that the roofing materials will look perfectly straight or flat upon completion of the job. Dayus Roofing shall make every effort to make the materials as level and as straight as possible during installation.
17. Dayus Roofing will bring to your attention, if possible at the time of discovery, any hidden defects to the wood deck or framing. The company must carry out repairs required that would impair the re-roofing job. These repairs will be completed on a time and material basis.
18. Dayus Roofing will attempt to correct any ventilation deficiencies but cannot be held responsible for damages due to inadequate insulation or ventilation including but not limited to condensation, deck rot and mold formation.
19. Dayus Roofing will try to prevent ice damming issues but cannot be held responsible for damages as a result of ice damming.
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21. Dayus Roofing uses trough guards to protect your eavestrough system wherever possible. However, Dayus Roofing cannot be held responsible for surface scratching or minor indentations which can result from roofing.
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The customer confirms receipt of a duplicate original of Development & Heritage Standing Committee Tuesday, August 1, 2023



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Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
07/13/23	FSF4Q11570
Rep:	Frank Dayus 4

Sold To: Mayrand Residence
Scott Mayrand
548-550 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

Ship To: Mayrand Residence
Scott Mayrand
548-550 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

We are pleased to submit a proposal as outlined herein

PERFECTION CEDAR SHINGLE - LARGE GABLE END

Total protection of homeowner's and neighbour's property.

Complete tear-off existing siding to sound deck and disposal of all related roofing rubbish.

Delivery of all materials to be supplied by Dayus Roofing.

Thorough base wall inspection. Required structural repairs are to be completed on a time and materials basis and are extra to contract.

Install new breathable GAF Deck Armour to sidewalls

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NOTE: Crown moulding details and options to be reviewed with owner

Install 18" #1 Perfection Cedar Shingles

Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface

Supply and install cedar siding as outlined above

\$21,430.82 + HST

Specification Approved: _____

Date: _____





Dayus Roofing
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Phone: (519) 737-1920 - Fax: (519) 790-0074

On Top Since 1920
www.dayusroofing.com

QUOTE

Date	Quote #
07/13/23	FSF4Q11570
Rep:	Frank Dayus 4

Sold To: Mayrand Residence
Scott Mayrand
548-550 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

Ship To: Mayrand Residence
Scott Mayrand
548-550 Devonshire Road
Windsor, Ontario N8Y 2L7
Phone: [REDACTED]
E-mail: [REDACTED]

We are pleased to submit a proposal as outlined herein

Supply & install materials as outlined in attached specification for base price of:

\$31,401.26 + HST

Optional Items

- Rear facing gable siding replacement \$6,728.80 ☐
- Install 18" #1 Perfection Cedar Shingles
- Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface
- Front dormer Siding Replacement \$3,241.64 ☐
- Install 18" #1 Perfection Cedar Shingles
- Install GAF Deck Armor Premium Breathable Deck Protection to entire roof surface



Payment plans available for as low as **\$0.00** /month.

* 50 year non-prorated coverage against manufacturers defects, labour included. See manufacturers warranty guide for details. Underlayment and Ice and Watershield manufactured by shingle manufacturer. 1/2" Plywood replacement is \$4.00/sqft subject to market price changes.

Sub-Total:	\$31,401.26
HST:	\$4,082.16
TOTAL :	\$35,483.42

Colour Specification				
Shingle		Drip Edge		Valley
Flat Roof		Chimney Flashing		Trough
Vents		Wall Flashing		Fascia

Submitted by Dayus Roofing
(herein after called the "Company")

Authorization to proceed with work
(herein after called the "Customer")

By: 
Date: _____

By: _____
Date: _____



ADDENDUMS

1. All grievances must be reported to your Sales Representative immediately so that they can be resolved as efficiently as possible. Dayus Roofing cannot be held responsible for damages caused by delays in reporting concerns.
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13. Upon delivery of materials please notify Dayus Roofing immediately if the colour is not what you specified.
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The Company and Customer hereby agree to indemnify, defend and hold harmless one another and their officers, directors and employees from and against all claims, demands, losses, liabilities, actions, lawsuits and other proceedings, judgments and awards and costs and expenses (including reasonable legal fees) arising directly or indirectly in whole or in part out of any action taken by one another within the scope of its duties or authority hereunder, excluding only such of the foregoing as result from the negligence or willful act of such person or any of its officers, directors, agents or employees

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- b) The Company shall not be held liable in any way for the damage to the said building or to any contents thereof or for any interruption of business.
- c) The Company shall not be held liable for or to affect any repairs or replacements of the installations made necessary by any cause except through faulty workmanship on our part.
- d) For any claims under warranties, the client shall notify the company immediately in writing and should repairs be required under this guarantee, the client shall provide reasonable time to affect such repairs. Repairs shall be made during regular working hours by the Company's own forces.
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The customer confirms receipt of a duplicate original copy of this agreement, terms and conditions and any attachments thereto.

Development & Heritage Standing Committee - Tuesday, August 1, 2023

Heritage Roofing

You're Covered With Us!

2203 County Road 18

Kingsville, Ontario

Office: 519-324-9690



Homeowner(s) Info:

Name: Natalie Delia Deckard

Address: 546 Devonshire Rd

Contact Number: [REDACTED]

Job Location:

Address: 546 Devonshire Rd

Town: Windsor Ont

Quote is good for 30 days

Your Sales Representative:

George Elachkar

Specialty and Commercial Estimating

Cell: 519 791 5412

Email: georgee@heritageroofingltd.com

Layers on roof:

1

Roof Decking:

Boards

Roof Pitch(es):

12/12

Project Specifications:

Remove existing cedar shingles and dispose from site

Install new drip edge at all edges

Install 3ft ice and water at eaves, valleys and walls

Install full synthetic felt

Install new 24 ga metal valleys

Install new step flashings on walls

Install tapered 18" cedar shingles with 5" exposer and 3/8" thick

Install new chimney and wall flashings

Install Scaffolding to do the roof

Project Cost: \$ 167,000.00

HST: \$ 21,710.00

Total: \$ 188,710.00

Upgrades Added:

Complete Total:

Additional Products Quoted:

plus HST
plus HST
plus HST

Upgrades to Specifications:

Plus HST
Plus HST

Heritage Roofing

You're Covered With Us!

2203 County Road 18

Kingsville, Ontario

Office: 519-324-9690

Extra Work:

Any extra work on the project will be agreed to by homeowner(s) and a change order will be needed.

Plywood:

Any plywood that will be added to the job will be charged at \$75/sheet for 3/8" and \$85/sheet for 1/2"

Labour Warranty:

Heritage Roofing Inc. warrants the labour on job, after completion, for a time period of TEN (10) years.
This labour warranty **DOES NOT** include repairs.

Insurance:

Heritage Roofing Inc. has current WSIB and liability insurance.

Acceptance of Proposal:

Signature of Homeowner(s)

Date

Signature of Sales Representative (on behalf of Heritage Roofing Inc.)

Date

Please note that due to market volatility, quote pricing will be held for a maximum of 30 days



Initial for approval:

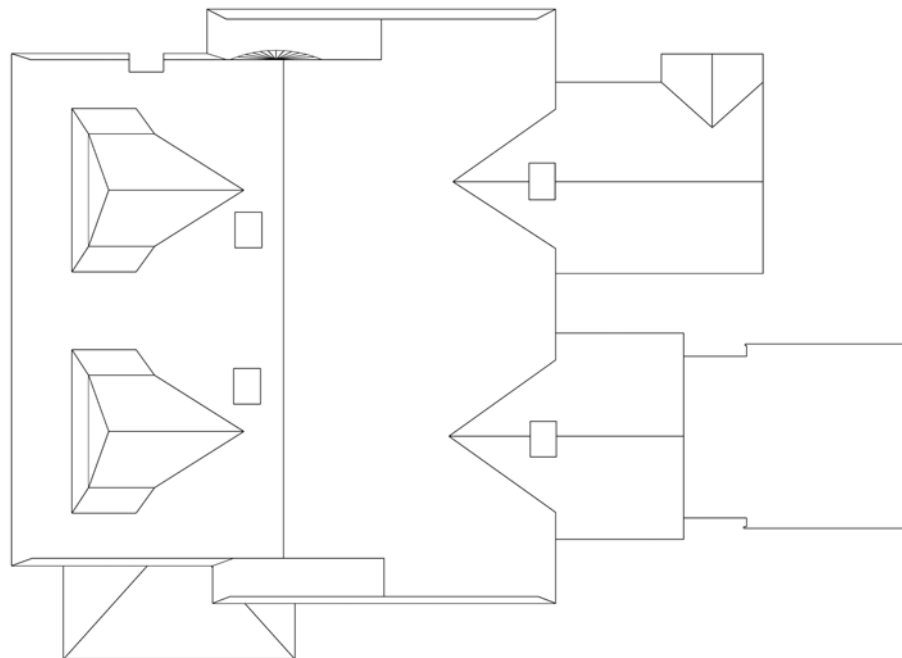


[VIEW 3D MODEL](#)

Roof	Area	Total	Length
Roof Facets	3793 ft ²	46	
Ridges / Hips		26	189' 6"
Valleys		16	116' 10"
Rakes		17	214' 3"
Eaves		36	345' 6"
Flashing		34	169' 8"
Step Flashing		39	131' 2"
Drip Edge/Perimeter			559' 9"

Roof Pitch*	Area	Percentage
9 / 12	2041 ft ²	53.81%
14 / 12	652 ft ²	17.19%
12 / 12	319 ft ²	8.41%
2 / 12	278 ft ²	7.33%

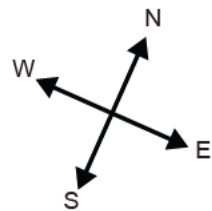
* On y top 4 va ues shown. Reference Roof P tch page for a l va ues.



Example Waste Factor Calculations

	Zero Waste	+5%	+10%	+15%	+20%
Area	3793 ft ²	3983 ft ²	4172 ft ²	4362 ft ²	4552 ft ²
Squares	38	40	42	43⅓	45⅓

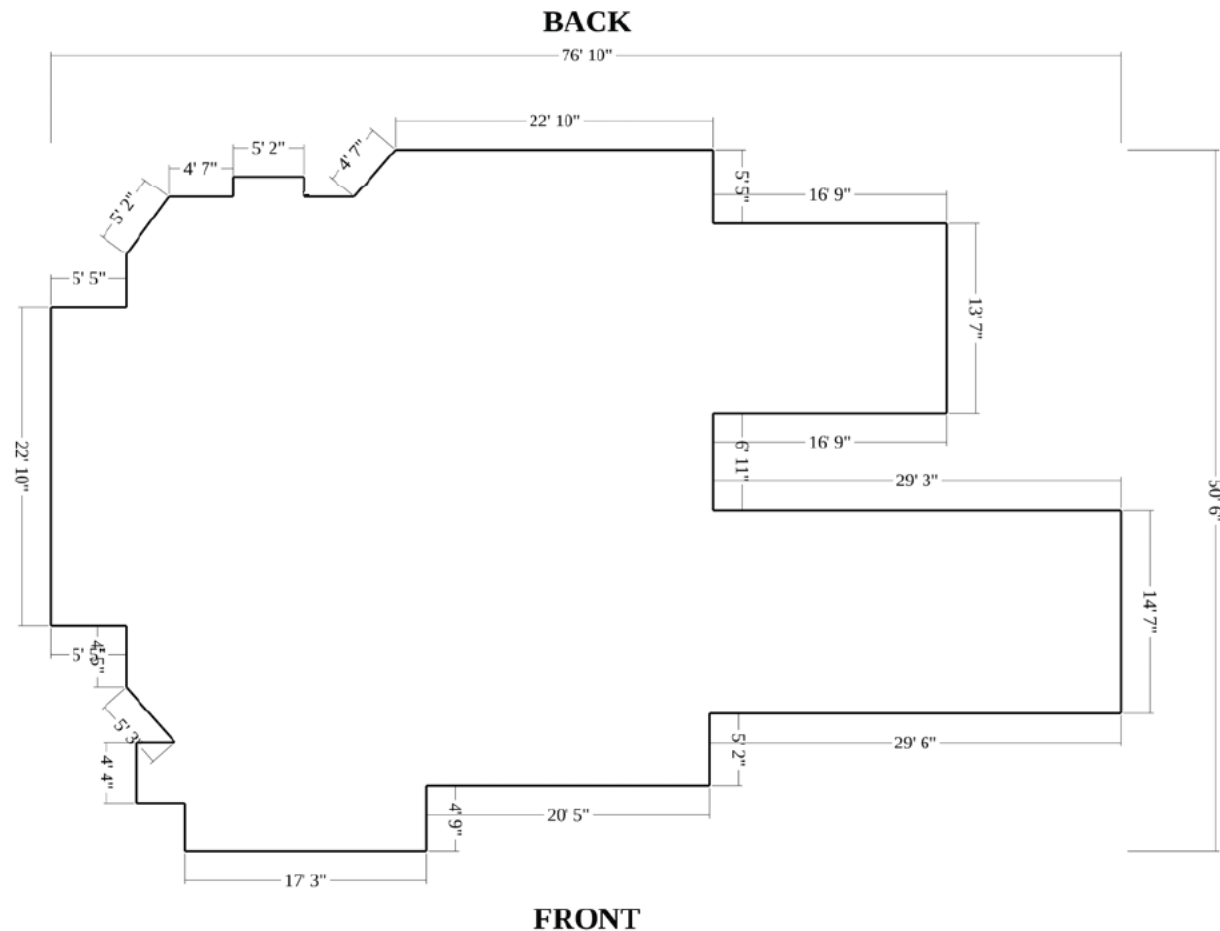
The table above provides the total roof area of a given property using waste percentages as noted. Please consider that area values and specific waste factors can be influenced by the size and complexity of the property captured, magnitude of specific roofing techniques and your own level of expertise. Additional square footage for Hip Ridge and Starter shingles are not included in this waste factor and will require additional materials. This table is only intended to make common waste calculations easier and should not be interpreted as recommendations.



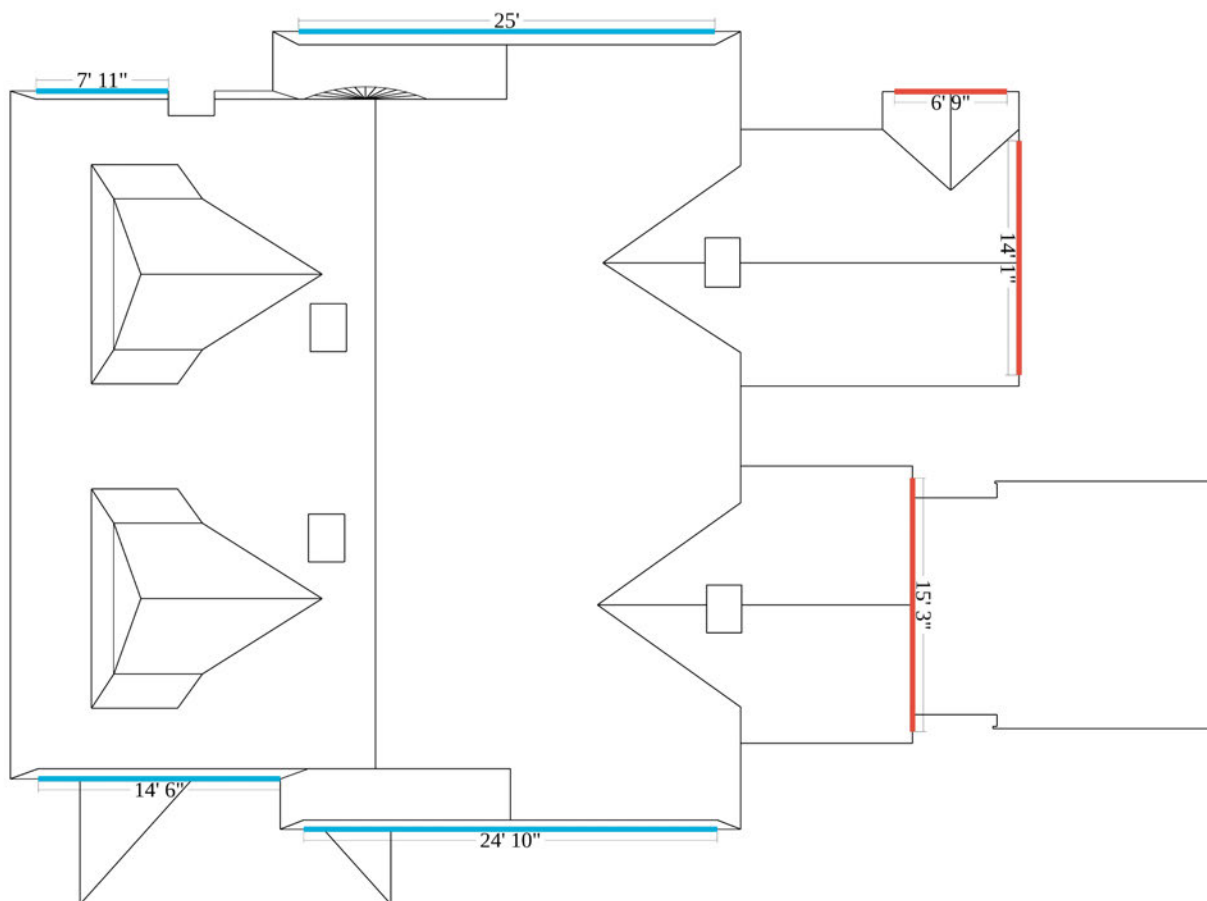
Number of Stories: > 1

Footprint Perimeter: 290' 7"

Footprint Area: 2719 ft²

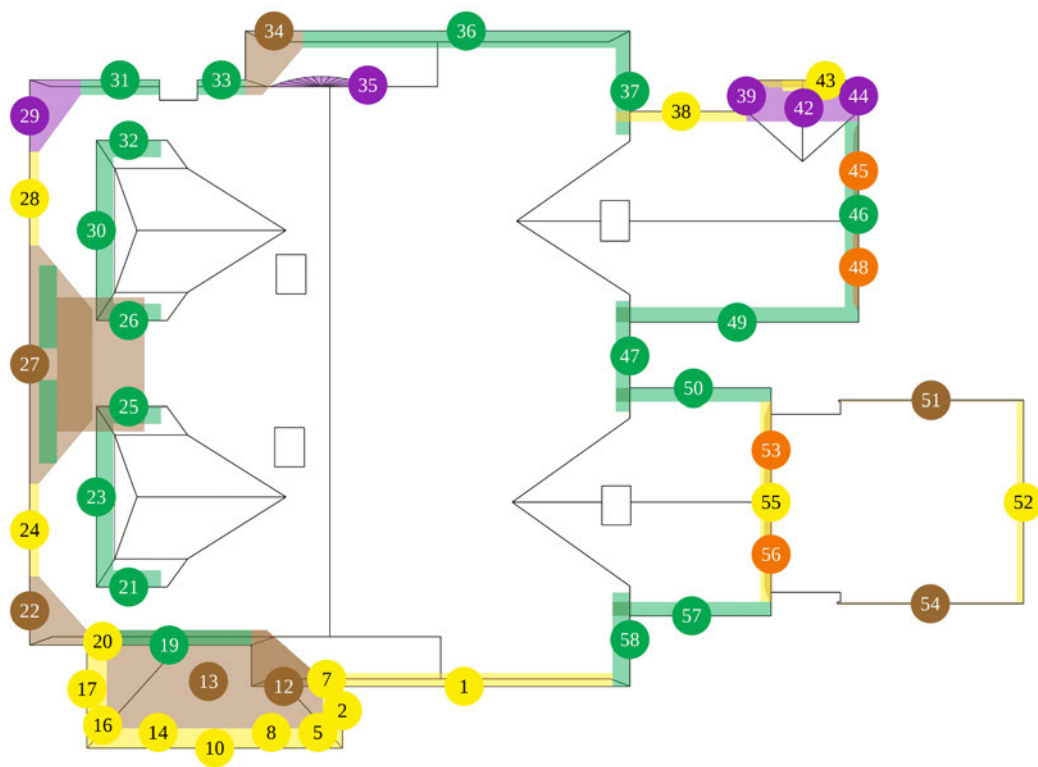


	Cornice Strips	Length	Count
■	Strips Story 1	36'	3
■	Strips Story 2	72'	4
	Total	108'	7



Soffit Summary

Depth	Type	Count	Total Length	Total Area
1" 6"	rakes	4	42' 9"	18 ft ²
6" 12"	rakes	8	12' 10"	7 ft ²
	eaves	17	131' 8"	99 ft ²
12" 18"	eaves	17	161' 1"	183 ft ²
24" 48"	eaves	5	18' 6"	39 ft ²
> 48"	eaves	7	43' 6"	213 ft ²
Totals			410' 4"	558 ft²



Soffit Breakdown

	num	Type	Depth	Length	Area	Pitch
●	1	eave	12"	21' 8"	21 ft ²	23 / 12
●	2	eave	10"	5' 6"	5 ft ²	5 / 12
⚡	3	eave	7"	8"	0 ft ²	5 / 12
⚡	4	rake	8"	7"	0 ft ²	5 / 12
●	5	rake	8"	7"	0 ft ²	5 / 12
⚡	6	eave	7"	2' 11"	2 ft ²	5 / 12
●	7	rake	8"	7"	0 ft ²	5 / 12
●	8	eave	7"	6' 4"	4 ft ²	5 / 12
⚡	9	rake	8"	7"	0 ft ²	5 / 12
●	10	eave	10"	17'	14 ft ²	5 / 12
⚡	11	eave	7"	1'	1 ft ²	5 / 12
●	12	eave	50"	4' 8"	14 ft ²	23 / 12
●	13	eave	86"	15' 9"	106 ft ²	5 / 12
●	14	eave	7"	6' 4"	4 ft ²	5 / 12
⚡	15	eave	7"	8"	0 ft ²	5 / 12
●	16	rake	8"	7"	0 ft ²	5 / 12
●	17	eave	10"	8' 8"	7 ft ²	5 / 12
⚡	18	eave	7"	5' 8"	3 ft ²	5 / 12
●	19	eave	13"	12' 1"	13 ft ²	24 / 12

	num	Type	Depth	Length	Area	Pitch
●	20	rake	8"	7"	0 ft ²	5 / 12
●	21	eave	15"	4' 9"	6 ft ²	6 / 12
●	22	eave	50"	5'	14 ft ²	9 / 12
●	23	eave	15"	10' 8"	13 ft ²	10 / 12
●	24	eave	8"	6' 9"	5 ft ²	9 / 12
●	25	eave	15"	4' 9"	6 ft ²	6 / 12
●	26	eave	15"	4' 9"	6 ft ²	6 / 12
●	27	eave	55"	13' 7"	61 ft ²	9 / 12
●	28	eave	8"	6' 10"	5 ft ²	9 / 12
●	29	eave	45"	5' 3"	13 ft ²	9 / 12
●	30	eave	15"	10' 8"	13 ft ²	10 / 12
●	31	eave	13"	5' 9"	6 ft ²	28 / 12
●	32	eave	15"	4' 9"	6 ft ²	6 / 12
●	33	eave	13"	3' 6"	4 ft ²	28 / 12
●	34	eave	56"	4' 2"	15 ft ²	17 / 12
●	35	eave	31"	2' 2"	4 ft ²	28 / 12
●	36	eave	15"	23' 11"	29 ft ²	17 / 12
●	37	eave	12"	6' 4"	7 ft ²	9 / 12
●	38	eave	9"	9' 7"	7 ft ²	14 / 12

	num	Type	Depth	Length	Area	Pitch
●	39	eave	31"	3'	6 ft ²	11 / 12
⚡	40	rake	6"	4' 8"	2 ft ²	11 / 12
⚡	41	eave	9"	3'	2 ft ²	20 / 12
●	42	eave	27"	5' 1"	10 ft ²	11 / 12
●	43	rake	6"	4' 8"	2 ft ²	11 / 12
●	44	eave	30"	3'	6 ft ²	11 / 12
●	45	rake	5"	10' 7"	4 ft ²	14 / 12
●	46	eave	12"	13' 7"	14 ft ²	31 / 12
●	47	eave	12"	8' 1"	8 ft ²	9 / 12
●	48	rake	5"	10' 3"	4 ft ²	14 / 12
●	49	eave	13"	17' 9"	20 ft ²	14 / 12
●	50	eave	12"	11' 4"	11 ft ²	12 / 12
●	51	eave	164"	2"	2 ft ²	2 / 12
●	52	eave	6"	14' 7"	7 ft ²	2 / 12
●	53	rake	6"	11'	5 ft ²	12 / 12
●	54	eave	165"	2"	2 ft ²	2 / 12
●	55	eave	9"	14' 7"	11 ft ²	34 / 12
●	56	rake	6"	11'	5 ft ²	12 / 12
●	57	eave	12"	11' 7"	12 ft ²	12 / 12

Feature s too sma to abe on the p an d agram

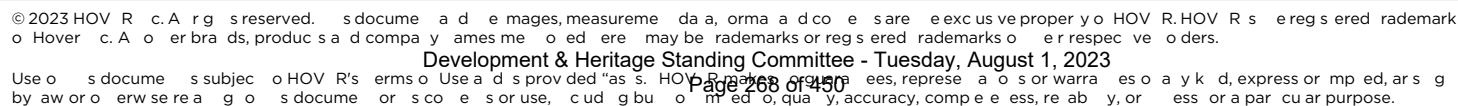


Soffit Breakdown (cont.)

num	Type	Depth	Length	Area	Pitch
58	eave	15"	6' 10"	9 ft ²	9 / 12

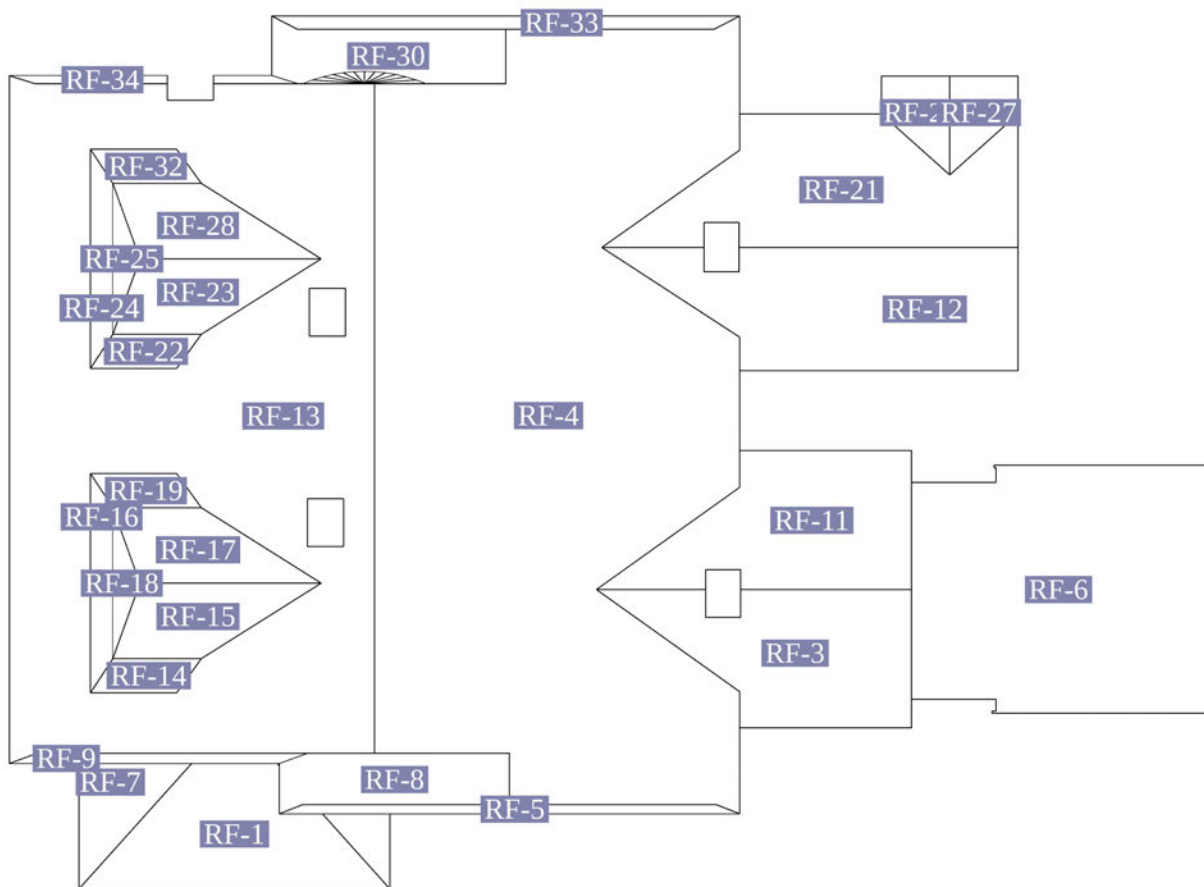
Feature is too small to appear on the plan diagram

*Please view the 3D mode for more details (e.g. flashing, step flashing and some other roof lines may be different to see on the PDF)



Roof Facets

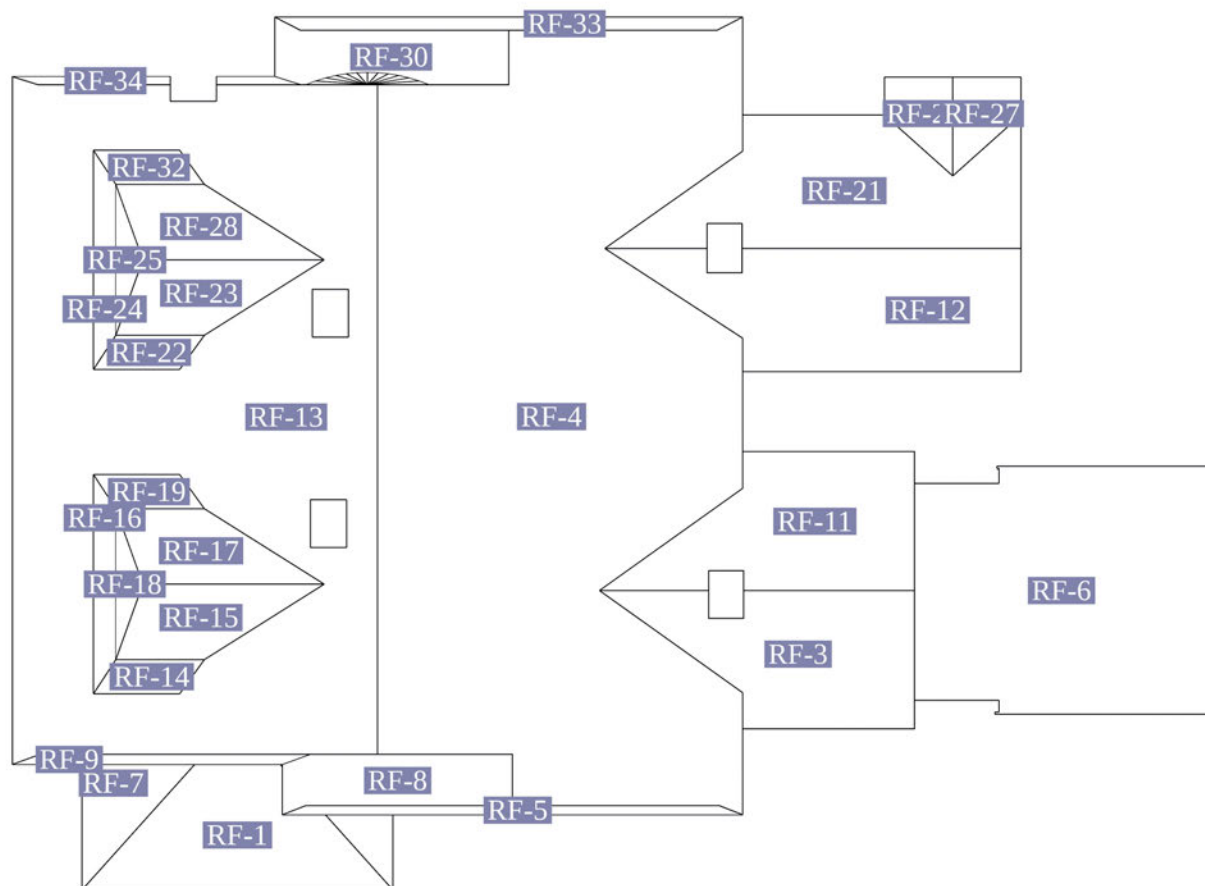
Facet	Area	Pitch
RF 1	101 ft ²	5/12
RF 2	24 ft ²	5/12
RF 3	159 ft ²	12/12
RF 4	1083 ft ²	9/12
RF 5	31 ft ²	23/12
RF 6	278 ft ²	2/12
RF 7	36 ft ²	5/12
RF 8	53 ft ²	9/12
RF 9	22 ft ²	24/12
RF 10	21 ft ²	34/12
RF 11	160 ft ²	12/12
RF 12	219 ft ²	14/12
RF 13	848 ft ²	9/12
RF 14	12 ft ²	6/12
RF 15	57 ft ²	14/12
RF 16	19 ft ²	10/12
RF 17	57 ft ²	14/12
RF 18	25 ft ²	39/12
RF 19	12 ft ²	6/12



Roof Facets (cont.)

Facet	Area	Pitch
RF 20	15 ft ²	31/12
RF 21	205 ft ²	14/12
RF 22	12 ft ²	6/12
RF 23	57 ft ²	14/12
RF 24	19 ft ²	10/12
RF 25	25 ft ²	39/12
RF 26	23 ft ²	11/12
RF 27	23 ft ²	11/12
RF 28	57 ft ²	14/12
RF 29	6 ft ²	20/12
RF 30	57 ft ²	9/12
RF 31	5 ft ²	28/12
RF 32	12 ft ²	6/12
RF 33	37 ft ²	17/12
RF 34	11 ft ²	28/12
RF 35	1 ft ²	28/12
RF 36	1 ft ²	28/12
RF 37	1 ft ²	32/12
RF 38	1 ft ²	32/12

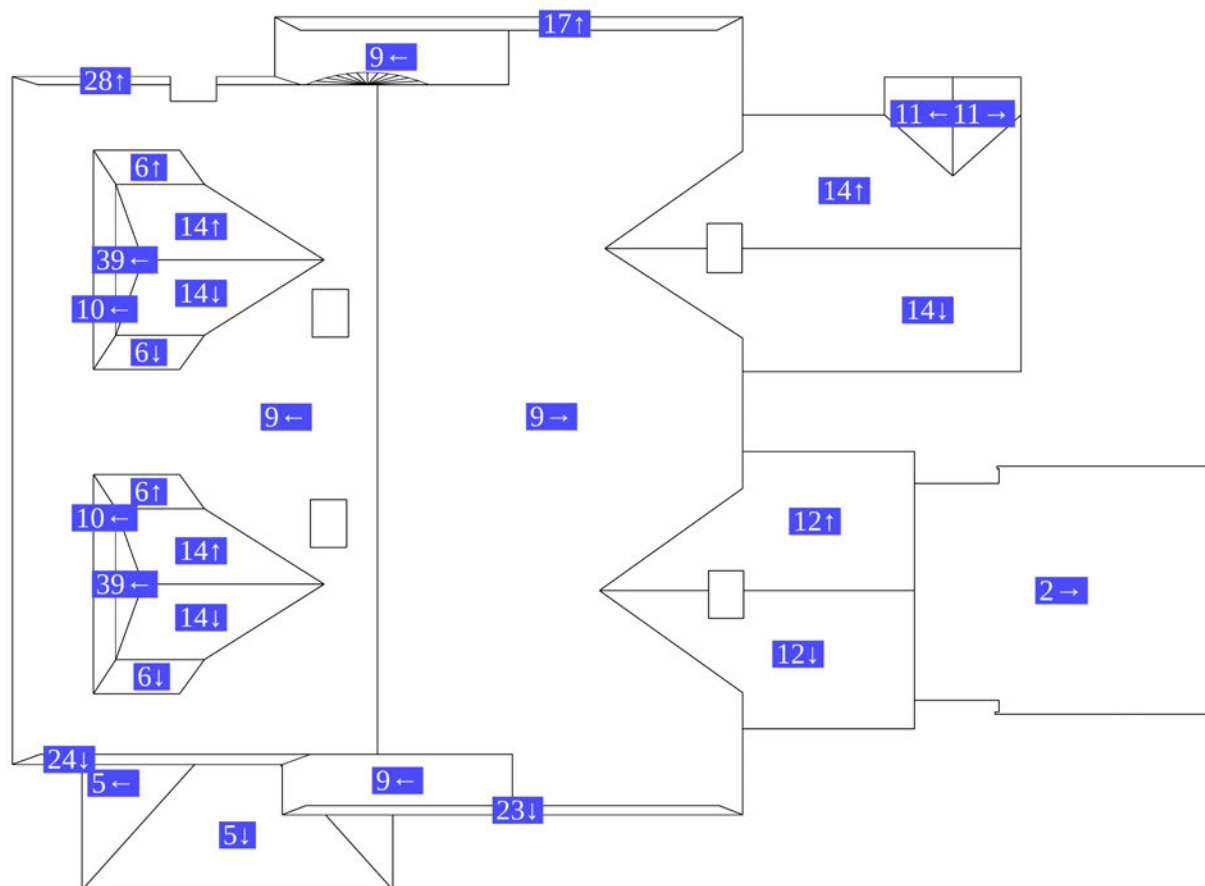
* Facets not visible due to size or location see **Small Facets** in summary table below

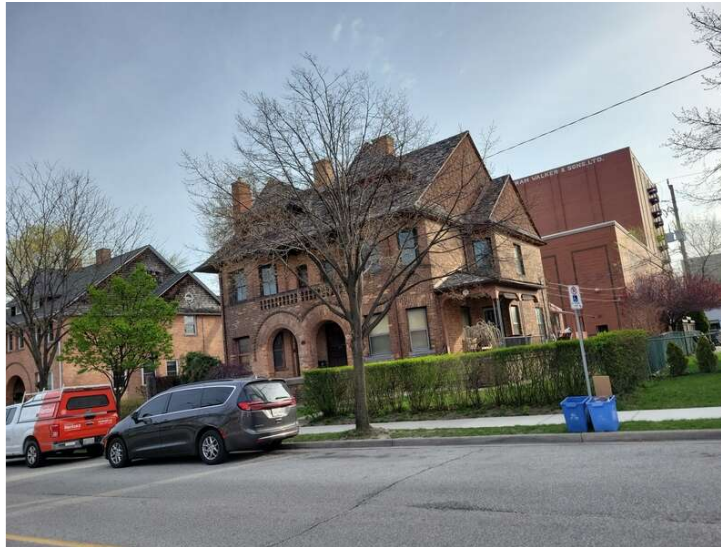


Roof	Facets	Total
Labeled Facets	34	3781 ft ²
Small Facets	12	12 ft ²
Total	46	3793 ft²



Roof Pitch	Area	Percentage
9 / 12	2041 ft ²	53.81%
14 / 12	652 ft ²	17.19%
12 / 12	319 ft ²	8.41%
2 / 12	278 ft ²	7.33%
5 / 12	161 ft ²	4.24%
39 / 12	50 ft ²	1.32%
6 / 12	48 ft ²	1.27%
11 / 12	46 ft ²	1.21%
10 / 12	38 ft ²	1%
17 / 12	37 ft ²	0.98%
23 / 12	31 ft ²	0.82%
24 / 12	22 ft ²	0.58%
34 / 12	21 ft ²	0.55%
28 / 12	18 ft ²	0.47%
31 / 12	15 ft ²	0.4%
20 / 12	6 ft ²	0.16%
32 / 12	2 ft ²	0.05%
38 / 12	2 ft ²	0.05%
43 / 12	2 ft ²	0.05%
47 / 12	2 ft ²	0.05%
49 / 12	2 ft ²	0.05%







Appendix D – Additional Photos of 546 and 548-550 Devonshire Road

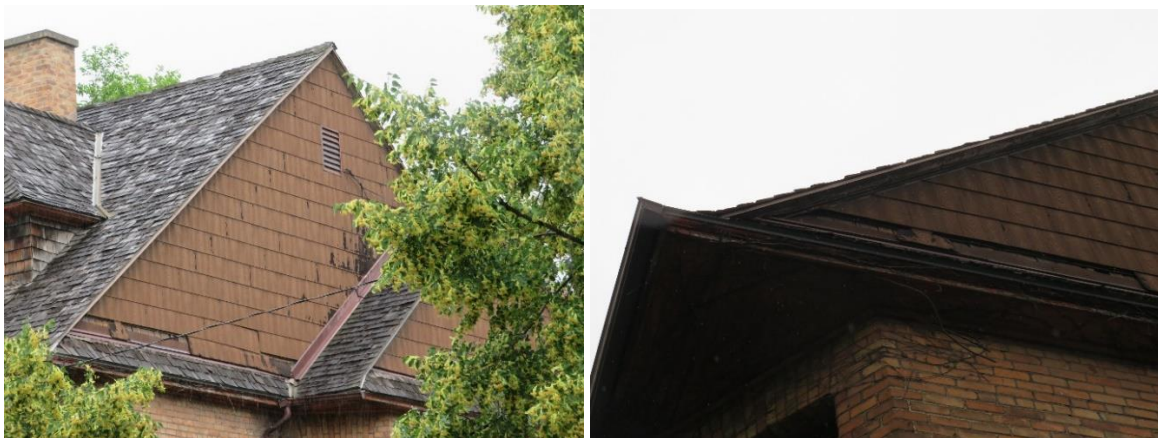
All photographs taken by City Staff on June 23, 2023



The north facing elevation of 546 Devonshire Road, and close up of the wood-clad dormer



Close-up of the wood shingle siding and “dragon teeth” edging details on the north (side) gable face of 546 Devonshire Road



Close-up of the horizontal synthetic siding on the south (side) gable face of 548-550 Devonshire Road



Various close-up photographs of the cedar wood shingle roof and gable ends from the rear of both properties



Photograph of the cedar roof and front dormers at the junction of both properties; and photograph of the cedar shingle roof over the side porch of 548-550 Devonshire Road



Subject: 160 Askin Avenue – Request for Partial Demolition of a Heritage Listed Property (Ward 2)

Reference:

Date to Council: August 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: July 7, 2023
Clerk's File #: MBA/14622

To: Mayor and Members of City Council

Recommendation:

- I. THAT Council **BE INFORMED** of the proposed removal of the rear detached garage structure, rear porch and canopy to facilitate the construction of a two-storey attached additional dwelling unit to the existing dwelling and erection of a detached two-storey additional dwelling unit at the rear of 160 Askin Avenue.

Executive Summary: N/A

Background:

The property at 160 Askin Avenue was listed on the Windsor Municipal Heritage Register on December 21, 2020. It is identified on the Register as a Colonial Revival style house built circa 1912.

On behalf of the Property Owner, the Agent submitted a Notice of Intent to Demolish which includes a Heritage Permit application form and an architectural drawing set to remove the porch and canopy at the rear of the existing dwelling, and to demolish a one-storey detached garage structure at the rear of the property. These partial demolitions are proposed to accommodate the construction of a two-storey addition containing one additional dwelling unit (ADU) and erection of a detached two-storey

ADU at the rear of the subject property. The proposed works are illustrated within Appendix 'A', in the revised set submitted on July 14, 2023.

Under the *Ontario Heritage Act*, there are no alteration restrictions for heritage listed properties, unless designation is initiated. The *Act* requires that notification be provided for the demolition/partial demolition. The only action available to Council is to initiate designation. Designation is not recommended in this report. Nevertheless, in the authors' opinion, the current proposal is considered compatible with the heritage character of the building and appropriate in the mature neighbourhood area.

Legal Provisions:

The subject property is listed on the Windsor Municipal Heritage Register, but not designated. Section 27 of Part IV of the *Ontario Heritage Act* states that "the register may include property ... that the council of the municipality believes to be of cultural heritage value or interest", without being designated. Also, "[T]he owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure." The 60 days only begins after notice is received accompanying plans and information as Council may require. City of Windsor Council approved "Requirements and Procedures, Application for Demolition of Heritage-Listed Properties" (Council Decision # M163-2015) which outlines the required information for demolition, and notes that Administration has 30 days to evaluate if the information submitted is sufficient. Only after determination has been made that the required information has been submitted, does the 60 day count begin.

During the 60 days after notice, City Council (with Committee consultation) may initiate designation, or decide to take no action. If a property is proposed for designation, a notice of intent to designate must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, which are those features that are considered important to retain if any alterations to the property are proposed after designation. "Cultural heritage value or interest" is to be considered according to Ontario Regulation 9/06.

There is no explicit provision in the *Act* for the Committee or Council to comment on additions to or new erections on a heritage-listed, non-designated property, other than in the case of complete removal/ demolition of structures from the Register. There is also no explicit provision in the *Act* for approval of demolition subject to stated conditions. Council only has the option to designate the property should it be Council's desire to influence the design of the alterations.

Discussion:

Property Description:

The subject property is located on the east side of Askin Avenue within the block bounded by Riverside Drive West to the north and University Avenue West to the south. It is located in close proximity to the University of Windsor and to the Windsor Sculpture Park along the riverfront park. The two storey dwelling was constructed circa 1912 in Colonial Revival style with a symmetrical facade and a hooded pediment. The building is clad in horizontal siding and has a side gable roof. The property has a rear parking access off of an alley to the north of the property. Secondary buildings and structures more than forty years old, such as detached garages, are included in the Windsor Municipal Heritage Register unless otherwise stated. See Appendix 'B' for additional photos of the property.



Front elevation of 160 Askin Avenue (Photo taken July 12, 2023)

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, architectural and landscape of the area.

Proposal:

The heritage permit for 160 Askin Avenue is submitted as part of the complete Notice of Intent to Demolish package. The heritage permit application details the request to remove the rear porch and canopy and demolish the rear detached garage to facilitate the construction of a two-storey attached ADU to the existing dwelling and erection of a detached two-storey ADU at the rear of the subject property. Within Appendix 'A' are architectural drawings showing the proposed works on the subject property.



Photographs of the rear detached garage and rear porch and canopy that are proposed to be demolished (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)

Both the new addition ADU and the detached ADU are modelled after the front historic portion of the existing dwelling. They are both proposed to be located in alignment behind the existing dwelling, and equivalent in height and subordinate in massing to allow the main historic structure to continue being the prominent view from Askin Avenue. The alignment of the ADUs behind the existing dwelling makes them more discreet. They would not be visible from a straight front-on view from Askin Avenue, though they would still be visible from certain angles along Askin Avenue.



Photograph of the existing dwelling at an angle showing the front and south side facades, where the proposed ADUs at the rear may be visible from (Photo taken July 12, 2023)

To match the character of the Mature Neighbourhood and meet the *Standards* of compatibility, traditional-looking design and materials have been recommended. The Property Owner is proposing horizontal siding cladding in a colour that matches what is

on the existing dwelling. All new windows, doors, fascia boards, roof shingles, and hooded pediment over the front door are also proposed to match what is on the existing dwelling. Both ADUs would have entrances from the ground floor, with parking area provided in the rear off of the alley to the north side of the subject property.

The current zoning of the subject property is Residential District 2.2 (RD2.2). The residential use proposed is permitted through the zoning by-law and the *Planning Act*. 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 identified on a Municipal Heritage Register (conditional to required parameters). Thus, under Bill 23, the two proposed ADUs would be permitted as-of-right so long as they meet the municipal zoning by-law requirements and receive all necessary permits.

The proposed development has not yet undergone a zoning review to ensure that it complies with the zoning regulations of the current zoning Residential District 2.2 (RD2.2). Through the zoning review, any *Planning Act* processes that would be required to execute the proposal would be identified. A Building Permit is required for the new construction, which the Property Owner is in the process of applying for, and is subject to the Heritage application decision. The Property Owner may proceed with the Building Permit unless Council decides to initiate heritage designation of the property.

Heritage Considerations:

Although there is no ability to require alterations through a Heritage Permit on a listed property, the Property Owner's Agent was receptive to Heritage Planning Staff's courtesy recommendations of changes to the proposed design in an effort to steer the project towards a more heritage compatible outcome.

In review of the proposal, Heritage Planning staff are of the opinion that the development appears to be designed to be heritage compatible, is concealed from views, and does not adversely impact the heritage property. 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.

Other heritage principles, such as from the National Parks Services, Preservation Brief on "Designing a New Exterior Addition to a Historic Building" were also considered:

- A new addition should not be highly visible from the public right of way; a rear or other secondary elevation is usually the best location for a new addition.

- The construction materials and the color of the new addition should be harmonious with the historic building materials.

Risk Analysis:

The partial demolitions proposed would allow the Owner to proceed with their desired renovation plans for the property. The alternative is to initiate designation of the property which would put a hold on any building permits and require Council approval for a heritage permit to construct the addition and new accessory structure. Although designation of the property does not require the consent of the Owner, the risk is that a property owner or any person can object to the designation and appeal can be made to the Ontario Land Tribunals (OLT) for a final binding decision on the matter.

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 addition and the detached ADU. The proposed work may increase the assessed value of the property.

Consultations:

Heritage Planning Staff have been in discussion with the Property Owner's Agent, Haddad Morgan & Associates Ltd. and conducted a site visit in July 2023. Planning and Building Department Staff were consulted in the preparation of this report.

Conclusion:

Council is to be informed of the proposed partial removal of the rear porch and canopy and detached garage structure at the rear of the subject property at 160 Askin Avenue, to accommodate the construction of an addition to the existing dwelling and a detached ADU at the rear of the subject property.

Planning Act Matters: N/A

Approvals:

Name	Title
Kristina Tang	Heritage Planner
Greg Atkinson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Sam Dawood		
Matt Zhao		

Appendices:

- 1 Appendix A – Notice of Intent to Demolish Application Package
- 2 Appendix B - Additional Photos of 160 Askin Avenue

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) Matt Zhao
Company or Organization 2442521 Ontario Ltd.
Mailing Address 80 Glenheron Cres, Maple, Ontario L6A 1W7

Email [REDACTED] Postal Code _____
Phone(s) [REDACTED]

REGISTERED OWNER IF NOT APPLICANT

Contact Name(s) Matt Zhao
Company or Organization 2442521 Ontario Ltd
Mailing Address 80 Glenheron Cres

Email [REDACTED] Postal Code L6A 1W7
Phone(s) [REDACTED]

AGENT AUTHORIZED BY REGISTERED OWNER TO FILE THE APPLICATION

Contact Name(s) Sam Dawood
Company or Organization Haddad, Morgan and Associates Ltd.
Mailing Address 1316 Ouellette Ave., Windsor, Ontario

Email [REDACTED] Postal Code N8X 1J8
Phone(s) [REDACTED]

Who is the primary contact?

☐ Applicant ☐ Registered Owner ☒ Agent

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.

Work will include the addition of an attached ADU and a Detached ADU on the property, in order to facilitate the addition, existing detached accessory structure (garage) will be demolished and removed. Existing main building will be preserved and all new building exterior cladding and colours will match the existing main building. Entrances to both ADU's will have porches and columns that will mimic the main building entrance treatment

6. HERITAGE PERMIT RATIONALE

Explain the reasons for undertaking the proposed work and why it is necessary.

Describe the potential impacts to the heritage attributes of the property.

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

8. NOTES FOR DECLARATION

The applicant hereby declares that the statements made herein and information provided are, to the best of their belief and knowledge, a true and complete representation of the purpose and intent of this application.

The applicant agrees that the proposed work shall be done in accordance with this application, including attachments, and understands that the issuance of the Heritage Alteration Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-Law of the Corporation of the City of Windsor, or the requirements of the Building Code Act, RSO 1980, c51.

The applicant acknowledges that in the event a permit is issued, any departure from the conditions imposed by the Council of the Corporation of the City of Windsor, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-Laws, acts or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.

APPLICANT Signature(s) _____

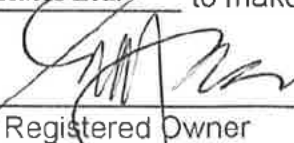
Date 2023-06-28
Date _____

SCHEDULE A

A. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form or the authorization below must be completed.

I, 2442521 Ontario Ltd./Matt Zhao, am the registered owner of the land that is
name of registered owner
subject of this application for a Heritage Alteration Permit and I authorize
Haddad, Morgan and Associates Ltd. to make this application on my behalf.
name of agent



Signature of Registered Owner


2023-06-28

Date

If Corporation – I have authority to bind the corporation.

B. Consent to Enter Upon the Subject Lands and Premises

I, 2442521 Ontario Ltd./Matt Zhao, hereby authorize the members of the Windsor Heritage Committee and City Council and staff of the Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 3 of the application form for the purpose of evaluating the merits of this application and subsequently to conduct any inspections on the subject lands that may be required as condition of approval. This is their authority for doing so.



Signature of Registered Owner

2023-06-28

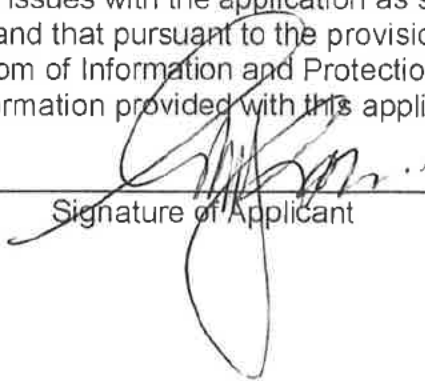
Date

If Corporation – I have authority to bind the corporation.

C. Acknowledgement of Applicant

I understand that receipt of this application by the City of Windsor Planning Department does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further understand that pursuant to the provisions of the Ontario Heritage Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.



Signature of Applicant

2023-06-28

Date

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

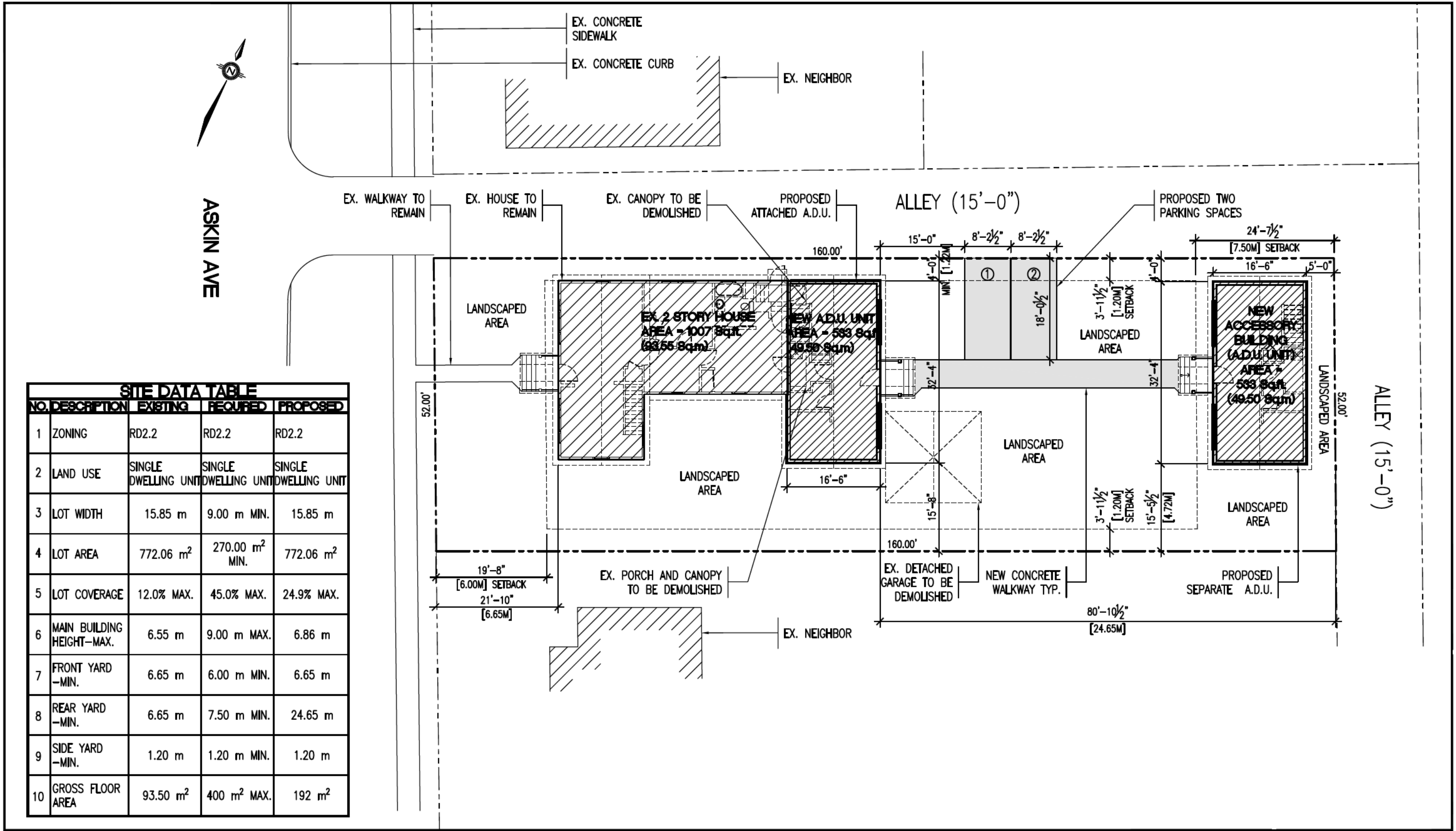
Heritage Permit No.: _____ Date: _____

Council Motion or City Planner's Signature: _____

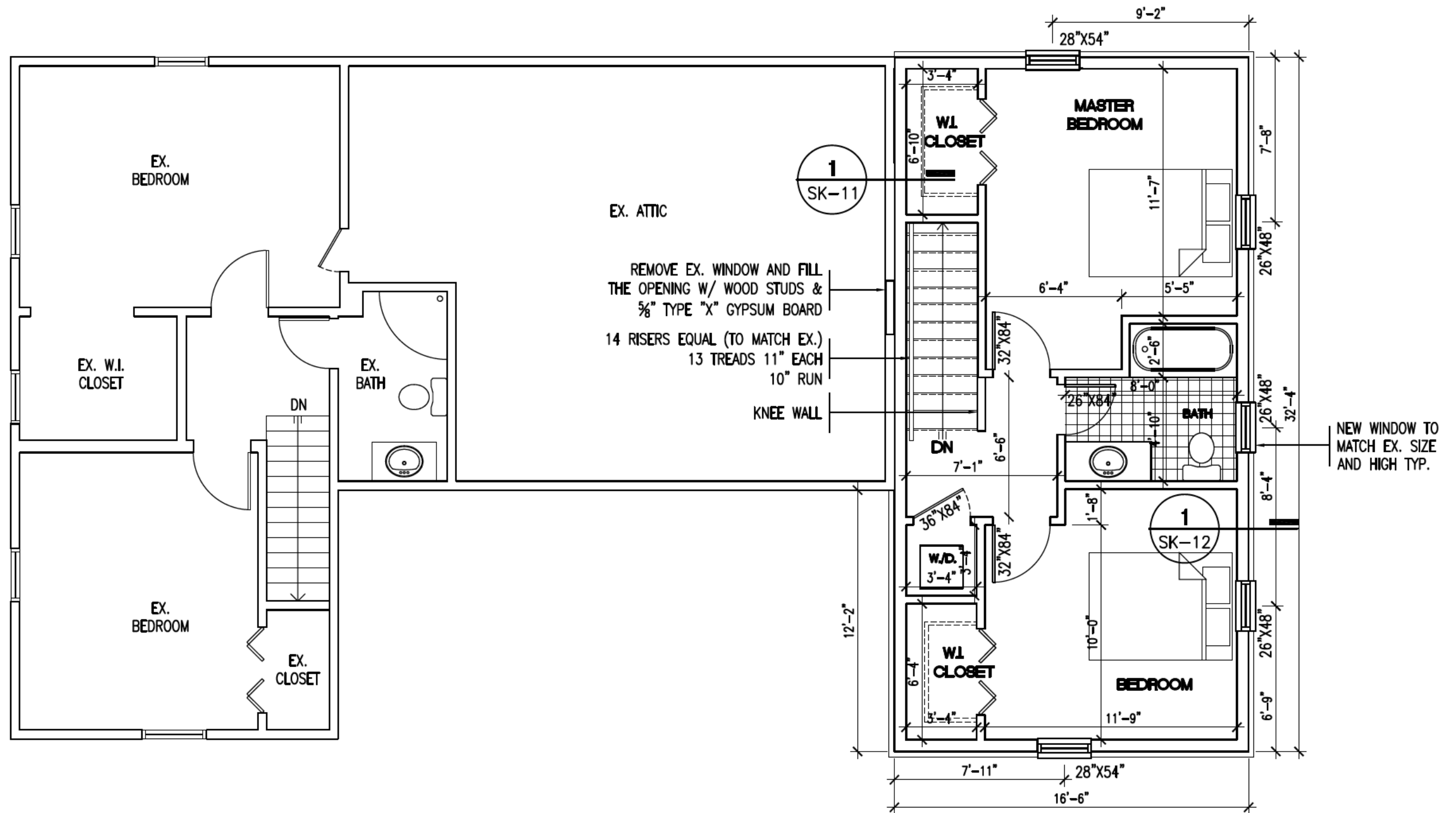
Please contact Heritage Planning to request inspections at ktang@citywindsor.ca

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>



SITE DATA TABLE				
NO.	DESCRIPTION	EXISTING	REQUIRED	PROPOSED
1	ZONING	RD2.2	RD2.2	RD2.2
2	LAND USE	SINGLE DWELLING UNIT	SINGLE DWELLING UNIT	SINGLE DWELLING UNIT
3	LOT WIDTH	15.85 m	9.00 m MIN.	15.85 m
4	LOT AREA	772.06 m ²	270.00 m ² MIN.	772.06 m ²
5	LOT COVERAGE	12.0% MAX.	45.0% MAX.	24.9% MAX.
6	MAIN BUILDING HEIGHT-MAX.	6.55 m	9.00 m MAX.	6.86 m
7	FRONT YARD-MIN.	6.65 m	6.00 m MIN.	6.65 m
8	REAR YARD-MIN.	6.65 m	7.50 m MIN.	24.65 m
9	SIDE YARD-MIN.	1.20 m	1.20 m MIN.	1.20 m
10	GROSS FLOOR AREA	93.50 m ²	400 m ² MAX.	192 m ²



JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
**160 ASKIN AVE
DEVELOPMENT**

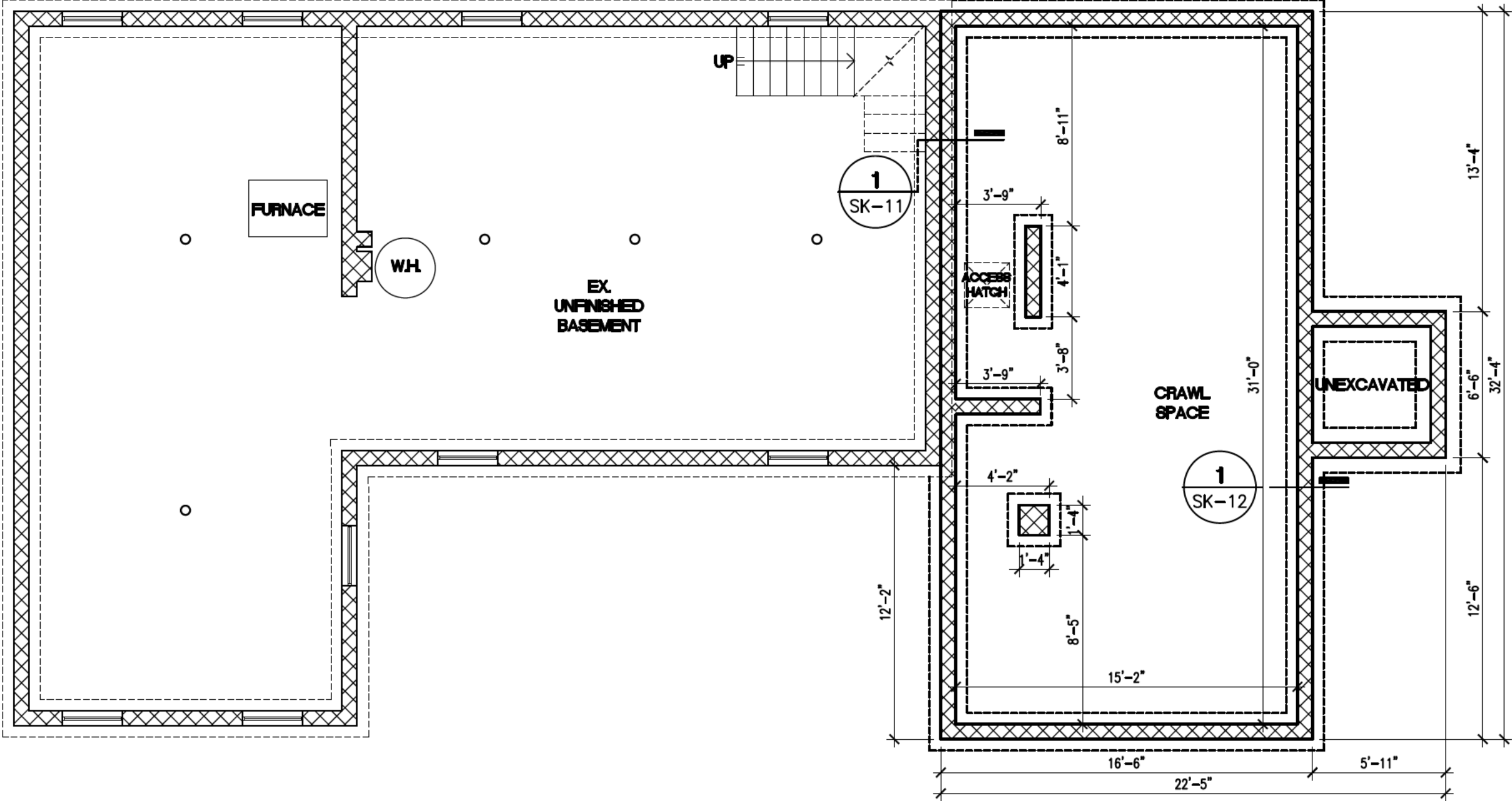
DWG. TITLE :
**PROPOSED SECOND FLOOR
PLAN, HOUSE ADDITION (A.D.U.)**

DATE : JUL 12, 2023
DR. BY : SA
SCALE : 3/16"=1'-0"

HADDAD, MORGAN AND
ASSOCIATES LTD.
CONSULTING ENGINEERS
WINDSOR ONTARIO

23-a/09

SK-03



JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

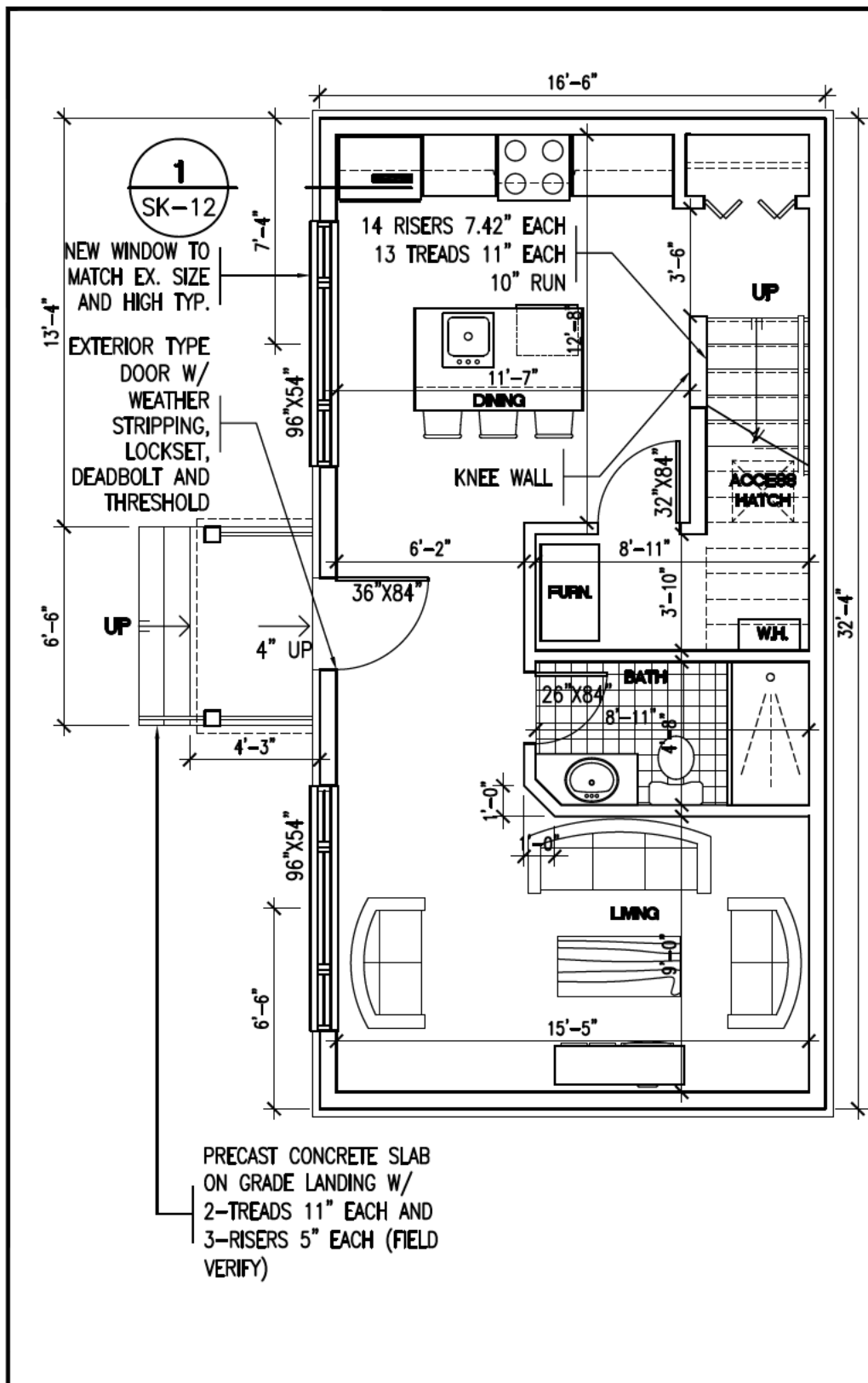
PROJECT :
160 ASKIN AVE DEVELOPMENT

DWG. TITLE :
PROPOSED BASEMENT FLOOR PLAN, HOUSE ADDITION (A.D.U.)

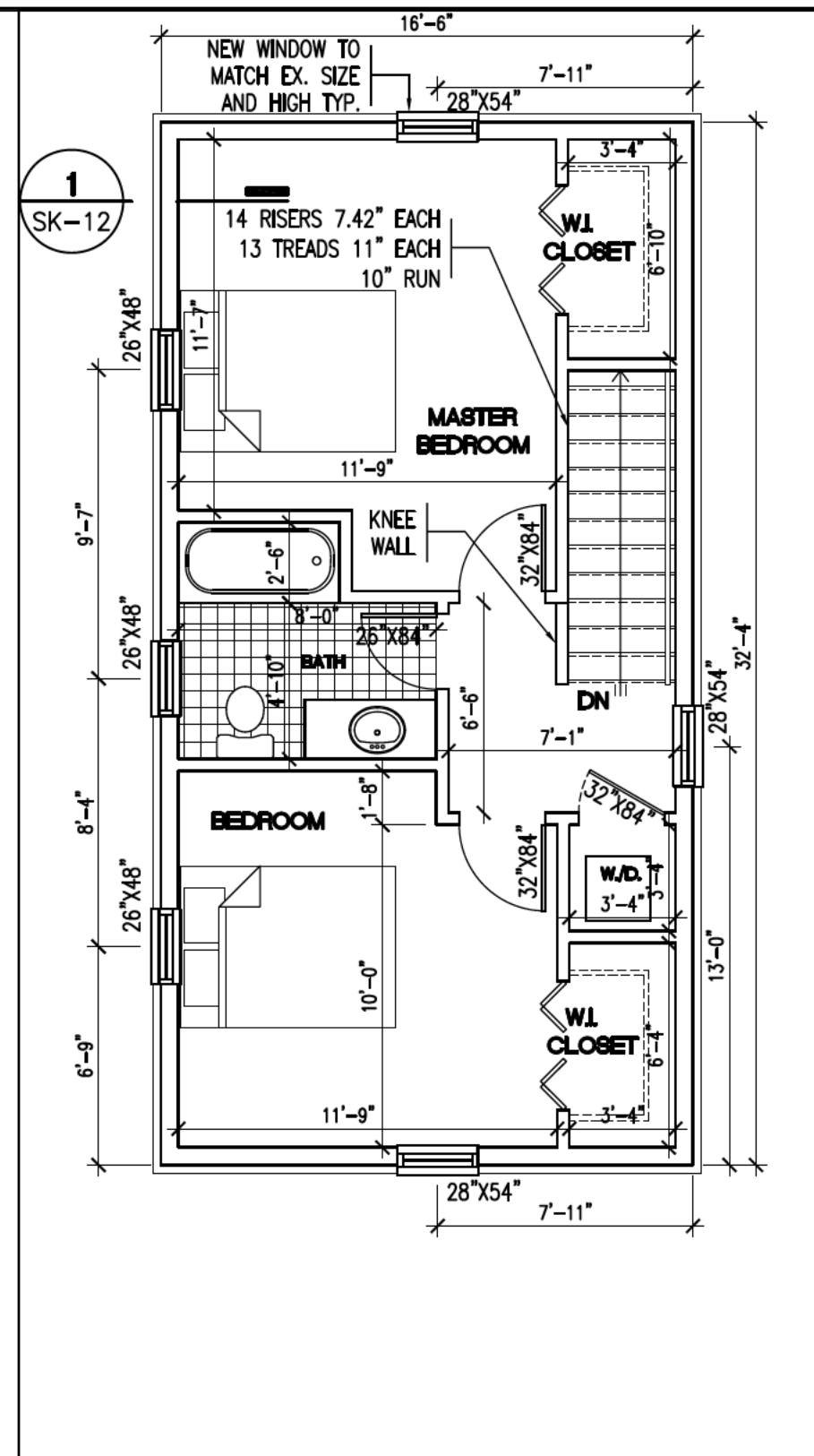
DATE :	JUL 12, 2023
DR. BY :	SA
SCALE :	3/16"=1'-0"

HADDAD, MORGAN AND ASSOCIATES LTD.
CONSULTING ENGINEERS WINDSOR ONTARIO

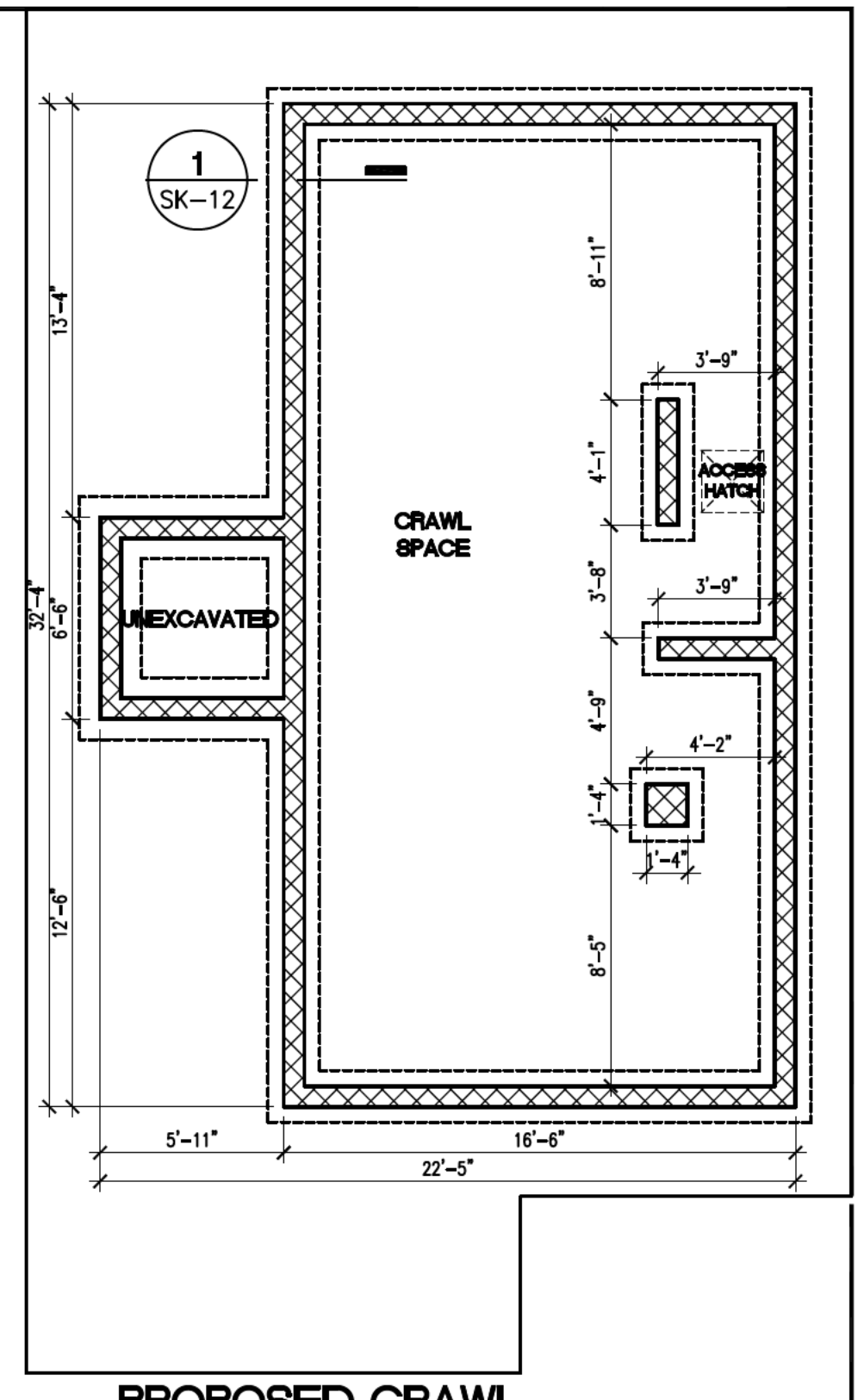
23-a/09
SK-04



1 PROPOSED FIRST FLOOR PLAN



2 **PROPOSED SECOND FLOOR**
SK-05 $3/16'' = 1'-0''$



PROPOSED CRAWL SPACE PLAN

SK-05 $3/16'' = 1'-0''$

JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :
160 ASKIN AVE
DEVELOPMENT

DWG. TITLE :
PROPOSED ACCESSORY
BUILDING (A.D.U.)
FLOOR PLANS

DATE : JUL 12, 2023

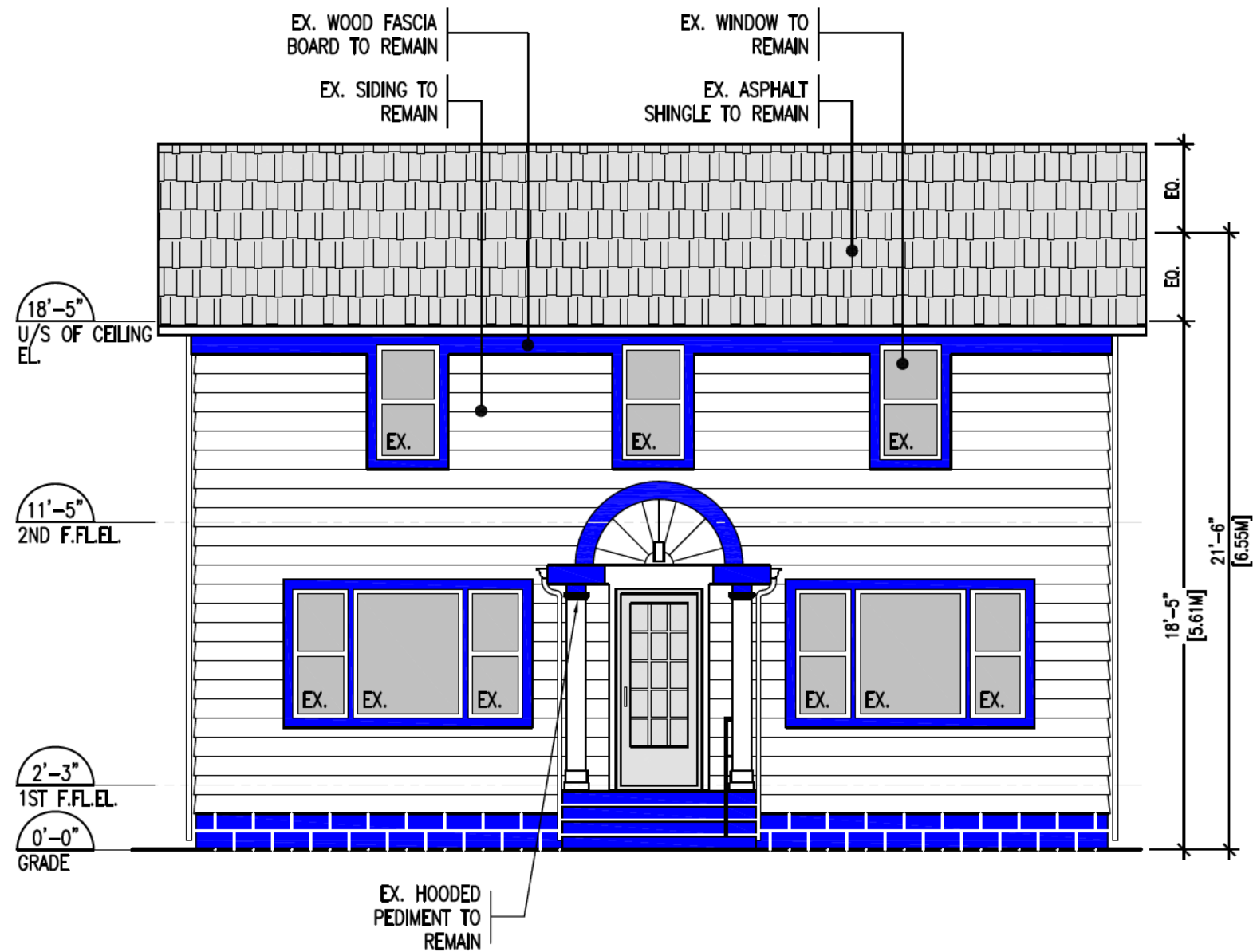
DR.BY : SA

SCALE : 3/16"=1'-0"

**HADDAD, MORGAN AND
ASSOCIATES LTD.**

CONSULTING ENGINEERS
WINDSOR ONTARIO

23-a109
SK-05



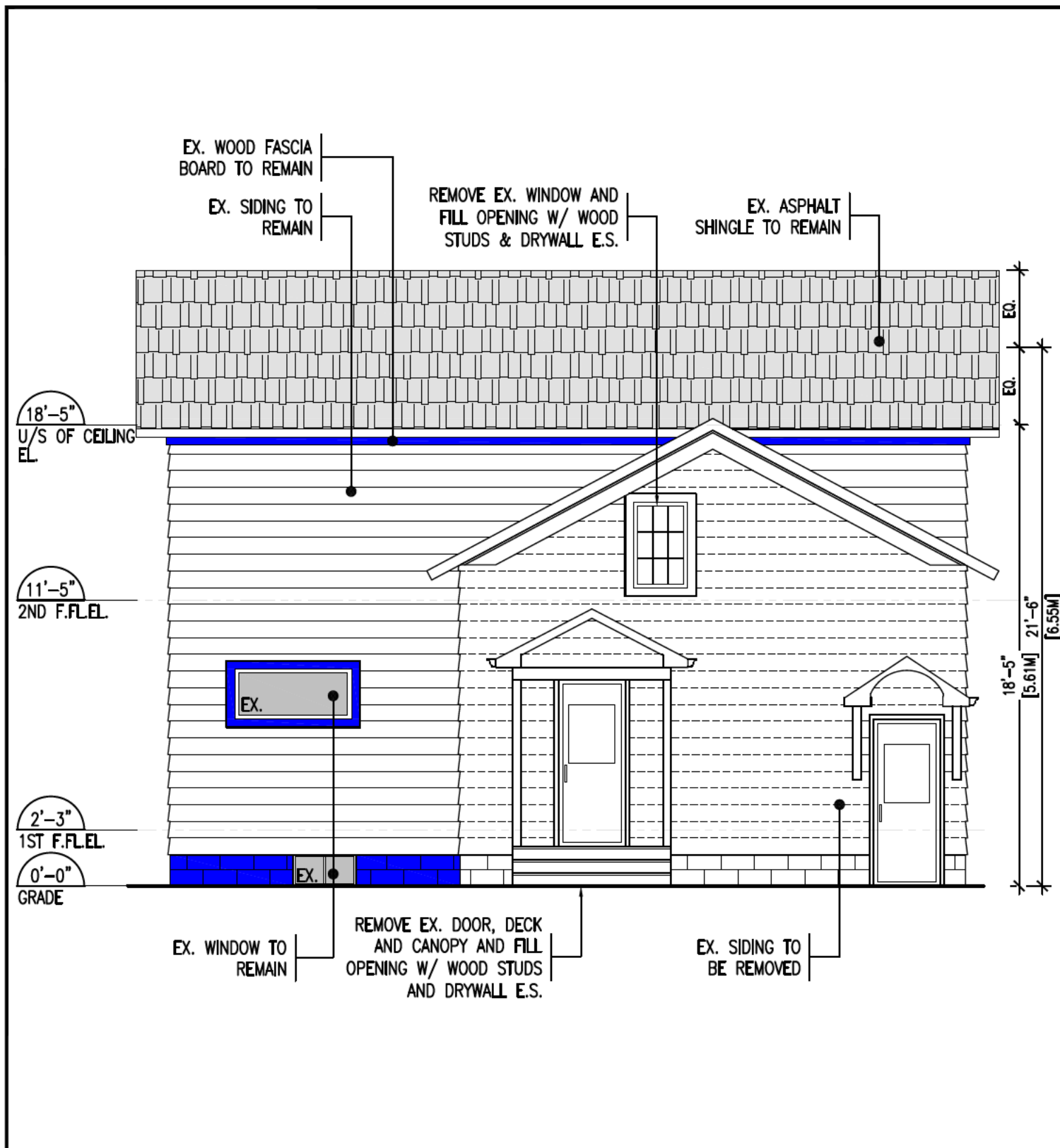
JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :	DWG. TITLE :
160 ASKIN AVE DEVELOPMENT	EXISTING WEST ELEVATION

DATE :	JUL 12, 2023
DR.BY :	SA
SCALE :	3/16"=1'-0"

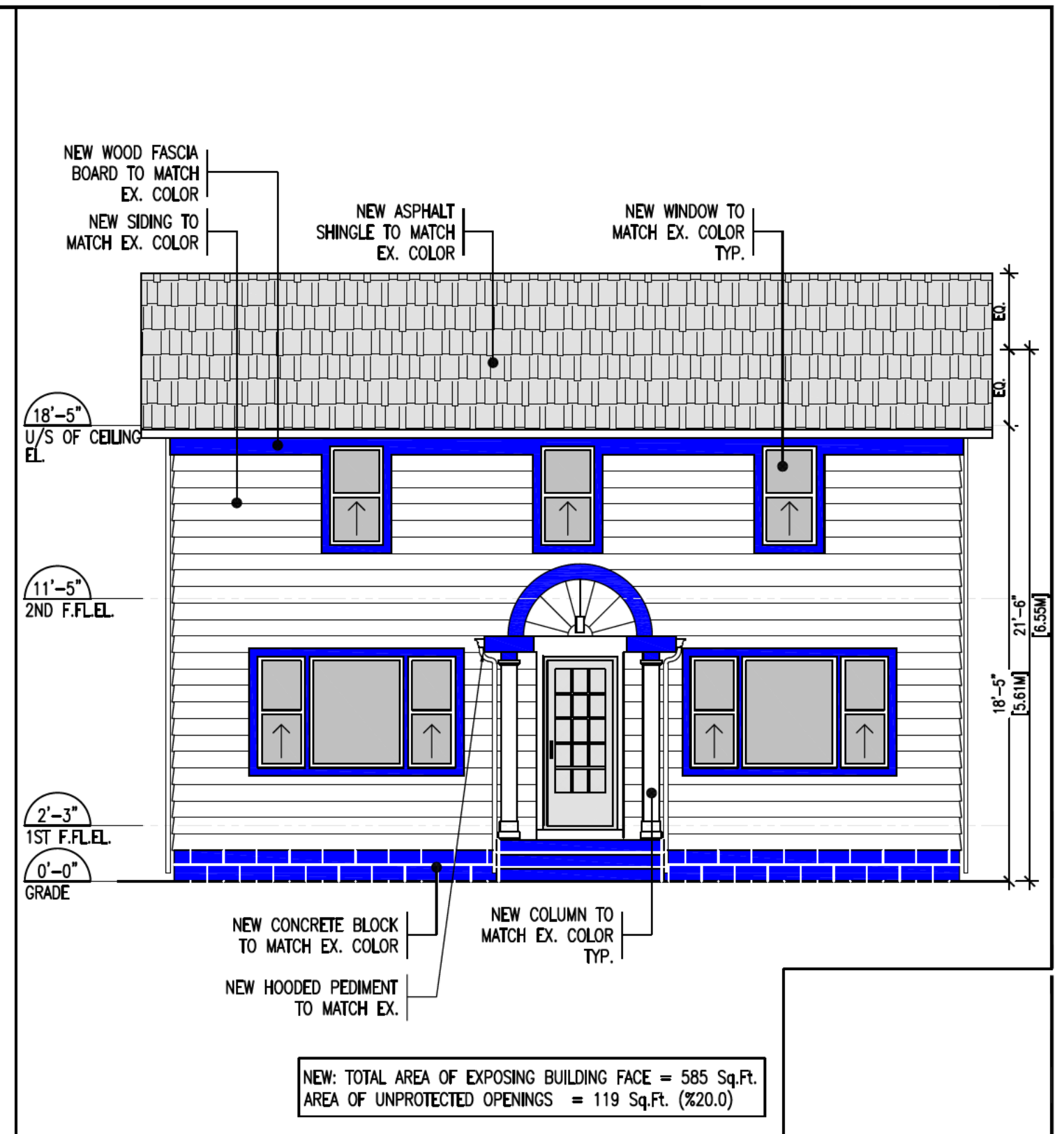
HADDAD, MORGAN AND ASSOCIATES LTD.
CONSULTING ENGINEERS WINDSOR ONTARIO

23-a/09
SK-06



1 EXISTING EAST ELEVATION

SK-02 3/16" = 1'-0"



2 PROPOSED EAST ELEVATION

SK-02 3/16" = 1'-0"

JUL 12, 2023	1	PERMIT
DATE	NO.	ISSUED FOR

PROJECT :

**160 ASKIN AVE
DEVELOPMENT**

DWG. TITLE :

**EXISTING AND PROPOSED
EAST ELEVATION**

DATE : JUL 12, 2023

DR.BY : SA

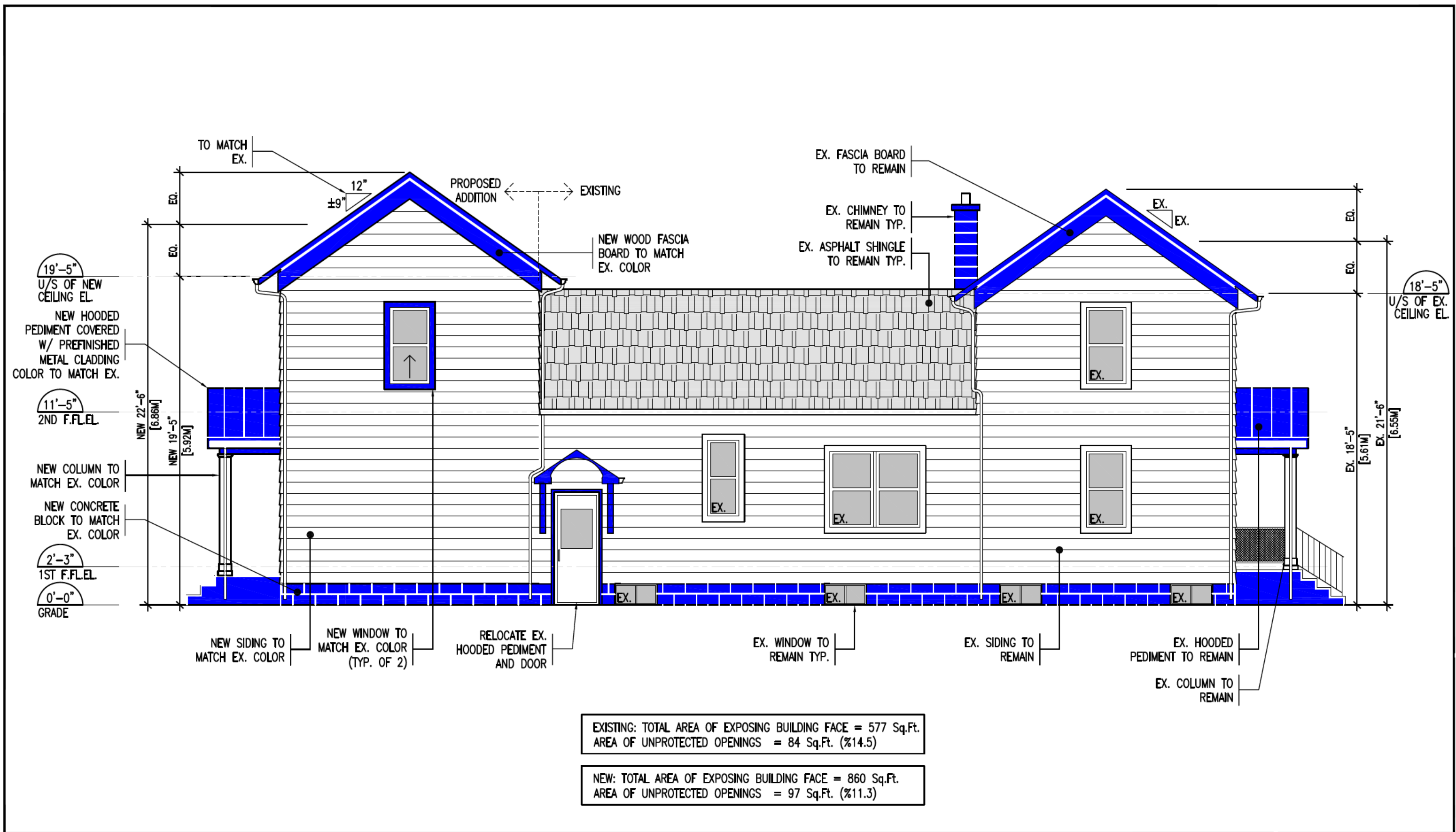
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**HADDAD, MORGAN AND
ASSOCIATES LTD.**

CONSULTING ENGINEERS
WINDSOR ONTARIO

23-a/09

SK-07



JUL 12, 2023		PERMIT
DATE	NO.	ISSUED FOR

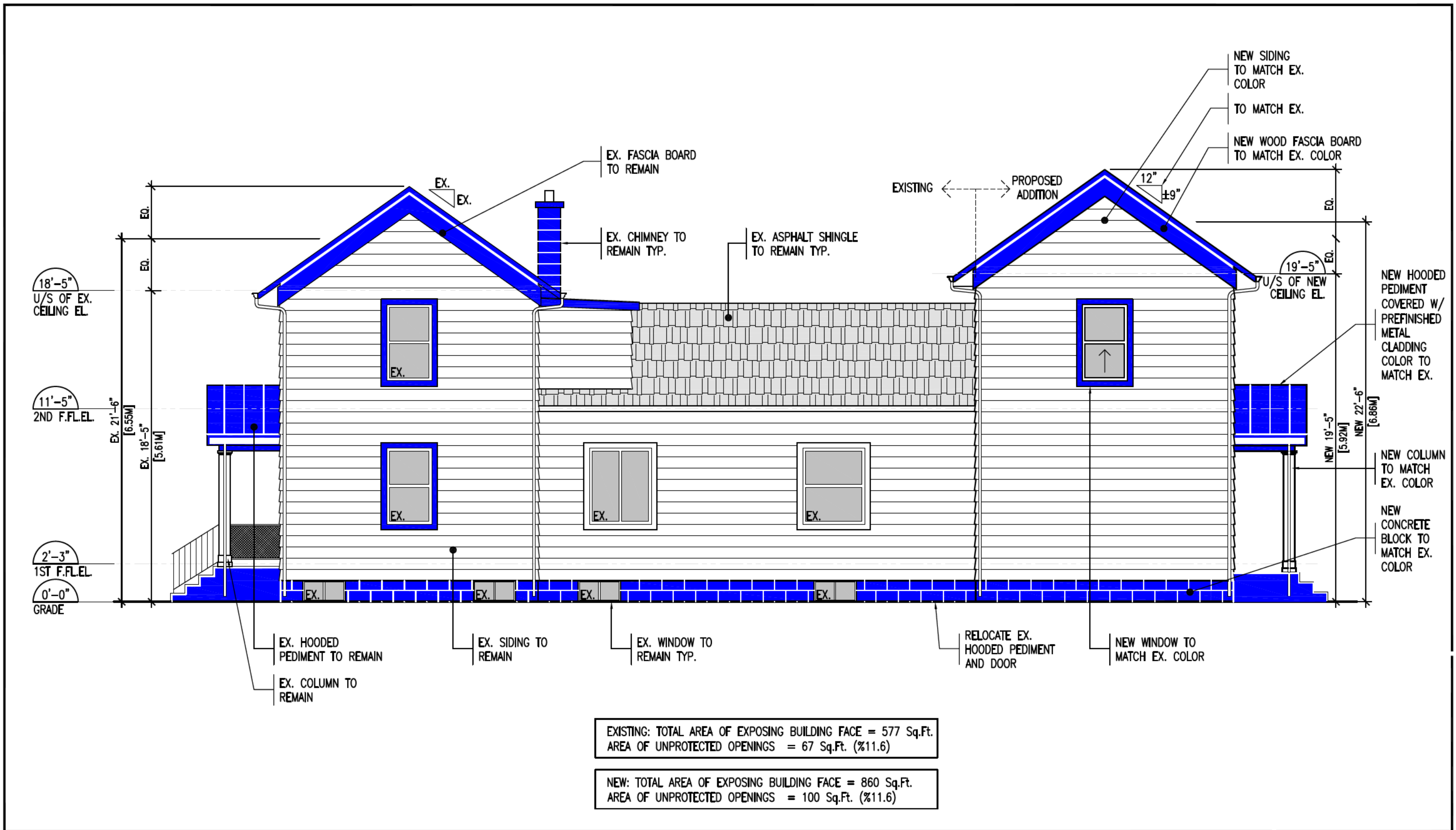
PROJECT :
160 ASKIN AVE DEVELOPMENT

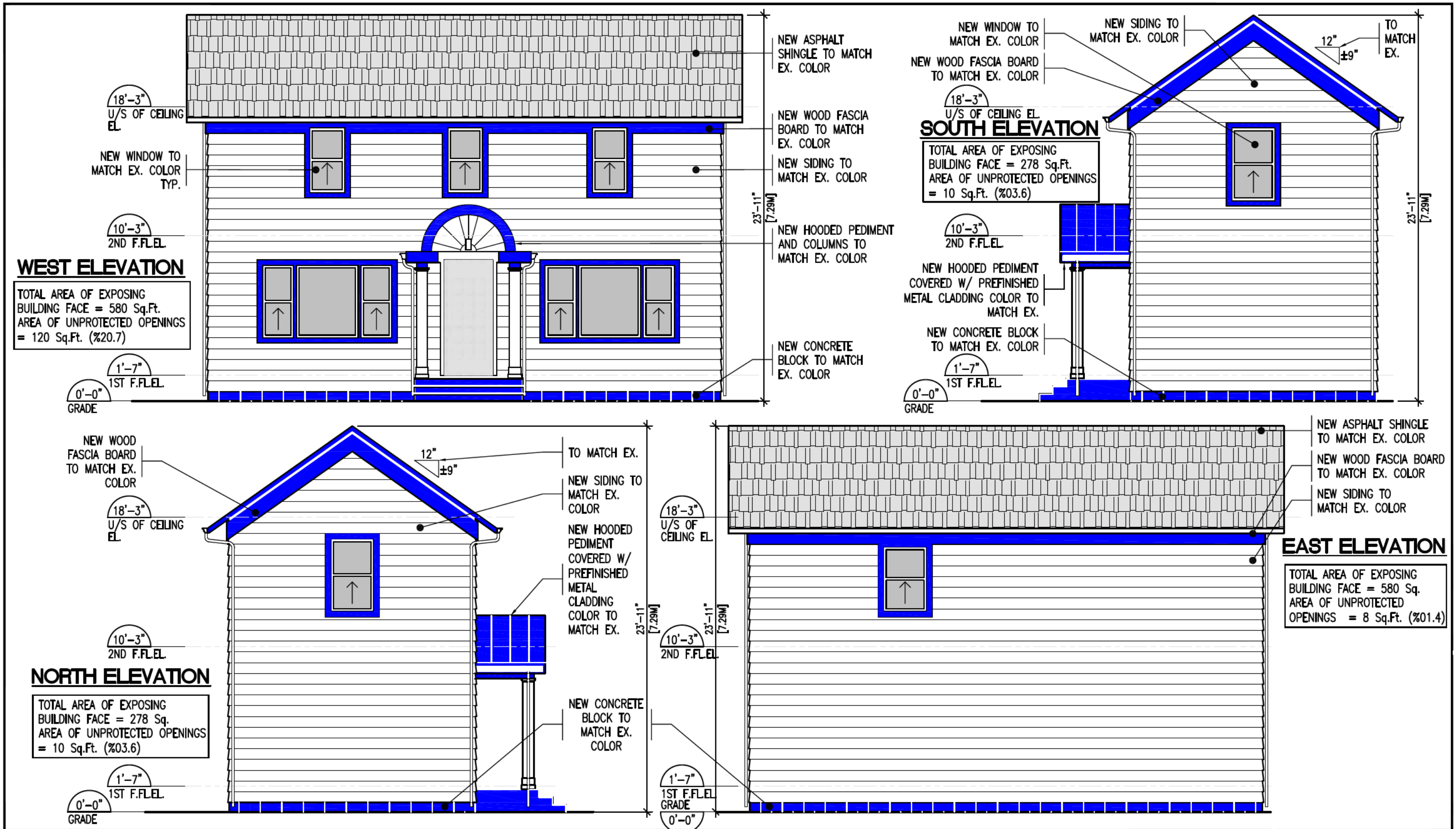
DWG. TITLE :
PROPOSED NORTH ELEVATION

DATE :	JUL 12, 2023
DR. BY :	SA
SCALE :	3/16"=1'-0"

HADDAD, MORGAN AND ASSOCIATES LTD.
CONSULTING ENGINEERS WINDSOR ONTARIO

23-a/09
SK-08





Appendix B – Additional Photos of 160 Askin Avenue



Front elevation of the existing dwelling (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



The existing dwelling at an angle showing the front and side (south) facades. The proposed ADUs at the rear may be visible from this angle (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



The side (north) facade of the existing dwelling that is to be retained (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



The side (south) facade of the existing dwelling that is to be retained (Photo taken by Staff on July 12, 2023)



Photographs of the rear porch and canopy that are proposed to be removed (Photos taken by Staff on July 12, 2023)



Photographs of the rear detached garage that is proposed to be demolished (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)



Photograph of the rear detached garage with the rear porch and canopy in the background that are proposed to be demolished, facing west toward Askin Avenue (Photo on left taken by Agent on April 5, 2023; photo on right taken by Staff on July 12, 2023)

Subject: Windsor Municipal Heritage Register: Strategies in Response to Provincial Bill 23 (City-wide)

Reference:

Date to Council: August 1, 2023
Author: Kristina Tang, MCIP, RPP
Heritage Planner
ktang@citywindsor.ca
519-255-6543 x 6179
Planning & Building Services

Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: July 10, 2023
Clerk's File #: MBA/14619

To: Mayor and Members of City Council

Recommendation:

- I. THAT City Council **APPROVE** the Heritage Register Evaluation Strategies formulated in response to Provincial Bill 23:
 - Strategy 1: Designation through Walkerville Heritage Conservation District Study
 - Strategy 2: Designation through Development Review and Incentive Programs
 - Strategy 3: Designation of properties of “strongest” and/or missing representation of Cultural Heritage Value/Interest:
 - Strategy 4: Exploring new ways to designate
 - Strategy 5: Protection of City-Owned Heritage resources through Council direction
 - Strategy 6: Protections through Demolition Control Bylaw

- Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory; and,
- II. THAT Administration **BE DIRECTED** to implement the Heritage Register Evaluation Strategies to the existing 884 'listed' properties on the Windsor Municipal Heritage Register; and,
- III. THAT City Council **COMMIT TO** protecting Heritage properties that are city-owned in the same fashion as pre-Bill 23, even if properties are removed as a result of Bill 23, and **TO ENCOURAGE** a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan; and,
- IV. THAT Administration **BE DIRECTED** to keep a Municipal Heritage Inventory of all non-designated properties that are removed from the Heritage Register as a result of Bill 23 for recognition, records, and information purposes.

Executive Summary: N/A

Background:

In 2007, City Council adopted the Windsor Municipal Heritage Register. Under the provisions of the *Ontario Heritage Act*, the Register is a mechanism made available to Ontario municipalities to protect and preserve built heritage. Over the past 16 years, City Council has approved additions to the Register, growing it to a total of 1,272 properties. 388 of these properties are 'designated' heritage properties (individual designations or Heritage Conservation District designations), which allows for the highest level of protection under the Ontario Heritage Act.

The remaining 884 properties on the Register had been approved by City Council to be 'listed'. This classification identified properties that Council believes to be of cultural heritage value or interest, and may have the potential to be 'designated' by City Council. A 'listed' property is protected from demolition through review by City Council. These 884 'listed' properties are the subject of this report.

On October 25, 2022, *Bill 23, More Homes Built Faster Act* was introduced by the Provincial government and received Royal Assent on November 28, 2022. The Bill introduced amendments to nine different Acts including the *Ontario Heritage Act*. A summary of the impacts of the Bill were brought to Council through Council Report C 19/ 2023.

A significant change to the *Ontario Heritage Act* requires that properties 'listed' on a Municipal Heritage Register be removed from the Register if Council does not issue a notice of intention to designate the property by January 1, 2025. Once removed, the property cannot be 'listed' again on the Register for a period of five years. After January 1, 2025, City Council can, however, consider the designation of a property that was removed from the Register as long as the designation of the property is based on prescribed criteria.

If no action is taken, the 884 'listed' properties will effectively lose all heritage protection on January 1, 2025. Once unprotected, these built heritage resources could be the subject of demolition. Therefore, Administration is recommending strategies to evaluate the 884 'listed' properties on the heritage register for potential designation.

See Appendix 'A' for Extracts from the *Ontario Heritage Act*. The criteria for designation has also been referenced in Appendix 'A'.

Discussion:

The total number of properties recognized on the Windsor Municipal Heritage Register is 1,272. Table 1 below shows the breakdown of properties with heritage status through the *Ontario Heritage Act*. The majority of the properties are listed (non-designated) properties counting to 884 properties. There are 132 individually designated properties in Windsor, a small number of which are also within a Heritage Conservation District (HCD). 256 additional properties are HCD designated.

Table 1: Heritage Status of Properties on the Windsor Municipal Heritage Register

Heritage Status	Counts
Register 'listed' (focus of this report)	884
Designated	132
Designated through a Heritage Conservation District (Prado or Sandwich)	256
Total	1272

Designations have been discussed as a natural option to provide heritage protection for properties since listed properties will lose their status by 2025. However, based on a survey of Ontario municipalities' heritage inventories and designations conducted by the City of Toronto (see Appendix 'B'), on average, similarly sized and staffed municipalities across Ontario designate a few properties per year. Many of these designations are initiated by property owners who want to see their property designated. The designation process and requirements governed through the *Ontario Heritage Act* are criteria-based and involve in-depth research through the archives, local history centre, various historical sources, site visits of the property, etc., before the report is prepared to present a recommendation to Heritage Committee and Council. Following this, there are also statutory processes of notifications, preparation of the by-law, registration, and potential appeals.

Municipalities across Ontario are also facing the same struggles to respond to the implications of Bill 23 based on their volume of 'listed' properties and typical capacity to designate (See Appendix 'B' for statistics by Ministry of Citizenship & Multiculturalism. Note though that the statistic for City of Windsor designated properties is not accurate.) Appendix 'C' tabulates examples of how other municipalities are responding, some choosing to tackle their heritage evaluations by hiring additional staff resources to assist with a target number of designations, or starting Heritage Conservation District Studies, or eliciting voluntary designations of property owners.

The following section of the report provides a brief overview of recommended strategies for Council's consideration. They are based on a combination of: work already underway; an Administrative review of properties potentially at risk of demolition; and, best practises being implemented elsewhere in Ontario.

Heritage Register Evaluation Strategies

Strategy 1: Designation through Walkerville Heritage Conservation District Study

Of the 884 'listed' properties, approximately 300 properties are located within the Walkerville Heritage Area (generally bound by Lincoln Rd, Ottawa St, Walker Rd, Detroit River). This represents an estimated 34% of all 'listed' properties on the register and speaks to the unique history, architecture and fabric that defines this heritage-rich and significant area.

City Council will recall that the work on the Walkerville Districting Plan was recently completed. Council may also recall that (CR334/2019 and CR32/2021) directed the Planning Department to begin work on the Walkerville HCD study following the Districting Plan. Administration has been working to confirm a preferred consultant to prepare the Walkerville HCD Study. The HCD Study will include a considerable amount of public engagement and consultation. The study's recommendations will ultimately require consideration by both the Development & Heritage Standing Committee and City Council.

It is too soon to identify what the study will recommend, but the potential exists for as many as 300 'listed' properties on the current register to be protected by designation within an HCD.

Strategy 2: Designation through Development Review and Incentive Programs

Some listed properties with designation interest or merits are captured through the development review process. When a development application is received associated with or impacting listed (non-designated) properties, Heritage Planning staff are circulated and have the ability to request Heritage Impact Assessments, which contain some evaluations for heritage merits and may result in recommendations for designation. Redevelopment, or whenever change is triggered, often presents risks of loss of the heritage resource, or opportunities for the heritage resource to be conserved and adaptively reused. Additionally, heritage-sensitive conservation and designation can be encouraged when applications are made for other financial incentive programs such as the City's Community Improvement Plans. Administration will continue focusing on properties that can be designated and protected through the development process. It must be noted though that once listed properties are removed from the Heritage Register, Council would not be able to designate properties that are not already on the heritage register when a Development Application is triggered.

Strategy 3: Designation of properties of "strongest" and/or missing representation of Cultural Heritage Value/Interest:

Administration has undertaken an overview categorization of the properties on the Heritage Register (that are not captured under the Walkerville Heritage Area). There





could be upwards of 200 properties which have merits for designation. The properties with heritage merits can be divided into broad categories in Table 2 below.




















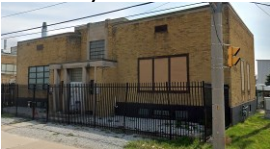
Table 2: Categories of Heritage Listed Properties

Categories of Heritage Listed Properties	Counts
Institutional (Government & Education)	65
Places of Worship/Industrial	63
Community Landmarks/unique Architecture/History	35
Victoria Ave (between 600 block to 2200 Block)	58
Area based (not including Walkerville or Victoria)	60
Risk from Development pressure	24

Institutional properties are those often owned by large landowners such as the City of Windsor, School Board, and the University of Windsor. Places of Worship and important industrial properties often have outstanding architecture, and are instrumental in Windsor's community development, often representing a large investment of and in the community. Another category would be other community heritage resources or one-of-a-kind structures, or those associated with significant Windsor history. Victoria Avenue contains a rich cluster of heritage properties and is recognized by Council as a Heritage Area in the Official Plan (no status/powers under the *Ontario Heritage Act*), however there is no funding direction or plan to conduct a HCD Study for Victoria Avenue. Other areas of interest could include the Old Town Historic Core (pocket of historic houses around Janette Ave, Pitt St. W., Bruce Ave, and Chatham St. W.), and properties along main streets such as Ouellette Avenue, and Riverside West/ University area. The final category considered are those that are at risk from potential redevelopment, which Administration continues to monitor through development applications.

Examples of heritage listed Properties from each Category

Institutional			
Assumption College*	Dillon Hall*	W. C. Kennedy High School	Waterworks Pk. Pump House
			
Places of Worship/Industrial			
Synagogue Shaar Hashomayim	All Saint's Church	Ford Powerhouse	Monarch Liqueurs / W.L. Webster Mfg. *

			
Community Landmarks			
<p>Cenotaph</p> 	<p>Windsor Grove Cemetery</p> 	<p>Yorktown Square Sign</p> 	<p>Pierre Belleperche House (c1812 French Farm House)</p> 
Victoria Ave			
<p>Clarke-Bowlby House (806)*</p> 	<p>Pacaud-Bowlby House (824)</p> 	<p>W.A. Watts-Emery House (1185-1193)*</p> 	<p>F.W. Patton House (1519)</p> 
Area-based			
<p>Old Town Historic Core</p> 	<p>Riverside/University West Area</p> 	<p>Casa del Mara Apartments (1338 Ouellette Ave)</p> 	<p>Pascoe Bldg. (507-19 Ouellette Ave)</p> 
Redevelopment Pressure/Risk/Opportunity			
<p>Elmwood Casino/ Elmwood Motor Hotel/ Brentwood Residence</p> 	<p>Former St Jules School</p> 	<p>Former Gordon McGregor School</p> 	<p>Substations (eg. 885 Wyandotte St. W.).</p> 

*Photo from Planning Department. All other photos sourced from Google Streetview and Google Earth.

At the same time, staff undertook a general review of the profile of current Part IV designations in Windsor. Table 3 below shows “Residence” as the largest category of properties designated, with low numbers for some categories such as “Education” properties. Counts of designations by year constructed (ranges) show a peak in the early 1900s which is a natural reflection of the population increase and construction boom in Windsor. It also indicates a low number of designated properties from the 1940s onwards, which likely indicates a rarity of recognition of mid-century architecture.

Table 3: Current Part IV individually designated properties in Windsor

Historic Function	Counts of Designated Property	Year Constructed (Range)	Counts of Designated Property
Residence	72	1700s	3
Religion	15	1800s	10
Commercial	9	1800s - late	29
Government	6	1900 - 1909	18
Industry	6	1910 - 1919	14
Community	4	1920 - 1929	37
Education	3	1930 - 1939	9
Leisure	3	1940 - onwards	3
Defence/residential	2		
Transportation	1		
Health/commercial (offices)	1		
Defence	1		

Though Windsor has hundreds of properties with potential for designation, with current staff capacity, Administration would only be able to produce a limited number of designation reports before the January 2025 deadline. Administration will concentrate on designating properties of the strongest cultural heritage value or interest while also providing comprehensive representation across the different categories of heritage properties. Staff will also leverage the applicability of the existing financial incentives programs which are eligible only to designated properties to encourage listed (non-designated) property owners to give favourable consideration to designations.

Strategy 4: Exploring new ways to designate

Keeping in mind the statutory criteria, procedures, and requirements for designation, Staff will also investigate approaches to speed up the designation process (such as “batch designations” that are grouped for efficiency), or monitor for innovative approaches such as designating properties with no heritage attributes (preventing demolition of the property while not requiring regulation over alterations). Staff hope to begin consulting with large institutional landowners to collaborate on the designation of significant heritage listed education properties, to increase consensus and reduce potential appeals and delays. Staff may explore the option of creating an official working

group to add labour resource capacity for conducting historical research for the designations.

Strategy 5: Protection of City-Owned Heritage resources through Council direction

Given the limited timing for designations, it is suggested that designation efforts for city-owned properties be conducted in batches where possible. City-owned properties can additionally be protected through Council's leadership and resolution in Recommendation III "to continue to protect Heritage properties that are city-owned in the same fashion as pre-Bill 23 even if properties are removed as a result of Bill 23, and to encourage a high degree of heritage sensitivity by all City Departments in conformance with the City of Windsor Official Plan". This is aligned with the Official Plan objective for the City to lead the community by example through proper conservation and stewardship of municipally-owned heritage properties (Section 9.2.3).

Strategy 6: Protections through Demolition Control Bylaw

Planning staff will explore the use of Section 33 Demolition Control By-laws under the Planning Act over targeted geographic areas where there are collections of heritage resources. The purpose of s.33 of the Planning Act is to preserve residential housing or provide replacement residential housing and not for preservation or restoration of heritage resources. However, Demolition Control Bylaw may provide temporary protection or discouragement for demolition to heritage resources.

Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory

It is inevitable that many of the heritage listed properties would be stripped of any *Ontario Heritage Act* status after Bill 23's removal requirements come to maturity on January 1, 2025. Administration will continue to keep a list of Windsor's Heritage Inventory so as to manage a list of properties that the Windsor community can continue to look to for information and awareness of the heritage resources within the community.

Official Plan Policy:

The Windsor Official Plan preamble in Chapter 9 reads "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." The Official plan includes: "

(9.2.3.) To lead the community in the protection, improvement, utilization and management of heritage resources by using municipally owned heritage properties as examples of proper conservation and stewardship.

(9.2.4.) To increase awareness and appreciation of Windsor's heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.

(9.3.2.1.) Council will identify Windsor's heritage resources by:

- (b) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an area or neighbourhood basis in conjunction with Heritage Conservation District studies, secondary plans or other special studies as may be appropriate;
- (c) Researching and documenting the history, and architectural and contextual merit of potential heritage resources on an individual property basis;
- (d) Encouraging and supporting individuals and groups in recommending potential heritage resources.

(9.3.3.1.) Council will recognize Windsor's heritage resources by:

- (a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;
- (b) Designating groups of buildings and areas as Heritage Conservation Districts under the Ontario Heritage Act;
- (c) Maintaining a list of designated heritage properties;

(9.3.3.4.) Council will identify heritage resources by:

- (a) Maintaining and updating the list of built heritage resources known as the Windsor Municipal Heritage Register; and
- (b) Identifying neighbourhoods containing collections of important heritage resources such as Heritage Areas and Heritage Conservation Districts on Schedule 'G': Civic Image.

(9.3.6.1.) Council will manage heritage resources by:

- (a) Protecting, conserving and managing Municipally owned heritage resources in a manner which furthers the objectives and policies of this Plan and which sets an example of leadership for the community in the conservation of heritage resources;
- (b) Ensuring that the activities of all Municipal departments respect the character and significance of Windsor's heritage resources;
- (c) Encouraging public participation in the conservation of heritage resources;
- (d) Providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means;
- (e) Promoting public understanding, appreciation and enjoyment of Windsor's heritage resources through an on-going public awareness and education programme;
- (i) Creating a heritage resource information base to identify heritage resources."

Risk Analysis:

The risk of inaction is the potential loss of recognition to more than 800 heritage listed properties. The risk also goes beyond identification and recognition to potential demolition and irreversible loss of Windsor's heritage resources that would be a detriment to current and future generations. The report proposes strategies to respond to these losses by conducting designations through various studies, initiatives, and innovative methods.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

There are no direct financial requests associated with the recommendations of this report or with conducting the evaluation of listed properties for designation potential. With current staff capacity, Administration expects to only be able to document and bring forward to City Council a limited number of individually designation reports to City Council. Should Council desire to increase resourcing to implement the Bill 23 Heritage Register Evaluation Strategies, additional Council direction and funding would be required.

Consultations:

City of Toronto and the Ministry of Citizenship & Multiculturalism, Heritage Policy & Services, created the contents in Appendix B. Information on the approaches of other municipalities (referenced in Appendix C) were collected through the Ontario Heritage Planner's Network. Michael Cooke, former Deputy City Planner of Windsor, is an integral part of the team involved in formulating the strategies in this report.

Conclusion:

Administration recommends that Council approve the Heritage Register Evaluation Strategies, including: Strategy 1: Designation through Walkerville Heritage Conservation District Study; Strategy 2: Designation through Development Review and Incentive Programs; Strategy 3: Designation of properties of "strongest" and/or missing representation of Cultural Heritage Value/Interest; Strategy 4: Exploring new ways to designate; Strategy 5: Protection of City-Owned Heritage resources through Council direction; Strategy 6: Protections through Demolition Control Bylaw; Strategy 7: Continued recognition of heritage properties through a Windsor Heritage Inventory, to provide Administration with the direction to respond to Provincial Bill 23 and impacts on 'listed' (non-designated) heritage properties.

Planning Act Matters: N/A

Approvals:

Name	Title
Kristina Tang	Heritage Planner
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Appendix A- Extracts from OHA
- 2 Appendix B- Municipal Registers Survey by City of Toronto & Heritage Register
Statistics by Ministry of Citizenship & Multiculturalism
- 3 Appendix C - Municipalities Bill 23 Register Approach

Section 27 Register

“Removal of non-designated property

Same

(15) In the case of a property included in the register under subsection (3) on or after January 1, 2023, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day the property was included in the register. 2022, c. 21, Sched. 6, s. 3 (4).

Same

(16) In the case of a property included in the register under a predecessor of subsection (3), as of December 31, 2022, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before January 1, 2025. 2022, c. 21, Sched. 6, s. 3 (4).

Consultation not required

(17) Despite subsection (4), the council of the municipality is not required to consult with its municipal heritage committee, if one has been established, before removing a property from the register under subsection (14), (15) or (16). 2022, c. 21, Sched. 6, s. 3 (4).

Prohibition re including property in register, subss. (14) to (16)

(18) If subsection (14), (15) or (16) requires the removal of a property from the register, the council of the municipality may not include the property again in the register under subsection (3) for a period of five years after the following date:

1. In the case of subsection (14), the day any of the circumstances described in paragraphs 1, 2 and 3 of that subsection exist.
2. In the case of subsection (15), the second anniversary of the day the property was included in the register.
3. In the case of subsection (16), January 1, 2025. 2022, c. 21, Sched. 6, s. 3 (4).”

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Consolidation Period: From January 1, 2023 to the e-Laws currency date.

Last amendment: 569/22.

Criteria, s. 27 (3) (b) of the Act

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 27 (3) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Property that has not been designated under Part IV of the Act may be included in the register referred to in subsection 27 (1) of the Act on and after January 1, 2023 if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

(3) For clarity, subsection (2) does not apply in respect of a property that has not been designated under Part IV but was included in the register as of January 1, 2023. O. Reg. 569/22, s. 1.

Criteria, s. 29 (1) (a) of the Act

2. (1) The criteria set out in subsections (2) and (3) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 569/22, s. 1.

(2) Section 1, as it read immediately before January 1, 2023, continues to apply in respect of a property for which a notice of intention to designate it was given under subsection 29 (1.1) of the Act after January 24, 2006 and before January 1, 2023. O. Reg. 569/22, s. 1.

(3) In respect of a property for which a notice of intention to designate it is given under subsection 29 (1.1) of the Act on or after January 1, 2023, the property may be designated under section 29 of the Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest set out in paragraphs 1 to 9 of subsection 1 (2). O. Reg. 569/22, s. 1.

Municipal Heritage Registers: Listed Properties and Annual Part IV Designations (5 Year Avg.)

Total # of Listed Properties = 31,466

Information provided by the following 65 municipalities:

<ol style="list-style-type: none">1. Ajax2. Barrie3. Belleville4. Bluewater5. Bradford West Gwillimbury6. Brampton7. Brantford8. Brockville9. Burlington10. Caledon11. Cambridge12. Cavan Monaghan13. Centre Wellington14. Chatham-Kent15. Cobourg16. Collingwood17. Cornwall18. Goderich19. Gravenhurst20. Grimsby21. Guelph22. Halton Hills23. Hamilton24. Huntsville25. Kawartha Lakes26. King Twp.27. Kingston28. Kitchener29. Leamington30. Lincoln31. London32. Markham33. Milton	<ol style="list-style-type: none">34. Mississauga35. New Tecumseth36. Newmarket37. Niagara Falls38. Niagara-on-the-Lake39. Oakville40. Orillia41. Oro-Medonte42. Ottawa43. Owen Sound44. Penetanguishene45. Peterborough46. Port Colborne47. Port Hope48. Richmond Hill49. Quinte West50. Sault Ste. Marie51. St. Catharines52. St. Marys53. St. Thomas54. Stratford55. Sudbury56. Thorold57. Timmins58. Tiny59. Trent Hills60. Toronto61. Vaughan62. Whitby63. Whitchurch-Stouffville64. Waterloo65. Windsor
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NOTE: This information was collected and compiled by the City of Toronto Heritage Planning based on a questionnaire to municipal staff of the Ontario Heritage Planners Network (HPN).

Ajax

0 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

Barrie

42 listed (non-designated) properties

Designation (5 Year) Average: not available

Belleville

127 listed (non-designated) properties

Designation (5 Year) Average: 1 designation in progress

Bluewater

76 listed (non-designated) properties

Designation (5 Year) Average: 0 designations in the past 5 years

Bradford West Gwillimbury

444 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations per year

Brampton

384 listed (non-designated) properties

Designation (5 Year) Average: 4 per year, totalling 21 designations

Brantford

556 listed (non-designated) properties (of planned ~830)

Designation (5 Year) Average: 1 each in 2018 and 2019, none since.

Brockville

68 listed (non-designated) properties

Designation (5 Year) Average: 1

Burlington

206 Listed (Non-designated properties)

Designation (5 year) Average: Less than 1 per year (1 in 2022, 1 in 2019)

Caledon

1,115 non-designated properties listed

Designation (5 year) Average: 2-3 designations a year

Cambridge

665 listed (non-designated) properties

Designation (5 Year) Average: 3-4 designations per year.

Cavan Monaghan

0 listed (non-designated) properties

Designation (5 Year) Average: 0

Centre Wellington

934 listed (non-designated) properties - average of approx. 100 listings per year

Listed approx. 400 in 2017, and currently looking at adding a few hundred rural properties

Designation (5 Year) Average: 1-2 per year

Chatham-Kent

278 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

Clarington

55 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

Cobourg

213 listed (non-designated) properties

Designation (5 Year) Average: 1 per year (request from owner or development pressure)

Collingwood

1 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per year

Cornwall

236 listed (non-designated) properties

Designation (5 Year) Average: not available

Goderich

58 listed (non-designated) properties

Designation (5 Year) Average: Less than 1 designation per year

Gravenhurst

14 listed (non-designated) properties

Designation (5 year) Average: 4 designations in last 5 years = less than 1 designation per year

Grimsby

531 Listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

Guelph

1,716 listed (non-designated) properties

Designation (5 Year) Average – 1 designation/year

Halton Hills

790 listed (non-designated) properties

Designation (5 Year) Average: 2-3 designations per year

Hamilton

2,345 listed (non-designated) properties

Designation (5 Year) Average: aim for 4 per year, some years with zero, and others with 10.

Huntsville

202 listed (non-designated) properties

Designation (5 Year) Average: 0 designations - no concrete plan to designate properties

Kawartha Lakes

289 listed (non-designated) properties

Designation (5 Year) Average: 4 designations per year

King Twp.

150 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations per year

Kingston

340 listed (non-designated) properties

Designation (5 Year) Average: 8 property designations a year

Kitchener

253 listed (non-designated) properties

Designation (5 Year) Average: 1-3 per year

Leamington

258 listed (non-designated) properties

Designation (5 Year) Average: 0 designations

Lincoln

247 listed (non-designated) properties

Designation (5 Year) Average: 1 designation

London

2,233 listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

Markham

340 listed (non-designated) properties

Designation (5 Year) Average: 3 designations a year

(+ 18 designation by-law amendments in 2021 to correct legal descriptions)

Milton

866 listed (non-designated) properties

Designation (5 Year) Average: 3-4 designations in progress

Mississauga

1,000 listed (non-designated) properties

Designation Average: 1 designation annually

New Tecumseth

32 listed (non-designated) properties

Designation (5 Year) Average: 1-2 designations

Newmarket

358 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

Niagara Falls

100 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

Niagara-on-the-Lake

225 listed (non-designated) properties

Designation (5 Year) Average: information not provide

Oakville

291 listed (non-designated) properties

Designation (5 Year) Average: 5 designations a year (forecasting 6-7 in coming years)

Orillia

14 listed (non-designated) properties

Designation (5 Year) Average: 1 designation in 2017

Oro-Medonte

63 listed (non-designated) properties

Designation (5 Year) Average: 1 designation per Committee's 4 year term

Ottawa

4,619 listed (non-designated) properties

Designation (5 Year) Average: 6 designations per year

Owen Sound

106 listed (non-designated) properties

Designation (5 Year) Average: 1-2 properties designated a year

Penetanguishene

10 listed (non-designated) properties

Designation (5 Year Average): 1 every 5 years

Peterborough

790 listed (non-designated) properties

Designation (5 Year) Average: 3 per year totaling 15 designations

Port Colborne

Approx. 300 listed (non-designated) properties

Designations (5 Year) Average: 0-1 a year

Port Hope

0 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

Richmond Hill

236 listed (non-designated) properties

Designation (5 Year) Average: 0 designations per year

Quinte West

1 listed (non-designated) property

Designation (5 Year) Average: 0

Sault Ste. Marie

28 listed (non-designated) properties

Designation (5 Year) Average: 1 – designation in progress

St. Catharines

162 listed (non-designated) properties

Designation (5-year average) – 1 per year

St. Marys

115 listed (non-designated) properties

Designation (5 Year) Average: 0-1 new designations/year

St. Thomas

247 listed (non-designated) properties

Designation (5 Year) Average: not available

Stratford

36 listed (non-designated) properties

Designation (5 Year) Average: not available

Sudbury

7 listed (non-designated) properties

Designation (5 Year) Average: 0-1 new designation per year

Thorhold

105 listed (non-designated) properties + 1 designated

Designation (5 Year) Average: 1 – designation

Timmins

7 listed (non-designated) properties + 1 designated

Designation (5 Year) Average: 1 – designation

Tiny

31 listed (non-designated) properties

Designation (5 Year) Average: designate 1 every 3-5 years.

Trent Hills

565 listed (non-designated) properties

Designation (5 Year) Average: 0 – the last designation occurred in 2014.

Toronto

3,973 listed (non-designated) properties

Designation (5 Year) Average: 64 designations per year (51 buildings such as historic rows)

Vaughan

78 listed (non-designated) properties

Designation (5 Year) Average: 0 designations in nearly 2 decades.

Whitby

209 listed (non-designated) properties

Designation (5 year) average: around 1 per year at property owner's request

Whitchurch-Stouffville

689 listed (non-designated) properties

Designation (5 Year) Average: 3 designations in the past 5 years

Waterloo

153 listed (non-designated) properties

Designation (5 Year) Average: <1 designation a year in the past 5 years,

2 designations in the past 5 years

Windsor

884 listed (non-designated) properties

Designation (5 Year) Average: 1 designation a year

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Addington Highlands, Township of	Lower Tier	Lennox and Addington	N	N	0	0	0
Adelaide-Metcalf, Township of	Lower Tier	Middlesex	N	N	0	0	0
Adjala-Tosorontio, Township of	Lower Tier	Simcoe	N	N	0	0	0
Admaston/Bromley, Township of	Lower Tier	Renfrew	N	N	0	0	0
Ajax, Town of	Lower Tier	Durham	Y	Y	1	31	0
Alberton, Township of	Single Tier	Rainy River	N	N	0	0	0
Alfred and Plantagenet, Township of	Lower Tier	Prescott and Russell	N	N	0	0	0
Algonquin Highlands, Township of	Lower Tier	Haliburton	N	N	0	0	0
Alnwick/Haldimand, Township of	Lower Tier	Northumberland	N	Y	0	11	219
Amaranth, Township of	Lower Tier	Dufferin	N	N	0	0	0
Amherstburg, Town of	Lower Tier	Essex	Y	Y	0	51	132
Armour, Township of	Single Tier	Parry Sound	N	N	0	0	0
Armstrong, Township of	Single Tier	Timiskaming	N	N	0	0	0
Arnprior, Town of	Lower Tier	Renfrew	Y	N	1	2	0
Arran-Elderslie, Municipality of	Lower Tier	Bruce	N	N	0	18	0
Ashfield-Colborne-Wawanosh, Township of	Lower Tier	Huron	N	N	0	1	0
Asphodel-Norwood, Township of	Lower Tier	Peterborough	N	N	0	0	0
Assignack, Township of	Single Tier	Manitoulin	N	N	0	0	0
Athens, Township of	Lower Tier	Leeds and Grenville	Y	N	0	1	0
Atikokan, Town of	Single Tier	Rainy River	N	N	0	0	0
Augusta, Township of	Lower Tier	Leeds and Grenville	N	N	0	2	0
Aurora, Town of	Lower Tier	York	Y	Y	1	68	373
Aylmer, Town of	Lower Tier	Elgin	Y	Y	0	5	28
Baldwin, Township of	Single Tier	Sudbury	N	N	0	0	0
Bancroft, Town of	Lower Tier	Hastings	N	N	0	0	0
Barrie, City of	Single Tier	Simcoe	Y	Y	0	21	42
Bayham, Municipality of	Lower Tier	Elgin	N	N	0	1	0
Beckwith, Township of	Lower Tier	Lanark	Y	N	0	1	0
Belleville, City of	Single Tier	Hastings	Y	Y	0	39	127
Billings, Township of	Single Tier	Manitoulin	N	N	0	0	0
Black River-Matheson, Township of	Single Tier	Cochrane	N	N	0	1	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Blandford-Blenheim, Township of	Lower Tier	Oxford	N	N	0	1	0
Blind River, Town of	Single Tier	Algoma	N	N	0	0	0
Bluewater, Municipality of	Lower Tier	Huron	Y	Y	1	5	76
Bonfield, Township of	Single Tier	Nipissing	N	N	0	0	0
Bonnechere Valley, Township of	Lower Tier	Renfrew	N	N	0	1	0
Bracebridge, Town of	Lower Tier	Muskoka	N	N	0	7	0
Bradford West Gwillimbury, Town of	Lower Tier	Simcoe	Y	Y	0	9	444
Brampton, City of	Lower Tier	Peel	Y	Y	1	133	384
Brant, County of	Single Tier	Brant	Y	Y	0	32	0
Brantford, City of	Single Tier	Brant	Y	Y	2	88	556
Brethour, Township of	Single Tier	Timiskaming	N	N	0	0	0
Brighton, Municipality of	Lower Tier	Northumberland	Y	Y	0	9	53
Brock, Township of	Lower Tier	Durham	N	N	0	10	0
Brockton, Municipality of	Lower Tier	Bruce	Y	Y	0	11	25
Brockville, City of	Single Tier	Leeds and Grenville	Y	Y	0	25	68
Brooke-Alvinston, Municipality of	Lower Tier	Lambton	N	N	0	1	0
Bruce, County of	Upper Tier	Bruce	N	N	0	0	0
Bruce Mines, Town of	Single Tier	Algoma	N	N	0	1	0
Brudenell, Lyndoch and Raglan, Township of	Lower Tier	Renfrew	N	N	0	1	0
Burk's Falls, Village of	Single Tier	Parry Sound	N	N	0	0	0
Burlington, City of	Lower Tier	Halton	N	Y	0	75	206
Burpee and Mills, Township of	Single Tier	Manitoulin	N	N	0	0	0
Caledon, Town of	Lower Tier	Peel	Y	Y	1	130	1115
Callander, Municipality of	Single Tier	Parry Sound	N	N	0	1	0
Calvin, Municipality of	Single Tier	Nipissing	N	N	0	0	0
Cambridge, City of	Lower Tier	Waterloo	Y	Y	3	138	665
Carleton Place, Town of	Lower Tier	Lanark	Y	Y	0	21	0
Carling, Township of	Single Tier	Parry Sound	N	N	0	0	0
Carlow/Mayo, Township of	Lower Tier	Hastings	N	N	0	0	0
Casey, Township of	Single Tier	Timiskaming	N	N	0	0	0
Casselman, Municipality of	Lower Tier	Prescott and Russell	N	N	0	0	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Cavan Monaghan, Township of	Lower Tier	Peterborough	Y	N	0	45	0
Central Elgin, Municipality of	Lower Tier	Elgin	Y	Y	0	24	32
Central Frontenac, Township of	Lower Tier	Frontenac	N	N	0	0	0
Central Huron, Municipality of	Lower Tier	Huron	N	N	0	12	0
Central Manitoulin, Municipality of	Single Tier	Manitoulin	N	N	0	1	0
Centre Hastings, Municipality of	Lower Tier	Hastings	N	N	0	3	0
Centre Wellington, Township of	Lower Tier	Wellington	Y	Y	1	102	934
Chamberlain, Township of	Single Tier	Timiskaming	N	N	0	0	0
Champlain, Township of	Lower Tier	Prescott and Russell	N	N	0	7	0
Chapleau, Township of	Single Tier	Sudbury	N	N	0	0	0
Chapple, Township of	Single Tier	Rainy River	N	N	0	0	0
Charlton and Dack, Municipality of	Single Tier	Timiskaming	N	N	0	0	0
Chatham-Kent, Municipality of	Single Tier	Chatham-Kent	Y	Y	0	92	278
Chatsworth, Township of	Lower Tier	Grey	N	N	0	1	0
Chisholm, Township of	Single Tier	Nipissing	N	N	0	0	0
Clarence-Rockland, City of	Lower Tier	Prescott and Russell	Y	N	0	8	0
Clarington, Municipality of	Lower Tier	Durham	Y	Y	1	84	55
Clearview, Township of	Lower Tier	Simcoe	Y	N	0	1	0
Cobalt, Town of	Single Tier	Timiskaming	N	N	0	29	0
Cobourg, Town of	Lower Tier	Northumberland	N	Y	4	59	213
Cochrane, Town of	Single Tier	Cochrane	N	N	0	0	45
Cockburn Island, Township of	Single Tier	Manitoulin	N	N	0	0	0
Coleman, Township of	Single Tier	Timiskaming	N	N	0	0	0
Collingwood, Town of	Lower Tier	Simcoe	Y	Y	1	31	1
Conmee, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Cornwall, City of	Single Tier	Stormont, Dundas and G	Y	Y	0	21	236
Cramahe, Township of	Lower Tier	Northumberland	Y	Y	0	18	130
Dawn-Euphemia, Township of	Lower Tier	Lambton	N	N	0	0	0
Dawson, Township of	Single Tier	Rainy River	N	N	0	0	0
Deep River, Town of	Lower Tier	Renfrew	N	N	0	1	0
Deseronto, Town of	Lower Tier	Hastings	N	N	0	1	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Dorion, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Douro-Dummer, Township of	Lower Tier	Peterborough	N	N	0	1	0
Drummond/North Elmsley, Township of	Lower Tier	Lanark	N	N	0	0	0
Dryden, City of	Single Tier	Kenora	N	N	0	0	0
Dubreuilville, Township of	Single Tier	Algoma	N	N	0	0	0
Dufferin, County of	Upper Tier	Dufferin	N	N	0	0	0
Durham, Regional Municipality of	Upper Tier	Durham	N	N	0	0	0
Dutton/Dunwich, Municipality of	Lower Tier	Elgin	Y	Y	0	7	81
Dysart et al, Municipality of	Lower Tier	Haliburton	N	N	0	3	0
Ear Falls, Township of	Single Tier	Kenora	N	N	0	0	0
East Ferris, Township of	Single Tier	Nipissing	N	N	0	0	0
East Garafraxa, Township of	Lower Tier	Dufferin	N	N	0	0	0
East Gwillimbury, Town of	Lower Tier	York	Y	Y	0	12	378
East Hawkesbury, Township of	Lower Tier	Prescott and Russell	N	N	0	0	0
East Zorra-Tavistock, Township of	Lower Tier	Oxford	N	N	0	1	0
Edwardsburgh/Cardinal, Township of	Lower Tier	Leeds and Grenville	N	N	0	2	0
Elgin, County of	Upper Tier	Elgin	N	N	0	0	0
Elizabethtown-Kitley, Township of	Lower Tier	Leeds and Grenville	Y	N	0	9	0
Elliot Lake, City of	Single Tier	Algoma	N	N	0	0	0
Emo, Township of	Single Tier	Rainy River	N	N	0	0	0
Englehart, Town of	Single Tier	Timiskaming	N	N	0	0	0
Enniskillen, Township of	Lower Tier	Lambton	N	N	0	1	0
Erin, Town of	Lower Tier	Wellington	Y	Y	0	3	0
Espanola, Town of	Single Tier	Sudbury	N	N	0	0	0
Essa, Township of	Lower Tier	Simcoe	N	N	0	1	0
Essex, County of	Upper Tier	Essex	N	N	0	0	0
Essex, Town of	Lower Tier	Essex	Y	N	0	13	0
Evanturel, Township of	Single Tier	Timiskaming	N	N	0	0	0
Faraday, Township of	Lower Tier	Hastings	N	N	0	0	0
Fauquier-Strickland, Township of	Single Tier	Cochrane	N	N	0	0	0
Fort Erie, Town of	Lower Tier	Niagara	Y	Y	0	22	36

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Fort Frances, Town of	Single Tier	Rainy River	N	N	0	3	0
French River, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Front of Yonge, Township of	Lower Tier	Leeds and Grenville	N	N	0	1	0
Frontenac, County of	Upper Tier	Frontenac	N	N	0	0	0
Frontenac Islands, Township of	Lower Tier	Frontenac	N	N	0	0	0
Gananoque, Town of	Single Tier	Leeds and Grenville	Y	N	0	21	0
Gauthier, Township of	Single Tier	Timiskaming	N	N	0	0	0
Georgian Bay, Township of	Lower Tier	Muskoka	Y	N	0	0	0
Georgian Bluffs, Township of	Lower Tier	Grey	N	N	0	0	0
Georgina, Town of	Lower Tier	York	Y	Y	0	22	122
Gillies, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Goderich, Town of	Lower Tier	Huron	Y	Y	3	49	58
Gordon/Barrie Island, Municipality of	Single Tier	Manitoulin	N	N	0	0	0
Gore Bay, Town of	Single Tier	Manitoulin	N	N	0	1	0
Grand Valley, Town of	Lower Tier	Dufferin	N	N	0	0	0
Gravenhurst, Town of	Lower Tier	Muskoka	Y	Y	0	17	14
Greater Madawaska, Township of	Lower Tier	Renfrew	N	N	0	0	0
Greater Napanee, Town of	Lower Tier	Lennox and Addington	Y	Y	0	18	0
Greater Sudbury, City of	Single Tier	Sudbury	Y	Y	0	10	7
Greenstone, Municipality of	Single Tier	Thunder Bay	N	N	0	1	0
Grey, County of	Upper Tier	Grey	N	N	0	0	0
Grey Highlands, Municipality of	Lower Tier	Grey	Y	N	0	9	0
Grimsby, Town of	Lower Tier	Niagara	Y	Y	0	40	531
Guelph, City of	Single Tier	Wellington	Y	Y	1	109	1716
Guelph/Eramosa, Township of	Lower Tier	Wellington	Y	Y	0	13	0
Haldimand County	Single Tier	Haldimand	Y	Y	0	47	0
Haliburton, County of	Upper Tier	Haliburton	N	N	0	0	0
Halton, Regional Municipality of	Upper Tier	Halton	N	N	0	0	0
Halton Hills, Town of	Lower Tier	Halton	Y	Y	1	30	790
Hamilton, City of	Single Tier	Hamilton	Y	Y	7	301	2345
Hamilton, Township of	Lower Tier	Northumberland	Y	Y	0	1	45

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Hanover, Town of	Lower Tier	Grey	Y	Y	0	30	80
Harley, Township of	Single Tier	Timiskaming	N	N	0	0	0
Harris, Township of	Single Tier	Timiskaming	N	N	0	0	0
Hastings, County of	Upper Tier	Hastings	N	N	0	0	0
Hastings Highlands, Municipality of	Lower Tier	Hastings	N	N	0	0	0
Havelock-Belmont-Methuen, Township of	Lower Tier	Peterborough	N	N	0	0	0
Hawkesbury, Town of	Lower Tier	Prescott and Russell	N	N	0	1	0
Head, Clara and Maria, Township of	Lower Tier	Renfrew	N	N	0	0	0
Hearst, Town of	Single Tier	Cochrane	N	N	0	11	0
Highlands East, Municipality of	Lower Tier	Haliburton	N	Y	0	0	0
Hilliard, Township of	Single Tier	Timiskaming	N	N	0	0	0
Hilton, Township of	Single Tier	Algoma	N	N	0	0	0
Hilton Beach, Village of	Single Tier	Algoma	N	N	0	0	0
Hornepayne, Township of	Single Tier	Algoma	N	N	0	0	0
Horton, Township of	Lower Tier	Renfrew	N	N	0	0	0
Howick, Township of	Lower Tier	Huron	N	N	0	0	0
Hudson, Township of	Single Tier	Timiskaming	N	N	0	0	0
Huntsville, Town of	Lower Tier	Muskoka	Y	Y	0	13	202
Huron, County of	Upper Tier	Huron	N	N	0	1	0
Huron East, Municipality of	Lower Tier	Huron	Y	N	1	32	0
Huron Shores, Municipality of	Single Tier	Algoma	N	N	0	0	0
Huron-Kinloss, Township of	Lower Tier	Bruce	N	N	0	0	0
Ignace, Township of	Single Tier	Kenora	N	N	0	0	0
Ingersoll, Town of	Lower Tier	Oxford	N	N	0	2	0
Innisfil, Town of	Lower Tier	Simcoe	Y	Y	1	9	50
Iroquois Falls, Town of	Single Tier	Cochrane	N	N	0	0	0
James, Township of	Single Tier	Timiskaming	N	N	0	0	0
Jocelyn, Township of	Single Tier	Algoma	N	N	0	0	0
Johnson, Township of	Single Tier	Algoma	N	N	0	0	0
Joly, Township of	Single Tier	Parry Sound	N	N	0	0	0
Kapuskasing, Town of	Single Tier	Cochrane	N	N	0	4	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Kawartha Lakes, City of	Single Tier	Kawartha Lakes	Y	Y	2	88	289
Kearney, Town of	Single Tier	Parry Sound	N	N	0	1	0
Kenora, City of	Single Tier	Kenora	Y	Y	0	9	26
Kerns, Township of	Single Tier	Timiskaming	N	N	0	0	0
Killaloe, Hagarty and Richards, Township of	Lower Tier	Renfrew	N	N	0	1	0
Killarney, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Kincardine, Municipality of	Lower Tier	Bruce	Y	Y	0	45	0
King, Township of	Lower Tier	York	Y	Y	0	36	150
Kingston, City of	Single Tier	Frontenac	Y	Y	3	360	340
Kingsville, Town of	Lower Tier	Essex	Y	N	0	36	0
Kirkland Lake, Town of	Single Tier	Timiskaming	Y	N	0	2	0
Kitchener, City of	Lower Tier	Waterloo	Y	Y	4	104	253
La Vallee, Township of	Single Tier	Rainy River	N	N	0	0	0
LaSalle, Town of	Lower Tier	Essex	Y	N	0	0	0
Laird, Township of	Single Tier	Algoma	Y	N	0	0	0
Lake of Bays, Township of	Lower Tier	Muskoka	Y	N	0	13	0
Lake of the Woods, Township of	Single Tier	Rainy River	N	N	0	0	0
Lakeshore, Municipality of	Lower Tier	Essex	Y	N	0	7	0
Lambton, County of	Upper Tier	Lambton	N	N	1	0	0
Lambton Shores, Municipality of	Lower Tier	Lambton	N	N	0	0	0
Lanark, County of	Upper Tier	Lanark	N	N	0	0	0
Lanark Highlands, Township of	Lower Tier	Lanark	Y	N	0	6	0
Larder Lake, Township of	Single Tier	Timiskaming	N	N	0	0	0
Latchford, Town of	Single Tier	Timiskaming	Y	N	0	0	0
Laurentian Hills, Town of	Lower Tier	Renfrew	N	N	0	0	0
Laurentian Valley, Township of	Lower Tier	Renfrew	N	N	0	0	0
Leamington, Municipality of	Lower Tier	Essex	Y	Y	0	4	258
Leeds and Grenville, United Counties of	Upper Tier	Leeds and Grenville	N	N	0	0	0
Leeds and the Thousand Islands, Township of	Lower Tier	Leeds and Grenville	Y	N	0	16	0
Lennox and Addington, County of	Upper Tier	Lennox and Addington	N	N	0	0	0
Limerick, Township of	Lower Tier	Hastings	N	N	0	0	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Lincoln, Town of	Lower Tier	Niagara	Y	Y	0	22	247
London, City of	Single Tier	Middlesex	Y	Y	7	239	2233
Loyalist, Township of	Lower Tier	Lennox and Addington	Y	Y	1	42	31
Lucan Biddulph, Township of	Lower Tier	Middlesex	N	N	0	0	0
Macdonald, Meredith and Aberdeen Addition	Single Tier	Algoma	N	N	0	0	0
Machar, Township of	Single Tier	Parry Sound	N	N	0	0	0
Machin, Township of	Single Tier	Kenora	N	N	0	0	0
Madawaska Valley, Township of	Lower Tier	Renfrew	N	N	0	2	0
Madoc, Township of	Lower Tier	Hastings	N	N	0	3	0
Magnetawan, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Malahide, Township of	Lower Tier	Elgin	N	N	0	1	0
Manitouwadge, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Mapleton, Township of	Lower Tier	Wellington	N	N	0	0	0
Marathon, Town of	Single Tier	Thunder Bay	N	N	0	0	0
Markham, City of	Lower Tier	York	Y	Y	4	249	340
Markstay-Warren, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Marmora and Lake, Municipality of	Lower Tier	Hastings	N	N	0	0	0
Matachewan, Township of	Single Tier	Timiskaming	N	N	0	0	0
Mattawa, Town of	Single Tier	Nipissing	N	N	0	1	0
Mattawan, Municipality of	Single Tier	Nipissing	N	N	0	0	0
"Mattice-Val C��t��, Township of	Single Tier	Cochrane	N	N	0	0	0
McDougall, Township of	Single Tier	Parry Sound	N	N	0	0	0
McGarry, Township of	Single Tier	Timiskaming	N	N	0	0	0
McKellar, Township of	Single Tier	Parry Sound	N	N	0	0	0
McMurrich/Monteith, Township of	Single Tier	Parry Sound	N	N	0	0	0
McNab/Braeside, Township of	Lower Tier	Renfrew	N	N	0	0	0
Meaford, Municipality of	Lower Tier	Grey	Y	N	1	3	0
Melancthon, Township of	Lower Tier	Dufferin	N	N	0	0	0
Merrickville-Wolford, Village of	Lower Tier	Leeds and Grenville	Y	Y	0	32	0
Middlesex, County of	Upper Tier	Middlesex	N	N	0	0	0
Middlesex Centre, Municipality of	Lower Tier	Middlesex	N	Y	0	9	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Midland, Town of	Lower Tier	Simcoe	N	Y	0	8	0
Milton, Town of	Lower Tier	Halton	Y	Y	0	36	866
Minden Hills, Township of	Lower Tier	Haliburton	N	N	0	0	0
Minto, Town of	Lower Tier	Wellington	N	N	0	2	0
Mississauga, City of	Lower Tier	Peel	Y	Y	2	151	1000
Mississippi Mills, Municipality of	Lower Tier	Lanark	Y	Y	1	44	0
Mono, Town of	Lower Tier	Dufferin	Y	Y	0	4	300
Montague, Township of	Lower Tier	Lanark	N	N	0	1	0
Moonbeam, Township of	Single Tier	Cochrane	N	N	0	0	0
Moosonee, Town of	Single Tier	Cochrane	N	N	0	0	0
Morley, Township of	Single Tier	Rainy River	N	N	0	0	0
Morris-Turnberry, Municipality of	Lower Tier	Huron	N	N	0	1	0
Mulmur, Township of	Lower Tier	Dufferin	Y	Y	0	0	21
Muskoka, District Municipality of	Upper Tier	Muskoka	N	N	0	0	0
Muskoka Lakes, Township of	Lower Tier	Muskoka	Y	Y	1	9	0
Nairn and Hyman, Township of	Single Tier	Sudbury	N	N	0	0	0
Neebing, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
New Tecumseth, Town of	Lower Tier	Simcoe	Y	Y	0	8	32
Newbury, Village of	Lower Tier	Middlesex	N	N	0	0	0
Newmarket, Town of	Lower Tier	York	Y	Y	1	43	358
Niagara, Regional Municipality of	Upper Tier	Niagara	N	N	0	0	0
Niagara Falls, City of	Lower Tier	Niagara	Y	Y	0	43	100
Niagara-on-the-Lake, Town of	Lower Tier	Niagara	Y	Y	1	83	225
Nipigon, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Nipissing, Township of	Single Tier	Parry Sound	N	N	0	0	0
Norfolk County of	Single Tier	Norfolk	Y	N	0	112	0
North Algona Wilberforce, Township of	Lower Tier	Renfrew	N	N	0	0	0
North Bay, City of	Single Tier	Nipissing	Y	y	0	2	23
North Dumfries, Township of	Lower Tier	Waterloo	Y	Y	1	26	0
North Dundas, Township of	Lower Tier	Stormont, Dundas and G	Y	N	0	3	0
North Frontenac, Township of	Lower Tier	Frontenac	N	N	0	0	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
North Glengarry, Township of	Lower Tier	Stormont, Dundas and G	Y	Y	0	4	0
North Grenville, Municipality of	Lower Tier	Leeds and Grenville	Y	Y	0	20	0
North Huron, Township of	Lower Tier	Huron	N	Y	0	16	0
North Kawartha, Township of	Lower Tier	Peterborough	N	N	0	0	0
North Middlesex, Municipality of	Lower Tier	Middlesex	N	N	0	1	0
North Perth, Municipality of	Lower Tier	Perth	N	N	0	2	0
North Stormont, Township of	Lower Tier	Stormont, Dundas and G	N	Y	0	1	18
Northeastern Manitoulin and The Islands, To	Single Tier	Manitoulin	N	N	0	0	0
Northern Bruce Peninsula, Municipality of	Lower Tier	Bruce	N	N	0	0	0
Northumberland, County of	Upper Tier	Northumberland	N	N	0	0	0
Norwich, Township of	Lower Tier	Oxford	Y	Y	0	21	0
O'Connor, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Oakville, Town of	Lower Tier	Halton	Y	Y	4	151	291
Oil Springs, Village of	Lower Tier	Lambton	Y	N	1	4	0
Oliver Paipoonge, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
Opasatika, Township of	Single Tier	Cochrane	N	N	0	0	0
Orangeville, Town of	Lower Tier	Dufferin	Y	Y	3	24	364
Orillia, City of	Single Tier	Simcoe	Y	Y	0	30	14
Oro-Medonte, Township of	Lower Tier	Simcoe	Y	Y	0	1	63
Oshawa, City of	Lower Tier	Durham	Y	Y	1	30	481
Otonabee-South Monaghan, Township of	Lower Tier	Peterborough	N	N	0	0	0
Ottawa, City of	Single Tier	Ottawa	Y	Y	21	345	4619
Owen Sound, City of	Lower Tier	Grey	Y	Y	0	31	106
Oxford, County of	Upper Tier	Oxford	N	N	0	0	0
Papineau-Cameron, Township of	Single Tier	Nipissing	N	N	0	0	0
Parry Sound, Town of	Single Tier	Parry Sound	N	N	0	24	0
Peel, Regional Municipality of	Upper Tier	Peel	N	N	0	0	0
Pelee, Township of	Single Tier	Essex	N	N	0	0	0
Pelham, Town of	Lower Tier	Niagara	Y	N	0	9	75
Pembroke, City of	Single Tier	Renfrew	N	N	0	7	0
Penetanguishene, Town of	Lower Tier	Simcoe	Y	Y	0	17	10

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Perry, Township of	Single Tier	Parry Sound	N	N	0	0	0
Perth, Town of	Lower Tier	Lanark	Y	Y	1	27	6
Perth, County of	Upper Tier	Perth	N	N	0	0	0
Perth East, Township of	Lower Tier	Perth	N	N	0	6	0
Perth South, Township of	Lower Tier	Perth	N	N	0	2	0
Petawawa, Town of	Lower Tier	Renfrew	N	N	0	0	0
Peterborough, County of	Upper Tier	Peterborough	N	N	0	0	0
Peterborough, City of	Single Tier	Peterborough	Y	Y	1	137	790
Petrolia, Town of	Lower Tier	Lambton	Y	Y	0	38	21
Pickering, City of	Lower Tier	Durham	Y	Y	1	18	9
Pickle Lake, Township of	Single Tier	Kenora	N	N	0	0	0
Plummer Additional, Township of	Single Tier	Algoma	Y	N	0	2	0
Plympton-Wyoming, Town of	Lower Tier	Lambton	N	N	0	0	0
Point Edward, Village of	Lower Tier	Lambton	N	N	0	0	0
Port Colborne, City of	Lower Tier	Niagara	Y	Y	0	17	300
Port Hope, Municipality of	Lower Tier	Northumberland	Y	Y	2	169	0
Powassan, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Prescott, Town of	Single Tier	Leeds and Grenville	Y	N	0	32	27
Prescott and Russell, United Counties of	Upper Tier	Prescott and Russell	N	N	0	0	0
Prince, Township of	Single Tier	Algoma	Y	N	0	3	0
Prince Edward, County of	Single Tier	Prince Edward	Y	Y	1	52	0
Puslinch, Township of	Lower Tier	Wellington	Y	Y	0	0	109
Quinte West, City of	Single Tier	Hastings	Y	Y	0	7	1
Rainy River, Town of	Single Tier	Rainy River	N	N	0	0	0
Ramara, Township of	Lower Tier	Simcoe	N	N	0	0	0
Red Lake, Municipality of	Single Tier	Kenora	N	N	0	0	0
Red Rock, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Renfrew, County of	Upper Tier	Renfrew	N	N	0	0	0
Renfrew, Town of	Lower Tier	Renfrew	N	N	0	20	0
Richmond Hill, City of	Lower Tier	York	Y	Y	1	86	236
Rideau Lakes, Township of	Lower Tier	Leeds and Grenville	Y	Y	0	28	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Russell, Township of	Lower Tier	Prescott and Russell	N	N	0	2	0
Ryerson, Township of	Single Tier	Parry Sound	N	N	0	0	0
Sables-Spanish Rivers, Township of	Single Tier	Sudbury	N	N	0	0	0
Sarnia, City of	Lower Tier	Lambton	Y	Y	0	30	244
Saugeen Shores, Town of	Lower Tier	Bruce	Y	Y	0	15	121
Sault Ste. Marie, City of	Single Tier	Algoma	Y	Y	0	40	28
Schreiber, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Scugog, Township of	Lower Tier	Durham	Y	Y	1	21	261
Seguin, Township of	Single Tier	Parry Sound	N	N	0	0	0
Selwyn, Township of	Lower Tier	Peterborough	Y	Y	0	11	52
Severn, Township of	Lower Tier	Simcoe	N	N	0	3	0
Shelburne, Town of	Lower Tier	Dufferin	Y	N	0	2	0
Shuniah, Municipality of	Single Tier	Thunder Bay	N	N	0	0	0
Simcoe, County of	Upper Tier	Simcoe	N	N	0	0	0
Sioux Lookout, Municipality of	Single Tier	Kenora	N	N	0	1	0
Sioux Narrows-Nestor Falls, Township of	Single Tier	Kenora	N	N	0	0	0
Smiths Falls, Town of	Single Tier	Lanark	Y	Y	0	17	0
Smooth Rock Falls, Town of	Single Tier	Cochrane	N	N	0	0	0
South Algonquin, Township of	Single Tier	Nipissing	N	N	0	0	0
South Bruce, Municipality of	Lower Tier	Bruce	N	N	0	0	0
South Bruce Peninsula, Town of	Lower Tier	Bruce	Y	Y	0	9	0
South Dundas, Municipality of	Lower Tier	Stormont, Dundas and G	N	N	0	0	0
South Frontenac, Township of	Lower Tier	Frontenac	Y	N	0	7	0
South Glengarry, Township of	Lower Tier	Stormont, Dundas and G	Y	N	0	7	0
South Huron, Municipality of	Lower Tier	Huron	Y	N	0	11	0
South River, Village of	Single Tier	Parry Sound	N	N	0	0	0
South Stormont, Township of	Lower Tier	Stormont, Dundas and G	N	Y	0	17	1
South-West Oxford, Township of	Lower Tier	Oxford	N	N	0	1	0
Southgate, Township of	Lower Tier	Grey	N	N	0	1	0
Southwest Middlesex, Municipality of	Lower Tier	Middlesex	Y	N	0	1	0
Southwold, Township of	Lower Tier	Elgin	N	N	0	0	0

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Spanish, Town of	Single Tier	Algoma	N	N	0	0	0
Springwater, Township of	Lower Tier	Simcoe	Y	Y	0	13	0
St. Catharines, City of	Lower Tier	Niagara	Y	Y	4	58	162
St. Clair, Township of	Lower Tier	Lambton	Y	N	0	0	0
St. Joseph, Township of	Single Tier	Algoma	N	N	0	1	0
St. Marys, Town of	Single Tier	Perth	Y	Y	1	36	115
St. Thomas, City of	Single Tier	Elgin	Y	Y	0	28	247
St.-Charles, Municipality of	Single Tier	Sudbury	N	N	0	0	0
Stirling-Rawdon, Township of	Lower Tier	Hastings	N	N	0	1	0
Stone Mills, Township of	Lower Tier	Lennox and Addington	N	Y	0	3	0
Stormont, Dundas and Glengarry, United Counties of	Upper Tier	Stormont, Dundas and Glengarry	N	Y	0	4	0
Stratford, City of	Single Tier	Perth	Y	Y	1	91	36
Strathroy-Caradoc, Municipality of	Lower Tier	Middlesex	N	N	0	4	0
Strong, Township of	Single Tier	Parry Sound	N	N	0	0	0
Sundridge, Village of	Single Tier	Parry Sound	N	N	0	0	0
Tarbutt, Township of	Single Tier	Algoma	N	N	0	0	0
Tay, Township of	Lower Tier	Simcoe	Y	Y	0	8	83
Tay Valley, Township of	Lower Tier	Lanark	N	Y	0	1	12
Tecumseh, Town of	Lower Tier	Essex	Y	Y	0	2	5
Tehkummah, Township of	Single Tier	Manitoulin	N	N	0	1	0
Temagami, Municipality of	Single Tier	Nipissing	N	N	0	0	0
Temiskaming Shores, City of	Single Tier	Timiskaming	Y	N	0	0	0
Terrace Bay, Township of	Single Tier	Thunder Bay	N	N	0	0	0
Thames Centre, Municipality of	Lower Tier	Middlesex	Y	Y	0	1	82
The Archipelago, Township of	Single Tier	Parry Sound	N	N	0	1	0
The Blue Mountains, Town of	Lower Tier	Grey	N	N	0	11	0
The Nation Municipality	Lower Tier	Prescott and Russell	N	N	0	2	0
The North Shore, Township of	Single Tier	Algoma	N	N	0	0	0
Thessalon, Town of	Single Tier	Algoma	N	N	0	3	0
Thornloe, Village of	Single Tier	Timiskaming	N	N	0	0	0
Thorold, City of	Lower Tier	Niagara	Y	Y	0	44	105

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
Thunder Bay, City of	Single Tier	Thunder Bay	Y	Y	1	26	50
Tillsonburg, Town of	Lower Tier	Oxford	Y	N	0	13	0
Timmins, City of	Single Tier	Cochrane	Y	Y	0	1	7
Tiny, Township of	Lower Tier	Simcoe	Y	Y	0	4	65
Toronto, City of	Single Tier	Toronto	Y	Y	22	1052	3973
Trent Hills, Municipality of	Lower Tier	Northumberland	Y	Y	0	36	565
Trent Lakes, Municipality of	Lower Tier	Peterborough	N	N	0	0	0
Tudor and Cashel, Township of	Lower Tier	Hastings	N	N	0	0	0
Tweed, Municipality of	Lower Tier	Hastings	Y	N	0	2	0
Tyendinaga, Township of	Lower Tier	Hastings	N	N	0	0	0
Uxbridge, Township of	Lower Tier	Durham	Y	Y	0	20	26
Val Rita-Harty, Township of	Single Tier	Cochrane	N	N	0	0	0
Vaughan, City of	Lower Tier	York	Y	Y	4	51	78
Wainfleet, Township of	Lower Tier	Niagara	N	N	0	1	0
Warwick, Township of	Lower Tier	Lambton	N	N	0	0	0
Wasaga Beach, Town of	Lower Tier	Simcoe	Y	Y	0	1	0
Waterloo, Regional Municipality of	Upper Tier	Waterloo	N	N	0	0	0
Waterloo, City of	Lower Tier	Waterloo	Y	Y	1	35	153
Wawa, Municipality of	Single Tier	Algoma	N	N	0	1	0
Welland, City of	Lower Tier	Niagara	Y	Y	0	33	123
Wellesley, Township of	Lower Tier	Waterloo	Y	N	0	8	0
Wellington, County of	Upper Tier	Wellington	N	N	0	0	0
Wellington North, Township of	Lower Tier	Wellington	N	N	0	3	0
West Elgin, Municipality of	Lower Tier	Elgin	N	N	0	0	0
West Grey, Municipality of	Lower Tier	Grey	N	N	0	6	0
West Lincoln, Township of	Lower Tier	Niagara	Y	N	0	6	0
West Nipissing, Municipality of	Single Tier	Nipissing	Y	N	0	0	0
West Perth, Municipality of	Lower Tier	Perth	Y	N	0	4	0
Westport, Village of	Lower Tier	Leeds and Grenville	Y	N	0	3	0
Whitby, Town of	Lower Tier	Durham	Y	Y	2	69	209
Whitchurch-Stouffville, Town of	Lower Tier	York	Y	N	0	12	689

Municipality	Municipal status	Geographic area	MHC	e-Register	HCDs	Designated Properties	Non-designated Properties
White River, Township of	Single Tier	Algoma	N	N	0	1	0
Whitestone, Municipality of	Single Tier	Parry Sound	N	N	0	0	0
Whitewater Region, Township of	Lower Tier	Renfrew	N	N	0	1	0
Wilmot, Township of	Lower Tier	Waterloo	Y	Y	1	22	0
Windsor, City of	Single Tier	Essex	Y	Y	2	109	884
Wollaston, Township of	Lower Tier	Hastings	N	N	0	0	0
Woodstock, City of	Lower Tier	Oxford	Y	Y	0	32	0
Woolwich, Township of	Lower Tier	Waterloo	Y	Y	0	12	13
York, Regional Municipality of	Upper Tier	York	N	N	0	0	0
Zorra, Township of	Lower Tier	Oxford	N	N	0	0	0
					139	7725	35913

Appendix C – Municipalities’ Bill 23 Register Approach

Table Key	
Item	Meaning
Green fill	Hire / retain
Purple fill	In-house resource
Blue fill	Outreach / voluntary designations

Municipality	# of Listed Properties	Approach
Amherstburg	125	<ul style="list-style-type: none"> Retained heritage consultant to conduct a HCD Study
		<ul style="list-style-type: none"> Mailed out Owner Consent Letters for voluntary designations
Bluewater	76	<ul style="list-style-type: none"> Contemplating a new HCD to cluster a group of properties in close proximity.
Brampton	384	<ul style="list-style-type: none"> Hired 2 temporary full-time Heritage Planners on 18 month contract for designation work
Burlington	206	<ul style="list-style-type: none"> Contemplating reaching out to property owners to volunteer properties for designation and to inform about the heritage financial incentives
		<ul style="list-style-type: none"> Contemplating evaluation of listed properties using a set of criteria, prioritizing “most important/rare/distinctive” properties while also conducting a comparative analysis (considering time periods, architectural styles, cultural groups represented) to identify gaps in the heritage register.
Halton Hills	790	<ul style="list-style-type: none"> Evaluate listed properties using set criteria for prioritization
Kawartha Lakes	289	<ul style="list-style-type: none"> Evaluate listed properties using a set of criteria for prioritization
Lincoln	247	<ul style="list-style-type: none"> Contemplating retaining a private heritage consultant to conduct the research and evaluations
London	2,233	<ul style="list-style-type: none"> Contemplating designating properties without a list of heritage attributes
Markham	340	<ul style="list-style-type: none"> Evaluate listed properties using a set of criteria for prioritization
		<ul style="list-style-type: none"> Hired heritage consultant for designation work
		<ul style="list-style-type: none"> Reaching out to property owners (published a Heritage Education package)

Mississauga	1,000	<ul style="list-style-type: none"> Hired part-time museum staff to conduct research for heritage designations
Oakville	291	<ul style="list-style-type: none"> Hired two full-time staff to prepare designations with aim to bring 4-5 designations to Heritage Committee / Council each month, with 80 designations by early 2025
		<ul style="list-style-type: none"> Outreach to property owners (conduct site visits, discuss the process and benefits, distribute educational pamphlets)
		<ul style="list-style-type: none"> Using local resources (Historical Society; Heritage Committee sub-committee), training them to assist with research
Whitchurch-Stouffville	689	<ul style="list-style-type: none"> Retained heritage consultant to conduct a HCD Study
		<ul style="list-style-type: none"> Mailed out Owner Consent Letters for voluntary designations

*Information compiled between 2022 to 2023 June



Council Report: S 89/2023

Subject: 1646 Alexis Road, Former Gordon McGregor School – Heritage Designation Report (Ward 8)

Reference:

Date to Council: August 1, 2023
Author: Kristina Tang, MCIP, RPP
Heritage Planner
Email: ktang@citywindsor.ca
Phone: 519-255-6543 X 6179

Cherilynn Chau
Community Development Planning Assistant
Email: cchau@citywindsor.ca
Phone: 519-255-6543 X 6438
Planning & Building Services
Report Date: July 10, 2023
Clerk's File #: MBA/14620

To: Mayor and Members of City Council

Recommendation:

- I. THAT the City Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the Gordon McGregor, at 1646 Alexis Road, in accordance with Part IV of the Ontario Heritage Act according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and,
- II. THAT the City Solicitor prepare the By-law for Council to designate the property after receipt of the legal description of the property from the Property Owner; and,
- III. THAT Council agree with Parway Inc, Property Owner of 1646 Alexis Road, that the restrictions set out in paragraph 2 of subsection 29(1.2), and paragraph 1 of subsection 29 (8) of *Ontario Heritage Act* for Designation by municipal by-law do not apply in respect of the Property at 1646 Alexis Road, to allow time for the designation process.

Executive Summary: N/A

Background:

The former Gordon McGregor, at 1646 Alexis Road, was listed on the Windsor Municipal Heritage Register on June 9, 2008.

When the former school closed in 2016, the Greater Essex County District School Board sold the property to the City first, then it was resold to current owner Parway Inc. The Owner has submitted a Zoning Bylaw Amendment with a redevelopment proposal along with information about the Heritage property, which is operating as the Windsor Islamic High School. The redevelopment proposal would sever the portion where the historic building sits, to continue serving as the Windsor Islamic High School, while developing residential development in the surrounding remainder severed lands.

The Owner's consultant has recommended that the property be designated under Part IV of the *Ontario Heritage Act*. Under the *Ontario Heritage Act*, when a prescribed event such as a Planning Act application is triggered, Council has 90 days to issue a Notice of Intention to Designate (NOID) the property unless the Owner and the City agree that the 90 days does not apply. This report is intended to give Council the ability to issue the NOID within the 90 days since the clock for the prescribed Zoning Bylaw Amendment application started on June 20, 2023. The Owner's agent has indicated that the Owner does not object to designation of the property (of the severed parcel of area surrounding the school building).



Google Streetview photo of the property in June 2009



Google Streetview photo of the property in Jan 2021

Discussion:

Legal Provisions:

Part IV, Section 29(1)(a) of the *Ontario Heritage Act* (OHA) provides the authority to the Council of a municipality to designate a property that is of cultural heritage value or interest, where the property meets the prescribed criteria. Ontario Regulation 9/06 provides criteria for designation under the *OHA*. A property may be designated under Section 29 of the Act if it meets two or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark

Designation requires “a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property”. Also, there are provisions for a municipal heritage committee to be consulted about a designation before the council makes a decision on it. The former Gordon McGregor School at 1646 Alexis Road meets the criteria for designation.

Should Council decide to designate a property, the first step is to initiate a Notice of Intention to Designate, which provides direction for the City Clerk to give notice to the owner, the Ontario Heritage Trust, and through the newspaper. After thirty days, if there is no objection, the Council may pass a by-law to designate the property in accordance with the *OHA*. In this case, the designation by-law will be prepared after the legal description of the property is finalized and provided by the Owner (potentially resulting from the severance application).

The *Ontario Heritage Act* further requires that when a prescribed event such as a Planning Act application is triggered, Council has 90 days to issue a Notice of Intention to Designate (NOID) the property unless the Owner and the City agree that the 90 days does not apply. If no objections are served within 30 days of the notice, the bylaw must also be passed within 120 days. The *OHA* and O. Reg. 385/21 pursuant to *OHA* permit the Property Owner and the City to agree that the restrictions set out in paragraph 2 of subsection 29(1.2) of the *OHA* and paragraph 1 of subsection 29 (8) do not apply to the Application. The Owner’s agent has indicated that the Owner does not object to designation of the property and the extra time to pass the bylaw will allow for the Owner to provide a new legal description of the property to be designated, should the severance of the school be approved.

Heritage Evaluation according to Ontario Regulation 9/06

The heritage evaluation of the property can be considered in the three broad categories of design/physical value, historical/associative value, and contextual value.

Design/Physical value:

The former Gordon McGregor School exhibits elements of Art Deco architecture popularized between 1910 to 1940. Known for its vertical and geometric form with

design motifs, Art Deco architecture is often also recognized by its flat roofs, glass plate windows, center or side entrances with motif detailing and its smooth facades.¹

The Gordon McGregor School is a two-story building with a partial basement constructed in 1924. Designed by the locally significant architectural firm Nichols & Sheppard, the collaboration between Nichols, Sheppard, and Masson were then responsible for the addition in 1927 just two years after the initial construction. Travelling South on Alexis Road, the generous set back and landscaped main entrance provides visitors with an unhindered views of the school building.



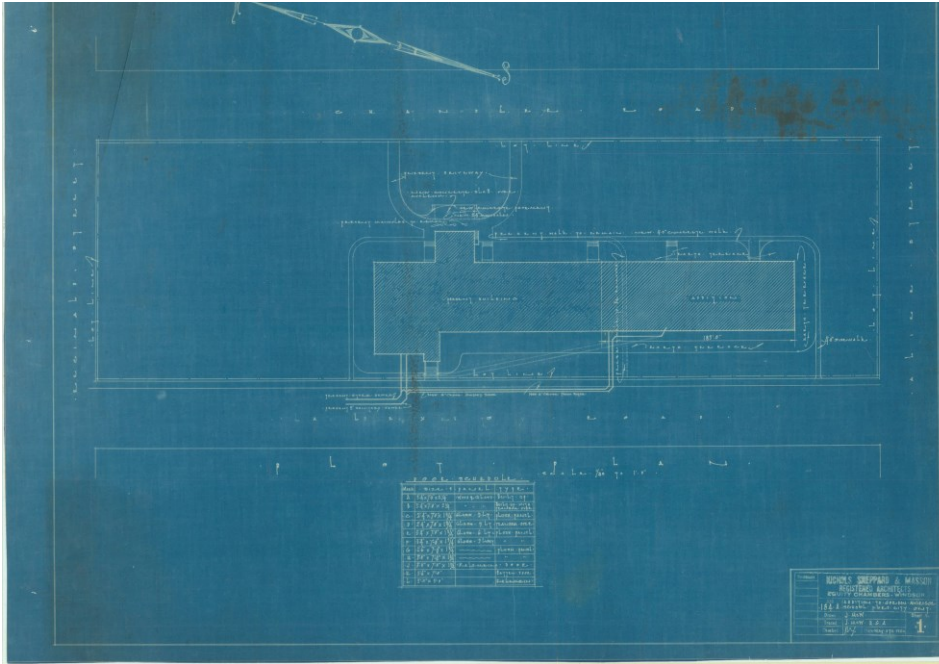
Historical Photo of the Former Gordon McGregor School²

The building is currently identified by its asymmetrical variegated red brick façade constructed using common bond brick with a stone parapet. In addition, the elongated rectangular massing and its simple, streamlined design further accentuates the building's overall linearity, drawing vertical emphasis on the façade through the utilization of clean straight lines (through the stone surrounds at glazing) and minimal decorations that are often found in Art Deco architecture.³ The same architects were responsible for the 1927 addition, incorporating the same uniform design for the 19 room expansion.

¹ Heritage Resource Center. *Ontario Architectural Style Guide*. Retrieved from <https://www.therealtydeal.com/wp-content/uploads/2018/06/Heritage-Resource-Centre-Achitectural-Styles-Guide.pdf>.

² Windsor Public Library. (1924). *Gordon McGregor School*. PC-CD105.

³ RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>



Blueprint depicting the original and addition to the Gordon McGregor School⁴

The building has a protruding front entrance on the Northwest block accented by a stone frame, with a stepped front concrete stairwell flanked by brick masonry side walls. The entrance was decorated with a pair of sconces, and featured the words "Gordon McGregor" and "ad. School. 1924" inscribed onto the stone panel overhead, and formerly a triple set of decorated carved wooden doors (since replaced). The Northwest protruding block of the building also houses the school's gymnasium.

The Northwest block was originally designed with a stepped (peaked) parapet roof capped with stone/concrete while the rectangular back portion of the building is complimented by a flat roof. The Northwest block's peak was removed and now features a flat roof in correspondence to the rest of the building. The smooth surface of the building's façade is enhanced by a decorative stone banding with low relief medallion designs below the roofline, while simple stone banding below the first-floor windows can also be seen surrounding the exterior of the back building block. Slightly below the roofline on the Northwest block is a shield and sword crest that seamlessly merges into the horizontal decorative stone banding on the façade. Two distinguishable low-relief medallions can be found on the same stone banding, one with a symbol of two keys crossing while the other pictures a symbol of a tree. A tall squared brick chimney with chamfered corners is located also at the northwest block, towards the back.

Uniformly repeated rectangular bays of windows with classical stone frames and window sills are found on the front protruding block, whereas 22 bays of windows with banding can be seen spanning the entire front facade. The original windows were double hung with sashes or fixed windows. Contrasting stone and brick vertical banding around the windows emphasizes the building's verticality. A typical brick panel featuring variety of header and stretcher brickwork is found between the floors of the windows.

⁴ Windsor Municipal Archives. (1926). *Blueprint of the Gordon McGregor School Addition*.

The back, east facade of the building resembles the design on the front facade, where four back entrances each with an overhead stone inscribed with 'Boys' and 'Girls' are located in intervals, between 19 bays of windows but unlike the front facade, unaccompanied by stone surrounds. In place of the stone surrounds, header, stretcher, soldier and rowlock brickwork emphasize the openings.

It was noted that a 12' by 45' addition was made in 1956, of which is deduced to be an enhancement to the existing back entrance located northeast of the school building.

The tree-lined landscape character along the west property line was introduced through original young samplings of American Elm which were planted along Alexis Road when the building was first constructed. These trees were likely replaced by the current Norway Maple trees as a result of Dutch Elm Disease which was rampant throughout the region in the 1970s. The mature Maples are in similar location to the original trees. (The deciduous trees stationed right by the school's Northwest entrance have since been removed.) The tree-lined landscape is part of the original design intent of the property. Parks (Forestry) Department has confirmed that the trees are shared trees and would be maintained by the City.

The school building is a representative display of simple elements of Art Deco architecture from the 20th Century, in an institutional context in Windsor.

Historical/Associative Value

The construction of the Gordon McGregor Public School has direct associations to the emergence of Ford City and its roots in the Canadian automotive industry. Constructed in 1924, the school honored the late Gordon McGregor, founder of the Ford Motor Company of Canada. Gordon McGregor was one of the most prominent figures involved in the establishment of Windsor in the 20th Century.

Following his father William McGregor's death, Gordon McGregor assumed president of the company Walkersville Wagon Works, which was going through a slump upon his succession.⁵ Eventually, McGregor partnered with Henry Ford of Detroit who saw his company as a gateway to the proliferation of his products in the Canadian market. Thus, the Ford Motor Company of Canada was founded in 1904 with McGregor as Managing Secretary.⁵ McGregor passed in 1922 due to internal injuries he sustained in a previous railroad accident.⁶ Following his death, the Gordon McGregor Public School in Ford City was named after him both due to contributions, and because his brother, William Donald McGregor, who was the chairman of the Ford City Planning Board at the time.⁷

⁵ David Roberts, "McGREGOR, GORDON MORTON," in Dictionary of Canadian Biography, vol. 15, University of Toronto/Université Laval, 2003–, Retrieved, July 2, 2023, from http://www.biographi.ca/en/bio/mcgregor_gordon_morton_15E.html

⁶ The Border Cities' Star. (1922, March 11). *Gordon M'Gregor Fails to Rally from Effects of Operation in Montreal Hospital*, pp. 1. ProQuest

⁷ Roberts, D. (2006). *In the shadow of detroit: Gordon M. McGregor, Ford of Canada, and motoropolis*. p.261. Wayne State University Press.

With its beginnings as a Village in 1913, Ford City achieved Town status by 1915 and grew alongside the Ford Windsor Engine Plant. By 1928-29, the Village was incorporated into the City of East Windsor, with over 16,000 residents, many originating from Central European countries to join the Ford work force.⁸ Eventually, Ford City was amalgamated into the City of Windsor in 1935 and is now a well-recognised part of Windsor's history.

As more young families surged into town for employment in shops and factories, the Ford City population accompanied by the demand for schools soared. Between 1921 to 1924, there was a 300% increase in the demand for schools as the Bell Isle School (now demolished) constructed in 1917, was the only public school available in Ford City and was nearing its maximum capacity.⁹ Furthermore, this demand for schools was also apparent in the emergence of bungalow-styled schools used to temporarily curb congestions in schools across the city.⁹ Eventually, the Ontario Street School (now demolished) constructed in 1923 was also at its maximum with even the auditorium being used for classes.¹⁰

And so, the Gordon McGregor Public school was planned in 1923 by the Public-School Board of Ford City and opened on November 11, 1924, with a capacity of 470 students and an occupancy of 11 elementary classes.¹¹ This 19-classroom building was designed by the renowned architectural firm Nichols & Sheppard. Mr. K.C. Hortop served as the school's first principal from 1924 to 1955, followed by his time serving on the Windsor Board of Education in 1964.¹² It was noted that the school expanded after only two years of opening to accommodate the extensive growth of Ford City. The addition was built in 1926 and opened in February 1927, where architects Nichols, Sheppard, and Masson were once again responsible for the design. In 1927, the building was known to be the largest school in Ford City in addition to being the largest Elementary Educational Institution in the Windsor Region following the construction of its 18 new classrooms.¹³ Despite all, the architects were met with criticism in 1927 when the School Board claimed that the finishing on the school was unsatisfactory, alongside the inconsistent brickwork and wainscoting on the school walls.¹⁴

Initially constructed as an elementary school, the Gordon McGregor School began offering Grade 9 classes in 1931, marking the introduction of Secondary education in East Windsor.¹¹ At the school's most glorious days, enrollment peaked in 1934 with 1,327 students, ranging from kindergarten to Grade 10, all cumulatively attending the

⁸ Windsor Architectural Conservation Advisory Committee 1996-1997. *The Village/ Town of Ford City Windsor, Ontario, Canada*. City of Windsor. Retrieved from, https://www.citywindsor.ca/residents/historyofwindsor/documents/ford_city_walking_tour.pdf

⁹ The Border Cities' Star. (1925, December 31). *Border School Attendance Figures Jump Over 2,000 - Caring for Ever Increasing Number, Problem of Boards*, pp. 24. ProQuest

¹⁰ The Border Cities' Star. (1924, July 5). *Ford Schools Grow Rapidly*, pp. 16. ProQuest

¹¹ Norris, B. History of Windsor Public Schools. *Gordon McGregor Public School 1924 – Present*. Retrieved from Windsor Public Library. Local History Centre

¹² Drouillard Place. *Ford City Historic Walking Tour*. Retrieved From, <http://drouillardplace.ca/wp-content/uploads/2017/04/Ford-City-Historic-Walking-Tour2015.pdf>

¹³ The Border Cities' Star. (1927, December 31). *Public and Separate Schools Rapidly Expanding*, pp. 41. ProQuest

¹⁴ The Border Cities' Star. (1927, September 29). *Say School Poorly Built*, pp. 7. ProQuest

Gordon McGregor School.¹⁵ The Gordon McGregor school would go on to serve the neighborhood youths for just under a century, marking the closure of the Ford City neighborhood's longest remaining Public School constructed during the early 1920's.

In recent decades, decreases in school enrollment and consolidations resulted in closures of many public schools throughout the early 2000s. This was no different for the Gordon McGregor School, as the school continued its operation until 2016 when it officially closed due to dwindling student populations. The existing students were then transferred to the neighboring Percy P. McCallum, which was renamed W.F. Herman Academy following an amalgamation with the former W.F. Herman Secondary School during the same year.¹⁶ After the school's official closure, the City of Windsor purchased the east section of the property, incorporating it into the Ford Test Track Park before it was listed for sale at \$899,990.¹⁷

Throughout its 92-year history, the Gordon McGregor Public School was well recognized as a neighborhood landmark serving young students in the community. Dedicated to the founder of Ford Canada, Gordon McGregor's local success as both a leading businessman and charitable individual contributed much to the significant growth of Ford City and the City of Windsor itself. The need for the Gordon McGregor Public School was a direct outcome of the thriving motor enterprise and the associated population boom of the early 20th century.

The property is currently listed under the Windsor Municipal Heritage Register due to its design by locally significant architects David W.F. Nichols and Hugh P. Sheppard in 1924, with Nichols, Sheppard, and George Y. Masson responsible for the addition in 1926. In 1925, Masson was invited to join the existing partnership between Nichols and Sheppard, thus forming what was considered the most successful collaborations in the Windsor area.¹⁸ The Nichols, Sheppard & Masson collaboration were credited with the design of over thirty institutional, educational, and commercial buildings, with some of the significant commissions being the John Campbell School, the Dr. Charles W. Hoare Residence, and the former Y.M.C.A. building, that are all designated heritage properties.

CONTEXTUAL VALUE

The subject property is located on Alexis Road, South of Reginald Street, North of Alice Street, and in proximity of the Drouillard Road Main Street that marked the center of Ford City. The former Ford Test Track (now municipal park) is located adjacent to the school property where physical education and races were once held at. When the school building was first constructed in 1924, the immediate surroundings were

¹⁵ Windsor Star. (2016, July 7). *Doors Close, But Memories Live On*, pp. 1. ProQuest

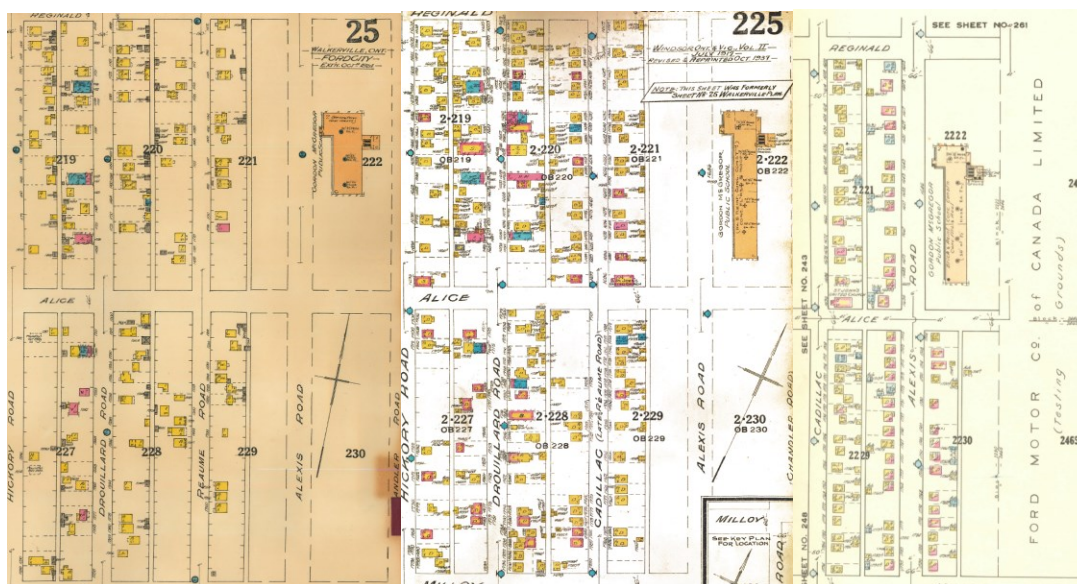
¹⁶ Schmidt, D. (2016, June 18). *Students bid farewell to Gordon McGregor, vow to take school spirit with them*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/students-bid-farewell-to-gordon-mcgregor-vow-to-take-school-spirit-with-them>

¹⁷ Cross, B. (2019, April 28). *Former Gordon McGregor school listed for sale at \$899,900*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/former-gordon-mcgregor-school-listed-for-sale-at-899900>

¹⁸ Hill, R. G. (n.d.). Masson, George Yule. Biographical Dictionary of Architects in Canada. Retrieved July 2, 2023, from <http://dictionaryofarchitectsincanada.org/node/2171>

minimally inhabited. This is shown in the 1924 Fire Insurance Map, where houses are shown sparsely scattered in the area. Furthermore, there were no paved roads between Tecumseh Road, Pillette Road, Seminole Street, and Alexis Road for young students to travel on for short cuts when the school was first built.¹⁹

As families continued to populate the city, new dwellings began to emerge around the school property as indicated by the rise of home advertisements in the local newspaper. Reflected in the 1937 Fire Insurance Map is the new addition made to the school building. By 1953, it was evident that significant development had occurred in the neighborhood as the once existing empty parcels had become progressively filled.



Fire Insurance Maps from 1924 (left), 1937 (middle), and 1953 (right)

The Gordon McGregor School is historically linked to its surrounding, with the demand for the school originating directly from the early growth of the Ford City neighborhood and the City of Windsor. At the time, the former Ontario Street School (now demolished) was reaching its peak capacity which resulted in the relocation of students to the Gordon McGregor School over a mile away.¹⁹ Many parents were unsatisfied with the arrangement as young students would have to travel long distances away from their homes in the Pillette Village area¹⁹. This was coupled by the fact that the area surrounding the Gordon McGregor School was heavily unpopulated and underdeveloped, as evident in the fire insurance maps above. However, the increase from 490 to over 1,327 students in 1934 serves as sufficient indication of the valuable educational support the Gordon McGregor School provided as subsequent development occurred throughout the neighborhood.

The residential neighborhood is now characterized by its low-density single-detached dwellings. However, the school property was the first development in the

¹⁹ The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest

neighbourhood and is visually distinguished from the surroundings. The Gordon McGregor building is a long-standing and significant landmark in the neighbourhood.

Official Plan Policy:

The Windsor Official Plan Volume 1 includes (9.0) “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.” Goals include (9.1.1) “The identification, recognition, protection, conservation, enhancement and proper management of heritage resources.” Objectives include (9.2.4) “To increase awareness and appreciation of Windsor’s heritage resources and encourage participation by individuals, organizations and other levels of government in heritage conservation.”

Also, (9.3.2.1) “Council will identify Windsor’s heritage resources by: ... (c) Researching and documenting the history and architectural and contextual merit of potential heritage resources on an individual property basis”. (9.3.3.1) “Council will recognize Windsor’s heritage resources by: ... (a) Designating individual buildings, structures, sites and landscapes as heritage properties under the Ontario Heritage Act;” (9.3.4.1) “Council will protect heritage resources by: (g) Encouraging the adaptive reuse of architectural and/or historically significant buildings and structures;”, (9.3.6.1) “Council will manage heritage resources by: ... (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means”

Section 9.3.7.1 “Council will integrate heritage conservation into the development and infrastructure approval process by: (d) Utilizing the planning approval process (subdivisions / condominiums, official plan amendments, zoning amendments, site plan control, consent, minor variance, demolition control) to facilitate the retention of heritage resources, and to ensure any proposed development is compatible with heritage resources; (e) Having regard to the following factors when assessing applications such as zoning amendments, site plan control applications, demolition control and payment-in-lieu, which may impact heritage resources: (i) Respecting the massing, profile and character of adjacent buildings; (ii) Approximating the width and established setback pattern of nearby heritage buildings; (iii) Respecting the yards, gardens, trees and landscaped grounds associated with the heritage properties and districts which contribute to their integrity, identity, and setting; (iv) Maintaining, enhancing or creating views and vistas of heritage resources; and (v) Minimizing the impact of shadowing on adjacent heritage properties, particularly on landscaped open spaces and outdoor amenity areas. (f) Utilizing the demolition control provisions of the Planning Act and the Heritage Act to assist in the protection of heritage buildings and structures”.

Risk Analysis:

If not designated, the property Owner has indicated that the school building and use will continue. However, Recent Bill 23 More Homes Built Faster Act, 2022 has resulted in amendments to the Ontario Heritage Act. By January 1, 2025, if Council has not issued a notice of intention to designate any non-designated properties, then those properties will have to be removed from the Heritage Register (including the subject property at

1646 Alexis Road). Once removed from the Register, the property owner or future owners may apply for demolition of the building without the review of Council through a regular building permit application, resulting in irreversible loss of heritage resources in the City. On the other hand, if designated, alterations, modifications or additions that affect the property will require Heritage Permit application and approval by Council, after consultation of the municipal heritage committee. There are also additional Property Standards Bylaw requirements that apply to designated heritage properties, such as the maintenance of specific heritage attributes and maintenance of vacant heritage property.

Climate Change Risks

Climate Change Mitigation: N/A

Climate Change Adaptation: N/A

Financial Matters:

If Council chooses to designate the property, the City will pay the costs of legal notices and registering the by-law amendment with the Land Registry Office. The Committee's heritage operating budget will cover the cost of the designation plaque. Once designated, the owner could apply for grants from the City's Community Heritage Fund to repair features identified in the designation, and could request property tax reductions for the costs of eligible conservation works under the City's Heritage Tax Reduction Program.

Consultations:

The authors of this report visited the site with the Owner's agents Jackie Lassaline and Michael Piskovic, and planning staff received assistance from Windsor Public Library, Archives, and Local History Centre, and Museum Windsor for research information. Consultations were made with Senior Planner (Adam Szymczak), Acting Urban Designer and Landscape Architect (Stefan Fediuk), and Forestry staff (Adam Kirchhoefer).

Conclusion:

The former Gordon McGregor School has sufficient merits to be designated. Council can initiate the designation process for the property under Part IV of the *Ontario Heritage Act* to recognize and protect this heritage resource. Council is recommended to agree with the Owner so as not to be restricted by timelines triggered by the Planning Act application for Designation of the property, to allow for completion of the designation processes.

Planning Act Matters: N/A

Approvals:

Name	Title
Kristina Tang	Heritage Planner
Neil Robertson	Acting City Planner / Executive Director Planning & Building
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Parway Inc. – Dr. M. Ishtiaq Rao		
Jackie Lassaline		

Appendices:

- 1 Appendix A-Draft Statement of Cultural Heritage Value or Interest
- 2 Appendix B- Photographs of the Property
- 3 Appendix C- Supporting Research Material

Appendix A – Draft Statement of Cultural Heritage Value and Interest

Gordon McGregor School (former)

1646 Alexis Road

Description of Historic Place

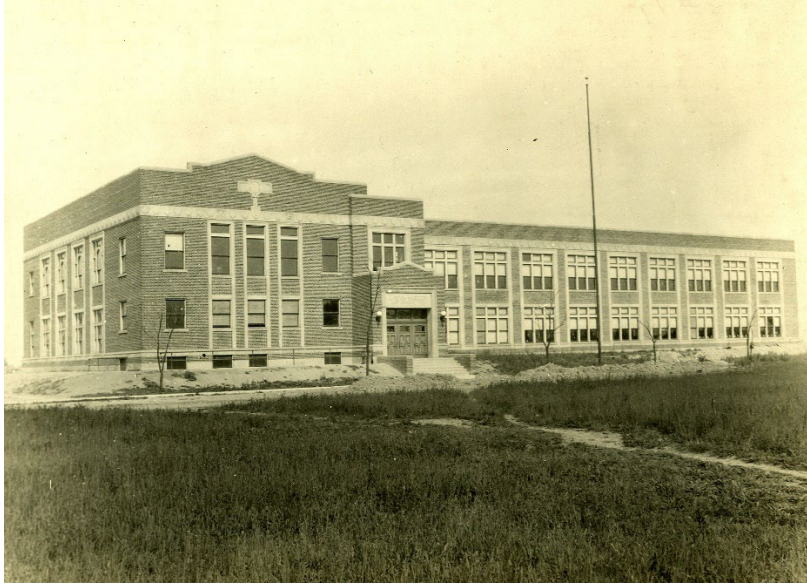
The former Gordon McGregor Public School is located at 1642 Alexis Road, within the former boundary of Ford City, (East Windsor). The red-brick, two-storey plus basement school constructed in 1924, was originally designed with an asymmetrical facade, a protruding Northwest block and front entrance with carved oak doors flanked by brick masonry. Prominent in the design is a horizontal decorative stone banding with low relief medallions above the second story window, as well as two storey stone surrounds around the glazing. The building is one of the oldest remaining public elementary school buildings. It is a significant neighbourhood landmark at the southeastern boundary of the former Town of Ford City, reflecting the early phases of the town's development and its demands for public educational facilities.

Design/Physical value:

The former Gordon McGregor School exhibits elements of Art Deco architecture popularized between 1910 to 1940. Known for its vertical and geometric form with design motifs, Art Deco architecture is often also recognized by its flat roofs, glass plate windows, center or side entrances with motif detailing and its smooth facades.¹

The Gordon McGregor School is a two-story building with a partial basement constructed in 1924. Designed by the locally significant architectural firm Nichols & Sheppard, the collaboration between Nichols, Sheppard, and Masson were then responsible for the addition in 1927 just two years after the initial construction. Travelling South on Alexis Road, the generous set back and landscaped main entrance provides visitors with an unhindered views of the school building.

¹ Heritage Resource Center. *Ontario Architectural Style Guide*. Retrieved from <https://www.therealtydeal.com/wp-content/uploads/2018/06/Heritage-Resource-Centre-Achitectural-Styles-Guide.pdf>.

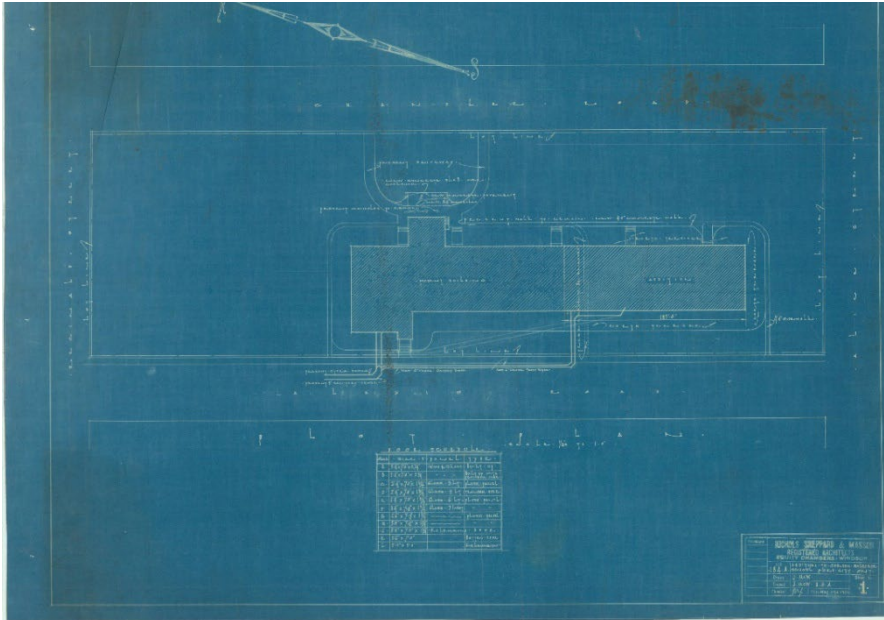


Historical Photo of the Former Gordon McGregor School ²

The building is currently identified by its asymmetrical variegated red brick façade constructed using common bond brick with a stone parapet. In addition, the elongated rectangular massing and its simple, streamlined design further accentuates the building's overall linearity, drawing vertical emphasis on the façade through the utilization of clean straight lines (through the stone surrounds at glazing) and minimal decorations that are often found in Art Deco architecture. ³ The same architects were responsible for the 1927 addition, incorporating the same uniform design for the 19 room expansion.

² Windsor Public Library. (1924). *Gordon McGregor School*. PC-CD105.

³ RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>



Blueprint depicting the original and addition to the Gordon McGregor School⁴

The building has a protruding front entrance on the Northwest block accented by a stone frame, with a stepped front concrete stairwell flanked by brick masonry side walls. The entrance was decorated with a pair of sconces, and featured the words "Gordon McGregor" and "ad. School. 1924" inscribed onto the stone panel overhead, and formerly a triple set of decorated carved wooden doors (since replaced). The Northwest protruding block of the building also houses the school's gymnasium.

The Northwest block was originally designed with a stepped (peaked) parapet roof capped with stone/concrete while the rectangular back portion of the building is complimented by a flat roof. The Northwest block's peak was removed and now features a flat roof in correspondence to the rest of the building. The smooth surface of the building's façade is enhanced by a decorative stone banding with low relief medallion designs below the roofline, while simple stone banding below the first-floor windows can also be seen surrounding the exterior of the back building block. Slightly below the roofline on the Northwest block is a shield and sword crest that seamlessly merges into the horizontal decorative stone banding on the façade. Two distinguishable low-relief medallions can be found on the same stone banding, one with a symbol of two keys crossing while the other pictures a symbol of a tree. A tall squared brick chimney with chamfered corners is located also at the northwest block, towards the back.

Uniformly repeated rectangular bay windows with classical stone frames and window sills are found on the front protruding block, whereas 22 bays of windows with banding can be seen spanning the entire front facade. The original windows were double hung with sashes or fixed windows. Contrasting stone and brick vertical banding around the windows emphasizes the building's verticality. A typical brick panel featuring variety of header and stretcher brickwork is found between the floors of the windows.

⁴ Windsor Municipal Archives. (1926). *Blueprint of the Gordon McGregor School Addition*.

The back, east facade of the building resembles the design on the front facade, where four back entrances each with an overhead stones inscribed with 'Boys' and 'Girls' are located in intervals, between 19 sets of bay windows but unlike the front facade, unaccompanied by stone surrounds. In place of the stones surrounds, header, stretcher, soldier and rowlock brickwork emphasize the openings.

It was noted that a 12' by 45' addition was made in 1956, of which is deduced to be an enhancement to the existing back entrance located northeast of the school building.

The tree-lined landscape character along the west property line was introduced through original young samplings of American Elm which were planted along Alexis Road when the building was first constructed. These trees were likely replaced by the current Norway Maple trees as a result of Dutch Elm Disease which was rampant throughout the region in the 1970s. The mature Maples are in similar location to the original trees. (The deciduous trees stationed right by the school's Northwest entrance have since been removed.) The tree-lined landscape is part of the original design intent of the property. Parks (Forestry) Department has confirmed that the trees are shared trees and would be maintained by the City.

The school building is a representative display of simple elements of Art Deco architecture from the 20th Century, in an institutional context in Windsor.

Historical/Associative Value

The construction of the Gordon McGregor Public School has direct associations to the emergence of Ford City and its roots in the Canadian automotive industry. Constructed in 1924, the school honored the late Gordon McGregor, founder of the Ford Motor Company of Canada. Gordon McGregor was one of the most prominent figures involved in the establishment of Windsor in the 20th Century.

Following his father William McGregor's death, Gordon McGregor assumed president of the company Walkersville Wagon Works, which was going through a slump upon his succession.⁵ Eventually, McGregor partnered with Henry Ford of Detroit who saw his company as a gateway to the proliferation of his products in the Canadian market. Thus, the Ford Motor Company of Canada was founded in 1904 with McGregor as Managing Secretary.⁵ McGregor passed in 1922 due to internal injuries he sustained in a previous railroad accident.⁶ Following his death, the Gordon McGregor Public School in Ford City was named after him both due to contributions, and because his brother, William Donald McGregor, who was the chairman of the Ford City Planning Board at the time.⁷

⁵ David Roberts, "McGREGOR, GORDON MORTON," in Dictionary of Canadian Biography, vol. 15, University of Toronto/Université Laval, 2003–, Retrieved, July 2, 2023, from http://www.biographi.ca/en/bio/mcgregor_gordon_morton_15E.html

⁶ The Border Cities' Star. (1922, March 11). *Gordon M'Gregor Fails to Rally from Effects of Operation in Montreal Hospital*, pp. 1. ProQuest

⁷ Roberts, D. (2006). *In the shadow of detroit: Gordon M. McGregor, Ford of Canada, and motoropolis*. p.261. Wayne State University Press.

With its beginnings as a Village in 1913, Ford City achieved Town status by 1915 and grew alongside the Ford Windsor Engine Plant. By 1928-29, the Village was incorporated into the City of East Windsor, with over 16,000 residents, many originating from Central European countries to join the Ford work force.⁸ Eventually, Ford City was amalgamated into the City of Windsor in 1935 and is now a well-recognised part of Windsor's history.

As more young families surged into town for employment in shops and factories, the Ford City population accompanied by the demand for schools soared. Between 1921 to 1924, there was a 300% increase in the demand for schools as the Bell Isle School (now demolished) constructed in 1917, was the only public school available in Ford City and was nearing its maximum capacity.⁹ Furthermore, this demand for schools was also apparent in the emergence of bungalow-styled schools used to temporarily curb congestions in schools across the city.⁹ Eventually, the Ontario Street School (now demolished) constructed in 1923 was also at its maximum with even the auditorium being used for classes.¹⁰

And so, the Gordon McGregor Public school was planned in 1923 by the Public-School Board of Ford City and opened on November 11, 1924, with a capacity of 470 students and an occupancy of 11 elementary classes.¹¹ This 19-classroom building was designed by the renowned architectural firm Nichols & Sheppard. Mr. K.C. Hortop served as the school's first principal from 1924 to 1955, followed by his time serving on the Windsor Board of Education in 1964.¹² It was noted that the school expanded after only two years of opening to accommodate the extensive growth of Ford City. The addition was built in 1926 and opened in February 1927, where architects Nichols, Sheppard, and Masson were once again responsible for the design. In 1927, the building was known to be the largest school in Ford City in addition to being the largest Elementary Educational Institution in the Windsor Region following the construction of its 18 new classrooms.¹³ Despite all, the architects were met with criticism in 1927 when the School Board claimed that the finishing on the school was unsatisfactory, alongside the inconsistent brickwork and wainscoting on the school walls.¹⁴

Initially constructed as an elementary school, the Gordon McGregor School began offering Grade 9 classes in 1931, marking the introduction of Secondary education in East Windsor.¹¹ At the school's most glorious days, enrollment peaked in 1934 with 1,327 students, ranging from kindergarten to Grade 10, all cumulatively attending the Gordon

⁸ Windsor Architectural Conservation Advisory Committee 1996-1997. *The Village/ Town of Ford City Windsor, Ontario, Canada*. City of Windsor. Retrieved from, https://www.citywindsor.ca/residents/historyofwindsor/documents/ford_city_walking_tour.pdf

⁹ The Border Cities' Star. (1925, December 31). *Border School Attendance Figures Jump Over 2,000 - Caring for Ever Increasing Number, Problem of Boards*, pp. 24. ProQuest

¹⁰ The Border Cities' Star. (1924, July 5). *Ford Schools Grow Rapidly*, pp. 16. ProQuest

¹¹ Norris, B. History of Windsor Public Schools. *Gordon McGregor Public School 1924 – Present*. Retrieved from Windsor Public Library. Local History Centre

¹² Drouillard Place. *Ford City Historic Walking Tour*. Retrieved From, <http://drouillardplace.ca/wp-content/uploads/2017/04/Ford-City-Historic-Walking-Tour2015.pdf>

¹³ The Border Cities' Star. (1927, December 31). *Public and Separate Schools Rapidly Expanding*, pp. 41. ProQuest

¹⁴ The Border Cities' Star. (1927, September 29). *Say School Poorly Built*, pp. 7. ProQuest

McGregor School.¹⁵ The Gordon McGregor school would go on to serve the neighborhood youths for just under a century, marking the closure of the Ford City neighborhood's longest remaining Public School constructed during the early 1920's.

In recent decades, decreases in school enrollment and consolidations resulted in closures of many public schools throughout the early 2000s. This was no different for the Gordon McGregor School, as the school continued its operation until 2016 when it officially closed due to dwindling student populations. The existing students were then transferred to the neighboring Percy P. McCallum, which was renamed W.F. Herman Academy following an amalgamation with the former W.F. Herman Secondary School during the same year.¹⁶ After the school's official closure, the City of Windsor purchased the east section of the property, incorporating it into the Ford Test Track Park before it was listed for sale at \$899,990.¹⁷

Throughout its 92-year history, the Gordon McGregor Public School was well recognized as a neighborhood landmark serving young students in the community. Dedicated to the founder of Ford Canada, Gordon McGregor's local success as both a leading businessman and charitable individual contributed much to the significant growth of Ford City and the City of Windsor itself. The need for the Gordon McGregor Public School was a direct outcome of the thriving motor enterprise and the associated population boom of the early 20th century.

The property is currently listed under the Windsor Municipal Heritage Register due to its design by locally significant architects David W.F. Nichols and Hugh P. Sheppard in 1924, with Nichols, Sheppard, and George Y. Masson responsible for the addition in 1926. In 1925, Masson was invited to join the existing partnership between Nichols and Sheppard, thus forming what was considered the most successful collaborations in the Windsor area.¹⁸ The Nichols, Sheppard & Masson collaboration were credited with the design of over thirty institutional, educational, and commercial buildings, with some of the significant commissions being the John Campbell School, the Dr. Charles W. Hoare Residence, and the former Y.M.C.A. building, that are all designated heritage properties.

CONTEXTUAL VALUE

The subject property is located on Alexis Road, South of Reginald Street, North of Alice Street, and in proximity of the Drouillard Road Main Street that marked the center of Ford City. The former Ford Test Track (now municipal park) is located adjacent to the school property where physical education and races were once held at. When the school building was first constructed in 1924, the immediate surroundings were minimally inhabited. This is shown in the 1924 Fire Insurance Map, where houses are shown

¹⁵ Windsor Star. (2016, July 7). *Doors Close, But Memories Live On*, pp. 1. ProQuest

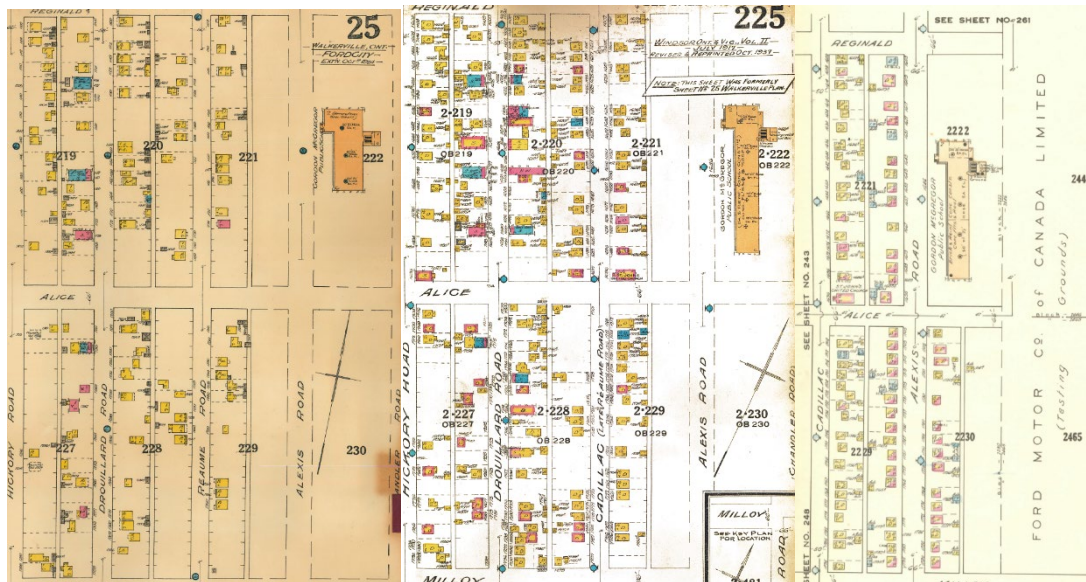
¹⁶ Schmidt, D. (2016, June 18). *Students bid farewell to Gordon McGregor, vow to take school spirit with them*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/students-bid-farewell-to-gordon-mcgregor-vow-to-take-school-spirit-with-them>

¹⁷ Cross, B. (2019, April 28). *Former Gordon McGregor school listed for sale at \$899,900*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/former-gordon-mcgregor-school-listed-for-sale-at-899900>

¹⁸ Hill, R. G. (n.d.). Masson, George Yule. *Biographical Dictionary of Architects in Canada*. Retrieved July 2, 2023, from <http://dictionaryofarchitectsincanada.org/node/2171>

sparsely scattered in the area. Furthermore, there were no paved roads between Tecumseh Road, Pillette Road, Seminole Street, and Alexis Road for young students to travel on for short cuts when the school was first built.¹⁹

As families continued to populate the city, new dwellings began to emerge around the school property as indicated by the rise of home advertisements in the local newspaper. Reflected in the 1937 Fire Insurance Map is the new addition made to the school building. By 1953, it was evident that significant development had occurred in the neighborhood as the once existing empty parcels had become progressively filled.



Fire Insurance Maps from 1924 (left), 1937 (middle), and 1953 (right)

The Gordon McGregor School is historically linked to its surrounding, with the demand for the school originating directly from the early growth of the Ford City neighborhood and the City of Windsor. At the time, the former Ontario Street School (now demolished) was reaching its peak capacity which resulted in the relocation of students to the Gordon McGregor School over a mile away.¹⁹ Many parents were unsatisfied with the arrangement as young students would have to travel long distances away from their homes in the Pillette Village area.¹⁹ This was coupled by the fact that the area surrounding the Gordon McGregor School was heavily unpopulated and underdeveloped, as evident in the fire insurance maps above. However, the increase from 490 to over 1,327 students in 1934 serves as sufficient indication of the valuable educational support the Gordon McGregor School provided as subsequent development occurred throughout the neighborhood.

The residential neighborhood is now characterized by its low-density single-detached dwellings. However, the school property was the first development in the neighbourhood and is visually distinguished from the surroundings. The Gordon McGregor building is a long-standing and significant landmark in the neighbourhood.

¹⁹ The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest

Heritage Attributes:

Exterior attributes that contribute to the design/physical value of Gordon McGregor School:

- 1924 and 1927 two-story plus basement building constructed with elements of Art Deco architectural style
- Generous landscape setback to school building (on west from Alexis Road)
- Elongated rectangular massing with sleek, streamlined design and minimal decoration
- Variegated red brick facade constructed in common bond with stone parapet, base stone and stone banding
- Northwest portions feature:
 - o Stepped front concrete stairs at front entrance flanked by masonry side walls
 - o Originally featuring triple set decorated carved wooden doors with scones, and stone panel inscription with the words "Gordon McGregor" and "ad. School. 1924".
 - o Two distinguishable low-relief medallions on the same stone banding, one with a symbol of two keys crossing and one with a symbol of a tree
 - o Shield and sword crest merging into the horizontal decorative stone banding on the facade
 - o Originally peaked parapet now stepped parapet roof capped with stone/concrete, with back building block featuring flat roof
 - o Tall squared brick chimney with chamfered corners at back
- Decorative stone banding throughout school building, with low relief medallion designs below the roofline on the north and west elevations
- Stone surrounds around the windows spanning first and second floors on the north, west and south elevations, emphasizing the building's verticality
- Brick panel featuring variety of header and stretcher brickwork found between the floors of the windows
- Variety of window openings: Original windows were hung windows in triple sets at the west elevation
- East entrances with stones inscribed 'Boys' and 'Girls' between window bays
- Stone sills and Header, stretcher, soldier and rowlock brickwork emphasizing openings on the east elevation
- Tree-lined landscape character along west property line

Attributes that contribute to the historical or associative value of Gordon McGregor School:

- School was built in honour of Gordon McGregor, founder of the Ford Motor Company of Canada who contributed to the establishment of Windsor.
- Addressed demands for public education as families joined the local workforce in shops and factories
- The largest school in Ford City in addition to being the largest Elementary Educational Institution in the Windsor Region during 1927

- Direct association with the rapid growth of the Ford City area
- Direct association with the history of public elementary schools in the Ford City area
- Early (1924) and long-time service (92 years) to former Ford City (East Windsor) and Sandwich East community as a public elementary school
- Oldest remaining former public elementary school building in Ford City
- Remnant of the early phases of the former Ford City's development and the growing demands for public educational space
- Designed by locally significant architects Nichols & Sheppard, with Nichols, Sheppard, and Masson responsible for the addition in 1927

Attributes that contribute to the contextual value of Gordon McGregor School:

- Located in proximity of the Ford Motor Windsor Engine Plant that employed many workers while the school addressed needs for education as more families moved into the neighbourhood
- Provided public education to young students in the immediate neighbourhood
- Contributed to the development of residences and construction of paved roads in the area
- Longstanding landmark in the neighbourhood

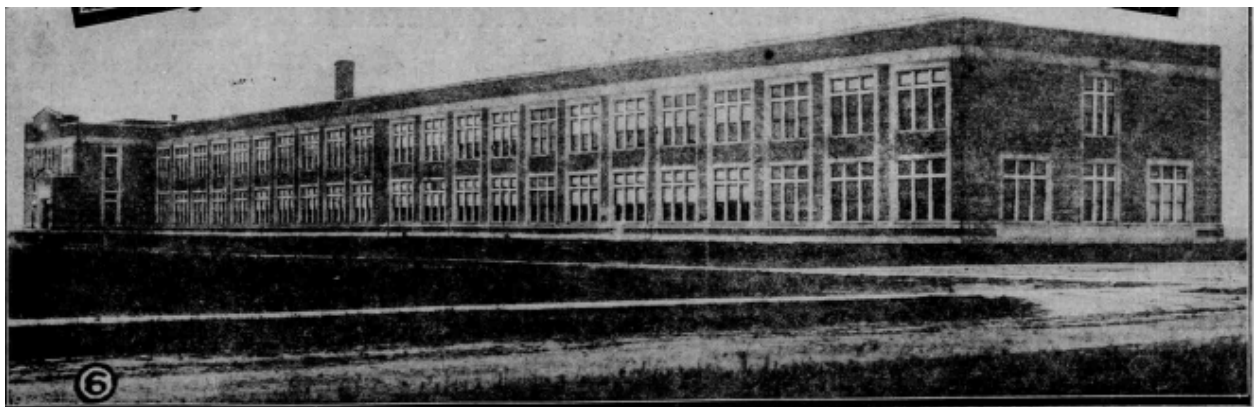
APPENDIX B - PHOTOGRAPHS OF THE PROPERTY

Historical photograph of the former Gordon McGregor School in 1924



Source: Windsor Public Library. *Gordon McGregor School. PC-CD105. 1924*

Historical photograph of the former Gordon McGregor School in 1927 after addition



Source: The Border Cities' Star. (1927, December 31). *Public and Separate Schools Rapidly Expanding*, pp. 41. ProQuest

Site Visit photos from 2023-07-11



Front elevation



Front west elevation with 1926 addition portion



Front entrance



School gymnasium northwest protruding block



Decorative medallion stone banding



Sword and Shield crest with Keys Crossing and Tree symbol medallion



Bays of rectangular windows with stone frames (left) and squared windows with stone surrounds (right) on front facade



Stone parapet on roofline, now flashed with metal, and soldier and rowlock brick at glazing lintels.



Typical brick panel featuring variety of header and stretcher brick between the floors.



Repeated back entrances on east facade with stone panel transom and patterned brick surrounds



Back facade facing east towards the Ford Test Track Park



East side facade showings bays of windows with no stone surrounds



Square brick chimney with chamfered corners



Northeast back entrance



Tree-lined landscape character

Appendix C- Supporting Research Material

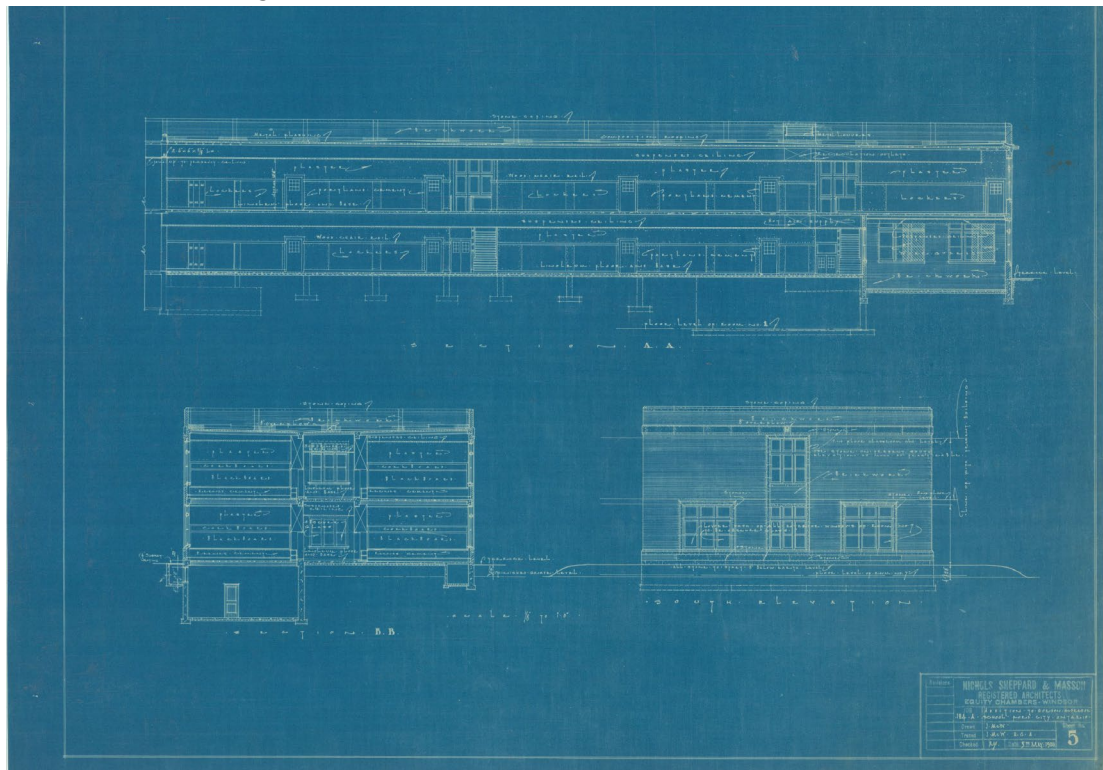
Art Deco in Architecture

A decorative style of bold geometric shapes and bright colours, it encompassed furniture, textiles, ceramics, sculpture and architecture. The term 'Arts Decoratifs' (later shortened to Art Deco in the 1960s) was coined after the Exposition Internationale des Arts Decoratifs et Industriel Modernes (International Exhibition of Modern and Industrial Decorative Arts) held in Paris in 1925.

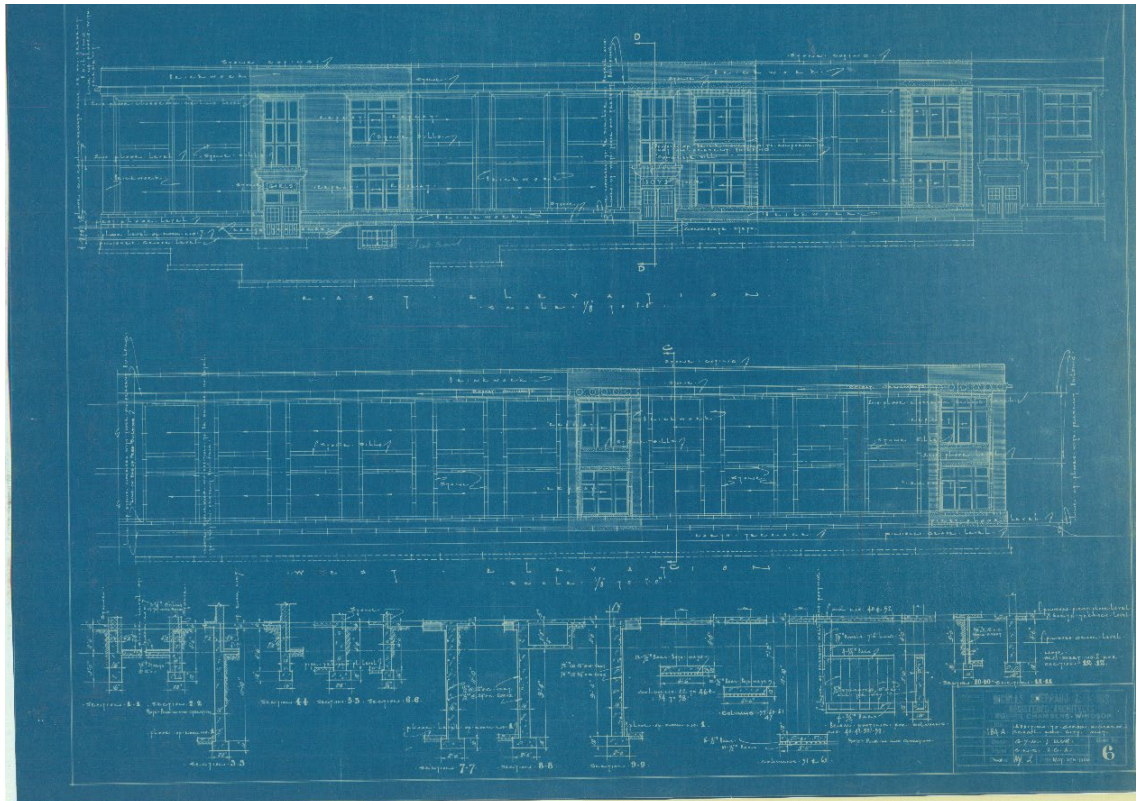
The style spread across Europe to the United States and Britain, where it became a favourite for building types associated with the modern age, garages, airports, ocean liners, cinemas, swimming pools, office buildings, department stores, power stations and factories. There were overlaps with Modernism, with the use of clean lines and minimal decoration, but the style also lent itself well to buildings associated with entertainment, providing glamorous interiors for hotels, restaurants and luxury apartments. Lighting and mirrors were often used, with neon strip lighting to emphasise the streamlined nature of the designs and mirrors to enhance and reflect.

Resource 3: RIBA. *Art Deco*. Retrieved July 5, 2023, from <https://www.architecture.com/explore-architecture/art-deco>

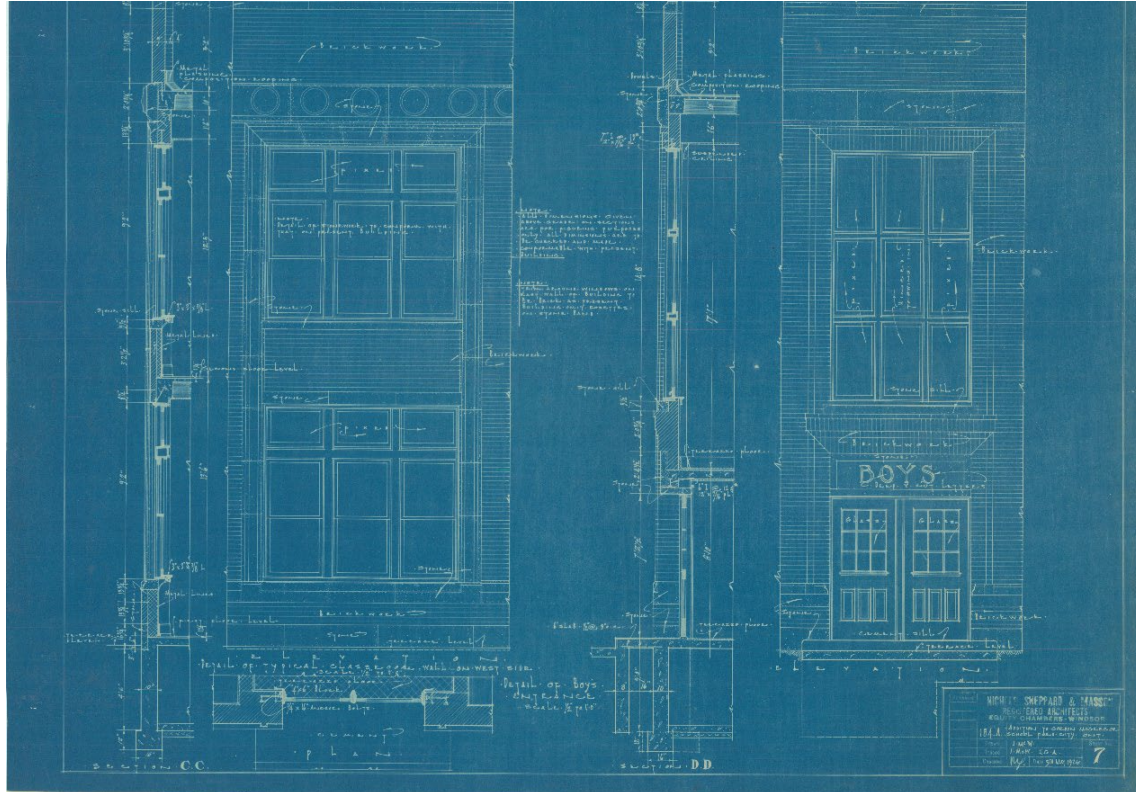
South Elevation and Cross-section



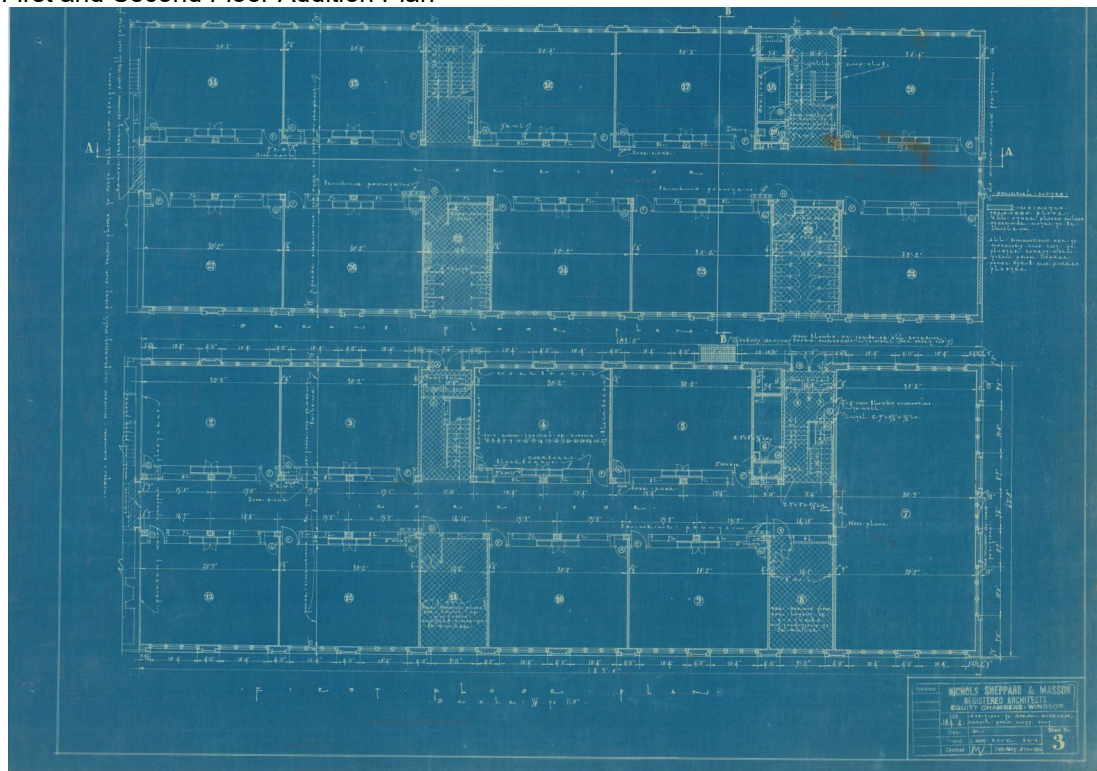
East and West Elevation



Back Entrance Details



First and Second Floor Addition Plan



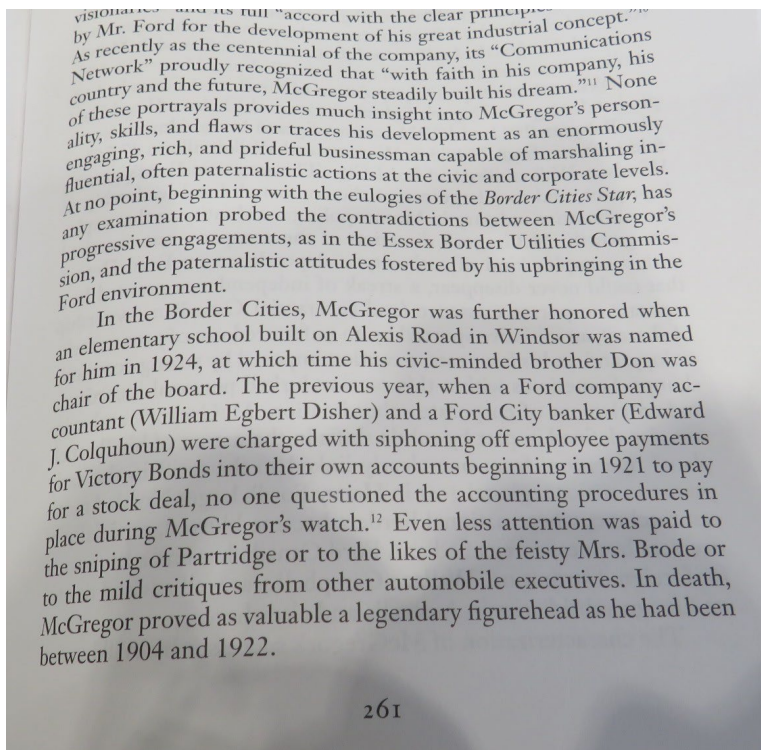
Resource 4: Windsor Municipal Archives. (1926). *Blueprints of the Gordon McGregor Addition*.

There McGregor witnessed four converging trends: the proliferation of American branch plants to bypass Canadian tariffs; the growth of machine trades related to the bicycle craze; the birth of an automotive industry in Michigan; and the decline of the wagon works following William McGregor's death in 1903. Unable as president to sustain production, Gordon watched its debt climb and work stop in July 1904. As early as January apparently, under pressure from Curry to reduce obligations, he had been thinking of reusing the factory as a branch of an automotive firm. He gambled on Henry Ford of Detroit, who faced a patent lawsuit but had achieved startling success with gasoline-powered runabouts. Initially uninterested, Ford, who likely came to admire McGregor's underlying hardness, soon saw his overture as an opportunity to expand and exploit Canada's access to imperial markets. He had already tested the waters. In 1903 Canada Cycle and Motor in Toronto began selling his first model and in the spring of 1904 he made a promotional trip into Ontario. Though McGregor was confident that a branch would enjoy support from the federal Liberal government, which raised the tariff on automobiles, his plan was risky: the market was unformed and finding capital was a huge challenge. Still, bolstered with promises of extra stock he had shrewdly demanded as compensation, McGregor raised \$125,000. On 10 August, an agreement was concluded; in a key exchange, Ford would share his patents and plans. At the inaugural meeting of the Ford Motor Company of Canada Limited on the 29th, McGregor was made managing secretary.

Resource 5: David Roberts, "McGREGOR, GORDON MORTON," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003—, Retrieved, July 2, 2023, from http://www.biographi.ca/en/bio/mcgregor_gordon_morton_15E.html



Resource 6: The Border Cities' Star. (1922, March 11). *Gordon M'Gregor Dead - Fails to Rally from Effects of Operation in Montreal Hospital*, pp. 1. ProQuest



Resource 7: Roberts, D. (2006). *In the shadow of detroit: Gordon M. McGregor, Ford of Canada, and motoropolis*. p.261. Wayne State University Press.

As Ford Motor Company grew, the surrounding area became a boom town. The Wagon Works was augmented in 1910 with a new building as it was absorbed by Ford. By 1913, there were 1400 employees earning \$4. per hour. That year, the village was incorporated. In 1915, it achieved town status. Charles Montreuil, one of the farmers whose land was acquired by the company, became the first mayor of the Town of Ford City -one of the Border Cities (Windsor, Sandwich, Walkerville and Ford).

Unlike its orderly neighbour, Walkerville, Ford City grew haphazardly with little regard for planning. In 1928-29, with 16,000 residents, many of whom came from central European countries to join the Ford work force, Ford City was incorporated as East Windsor.

Resource 8: Windsor Architectural Conservation Advisory Committee 1996-1997. *The Village/ Town of Ford City Windsor, Ontario, Canada*. City of Windsor. Retrieved from, [https://www.citywindsor.ca/residents/historyofwindsor/documents/ford city walking tour.pdf](https://www.citywindsor.ca/residents/historyofwindsor/documents/ford%20city%20walking%20tour.pdf)

PAGE EIGHT THE BORDER CITIES STAR, THURSDAY, DECEMBER 31, 1925

BORDER SCHOOL ATTENDANCE FIGURES JUMP OVER 2,000

Caring for Ever Increasing Number, Problem of Boards *1925 Closing With Promise of Peace*

School Boards Prepare for Increasing Population

The 1925 School Board

The School Board for 1925 will be Arthur Beeman, Fred Smith, retiring chairman; D. W. F. Nichols, Maud Gauthier, Arthur Osborne and J. A. McKewen. The two last named are new members.

There are four schools in the Ford City public school system: Belle Isle avenue, five classes and 181 pupils; Ontario street School, nine classes and 319 pupils; Gordon McGregor School, 14 classes, and 237 pupils and the Central bungalows, five classes, and 191 pupils.

In 1924 the enrolment was 1990. This has increased in a year by 228. The schools are staffed by 35 teachers, an increase of six over last year; four principals, a full time dentist, Dr. M. A. Maloney; Miss Mary Nash, nurse, and Dr. A. M. Blakely is the school medical officer. The supervising principal is K. C. Horlop, E.A.

The School Board in 1924 was composed of George A. Scott, chairman; W. E. Addyman, A. Bunt, A. Munroe, S. Holt and C. W. Caple. Holt and Bunt were defeated at the annual municipal elections, and Mrs. A. Cook and E. W. Morris will replace them.

Bungalow Schools

The Belle Isle School opened in 1917 with 100 pupils and three teachers. The growth of the municipality was so great that the bungalow type of school had to be used as a temporary measure to relieve the congestion in the district served by the Belle Isle School, and three of these schools were built in 1921-'22. A year later another was erected on the Ontario School site, which continued in operation until September, 1923, when the Ontario School was opened and immediately filled with 329 pupils.

No sooner had the board opened this school than plans for a 14-room school which was named in memory of the late Gordon McGregor, were ordered prepared. This school was ready to open by the fall of 1924, and on the opening day it was filled to capacity with 479 children. And still the town grew, and more bungalows have been built, this time on Westcott road and Franklin street. There are 191 pupils in these buildings.

Resource 9: The Border Cities' Star. (1925, December 31). *Border School Attendance Figures Jump Over 2,000 - Caring for Ever Increasing Number, Problem of Boards*, pp. 24. ProQuest

MANY YOUNG MEN

"With the tremendous growth of Ford City within this three-year period—and it is reflected everywhere throughout the town—there has been a large influx of young men who came to work in the shops and factories of Ford City. Theirs were young families, and this is shown in the preponderant number of junior pupils who attend our schools. This phenomenon, a low percentage of entrance pupils, will, of necessity, be low for the next three or four years, assuming that there were no further influx of population, which is not to be supposed, as the town is rapidly extending. Generally, the percentage of entrance pupils runs in the neighborhood of 15 per cent.

"We opened the Ontario street School last October, intending to have eight classes. When enrollment was completed, we found that we also had to use the auditorium for classroom purposes. The old school, a frame structure, was moved to Seminole street and Drouillard road, in the western part of the town, where two classes were established. At this point, this season, we are building the Gordon McGregor School, a 14-room school, which is rapidly nearing completion. Our present plans are to open four to six classes there in the fall. We will, of course, have ample room for any immediate needs."

FORD SCHOOLS GROW RAPIDLY

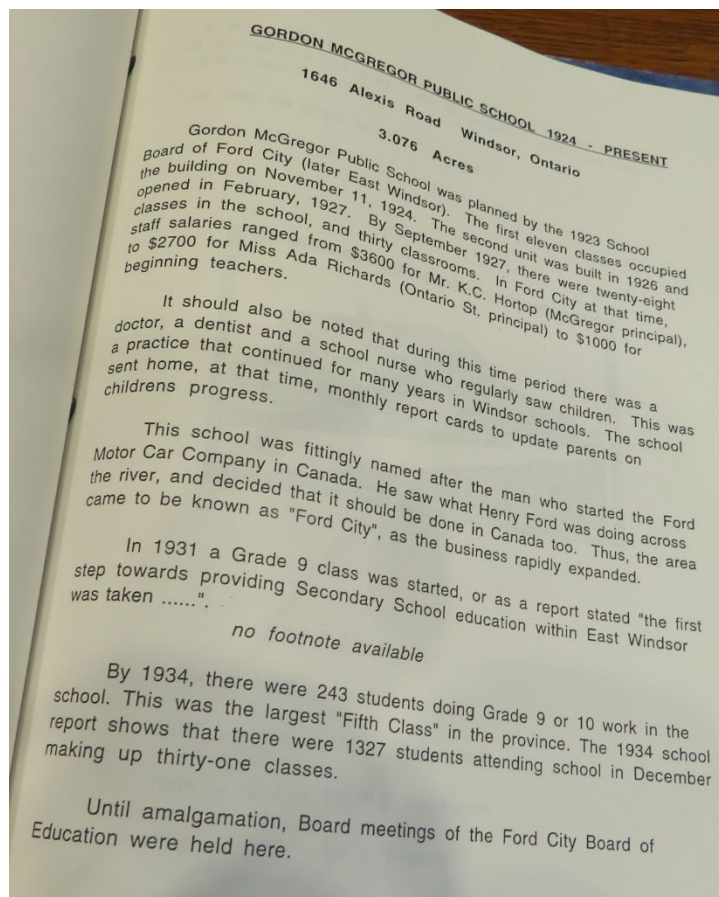
300 Percent Rise In Three Years Is Reported

Youth of Pupils Shows Class of Families Coming To Town

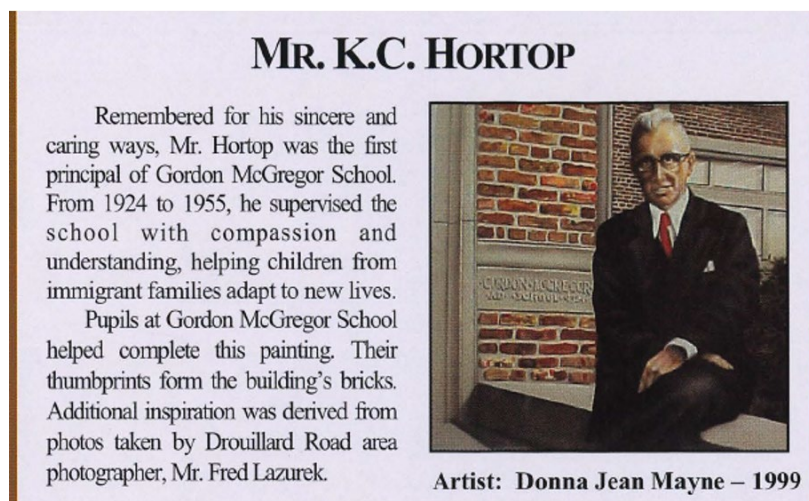
Ford City has been advancing with giant strides," says Trustee J. Dower, one of the members of the Ford City Public School Board, who is interested in the efforts of the Greater Ford Association towards a consistent, logical and business-like development of that municipality.

"This development is best reflected in the demand for school accommodations which the Ford City Public School Board has had to meet during the past three years in particular. The growth has been 300 per cent. for the three-year period. We now have more than 1,000 pupils attending the separate schools, but there is one significant fact in connection with this school attendance. The children are all young and, in consequence, we have but 18 pupils trying the entrance examinations for the collegiate institutions. There is no other such situation in Canada.

Resource 10: The Border Cities' Star. (1924, July 5). *Ford Schools Grow Rapidly*, pp. 16. ProQuest



Resource 11: Norris, B. History of Windsor Public Schools. *Gordon McGregor Public School 1924 – Present*. Retrieved from Windsor Public Library. Local History Centre



- Mr. K.C. Hortop served as the Gordon McGregor School's first principal from 1924 to 1955. The painting features fingerprints of some of his former students in the brick wall backdrop. (Donna Jean Mayne, 1999)

Resource 12: City of Windsor, Drouillard Place. *Ford City Historic Walking Tour*. Retrieved From, <http://drouillardplace.ca/wp-content/uploads/2017/04/Ford-City-Historic-Walking-Tour2015.pdf>

PAGE FIVE.

THE BORDER CITIES STAR, WINDSOR, ONTARIO, SATURDAY, DECEMBER 31, 1927

PUBLIC AND SEPARATE SCHOOLS RAPIDLY EXPANDING

FACILITIES

Some of the New Schools Erected Along the Border During the Past Year

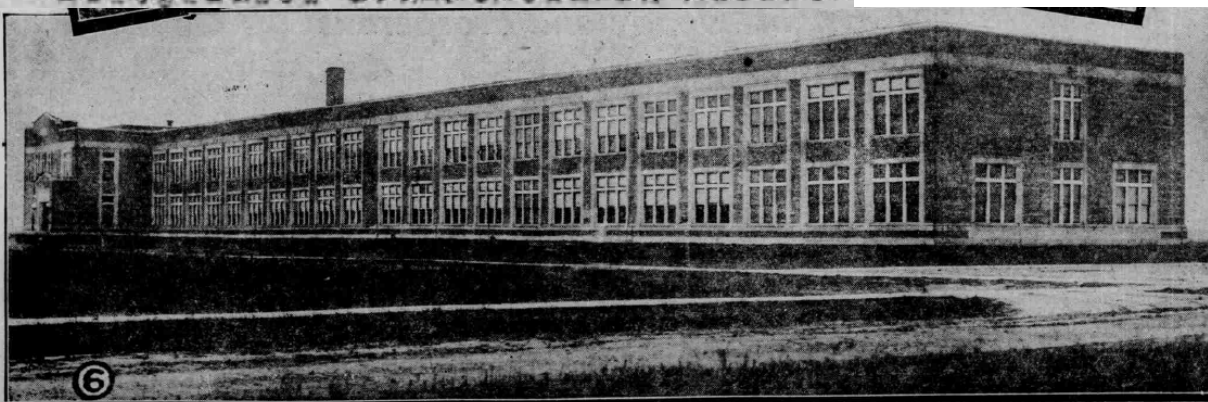
2 BUILDINGS

FUTURE PROPOSALS

Future proposals of the Windsor Board of Education also include a new collegiate, plans for which have already been prepared by Cameron & Ralston, Windsor architects. The estimated cost of this has been placed at \$375,000, but it is possible this figure will be exceeded if the board proceeds with the idea of laying out a school stadium, with the intention of making school athletics as self-supporting as possible.

In building an 18-room addition to the Gordon McGregor school, which was completed early in the year, the Ford City public School Board visioned needs of the future. This school is now the largest elementary educational institution in Essex County, if not in the whole of Western Ontario. With accommodation for approximately 1,500 pupils, this 32-room school is expected to take care of the district it serves for the next four or five years.

A proposed new public school for Ford City, to be built at Giles road and Francols street, will cost \$175,000, including equipment. Construction of this school was authorized by the school board early in 1928, but construction is not expected to start until the spring of 1929.



6

id at a cost of \$40,000. The increase of pupils became so great that the trustees, this year, decided to complete the building and add eight rooms.

The Sandwich Board has added six rooms to Prince of Wales school, as well as building a six-room school in the west end of the town. This new school is called Western High school accommodation was also provided, when continuation classes were established. The public school enrollment at the end of the year was 1,312, and 186 high school students,

an increase of 108 over the previous year.

Although a substantial increase in population was reported in 1927, no building program was undertaken in Walkerville. It is proposed, however, to erect a 16-room modern school in the south of the town early in 1929. The project has the unanimous approval of all present members of the board, and it is certain that the needs of this fast-growing section of Walkerville will be given attention soon after the new board holds its organization meeting in January.

THE substantial and continued growth of the Border Cities is reflected in no better way than in the splendid new schools built this year. The approximate cost of the schools is placed at \$750,000. No. 1 school shown at the top of the layout of photographs, taken by the staff photographer of The Border Cities Star, is the John Campbell school at Tecumseh road and Hall avenue. This beautiful educational institution, completed in time for opening of the fall term in September, cost \$275,000, with all equipment, and playgrounds fenced and graded, all ready for the teachers and pupils to step into the classrooms. There are 26 standard classrooms in the school, and a combination gymnasium and auditorium. No. 2 photograph shows the addition to Prince of Wales school, Sandwich, where there has also been a big increase in

enrolment, and on the opposite side to the right is seen Holy Rosary school, Ford City, to which a large addition was built. The needs of Sandwich in the western section have been taken care of by the new Western school, No. 4 picture shows Western school. Riverside has never been behind in providing educational facilities for the rapidly increasing school population of that thriving municipality. This year the Edith Cavell school, No. 5, was completed. The total cost of this building was slightly over \$200,000, and \$100,000 of this amount was spent this year in building a big addition. At the bottom of the layout is the largest school in the Border Cities, the Gordon McGregor at Ford City. Public school supporters in the metropolis of Canada dug down in their pockets to the extent of \$142,000, this year, to finance building of the large addition shown at the extreme right of the photograph.

Resource 13: The Border Cities' Star. (1927, December 31). *Public and Separate Schools Rapidly Expanding*, pp. 41. ProQuest



Resource 14: The Border Cities' Star. (1927, September 29). *Say School Poorly Built*, pp. 7. ProQuest



Former students and teachers look through old photographs at the Gordon McGregor Public School open house. DAX MELMER

GORDON MCGREGOR PUBLIC SCHOOL

Location: 1646 Alexis Rd., Windsor.
Opened: 1924
School team: Mustangs
Notable moments: It was named after the Windsor native who founded the Ford Motor Co. of Canada. Gordon McGregor, who died as the result of injuries from a railway accident in 1922, never

set foot in the school bearing his name. By 1934, the school had added grades 9 and 10 and housed 1,327 students in 31 classes.
Next year: Students move to the Percy P. McCallum Public School building, which will be renamed Ford City Public School.

Resource 15: Windsor Star. (2016, July 7). *Doors Close, But Memories Live On*, pp. 1. ProQuest

Gordon McGregor, a large and distinguished-looking red-brick building immediately west of the Ford Test Track, closes down at the end of this school year. In September, its entire staff and student population moves in to the former Percy P. McCallum French immersion grade school, whose students are relocating next door to an expanded, and newly renamed, W.F. Herman Academy.

Resource 16: Schmidt, D. (2016, June 18). *Students bid farewell to Gordon McGregor, vow to take school spirit with them*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/students-bid-farewell-to-gordon-mcgregor-vow-to-take-school-spirit-with-them>

Gordon McGregor, located in the 1600 block of Alexis Road, closed in 2016 after 92 years as an elementary school. The public school board sold it to the City of Windsor, which took some of the land to add to Ford Test Track Park, located directly to the east, Paine said. Now the city is selling the 62,000-square-foot building on almost four acres of land for \$899,900.

Resource 17: Cross, B. (2019, April 28). *Former Gordon McGregor school listed for sale at \$899,900*. Windsor Star. Retrieved July 2, 2023, from <https://windsorstar.com/news/local-news/former-gordon-mcgregor-school-listed-for-sale-at-899900>

Masson, George Yule

MASSON, George Yule (1895-1982), a prominent architect in Windsor, Ont. and a partner in the following firms:

Beaton & Masson (1923)

George Y. Masson (1924)

Nichols, Sheppard & Masson (1924-1931)

Sheppard & Masson (1931 until after 1960)

Sheppard, Masson, Brand & Langlois (after 1960)

Born in Detroit, Michigan on 11 December 1895, he trained in the office of **J.C. Pennington** for 6 months (in 1915), and in the Detroit office of Smith, Hinchman & Grylls for one year (1915-16). In 1919 he moved to Philadelphia, Penn. and studied architecture at the Univ. of Pennsylvania for two years, graduating in 1921. He joined the State of Michigan Association of Architects in 1922, and the Ontario Association of Architects in 1923, enabling him to complete projects on both sides of the Canadian-American border. He joined a "Mr. Beaton" in partnership for six months in 1923, and worked briefly under his own name. Then, in 1925, he was invited to join the existing partnership of **David W.F. Nichols** and **Hugh P. Sheppard** (see list of works under Nichols, Sheppard & Masson). Their collaboration was a successful one, with over thirty commissions to their credit including institutional, educational, commercial and industrial works, for buildings located in Windsor, in Walkerville and as far away as Chatham, Ont. When Nichols left the firm in 1931, both Masson and Sheppard continued to work together, becoming the leading architectural firm in Windsor during the next three decades (see list of works under Sheppard & Masson). Their best known projects include the Art Deco design for the six storey Dominion Public Building at Windsor (1932-33), and the striking modernist design for the Timmins Daily Press Building, Timmins, Ont. (1939-40), one of the very first buildings in Northern Ontario to be built in the "streamlined" style.

Resource 18: Hill, R. G. (n.d.). **Masson, George Yule**. Biographical Dictionary of Architects in Canada. Retrieved July 2, 2023, from <http://dictionaryofarchitectsincanada.org/node/2171>

PARENTS RAP SCHOOL RULE

Protest Sending Tiny Children to Distant Building

Will Air Grievances at Meeting of Board This Evening

Residents of that section of Ford City which is bounded by Pillette road, Seminole street, George avenue and Tecumseh road are to protest to the public school board, at its meeting tonight, against its action in taking their younger children from the Ontario street school and making it obligatory for them to attend Gordon McGregor school.

MILE AND HALF WALK

The Ford residents who object to the step taken by the school board claim that many of the children affected live but a few blocks from the Ontario street school, and in many cases reside as far as a mile and a half away from the school they must now attend. It is estimated that between 75 and 100 children under the age of 10 will be obliged to attend the school farthest from their homes, if the board refuses to change its plans.

The Ford parents concerned do not object to the sending of their older children to Gordon McGregor school for this year at least, but they think it is not well to send children under the age of eight or 10 years so far away from their homes when there is another school close at hand.

It will be detrimental to the health of these young children, one Ford parent said today, to make it obligatory for them to attend the school every day that it will be impossible for them to get home to lunch. Children under eight or 10 years of age should not be obliged to eat a dry lunch at noontime. It isn't so bad for older children, but it will be injurious to the younger ones."

"WHITE ELEPHANT"

This same parent described the Gordon McGregor school as a "white elephant", which is much too large for the comparatively uninhabited district in which it is located. He believed that the board ordered all children who reside south of the C. N. R. tracks to go there simply because it "has to be filled up."

In ordering that all school children whose homes are within the area enclosed by Pillette road, George avenue, Seminole street and Tecumseh road must attend Gordon McGregor school this year, the school board maintained that this step was made necessary because of overcrowding at the Ontario street school.

Bruce Williams, who resides on Pillette road, believes some arrangement can be made whereby the older pupils now attending the Ontario street school can be sent to Gordon McGregor, thus making room at the former school for the younger children who live south of the C. N. R. He states that he will urge the board to make this change, which will be satisfactory to practically all the parents concerned.

PROMISES BUSES

The school board has stated that it will employ buses to take the pupils from the south of the tracks to Gordon McGregor school, but this scheme does not appeal to the parents concerned, who claim that it is a dangerous practice to pile a lot of youngsters in a bus, and that little tots will be obliged to stand on wind-swept corners in the mornings waiting for the school buses to arrive.

It is argued that few, if any, of the children south of the tracks will be able to walk to Gordon McGregor school, particularly in rainy weather, when mud will make it impossible for them to take short cuts across fields. When weather conditions are unfavorable as they will be during the fall and winter months, children who live near Tecumseh road, for example, must travel down Pillette road to Seminole street, across Seminole to Alexis and up Alexis to Gordon McGregor school. There are no paved streets across that section of the town which they might use to make the distance shorter.

It is understood that the delegation which is to meet the school board will ask that construction work on a new school building be delayed, so that it will be ready in 1928. The board already has a school site in that district.

If assurance can be given that this school will be started, and if the younger pupils living in the district concerned will be allowed to remain at the Ontario street school this year, the differences of the school board and the parents may be settled without difficulty. Room can be made for these pupils at the Ontario street school, it is claimed, if the older ones now in attendance there are sent to Gordon McGregor.

Resource 19: The Border Cities' Star. (1927, September 7). *Parents Rap School Rule*, pp. 5. ProQuest

Subject: Closure of north/south alley located between Alexandra Avenue and Labelle Street, Ward 10, SAA-6786

Reference:

Date to Council: August 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: July 5, 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 Alexandra Avenue and Labelle Street, and shown on Drawing No. CC-1817 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject 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, measured 1.50 metres from either side of the following utility infrastructure, 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 Utilities Ltd. to accommodate an existing 16,000-volt pole line and associated distribution system and down guy(s); 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 abutting 0 Longfellow Avenue (P.I.N. 01311-0965 LT), 2658 Longfellow Avenue, 2659 Alexandra Avenue, 2663 Alexandra Avenue, 2676 Longfellow Avenue and 2695 Alexandra Avenue in which case the middle of the alley shall be used; as well as those portions abutting 2724 Longfellow Avenue and 2799

Alexandra Avenue, in which case the full width of the alley shall be used if it is determined that the aforesaid properties do not have any encroachments in the subject alley.

III. THAT Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.4, \$1.00 plus HST (if applicable), 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.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1817, *attached* hereto as Appendix "A".

V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. 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:

Type The applicant, Lisa Paolatto, owner of the property known municipally as 2798 Longfellow Avenue (the subject property), applied to close the north/south alley located between Alexandra Avenue and Labelle Street (the alley), and shown on Drawing No. CC-1817 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

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 1935 when the abutting lands began to be developed as single family dwelling lots (progression of development illustrated in Figure 2 below). Over the years abutting properties encroached into the alley with accessory buildings, fences, landscaped open space and structures. Each lot roughly encroached into its abutting half of the alley. This excludes 2663 Alexandra Avenue (in part), 2701 Alexandra Avenue (in part), 2725 Alexandra Avenue, 2735 Alexandra Avenue (in part) and the subject property (in part), which appear to have encroached into their entire abutting 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.

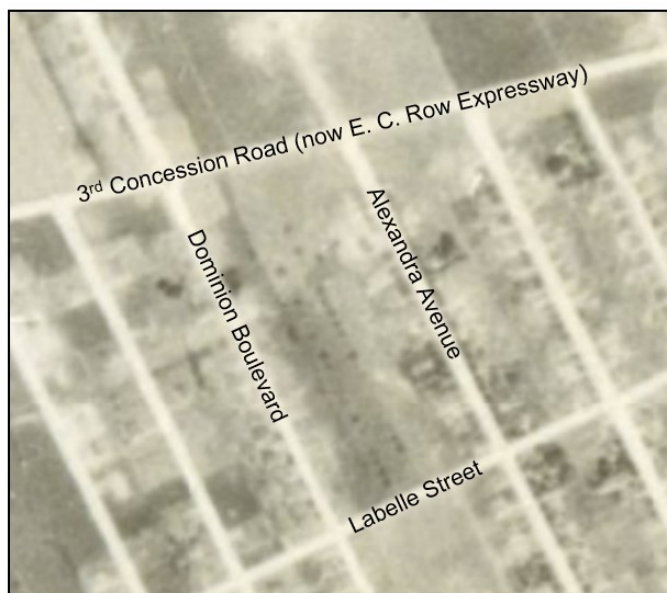


Figure 2 - 1954 Aerial Photo
(Ontario Department of Lands and Forests)

The applicant wishes to close the alley for the purpose of addressing longstanding encroachments over the entire width of the alley abutting the subject property. The applicant claims that there have been encroachments within the alley since approximately 1960. City of Windsor aerial photography ranging from 1969 to 2021 illustrates the said encroachments (refer to Figures 3 & 4 below).



Figure 3 - 1969 Aerial Photo



Figure 4 - 2021 Aerial Photo

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 alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley does not serve any properties fronting on heavily traveled streets.
3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley does 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 alley does not provide vehicular access to any rear parking areas or garages.

5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does 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 alley does not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the alley “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 recommendation includes direction to the Ontario Land Surveyor to use existing encroachments or the centre of the alley where there are no encroachments for determining the boundaries of the lands to be conveyed to each abutting property owner.

This excludes those portions of the alley abutting 2701 Alexandra Avenue (in part), 2725 Alexandra Avenue, 2735 Alexandra Avenue (in part) and the subject property (in part), which are recommended to be offered firstly to the owners of the said properties if it is determined that the property or properties on the opposite side do not have any encroachments into the alley. This recommendation is based on the historical use of the alley by the aforesaid properties and the owners of the properties on the opposite side of the alley waiving their right to purchase their half of the abutting alley.

This also excludes 2676 Longfellow Avenue, whose owner has requested that the middle of the alley be used in lieu of their encroachments.

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 an alley conveyed to abutting lands zoned RD1.4 is assessed at \$1.00 plus HST (if applicable), 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 alley by regular mail, with no objections being received as of the date of writing this report.

On June 7, 2023, letters were issued to the owners of 2658 Longfellow Avenue, 2724 Longfellow Avenue and 2799 Alexandra Avenue requesting written confirmation by June 21, 2023 on whether they wish to exercise or waive their rights to acquire the half of the alley abutting their property. This action was taken due to their half of the alley being encroached on by the property or properties on the opposite side of the alley.

The owners of 2658 Longfellow Avenue confirmed via June 20, 2023 email that they wish to exercise their right to purchase their half of the alley.

The owner of 2676 Longfellow Avenue confirmed via July 5, 2023 telephone conversation that they wish to exercise their right to purchase their half of the alley. The owner indicated that they would like to obtain their full half of the alley in lieu of that portion that they are currently encroaching on.

No responses were received from the other property owners.

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 subject alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd., and MNSi as in Recommendation II of this report respectively.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

Planning Act Matters:

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

Justina Nwaesei, *MCIP, RPP*
Acting Manager of Planning Policy

Greg Atkinson, *MCIP, RPP*
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

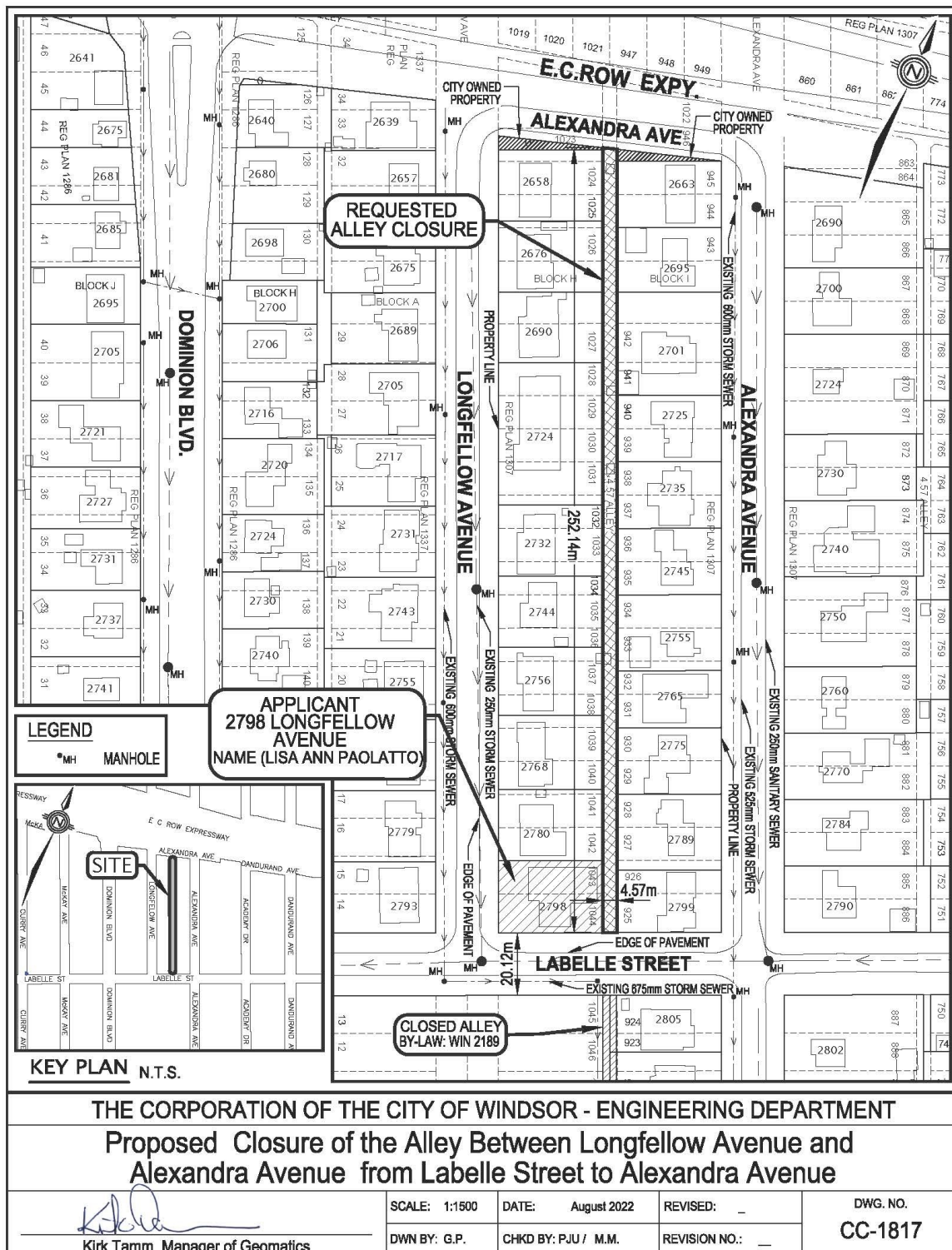
Notifications:

Name	Address	Email
Ward 10 Councillor Jim Morrison	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	jmorrison@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1817
- 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

APPENDIX "A" **Drawing No. CC-1817**



APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6786)

1:1,500

APPLICANT : LISA ANN PAOLATTO

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: JUNE, 2022



Consultations with Municipal Departments and Utility Companies

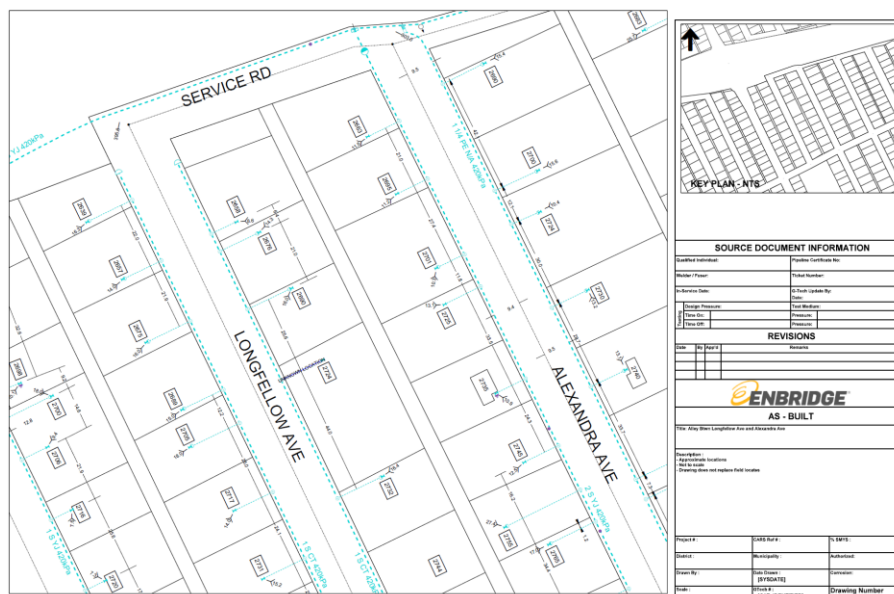
COGECO CABLE SYSTEMS INC.

No comments provided

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

[James Makhlouf - Summer Student, Drafting]



ENVIRONMENTAL SERVICES

Comments not provided

ENWIN UTILITIES - HYDRO

No objection, however, upon closing, and easement named to ENWIN Utilities Ltd is required for the entire area to accommodate an existing 16,000-volt pole line and associated distribution system and down guy(s).

[Anwar Nagar - Senior Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL DEPARTMENT

For lands being conveyed to RD1.4, \$1 plus deed preparation and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor

[Chris Carpenter - Coordinator of Real Estate Services]

MNSi

MNSi will require an Aerial Easement through this entire alley we are on the Poles in the alley

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

No comments

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objection from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject grass alley is approximately 250 m long and 5 m wide. There are no sewers running through this alley. There are hydro poles and guy wires in this alley. An easement will be required for the utilities. There are no driveway approaches at either end of the alley. There are many fence, shed and other encroachments in the alley. This subject alley has no usefulness as per CR146/2005; therefore, we have no objections to the closure.

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

PUBLIC WORKS - TRAFFIC

Current alley way is blocked off with privacy fencing at each end. No vehicular or pedestrian access is available. No concern with closing the alley as proposed.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

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

[Meghna Patel - Permit Coordinator]

TRANSPORTATION PLANNING

There are no concerns with closing this alley as proposed since it is not being used for transportation purposes and access is not available due to the fence on the north end of the alley.

[Shannon Deehan - Transportation Planning Coordinator]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this alley. Closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area, as other viable options will remain for this.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (June 30, 2022)



Figure 1 - Looking north towards alley from Labelle Street



Figure 2 - Encroachments in south end of alley (2798 Longfellow Avenue on left)



Figure 3 - Encroachments in north end of alley (2663 Alexandra Avenue on left)

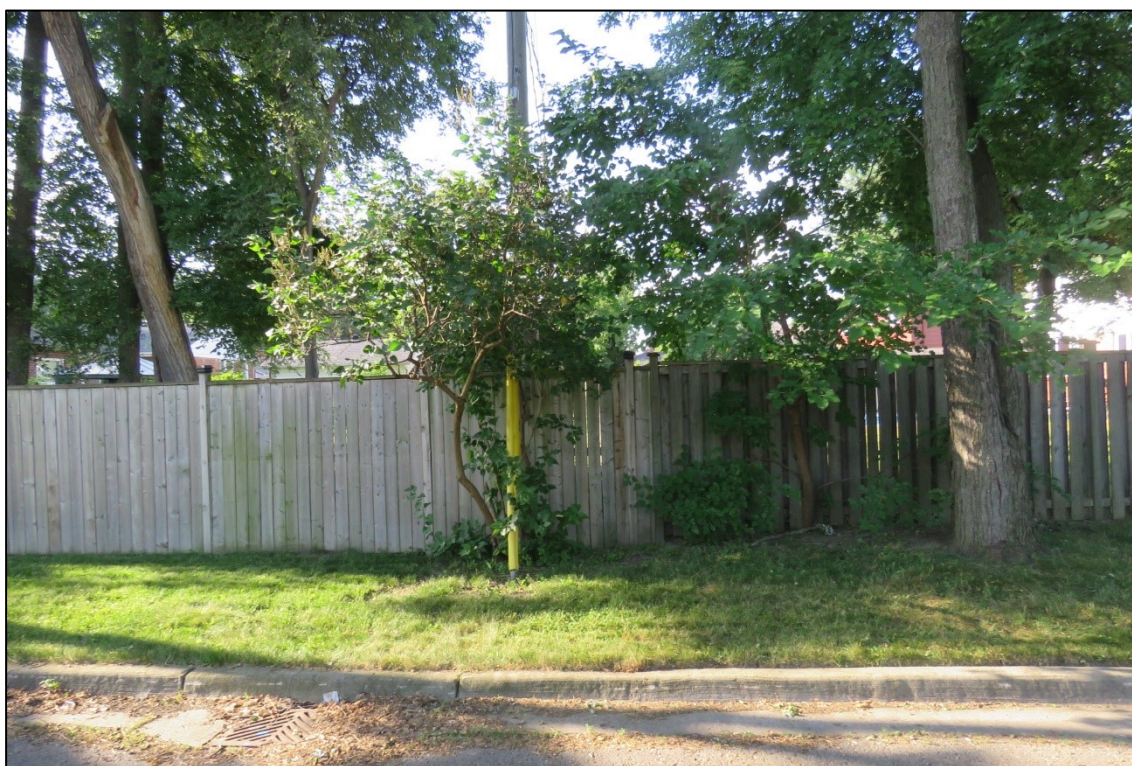


Figure 4 - Looking south towards alley from Alexandra Avenue)



Figure 5 - Encroachments in north end of alley (2658 Longfellow Avenue on 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.

Subject: Closure of north/south alley located between Algonquin Street and 1429 Randolph Avenue, Ward 10, SAA-7025

Reference:

Date to Council: August 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: May 5, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

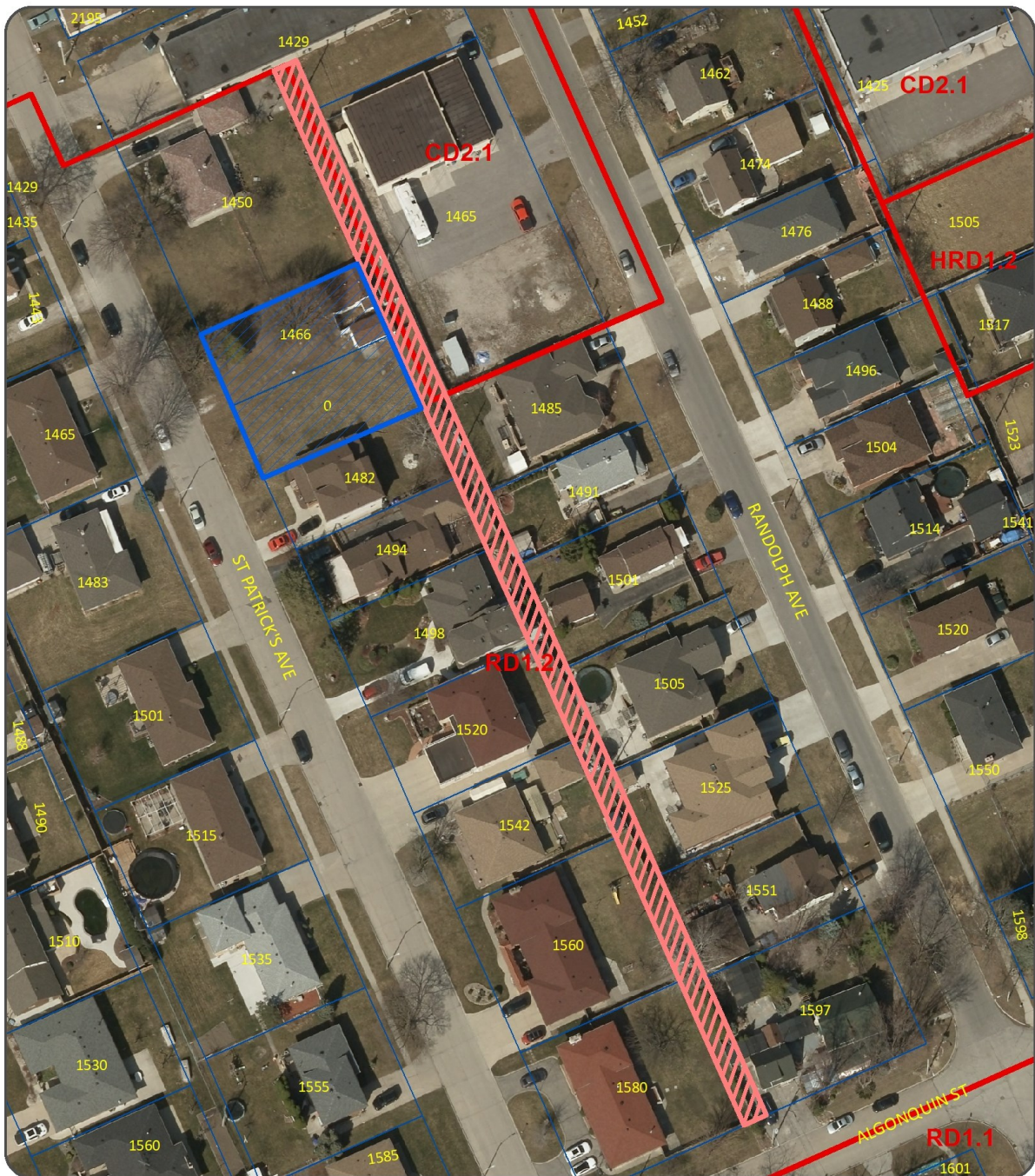
Recommendation:

- I. THAT the 4.27-metre-wide north/south alley located between Algonquin Street and the property known municipally as 1429 Randolph Avenue (legally described as Lot 9, Lots 513 to 515 & Block C, Plan 973) and shown on Drawing No. CC-1834 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject 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, measured 1.50 metres from either side of the following utility infrastructure, 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 accommodate existing aerial facilities;
 - ii. ENWIN Utilities Ltd. to accommodate the existing overhead secondary 120/240-volt and 347/600-volt hydro distribution; and
 - iii. MNSi. to accommodate existing plant on the pole lines.
 - b. Easement over that portion of the subject alley abutting Lot 513, Plan 973, in favour of 1429 Randolph Avenue for access to repair and maintain the south face of the existing building on the property, **if** the owner of 1429 Randolph Avenue is unable to purchase the full width of the aforesaid portion of the subject alley abutting their property.

- c. 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:
 - i. That portion located between 0, 1450 & 1466 St. Patrick Avenue (legally described as Lots 10 to 16, Plan 973), and 1429 & 1465 Randolph Avenue (legally described as Lots 9, 507 to 515 & Block C, Plan 973), in which case the middle of the alley shall be used.
- III. THAT Conveyance Cost **BE SET** as follows:
 - d. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).
 - e. For alley conveyed to abutting lands zoned RD1.2, \$1.00 plus HST (if applicable), 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.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for that portion of the subject alley abutting the properties known municipally as 0 and 1466 St. Patrick Avenue.
- V. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description for the remaining portion of the subject alley abutting the properties legally described as Lots 10 to 13, 17 to 31, 492 to 506 & 510 to 513, Plan 973.
- VI. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s) for each portion of the subject alley.
- VII. 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



STREET & ALLEY CLOSING (SAA/7025)

1:875

APPLICANT : TIAN YAO INVESTMENTS LTD.



PROPOSED CLOSURE



SUBJECT PROPERTIES

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MAY, 2023



Figure 1 - Location Map

Background:

The applicant, Tian Yao Investment Ltd., owner of the property known municipally as 0 and 1466 St. Patrick Avenue (the subject property), applied to close the north/south alley located between Algonquin Street and 1429 Randolph Avenue (the alley), and shown on Drawing No. CC-1834 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The alley was established by Registered Plan of Subdivision 973, registered on October 19, 1920. The alley originally extended to the untraveled east/west alley bordering 1429 Randolph Avenue to the north. This section of the alley was closed on April 16, 1961.

City of Windsor aerial photography from 1969 to 2021 illustrates that the alley has been encroached on over the years by abutting properties with accessory buildings, fences, landscaped open space and structures. Each property roughly encroached into its abutting half of the alley. This excludes the subject property which encroached on the full width of the alley, and the properties to the north which did not encroach within 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.

The applicant wishes to close the alley for the purpose of enlarging the subject property to accommodate a larger building area for the Semi-Detached Dwelling development being proposed through the concurrent Zoning By-law Amendment Application (File No. Z-037/22). This application is necessary as the Planning Department will not support the applicant's request for a reduced rear yard depth to achieve a greater building area.

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 alley does not serve any commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley does not serve any properties fronting on heavily travelled streets.

3. *Does the subject alley contain sewers, and must the alley remain accessible for servicing?*
 - a. The alley does 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 alley does not serve as a vehicular means of access to any rear parking areas and garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does 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 alley does not lie within a Holding zone or other similar undeveloped area.

Based on the above, the Planning Department deems the alley “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.

The applicant has confirmed that they will be preparing their own Reference Plan for the portion of alley abutting their property. This is being done to avoid waiting for the City to obtain a Reference Plan, which is currently taking six to eight months from the date of the Council decision for an alley closure. The applicant is able to obtain their Reference Plan within a month, due to having a Topographic Survey recently prepared for the subject property.

The Legal Department has confirmed that this approach will require instructions from the City Planner directing the City Solicitor to prepare separate sets of by-laws to close and convey the applicant’s portion of the alley prior to the remainder of the alley. The Planning Department has no concerns with this approach and is instructing that it be carried out in the manner described in the Recommendation section herein.

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 an alley conveyed to abutting lands zoned CD2.1 is assessed at \$20.00 per square foot without easements plus HST (if applicable) and \$10.00 per square foot with easements plus HST (if applicable).

The rate for an alley conveyed to abutting lands zoned RD1.2 is assessed at \$1.00 plus HST, 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 alley by regular mail, with no objections being received as of the date of writing this report.

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 alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, ENWIN Utilities Ltd. and MNSi as in Recommendation II of this report.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

Planning Act Matters:

N/A

Approvals:

Name	Title
Justina Nwaesei	Acting 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, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

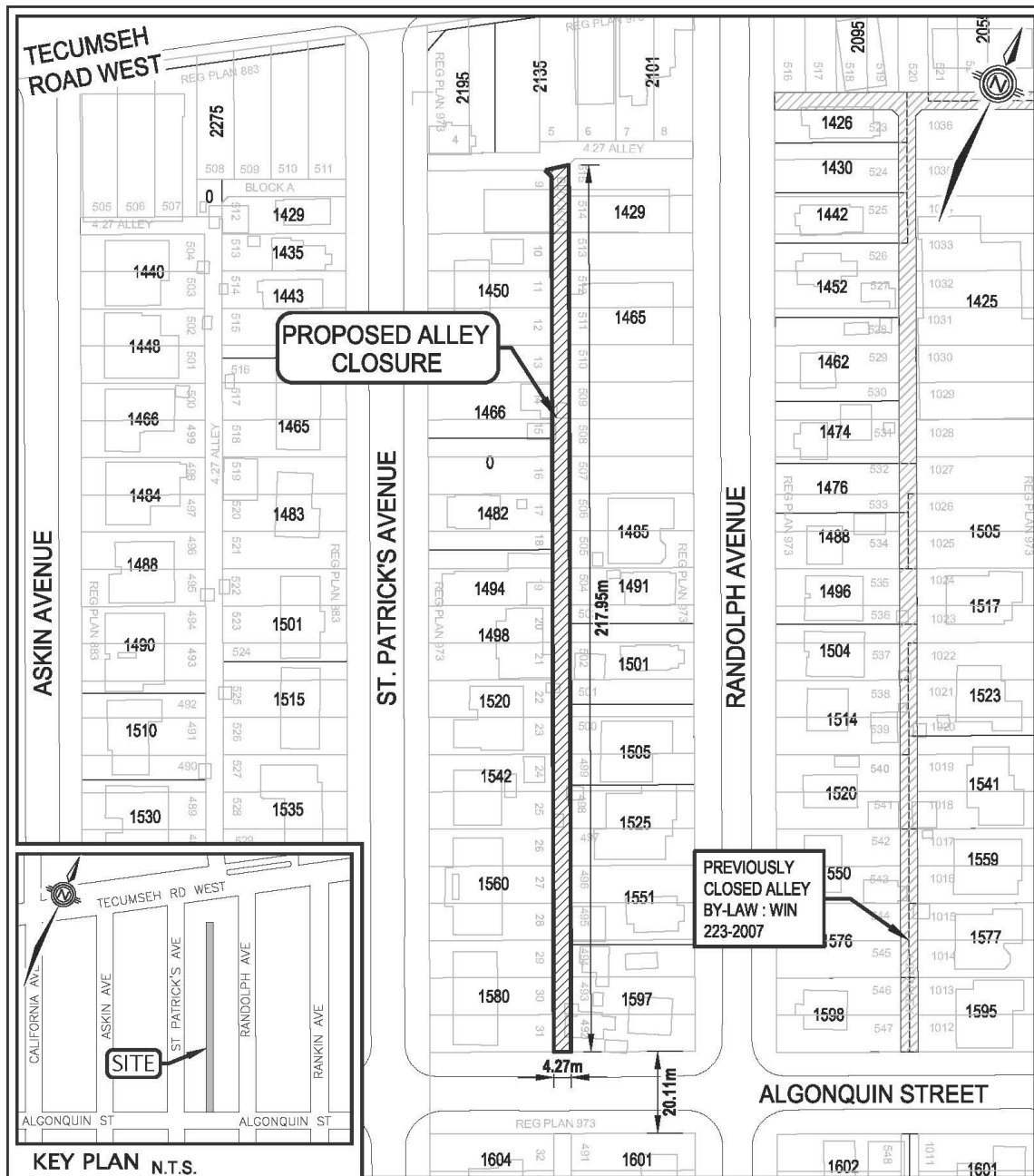
Notifications:

Name	Address	Email
Ward 10 Councillor	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	jmorrisson@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix "A" - Drawing No. CC-1834
- 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

APPENDIX "A" **Drawing No. CC-1834**



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT
Proposed Alley Closure Between St. Patrick's Avenue And Randolph Avenue
North of Algonquin Street & South of Tecumseh Road West

Kirk Tamm
 Kirk Tamm, Manager of Geomatics

SCALE: 1:1000
 DWN BY: UT

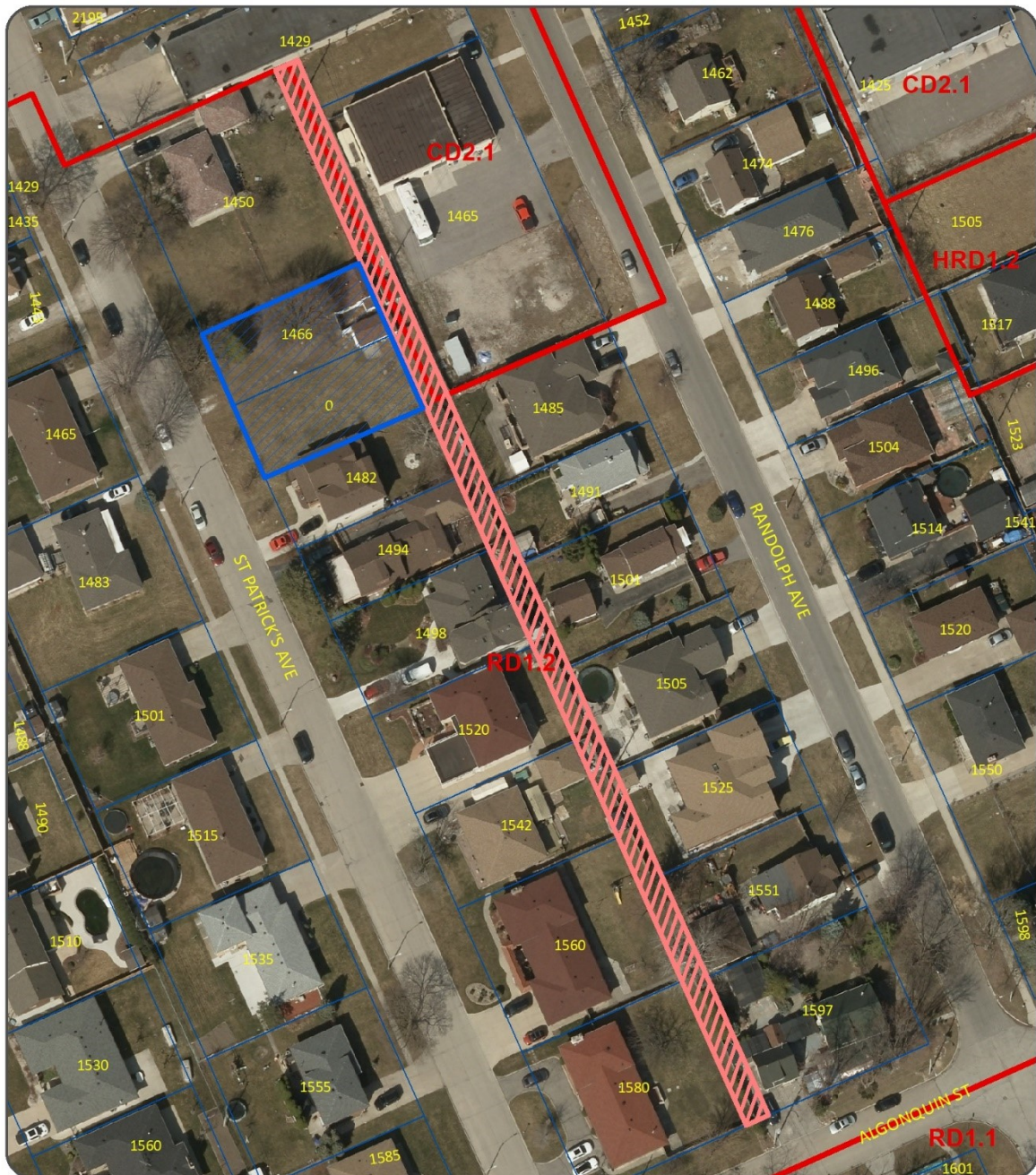
DATE: MAY 2023
 CHKD BY: P.JU / MM

REVISED: —
 REVISION NO.: —

DWG. NO.
CC-1834

APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/7025)

1:875

APPLICANT : TIAN YAO INVESTMENTS LTD.



PROPOSED CLOSURE



SUBJECT PROPERTIES

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MAY, 2023



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests a 3.0 m wide easement, 1.5 m on either side of aerial facilities for the length of the entire alley.

[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]

COGECO CABLE SYSTEMS INC.

No comments provided

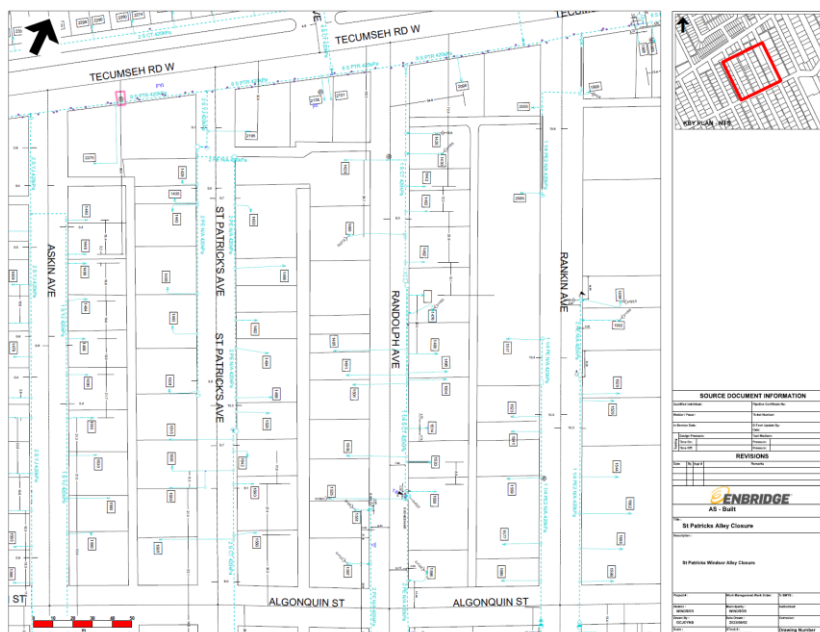
ENBRIDGE GAS

After reviewing the provided drawing at St Patrick's Alley Closure 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]



ENVIRONMENTAL SERVICES

Comments not provided

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

No objection, however an easement named to ENWIN Utilities Ltd is required for the entire North / South alley upon closing to accommodate the existing overhead secondary 120/240 volt and 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 lands abutting RD1.2, \$1.00 plus HST (if applicable), 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.

For alley-abutting lands zoned CD 2.1, \$20.00 per square foot without easements and \$10.00 per square front foot with easements.

[Stephanie Santos - Coordinator of Real Estate Services]

MNSi

MNSi will require an aerial easement through the entire length of this closure we have existing plant on the pole lines.

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

No comments from Natural Areas on this one.

[Karen Alexander - Naturalist and Outreach Coordinator]

Parks Development & Design has no objection for this SAA/7025 Liaison

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No comments provided

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

Comments not provided

PUBLIC WORKS - TRAFFIC

Alley is not needed, no objections with the closure as proposed.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

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

[Meghna Patel - Permit Coordinator]

TRANSPORTATION PLANNING

Transportation Planning has no concerns with the proposed closure.

[Clare Amicarelli - Transportation Planner I]

TRANSIT WINDSOR

No objections from Transit Windsor

[Jason Scott - Supervisor, Planning]

WINDSOR FIRE

No objection from fire.

[Mike Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

No comments provided

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX “D”
Site Photos (April 20, 2023)



Figure 1 - Looking east towards alley from St. Patrick Avenue (1466 St. Patrick Avenue on left)



Figure 2 - Looking east towards alley from St. Patrick Avenue (1482 St. Patrick Avenue on right)



Figure 3 - Looking north towards alley from Algonquin Street (1597 Randolph Avenue in centre)

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.



Council Report: S 71/2023

Subject: Closure of north/south alley located between Laforet Street and 3217 Baby Street, Ward 2, SAA-6994

Reference:

Date to Council: August 1, 2023
Author: Brian Nagata, MCIP, RPP
Planner II - Development Review
(519) 255-6543 ext. 6181

Planning & Building Services
Report Date: June 8, 2023
Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 5.49-metre-wide north/south alley located between Laforet Street and the property known municipally as 3217 Baby Street (legally described as Part of Lots P & Q, Plan 43; Part of Lot C, Plan 40; and Parts 1 to 3, RP 12R-26943) and shown on Drawing No. CC-1832 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure;
- II. THAT the subject 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 (measured 1.50 metres from either side of the below mentioned infrastructure), 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 accommodate existing aerial facilities;
 - ii. Enbridge to accommodate existing underground infrastructure; and
 - iii. ENWIN Utilities Ltd. to accommodate existing 120/240v secondary overhead hydro distribution pole line.
 - b. Easement over west half of the subject alley abutting the property known municipally as 3231 Baby Street (legally described as Part of Block R, Plan 43), subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:

- i. The owner of 3231 Baby Street for access to repair and maintain the east face of the existing accessory building on the said property **IF** they waive their right to purchase the abutting half of the subject alley;

III. THAT Conveyance Cost **BE SET** as follows:

- c. For alley conveyed to abutting lands zoned RD3.1, \$193.75 per square metre (\$18.00 per square foot) without easements plus HST (if applicable), or \$96.87 per square metre (\$9.00 per square foot) with easements plus HST (if applicable). Survey cost and deed preparation fee included.
- d. For alley conveyed to abutting lands zoned RD2.2, \$1.00 plus HST (if applicable), 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.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1832, *attached* hereto as Appendix "A".

V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VI. 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

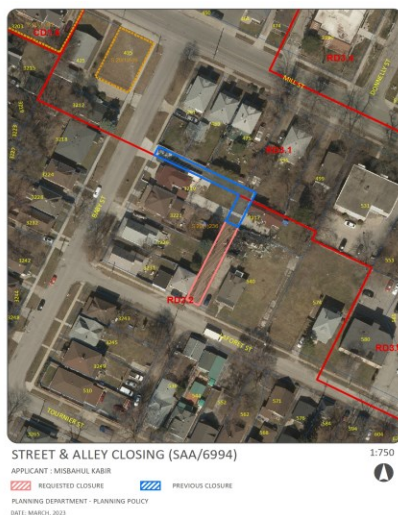


Figure 1 - Location Map

Background:

The applicant, Misbahul Kabir, owner of the property known municipally as 3217 Baby Street (the subject property), applied to close the north/south alley located between Laforet Street and the subject property (the alley), and shown on Drawing No. CC-1832 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”. The alley originally extended further north to the south limit of 475 Mill Street. This section of alley together with the 3.66-metre-wide intersecting east/west alley, east of Baby Street, were closed and conveyed to the subject property by way of Council’s approval of the applicant’s previous alley closure application (SAA-4690) on January 9, 2017.

The alley is unmaintained and composed primarily of grass and gravel bordered on the west side by sporadic trees and shrubs. The alley contains one utility pole with a guy wire and anchor. The subject property has a vehicular gate off of the alley. Notwithstanding this gate, the subject property is not permitted to have vehicular access off of an unmaintained alley. It should be noted that the subject property has a driveway off of Baby Street. The driveway was completed on November 8, 2018 under Driveway Permit DV 18-150294.

The applicant wishes to close the alley for the purpose of establishing a sanitary sewer connection to the 250.0 millimetre vitrified clay combined sewer within the Laforet Street right-of-way.

The Planning Department and Public Works Department, **prior to the submission of this application**, advised the applicant on **multiple occasions** that the requested sewer connection will **not be allowed**. This is due to the deeper and larger 575.0 millimetre brick combined sewer within the Baby Street right-of-way being available and the preferred option for a sanitary sewer connection to the subject property.

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 alley does not serve commercial properties.
2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley does 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 alley does 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 alley does not serve as the only vehicular means of access to any rear parking areas or garages.
5. *Does the subject alley contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The alley does not contain 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 alley does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the alley “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.

The Planning Department, **prior to the submission of this application**, advised the applicant on **multiple occasions** that the standard manner of conveyance will be recommended for the requested closure. The Planning Department also explained to the applicant that the standard manner of conveyance will **not** give him first right to purchase any portion of the alley.

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 an alley conveyed to abutting lands zoned RD3.1 is assessed at \$193.75 per square metre (\$18.00 per square foot) without easements, or \$96.87 per square metre (\$9.00 per square foot) with easements. Survey cost & deed preparation fee included.

The rate for an 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 alley by regular mail, with no objections being received as of the date of writing this report.

The abutting property owners have all confirmed via email or verbally that they wish to purchase their abutting half of the alley should the recommended closure be approved.

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 north/south alley shown on attached Appendix "A", subject to easements in favour of Bell Canada, Enbridge, ENWIN Utilities Ltd. and the owner of 3231 Baby Street (if applicable) as in Recommendation II of this report.

The closed alley is to be conveyed to the abutting property owners as in Recommendation II of this report.

Planning Act Matters:

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

Justina Nwaesei, MCIP, RPP
Acting Manager of Policy Planning

Greg Atkinson, MCIP, RPP
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Justina Nwaesei	Acting Manager of Planning Policy/Deputy City Planner
Greg Atkinson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Counsel
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

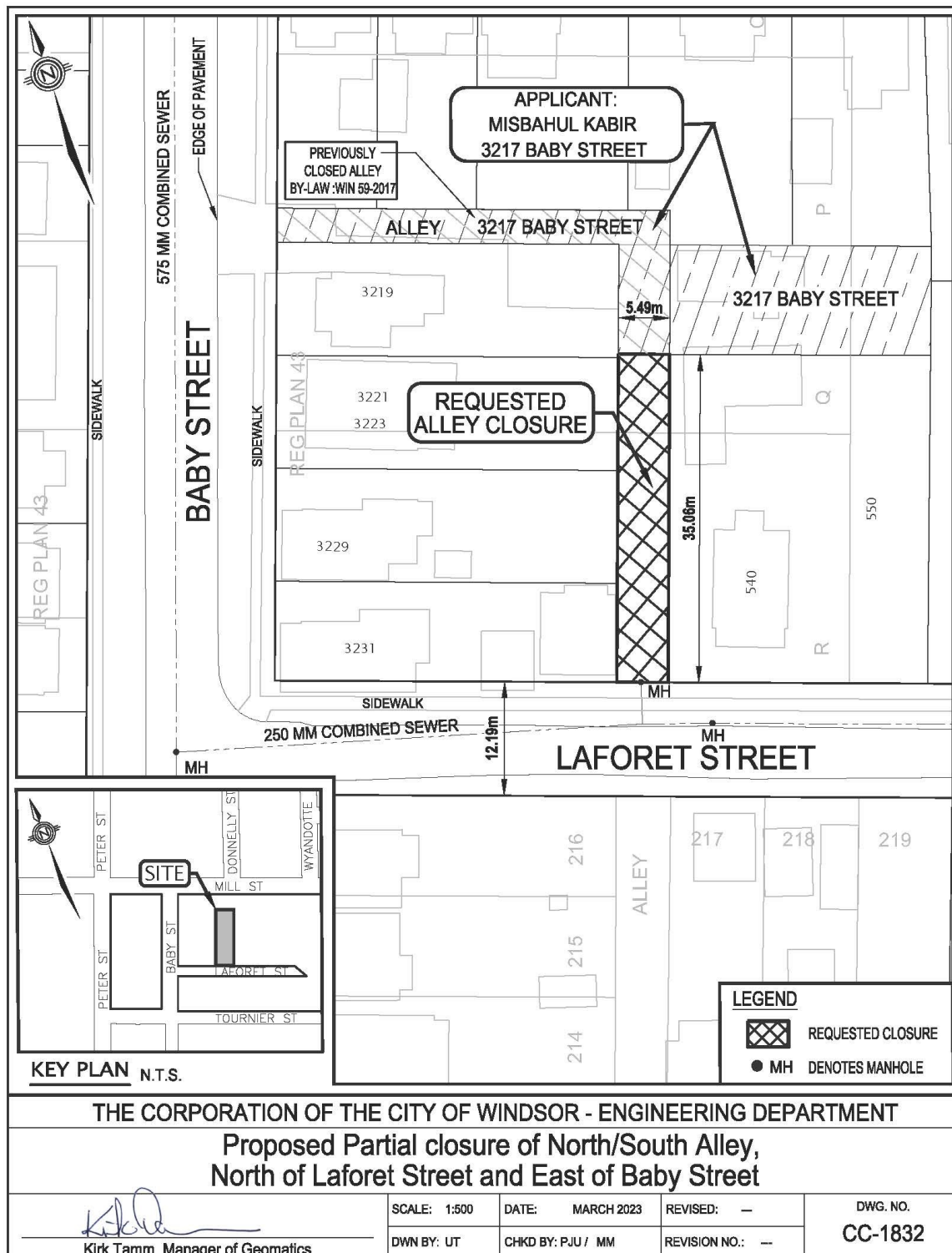
Notifications:

Name	Address	Email
Ward 2 Councillor Fabio Costante	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	fcostante@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1832
- 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

APPENDIX "A" **Drawing No. CC-1832**



APPENDIX "B"

EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6994)

1:750

APPLICANT : MISBAHUL KABIR



REQUESTED CLOSURE



PREVIOUS CLOSURE

PLANNING DEPARTMENT - PLANNING POLICY

DATE: MARCH, 2023



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests a 3.0 m wide easement (1.5 m on either side of the aerial facilities as can be reasonably accommodated) for the length of the closure area.

[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]

COGECO CABLE SYSTEMS INC.

No comments provided

ENBRIDGE GAS

After reviewing the provided drawing at Laforet St Alley Closure 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 (Figure 1). An easement would be required.

Please Note:

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

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

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

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

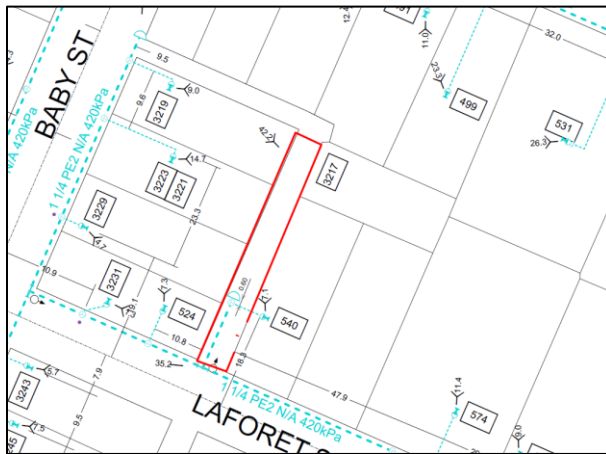


Figure 1 - As-built Drawing

The service to 3217 Baby has been abandoned. See the attached as-built showing the abandonment (Figure 2).

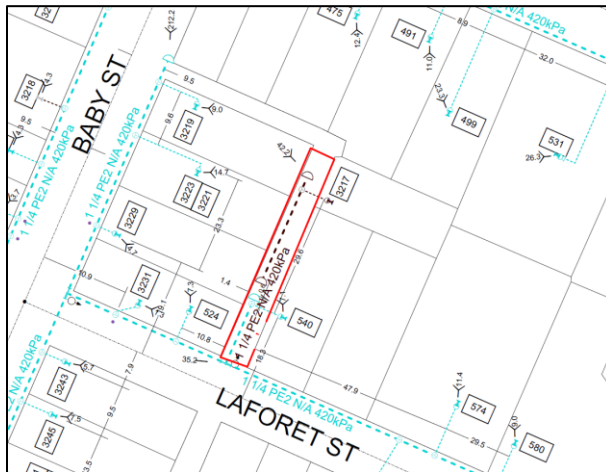


Figure 2 - As-built Drawing

[Gord Joynson - Drafter / Estimator]

ENVIRONMENTAL SERVICES

Comments not provided

ENWIN UTILITIES - HYDRO

No objection to alley closing within the requested section shown in red, however, an easement named to ENWIN Utilities Ltd. is required upon closing for the whole width and length of the entire alley to accommodate the existing 120/240v secondary overhead hydro distribution pole line.

We also 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.

[Jerry Raniwsky - Senior Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL DEPARTMENT

For land abutting properties zoned RD2.2, \$1.00 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.

For land abutting property zoned RD3.1, \$193.75 per square metre (\$18.00 per square foot) without easements, or \$96.87 per square metre (\$9.00 per square foot) with easements. Survey cost & deed preparation fee included.

[Kaine Brouette- Coordinator of Real Estate Services]

PARKS & FACILITIES

No comment from me for this one.

I see no natural heritage feature.

[Karen Alexander – Naturalist and Outreach Coordinator]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objections from a landscape or urban design perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject alley closure going North and South is approximately 5.48 m (18 ft.) wide, and is composed of grass. There are no sewers, manholes, or catch basins located in the alley closure. There are wooden hydro poles, guy-wires, or overhead wires located in the alley. An easement will be required for utilities. A survey would have to determine the precise location of the subject alley, sidewalk and fences. This alley appears to serve no useful purpose by CR146/2005; therefore, we have no objections to the closure of this alley.

[Thomas Huynh - Technologist I]

PUBLIC WORKS - TRAFFIC

The applicant at 3217 Baby Street currently has access via the east/west alley shown in blue. The north/south alley is required for vehicular access by 3219 Baby St. However, since that property is co-owned by the applicant, there are no objections as the alley is not used by any other properties and not required for pedestrian access. No objection with closing the alley as proposed.

[Mike Spagnuolo - Signal Systems Analyst]

ROGERS COMMUNICATIONS

No comments provided

TELUS COMMUNICATIONS

No comments provided

TRANSPORTATION PLANNING

Transportation Planning has no objections to the closure of this alley.

[Clare Amicarelli - Transportation Planning Coordinator]

TRANSIT WINDSOR

No issues or concerns from Transit Windsor.

[Jason Scott - Supervisor, Planning]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

No comments provided

APPENDIX “D”
Site Photos (June 30, 2022)



Figure 1 - Looking north from mid-point of alley (3217 Baby St at end of alley)



Figure 2 - Looking south towards Laforet St from north end of alley



Figure 3 - Looking south towards Laforet St from north end of alley (540 Laforet St on left)



Figure 4 - Looking north towards alley from Laforet St (3231 Baby St on left)

APPENDIX “E”

Classification of Alleys and Suitability for Closure

Classification of Public Rights-of-Ways:

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

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

Suitability for Closing:

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

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



Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Habitat for Humanity Windsor-Essex for 1067 Henry Ford Centre Drive (Ward 5)

Reference:

Date to Council: August 1, 2023
Author: Greg Atkinson, Senior Planner
gatkenson@citywindsor.ca
519-255-6543 x 6582

Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: July 7, 2023
Clerk's File #: Z2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by Habitat for Humanity Windsor-Essex 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 1067 Henry Ford Centre Drive 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 \$11,350 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 \$11,350 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 west side of Henry Ford Centre Drive, between Whelpton Street and Richmond Street (see location map). The property is 0.30 hectares (or 0.74 acres) in size. It is currently a vacant lot lined with concrete parking curbs that may have been for a commercial parking area use. The site is designated 'Residential' on Official Plan Schedule D: Land Use, and is zoned Residential District RD2.1 which allows for one duplex dwelling, semi-detached dwelling, or single unit dwelling.

The Phase One ESA states that the subject property appears to have never been developed on, and remained as a vacant property / parking lot over the years. Nevertheless, the report findings indicate Areas of Potential Environmental Concern (APECs) related to fill material and nearby ink manufacturing, processing, and bulk storage, which require further investigation through a Phase Two ESA.

Habitat for Humanity Windsor-Essex intends to redevelop the property for residential use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. Matthew Antaya of Dillon Consulting Limited has submitted the grant application on behalf of the property owner. Habitat for Humanity Windsor-Essex is incurring the eligible Phase 2 Environmental Site Assessment (ESA) costs, and should the application be approved, would receive the grant payment.

Discussion:

Environmental Site Assessment Grant Program

The 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 applicant proposes to redevelop the property for residential use, and requires a Phase 2 Environmental Site Assessment (ESA) study as part of their application for a Record of Site Condition. The applicant has completed a Phase I ESA, which identifies 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). Upon completion, the City would retain a copy of the final Phase II ESA 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 potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

Climate Change Risks

Climate Change Mitigation:

The proposed residential redevelopment is supported by the Environmental Master Plan

action item, which encourages use of the Brownfields Redevelopment Strategy.

Climate Change Adaptation:

The existing vacant commercial property 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.

Financial Matters:

The cost estimate (excluding HST) for completing the proposed Phase II ESA study is \$22,700. If approved, the maximum grant would total \$11,350. 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 \$741,710 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 Habitat for Humanity Windsor-Essex 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
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
Matthew Antaya		mantaya@dillon.ca
Pamela Breault (Habitat for Humanity Windsor-Essex)		pbreault@habitatwindsor.org

Appendices:

- 1 Appendix A - Location Map



LOCATION MAP : 1067 HENRY FORD CENTRE DRIVE



Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by Investrade Developments (Ontario) Limited for 240 Albert Road (Ward 5)

Reference:

Date to Council: August 1, 2023
Author: Greg Atkinson, Senior Planner
gatkenson@citywindsor.ca
519-255-6543 x 6582

Tracy Tang, MCIP, RPP
Planner II - Revitalization & Policy Initiatives
ttang@citywindsor.ca
519-255-6543 x 6449
Planning & Building Services
Report Date: July 7, 2023
Clerk's File #: Z2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by Investrade Developments (Ontario) Limited 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 240 Albert Road 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 \$23,450 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 \$23,450 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 south side of Riverside Drive East, between Albert Road to the west, Drouillard Road to the east, and the VIA railroad to the south (see location map). The property is 3.22 hectares (or 7.95 acres) in size and irregularly shaped. It is currently a vacant parking lot with one single-storey brick office building adjacent to Albert Road. The site is designated 'Business Park' on Official Plan Schedule D: Land Use, and is zoned Manufacturing District MD2.1 on the majority of the site and Commercial District CD4.1 on the eastern part of the property fronting Drouillard Road.

In recent years, the property was used as a commercial parking lot, and before then it was the site of a Ford Motor Company of Canada manufacturing facility. The Phase One ESA identifies the first developed use of the property was in 1919 by the Ford Motor Company of Canada Ltd. Some Potentially Contaminating Activities (PCAs) identified on the site included a power plant, metal fabrication building, rail spurs, coal bunkers, and aboveground gasoline storage tanks.

The principal owner of Investrade Developments (Ontario) Limited is Quaiser Ahmed. Investrade Developments (Ontario) Limited intends to redevelop the property to residential / commercial use, thus a Record of Site Condition (RSC) is required under Ontario Regulation 153/04. J.P. Baillargeon, P. Eng., of Dillon Consulting Limited has submitted the grant application on behalf of the currently property owner. Investrade Developments (Ontario) Limited is incurring the eligible Phase 2 Environmental Site Assessment (ESA) costs and, should the application be approved, would receive the grant payment.

Discussion:

Environmental Site Assessment Grant Program

The 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 applicant proposes to redevelop the property for residential / commercial use, and requires a Phase 2 Environmental Site Assessment (ESA) study as part of their application for a Record of Site Condition. The applicant has completed a Phase I ESA, which identifies 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 applicant has also noted that an additional review is required to determine the location

of an underground storage tank that is present at the site. Upon completion, the City would retain a copy of the final Phase II ESA 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 potential presence of contamination. The proposed Phase II ESA study will assist in mitigating the above noted risk by confirming the presence and extent of any contamination. It may also provide an estimated cost for remediation and establish next steps in the remediation process, if required.

Climate Change Risks

Climate Change Mitigation:

The proposed residential / commercial redevelopment is supported by the Environmental Master Plan action item, which encourages use of the Brownfields Redevelopment Strategy.

Climate Change Adaptation:

The existing industrial / commercial property 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.

Financial Matters:

The cost estimate (excluding HST) for completing the proposed Phase II ESA study and location study for the underground storage tank together is \$46,900. If approved, the maximum grant would total \$23,450. 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 \$741,710 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 Investrade Developments (Ontario) Limited 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
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
J. P. Baillargeon, P.Eng		jpbailargeon@dillon.ca
Investrade Developments (Ontario) Limited		qmega3@yahoo.ca

Appendices:

- 1 Appendix A - Location Map



LOCATION MAP : 240 ALBERT ROAD



Council Report: S 80/2023

Subject: Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2821383 Ontario Inc. for 75 Mill Street (Ward 2)

Reference:

Date to Council: August 1, 2023
Author: Greg Atkinson, Senior Planner
519-255-6543 ext. 6582
gatkenson@citywindsor.ca

Report Date: July 1, 2023
Clerk's File #: Z2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the request made by 2821383 Ontario 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 75 Mill Street for the earlier of 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 2821383 Ontario 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.

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 approximately 50 hectares (123 acres) or 22% 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 2,104 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 west side of Russell Street between Mill Street and Brock Street (see Appendix 'A': Location Map). The site has frontage on the Detroit River and has an inlet that bisects much of the property. The Site is 3.7 hectares in size (9.1 acres) and is currently vacant. The principal owner of 2821383 Ontario Inc. is Jonathan Seguin.

The subject site is designated 'Waterfront Recreation' on Official Plan Schedule D: Land Use, which permits recreation and leisure activities and facilities and marinas for pleasure craft. The southern three-quarters of the site is zoned Commercial District CD2.4, which permits a marina and accessory uses. Site specific zoning provisions apply this portion of the site, which permit a multiple dwelling up to 15 storeys in height and 250 dwelling units. The northern quarter of the site is zoned Green District GD1.1, which permits a Child Care Centre, Public Park, and accessory uses.

While the subject site is currently vacant, the site has previously been used for industrial purposes (e.g. stone crushing and glass recycling). Much of the site consists of fill material that has been imported to the site

Discussion:

Development Proposal

The applicant proposes to construct a 14 storey multiple dwelling containing 250 dwelling units. Prior to issuance of a building permit a Record of Site Condition (RSC) confirming the soil and groundwater quality meet residential standards must be filed with the Ministry of the Environment, Conservation and Parks (MOECP). The Phase 1 Environmental Site Assessment (ESA) work completed by the applicant identified a number of areas of potential environmental concern and the Phase 2 ESA work confirmed that soil quality does not currently meet the standards for residential use.

The application indicates a risk assessment approach will be used to obtain a RSC, which may consist of hard cap or fill cap across the site as well as measures to prevent vapour intrusion into buildings. The total eligible cost of the work required to file a RSC is estimated to be \$3,001,684. The application also identifies \$138,675 in site servicing costs will need to be incurred to support redevelopment plan, which may also be eligible costs under the Brownfields Rehabilitation Grant Program.

Brownfield Rehabilitation Grant Program

The Brownfield Rehabilitation Grant Program encourages the remediation, rehabilitation and adaptive re-use of brownfield sites by providing grants to help pay for remediation costs as well as non-environmental rehabilitation costs normally associated with brownfield site redevelopment (e.g. development application and building permit fees, and upgrading on-site /off-site infrastructure).

The program offers annual grants funded through the increase in municipal property tax levy created by the investment for up to 10 years to help offset eligible costs. The CIP specifies Brownfield Rehabilitation Grants will equal 70% of the municipal property tax increase for a project that employs standard construction methods and 100% of the municipal property tax increase for projects that achieve any level of Leadership in Energy and Environmental Design (LEED) certification.

Annual grants are paid out following the filing of a RSC, reassessment of the property and the payment of the property taxes for the year in which the grant is to be provided. Issuance of the first grant payment typically occurs at least two years after approval to participate in the program but not before development is complete and has been reassessed by MPAC.

CIP Goals

City staff are supportive of the application as it meets all of the eligibility requirements specified within the Brownfield Redevelopment CIP. The proposed filing of a RSC and redevelopment of the property 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;
- Improving the land use compatibility of potential brownfield sites with surrounding land uses;
- 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 clean up, redevelopment, and intensification of the site is supported by numerous policies within the 2020 Provincial Policy Statement, the City's Official Plan, Community Energy Plan, and the City's Environmental Master Plan.

Risk Analysis:

As with all brownfield sites, there is a degree of risk associated related to the potential presence of contamination. In this case there is also a risk of the property remaining in a vacant state, which negatively affects the surrounding properties. The proposed clean-up and redevelopment of this site will assist in mitigating these risks.

Climate Change Risks

Climate Change Mitigation:

The proposed 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 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.

Financial Matters:

The current property value assessment of the subject site is \$1,118,000. The total current tax levy is \$29,500.41 with the municipal portion being \$20,308.82. The estimated property assessment value and annual grant is shown in the chart below.

Estimate of Brownfield Rehabilitation Grant			
Annual Pre Development Municipal Taxes	Estimate of Annual Post Development Municipal Taxes	Estimate of Annual Rehabilitation Grant (70% of increase)	Total Estimated Grant Value over ten (10) years
\$20,308.82	\$285,864.76	\$179,456	\$1,794,560

Construction to current Building Code standards would yield annual grant payments in the amount of 70% of the post municipal tax increase. The City would retain 30% of the increase, which is estimated to be \$76,909.35 or \$769,093.50 over the 10 year grant period.

If approved the rehabilitation grant program may offset approximately 57% of the estimated eligible rehabilitation and site servicing costs. The Brownfield Redevelopment grants are paid back to the applicant after redevelopment has occurred, property assessment value has been reassessed by MPAC, and total taxes as it relates to the redevelopment have been paid to the City in full. After the grant programs cease the full amount of increased annual municipal taxes would be retained by the City in perpetuity.

The proposed development may also be eligible for incentives under the Sandwich CIP, however no application has been submitted as of the date of this report.

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 Brownfield Rehabilitation Grant Program. Staff from the Planning, Finance, and Legal Departments were consulted in the preparation of this report.

Conclusion:

Administration recommend Council approve the requests from 2821383 Ontario Inc. to participate in the Brownfield Rehabilitation Grant Program. The proposed risk assessment measures and redevelopment of this brownfield site conforms to the Brownfield Redevelopment CIP; assists the City in the achievement of a number of CIP, Official Plan, Community Energy Plan, and Environmental Master Plan goals; and exemplifies the purpose for which the Brownfield Redevelopment Strategy was created.

Planning Act Matters:

N/A

Approvals:

Name	Title
Josie Gualtieri	Financial Planning Administrator
Neil Robertson	City Planner / Executive Director, Planning & Development Services (A)
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Janice Guthrie	Deputy Treasurer, Taxation & Financial Projects
Janice Guthrie	Commissioner, Corporate Services Chief Financial Officer / City Treasurer
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

Name	Address	Email
J.P. Baillargeon		jpbaillargeon@dillon.ca

Appendices:

- 1 Location Map



LOCATION MAP : 75 MILL STREET



SUBJECT PROPERTY

0 25 50 100 Meters

