

Development & Heritage Standing Committee Meeting

Date: Tuesday, October 3, 2023

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

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

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

MEMBERS:

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Anthony Arbour

Joseph Fratangeli

Daniel Grenier

John Miller

Charles Pidgeon

Robert Polewski

Khassan Saka

William Tape

ORDER OF BUSINESS

Item # Item Description
1. **CALL TO ORDER**

READING OF LAND ACKNOWLEDGEMENT

We [] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

2. **DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

3. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

4. **COMMUNICATIONS**

5. **ADOPTION OF THE *PLANNING ACT* MINUTES**

5.1. Minutes of the September 11, 2023 Development & Heritage Standing Committee meeting (*Planning Act Matters*) (**SCM 257/2023**)

6. **PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)**

7. ***PLANNING ACT MATTERS***

7.1. Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7 (**S 122/2023**)

7.2. Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) -Ward 7 (**S 121/2023**)

7.3. Draft Plan of Condominium with Exemption under Section 9(3) of the Condominium Act –CDM 008-23 [CDM-7134] Lankor Horizons Development Inc. 3290, 3320, 3340, 3370 STELLA CRESCENT Ward 7 (**S 117/2023**)

8. **ADOPTION OF THE MINUTES**

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

10. **HERITAGE ACT MATTERS**

11. **ADMINISTRATIVE ITEMS**

11.1. Closure of north/south alley located between Joinville Avenue and Haig Avenue, and two intersecting east/west alleys located west of north/south alley, Ward 8, SAA-6822 (**S 102/2023**)

11.2. Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848 (**S 109/2023**)

11.3. Closure of part of north half of Lillian Street right-of-way, between Vimy Avenue and Memorial Drive, Ward 4, SAS-6629 (**S 41/2023**)

11.4. Closure of Third Street R.O.W. between Continental Avenue and E. C. Row Expressway, Ward 2, SAS-6924 (**S 97/2023**)

12. **COMMITTEE MATTERS**

13. **QUESTION PERIOD**

14. **ADJOURNMENT**



Committee Matters: SCM 257/2023

Subject: Minutes of the September 11, 2023 Development & Heritage Standing Committee meeting (Planning Act Matters)

Development & Heritage Standing Committee Meeting

Date: Monday, September 11, 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 Joseph Fratangeli

Member Daniel Grenier

Member Charles Pidgeon

Member Khassan Saka

Member William Tape

Member Regrets

Member John Miller

Member Robert Polewski

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Pablo Golob, Planner II – Development Review

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development & Innovation

Neil Robertson, Acting City Planner

James Abbs, Planner III - Subdivisions

Justina Nwaesei, Planner III - Subdivisions

Brian Nagata, Planner II – Development Review

Greg Atkinson, Manager of Development / Deputy City Planner

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 2 of 12

Wira Vendrasco, Deputy City Soliciter
Clare Amicarelli, Transportation Planning Coordinator
Robert Perissinotti, Development Engineer
Dave Soave, Manager Strategic Operating Budget Development & Control
Kristina Tang, Planner III -Heritage
Laura Strahl, Planner III – Special Projects
Anna Ciacelli, Deputy City Clerk

Delegations—participating via video conference

Item 11.6 – Dawne Martens, Applicant representative
Item 7.4 – Bryan Pearce, Principal Planner, Baird AE
Item 7.4 – Maneesh Poddar, Director of Planning & Development, Westdell Development Corp

Delegations—participating in Council Chambers

Item 7.1 – Melanie Muir, Dillon Consulting, on behalf of the Applicant
Item 7.1 – Stephen Ducharme, area resident
Item 7.1 – Jackie Lassaline, area resident
Item 7.3 – Ralph Meo, Meo & Associates
Item 7.3 – Richard Gauvin, area resident
Item 7.3 – Joe Tanguay, area resident
Item 7.3 – Paul Michaud, area resident
Item 7.3 – Alan Hodare, area resident
Item 7.3 – Paul Bartolo, President, Windsor Soccer Club
Item 7.3 – Carol Demonde, area resident
Item 7.3 – Ron Jenkins, area resident
Item 7.3 – Karen Morand, area resident
Item 11.1 – Dan Karon, area resident
Item 11.1 – Jack Tobin, area resident
Item 11.3 – James Maxwell, area resident

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Member Daniel Grenier discloses an interest on Item 7.1 being “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653]

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 3 of 12

Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5,” as he has an ongoing professional relationship with the representative of the applicant.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

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

THAT the report of the Senior Planner dated September 11, 2023 entitled “Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5” BE DEFERRED to a future meeting of the Development & Heritage Standing Committee to allow for more time for the surrounding residents to be notified.

The motion is **WITHDRAWN**.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the August 1, 2023 Development & Heritage Standing Committee meeting (*Planning Act* Matters)

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

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held August 1, 2023 **BE ADOPTED** as presented.

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See *Planning Act* Matters minutes.

7. *PLANNING ACT* MATTERS

7.2. Zoning By-law Amendment Application for 3335 Woodward Boulevard, Z-021/23 [ZNG-7066], Ward 9

Brian Nagata, Planner (author) is available for questions.

MINUTES

Development & Heritage Standing Committee

Monday, September 11, 2023

Page 4 of 12

Councillor Kieran Mackenzie asks for clarification on the recommendation to maintain the Institutional District 1.1 (ID1.1) zoning in lieu of changing it to a Residential District 1.1 zoning for allowing a Single Unit Dwelling use. Mr. Nagata answers that the ID1.1 zoning is most appropriate for the proposal.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Fred Francis

Decision Number: **DHSC 547**

- I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Seymour Boulevard and Woodward Boulevard, described as Block A & Part of Block B, Plan 1513, by adding a site specific provision to permit *One Single Unit Dwelling* as an additional permitted use within the existing former St. Christopher's Parish Hall, subject to additional regulations:

485. SOUTHWEST CORNER OF SEYMOUR BOULEVARD AND WOODWARD BOULEVARD

(1) For the lands comprising of Block A & Part of Block B, Plan 1513, PIN No. 01561-2695 LT, *One Single Unit Dwelling* shall be an additional permitted use within the existing former St. Christopher's Parish Hall and the following shall apply:

1. Provisions in section 13.1.5
2. Gross Floor Area - Single Unit Dwelling - 400.0 m² maximum

[ZDM 12; ZNG/7066]

- II. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following condition is satisfied:

- a) The owner shall demonstrate that the existing former St. Christopher's Parish Hall will comply with the Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) limits set forth under *Table C-4 Indoor Aircraft Noise Limits (Applicable over 24-hour period)* of the Ministry of the Environment and Climate Change (MOECC) *Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300)* to the satisfaction of the Chief Building Official.

[ZDM 12; ZNG/7066]

Carried.

Report Number: S 95/2023

Clerk's File: Z/14605

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 5 of 12

7.1. Official Plan Amendment and Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Z 001-22 [ZNG-6653] Riverside Horizons 3251 Riverside Dr. E & 222 Belleview Ave - Ward 5

Jim Abbs, Planner (author) presents application.

Melanie Muir, Agent (Dillon Consulting Limited) is available for questions.

Stephen Ducharme, area resident (address) has various concerns including; traffic and safety, historical value of the area, setback leaving no room for pedestrians.

Councillor Francis asks Mrs. Muir how many parking spaces will be provided. Mrs. Muir states that there will be 135 spaces in total and adds that this will be confirmed through Site Plan Control.

Councillor Francis asks for examples of residential buildings in the area similar to the development. Mr. Abbs provides examples, such as; Lifetimes (3375 Riverside Drive) is a 7-storey building, Hazel View Properties (3445 Riverside Drive) is an 8-storey building, Lions Manor (2030 Stranbane Road) is a 9-storey building.

Councillor Marignani asks if Alexander Park is 200 meters from proposed area. Mrs. Muir confirms that is correct.

Councillor Marignani asks if the power station is that the highest building in the area. Mrs. Abbs confirms that is correct.

Councillors Kieran Mackenzie asks if there will be bicycle parking. Mrs. Muir confirms that there will be bicycle parking on site.

Councillor Kieran Mackenzie asks if there are any environmental sustainability plans. Mrs. Muir answers that there are plans to have geo thermal heat, solar power and EV charging stations. Mrs. Muir adds that there are plans for a garden and patio.

Councillor Kieran Mackenzie asks for more information on what the outdoor space. Mrs. Muir answers that the garden and patio area would be located above the above the parking garage on the third level (on Pratt Street). The area would have a BBQ area, seating, a greenhouse and garden area for the residents. Mrs. Muir adds that is to make up for the reduction of landscaping on the ground level.

Councillor Marignani asks where the garbage containers will be located. Mrs. Muir answers that the garage containers will be located inside the building.

Moved by: Councillor Kieran McKenzie

MINUTES

Development & Heritage Standing Committee

Monday, September 11, 2023

Page 6 of 12

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 546**

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

1.# South Side of Riverside Drive, between Belleview Avenue and Pratt Street

1.#.1 The property described as of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

1.#.2 Notwithstanding Section 6.3.2.1 of the Official Plan, Volume I, a High Profile Residential Building shall be permitted on the subject property.

THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, from Commercial District CD1.7 and Residential District RD2.2 to Residential District (RD) 3.3; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue by adding site specific regulations as follows:

483. South Side of Riverside Drive, between Belleview Avenue and Pratt Street

For the lands described as for Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, the following regulations shall apply:

Building setback from an exterior lot line abutting Riverside Drive - 3m

Building setback from an exterior lot line abutting Riverside Drive or Pratt Place for that part of the building having a height of more than 12.5m - 7.5 m

Building setback from a lot line for that part of the building having a height of more than 12.5 m abutting any zone that permits single detached dwellings – 7.5 m

Parking spaces shall be prohibited on the first and second floor of any structure within 7.5 m of an exterior building wall adjacent to Riverside Drive;

Parking spaces shall be prohibited on the first floor of any structure within 7.5 m of an exterior building wall adjacent to Pratt Place

Amenity Area – Minimum - 420 m²;

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 7 of 12

Lot Area - Minimum - 3,500 m²;

Lot Coverage - Maximum - 66%;

Building Height – Maximum - 45.0m;

Landscaped Open Space - minimum - 20%;

Number of Dwelling units – maximum - 84

(ZDM 6; ZNG/6053)

THAT Lots 56 & 57, Plan 597; Lots 1 & 2 Plan 1563; and Part of Lot 101, Concession 1, in the City of Windsor, known municipally as 3251 Riverside Drive E & 222 Belleview Avenue, **BE CLASSIFIED** as a Class 4 area pursuant to Publication NPC-300 (MOECP Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning); and,

THAT the City Planner or their designate **BE DIRECTED** to provide a copy of the Council Resolution approving the Class 4 area classification and a copy of any development agreement or site plan agreement for the subject lands that incorporates noise mitigation measures to East Windsor Cogeneration Plant, Ford Motor Company Windsor Engine Plant, and Greco Aluminum Railings”; and,

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

Incorporating additional, or modify existing, mitigation measures including warning clauses required for a Class 4 designation pursuant to Publication NPC-300 in any future Site Plan Control agreement.

Carried.

Member Daniel Grenier discloses an interest and abstains from voting on this matter.

Report Number: S 93/2023
Clerk's File: Z/14347 & Z/14639

Councillor Jim Morrison leaves the meeting at 5:24 o'clock p.m. and Councillor Kirean McKenzie assumes the chair.

Councillor Jim Morrison returns to the meeting at 5:30 o'clock p.m. and Councillor Kirean McKenzie returns to his seat at the council table.

MINUTES

Development & Heritage Standing Committee

Monday, September 11, 2023

Page 8 of 12

7.3. Rezoning – Meo & Associates Inc. – 1646 Alexis Road – Z-043/22 ZNG/6940 - Ward 5

Justina Nwaesei, Planner - presents the application and makes note that she is not the author of the report.

Jackie Lassaline, Agent - presents application.

Ralph Meo, Developer - is available for questions.

Richard Gauvin, area resident – is not in support of the development and has concerns with the parking in the area as it is already an issue because of the soccer fields, new fire hall and new school. Mr. Gauvin mentions that people are already parking on the boulevards and sidewalks. Mr. Gauvin also states that over 300 invitations were sent out for the open house and he never received one.

Joe Tanguay, area resident (1596 Alexis Rd.) – is not in support of the development and has concerns with sewer capacity, flooding, traffic and parking. Mr. Tanguay has concerns with the height of the building and does not agree with shadow study.

Paul Michaud, area resident (1609 Alexis) – is not in support of the development and has concerns with the size for the neighborhood, the shadow study and privacy. Mr. Michaud is also concerned about losing the character of the area.

Alan Hodare, area resident (1595 Chandler Rd.) – is not in support of the development and has concerns with running the sewer on to Reginald St. because it is only an only 11inch sewer.

Paul Bartolo, President Windsor Soccer Club – has concerns with traffic, accessibility and noise. Mr. Bartolo believes that the potential residents moving into the development should be aware of soccer events and light pollution.

Carol Guimond, area resident – is not in support of the development and is concerned with potential of leaking oils into the soil (the nearby school used oil to heat building). Ms. Guimond has concerns with drainage, traffic, privacy, shadows and the value of homes being depreciated.

Ron Jenkins, area resident (Chandler Rd.) – has concerns with traffic and parking.

Karen Dory, area resident (1742 Chandler Rd.) – has concerns with parking and traffic and asks if there is a Traffic Study.

Councillor Mark Mackenzie asks if a Traffic Study has been done. Ms. Amicarelli responds that the development did not meet the criteria to initiate a Traffic Impact Study.

Councillor Mark Mackenzie asks if there was discussion on the placement of the buildings and asks why they were not placed on the East side. Ms. Lassaline answers that they are trying to preserve the heritage of the school. Placing the building on the east side would complicate the view of the school.

MINUTES

Development & Heritage Standing Committee

Monday, September 11, 2023

Page 9 of 12

Councillor Marignani asks if the height of the building can be reduced. Mr. Meo answers that the development proposal cannot be altered.

Member Arbour asks if the parking can be changed to add more lots and why a Traffic Study cannot be done. Mr. Meo answers that additional underground parking was looked at but it raises the cost of the units and the building would have to be higher. Mr. Meo states that parking is an issue in the area because the Ford Test Track parking is not being utilized as it should be and residents are choosing to park along the streets.

Councillor Kieran Mackenzie asks Ms. Lassaline for clarification on the Shadow Study. Ms. Lassaline answers the only negative impact from the Shadow Study is during the winter season which would affect 3-4 houses.

Councillor Kieran Mackenzie asks for clarification on the sewer hookups and drainage concerns. Mr. Perissinotti answers as per the Functional Serving Study, the development will not have impact on the sewer system on Reginald St. Mr. Perissinotti also adds that the trunk sewer cannot be used because it is not abutting the property therefore, there would be no access to it. Reginald St. would be utilized for storm and sanitary. Councillor Kieran Mackenzie asks that given the scope of the development, is there sufficient capacity. Mr. Perissinotti answers that there is sufficient capacity for both sanitary and sewer.

Councillor Kieran Mackenzie asks what type of impact will the development have on the street as it is now. Ms. Amicarelli answers as per the IT manual, factors are taken in and a number is generated. The numbers for this development were 42 new trips in the morning and 60 new trips in the evening. The numbers did not warrant a TIS (which is above 100). Ms. Amicarelli adds that they look at the how the traffic would affect the surrounding intersections and based on the review, it was not expected to affect the existing transportation network.

Councillor Kieran Mackenzie asks how the heritage of the area was incorporated into the development. Ms. Lassaline answers that they wanted to design something that complements the Gordon McGregor School.

Councillor Mark Mackenzie asks to defer the application.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Fred Francis

THAT the report of the Senior Planner dated September 11, 2023 entitled "Rezoning – Meo & Associates Inc. – 1646 Alexis Road – Z-043/22 ZNG/6940 - Ward 5" BE DEFERRED to a future meeting of the Development & Heritage Standing Committee to allow time to address concerns brought forward by the residents.

The motion is **put** and **lost**.

Aye votes: Councillors Mark McKenzie, Fred Francis, and Member Anthony Arbour.

MINUTES

Development & Heritage Standing Committee

Monday, September 11, 2023

Page 10 of 12

Nay votes: Councillors Jim Morrisson, Kieran McKenzie, Angelo Marignani, and Member Daniel Grenier.

Absent: Member Robert Polewski

Abstain: None.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Angelo Marignani

Decision Number: **DHSC 548**

1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lot 100, Concession 1 (McNiff's Survey) Sandwich East, (1646 Alexis Road; Roll No. 010-290-02610; PIN 01122-0505), situated on the east side of Alexis Road between Reginald Street and Alice Street, further identified as Part 2 on Appendix F – Severance Plan to Report S 96/2023, from Institutional District 1.1 (ID1.1) to Residential District 3.2 (RD3.2) and by adding a site specific exception as follows:

486. EAST SIDE OF ALEXIS ROAD BETWEEN REGINALD ST & ALICE ST

For the lands comprising Part of Lot 100, Concession 1 (McNiff's Survey) Sandwich East, the following additional provisions shall apply:

1. For a *multiple dwelling*, the following additional provisions shall apply:
 - a) THAT the lands be deemed a *corner lot*
 - b) Building Setback – minimum

from Alexis Road	6.0 m
from Reginald Street	4.5 m
 - c) Landscaped Open Space Yard – minimum 28% of *lot area*

[ZDM 7, 11; ZNG/6940]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into site plan approval of the required site plan control agreement:

- a) Requirements of the City of Windsor - Engineering Department in Appendix G to Report S 96/2023, subject to the approval of the City Engineer;
- b) Requirements of the City of Windsor – Transportation Planning in Appendix G to Report S 96/2023, subject to the approval of the City Engineer; and to review and consider the comments from municipal departments and external agencies in Appendix G to Report S 96/2023; and,

3. THAT administration **BE REQUESTED** to conduct a traffic analysis of the immediate surrounding neighbourhood and to come forward with recommendations for Councils consideration to address parking concerns and general traffic issues.

Carried.

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 11 of 12

Councilors Mark McKenzie, Fred Francis and Member Arbour voting nay.

Report Number: S 96/2023

Clerk's File: Z/14603

486. EAST SIDE OF ALEXIS ROAD BETWEEN REGINALD ST & ALICE ST

For the lands comprising Part of Lot 100, Concession 1 (McNiff's Survey) Sandwich East, the following additional provisions shall apply:

2. For a *multiple dwelling*, the following additional provisions shall apply:
 - a) THAT the lands be deemed a *corner lot*
 - b) Building Setback – minimum

from Alexis Road	6.0 m
from Reginald Street	4.5 m
 - c) Landscaped Open Space Yard – minimum 28% of *lot area*

[ZDM 7, 11; ZNG/6940]

2. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following into site plan approval of the required site plan control agreement:
 - a) Requirements of the City of Windsor - Engineering Department in Appendix G to Report S 96/2023, subject to the approval of the City Engineer;
 - b) Requirements of the City of Windsor – Transportation Planning in Appendix G to Report S 96/2023, subject to the approval of the City Engineer; and to review and consider the comments from municipal departments and external agencies in Appendix G to Report S 96/2023; and,
4. THAT administration **BE REQUESTED** to conduct a traffic analysis of the immediate surrounding neighbourhood and to come forward with recommendations for Councils consideration to address parking concerns and general traffic issues.

Carried.

Councilors Mark McKenzie, Fred Francis and Member Arbour voting nay.

Report Number: S 96/2023

Clerk's File: Z/14603

7.4. Revision to Zoning By-law 8600 – University Residential Land Corp. – 0 Huron Church – Ward 2

Pablo Golob, Planner (author) is available for questions.

MINUTES

Development & Heritage Standing Committee Monday, September 11, 2023

Page 12 of 12

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

Decision Number: **DHSC 549**

1. THAT Zoning By-law 8600 **BE AMENDED** by revising the following Section 20(1) site-specific provision as follows:

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

a) Building Height – maximum - 40.0 m

[ZDM 4; ZNG/6736]

Carried.

Report Number: S 101/2023

Clerk's File: Z/10891

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 7:05 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 7:05 o'clock p.m

14. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 7:05 o'clock p.m.

Ward 10 - Councillor Jim Morrisson
(Chairperson)

Deputy City Clerk / Supervisor



Council Report: S 122/2023

Subject: Official Plan Amendment and Zoning By-law Amendment for the vacant land located on the southwest corner of Wyandotte St. E. and Florence Ave. intersection; Applicant: Ganatchio Gardens Inc.; File Nos. OPA 162 [OPA/6731]; Z-026/22 [ZNG/6730]; Ward 7

Reference:

Date to Council: October 3, 2023
Author: Justina Nwaesei, MCIP, RPP
Senior Planner, Subdivisions
519 255-6543 ext. 6165
jnwaesei@citywindsor.ca

Planning & Building Services
Report Date: September 14, 2023
Clerk's File #: Z/14606 & Z/14602

To: Mayor and Members of City Council

Recommendation:

I THAT the applicant's request for a site-specific Official Plan policy to add "High Profile Residential Building" as a permitted use on the land located at the southwest corner of Wyandotte and Florence, described as Part of Lot 138, Concession 1, BE DENIED for the reason(s) noted in this report;

II THAT the applicant's request for a site-specific Official Plan policy to permit a residential development within 300m of the Little River Pollution Control Plant, BE DENIED for the reason(s) noted in this report;

III THAT Zoning By-law 8600 BE AMENDED by changing the zoning of part of the land located at the southwest corner of Wyandotte and Florence described as Part of Lot 138, Concession 1, from Green District 1.5 (GD1.5) and Residential District 2.1 with a holding prefix (HRD2.1) to Residential District 2.5 with a holding prefix (HRD2.5), subject to the following additional site-specific holding provisions;

"490. SOUTHWEST CORNER OF WYANDOTTE STREET EAST AND FLORENCE AVENUE

"For the lands comprising Part of Lot 138, Concession 1, the following additional provisions shall apply

- 1) Multiple Dwelling with 5 or more dwelling units,
Main building height - maximum 26.0 m
Required Parking Space – maximum 1.57 per dwelling unit
2) Sections 11.5.5.6.6 & 11.5.5.7.6 (Rear Yard Depth), shall be measured from the nearest building wall to the new south lot line of the subject lands after the conveyance of the 20.0 wide Archaeological Potential Zone

- 3) Section 11.5.5.6.7 & 11.5.5.7.7 (Side Yard Width), shall be measured from the nearest building wall to the new west lot line of the subject lands after the conveyance of the 4.4 m wide existing perimeter hedgerows
- 4) A *scenery loft* shall be an additional permitted facility on a *multiple dwelling* with five or more *dwelling units*, subject to the following:
 - (a) The “Exceptions To Maximum Building Height Provisions” in section 5.35 of By-law 8600 shall not apply to a *scenery loft* on the subject land; and
 - (b) The *Scenery Loft* Provisions in section 5.35.5 of By-law 8600 shall not apply, save and except the requirement for a maximum height of 4.0 metres.
- 5) Location of a *building* or *structure* within 300 metres of the east limit of the planned expansion of the Little River Sewage Treatment plant is prohibited. The distance shall be measures from the *lot line* of the property that will contain the expanded sewage treatment plant to the nearest wall of any building or structure located on the subject residential site.
- 6) An access area or direct vehicular access to Wyandotte Street East is prohibited.
- 7) Required parking for the townhome dwellings shall be located within attached garage and/or on the private driveway of each townhome dwelling unit.

[ZDM 14; ZNG/6730]”

IV THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the ‘H’ symbol and the following condition is satisfied:

- 1) The Owner(s) gratuitously convey to the Corporation of The City of Windsor lands sufficient in width for the creation of a 22.0 m wide road allowance for the extension of Florence Avenue south of Wyandotte Street East;

V. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following requirements (detailed in the attached Appendix A to this report) and other requirements found in Appendix D of this Report, in the Site Plan Approval and Site Plan Agreement for the proposed development on the subject land:

- A. Servicing Study
- B. Corner Cut-off (6.1m x 6.1m) at the southwest corner of the Wyandotte Street East and Florence Avenue intersection;
- C. Florence Avenue Construction
- D. Concrete sidewalks on both sides of Florence Avenue.
- E. Construct all sidewalks in conformity with the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA)*.
- F. Access driveways: maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing
- H. \$129,000.00, Servicing fee for Sanitary Sewer Stub south of the subject lands.
 - I. Servicing of vacant lots fronting on east side of Florence Avenue Extension.
- J. 0.3m Reserve and cost-sharing.
- K. Parkland Conveyance - convey the GD1.4 portion of the subject land.
- L. Species at Risk/ Habitat Protection.

- M. Protection and preservation of the Archaeological Potential Zone (APZ) portion of the subject land
- N. Installation of a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland.
- O. Warning clause for proximity to a Sewage Treatment Plant.
- P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard

Executive Summary: N/A

Background:

1. KEYMAP



KEY MAP - Z-026/22, ZNG-6730, OPA 162, OPA-6731



● SUBJECT LANDS

2. APPLICATION INFORMATION:

LOCATION:

Southwest corner of Wyandotte St. E. and Florence Avenue intersection, more particularly described as Part of Lot 138, Concession 1, as in R1158427 save and except Part 1, Plan 12R-22261, geographic township of Sandwich East, now in the City of Windsor, County of Essex.

WARD: 7

PLANNING DISTRICT: EAST RIVERSIDE

ZDM: 14

APPLICANT: GANATCHIO GARDENS INC. (C/O WING ON LI)

AUTHORIZED AGENT: DILLON CONSULTING LIMITED (C/O MELANIE MUIR)

PROPOSAL: The applicant is requesting site-specific amendments to the City of Windsor Official Plan and Zoning By-law 8600 for the land located at the southwest corner of Wyandotte Street East and Florence Avenue intersection, described as Part of Lot 138, Concession 1.

The subject land is a vacant agricultural land, designated 'Residential' on Schedule D: Land Use, City of Windsor Official Plan Volume 1, and zoned Green District 1.4 (GD1.4), Green District 1.5 (GD1.5) and Residential District 2.1 with a holding symbol (HRD2.1) by Zoning By-law 8600. A site-specific zoning provision (S.20(1)383) also applies to the GD1.4 area of the subject land.

Official Plan Amendment: The applicant is requesting a site-specific Official Plan policy to permit

- (a) a reduction in the required separation distance from a Pollution Control Plant, from 300m to 230m measured from the property line of the Little River Pollution Control Plant to the property line of the proposed residential development. [Section 5.4.10.3 of the OP prohibits residential, commercial, mixed use and institutional development within 300m of a Pollution Control Plant, measured from the property line of the Pollution Control Plant to the property line of the proposed development]; and
- (b) 'High Profile Residential Building' as a permitted use under the Residential land use designation. According to the new Section 6.3.2.1 (Permitted Uses) of the OP, which was approved by OPA 159, 'High Profile Residential Buildings' are not permitted in the Residential land use designation.

Zoning By-law Amendment: The applicant is requesting to change the zoning of parts of the subject land from GD1.5 and HRD2.1 to RD3.3. The portion of the subject site zoned GD1.4 will be dedicated as parkland and its current zoning will remain unchanged. A site specific zoning by-law amendment is also being requested on the subject land to permit the following on the part of the subject land that is zoned residential:

- townhome dwelling as additional permitted use on the property,
- a maximum building height of 54.0m, instead of the 30.0m maximum height allowed in the RD3.3 district; and
- a scenery loft with no maximum gross floor area.

Proposed Development: To construct an L-shaped 16-storey multiple dwelling containing 275 dwelling units, a 2-storey clubhouse (for residents) on an elevated platform, along with 28 ground level townhomes and associated parking areas (both covered and open parking lots.)

- The proposed twenty-eight (28), 2-storey townhome dwellings are positioned along the Wyandotte Street East and future Florence Avenue extension rights-of-ways, and are intended to serve as a buffer and provide the appropriate transition from the existing low-density residential dwellings to the north and east of the Subject Site.
- Each townhome dwelling will feature two (2) parking spaces per unit via private driveways, as well as two (2) additional spaces within the attached garages. A sum total of four (4) parking spaces are proposed per townhome dwelling. Parking for the townhome dwellings is located at the rear of the units.
- The proposed one (1) 16-storey multiple dwelling building with a scenery lot loft is positioned along the south and west lot lines (rear lot line and interior side lot line). The proposed multiple dwelling is designed to include various amenities such as access to four (4) outdoor terraces resulting from stepping back the built form as the height of the building increases.
- The proposed scenery loft is an additional enclosed amenity area located above the uppermost storey of the building and is readily available to all future residential occupants. The scenery loft will also provide access to additional outdoor amenity space in the form of a rooftop garden.
- The proposed development includes a total of 544 parking spaces in the form of covered surface parking, open surface parking, private driveways, and attached garages. Of the 544 parking spaces, 432 are proposed in the form of both open and covered surface parking areas to service the proposed multiple dwelling. The covered surface parking allows for an outdoor terrace to be provided above the parking area.

Also included as part of the proposed development is the conveyance of 0.32 ha (0.79 ac) of land to the City of Windsor for the future extension of the Florence Avenue right-of-way north to provide connection to Wyandotte Street East.

SUBMISSIONS BY APPLICANT: Supporting materials were received for the subject application. Copy the link below to access and review the materials submitted by the applicant for the subject applications. <https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Pages/0-Wyandotte-Sreet-East-Ganatchio-Gardens-Inc.aspx>

CONCEPT PLAN: See attached Appendix B to this report.

3. SITE INFORMATION

OFFICIAL PLAN	ZONING & ZDM	CURRENT USE(S)	PREVIOUS USE(S)
<ul style="list-style-type: none"> • EAST RIVERSIDE Planning District (Schedule A, OP Vol.1) • POLLUTION CONTROL PLANT – close by (Schedule C, OP Vol. 1) • FLOOD PLAIN AREA (Schedule C, OP Vol. 1) • RESIDENTIAL Land Use 	<ul style="list-style-type: none"> - HRD2.1, GD1.4 & GD1.5 - ZDM14 	Vacant	Agricultural

(Schedule D, OP Vol. 1)			
FRONTAGE	DEPTH	AREA	SHAPE
158.3m	irregular	3.296 ha	Irregular
Note: All measurements are approximate			

4. REZONING MAPS:



PART OF ZONING DISTRICT MAP 14

N.T.S.

REZONING

Applicant: Ganatchio Gardens Inc



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JULY, 2023
FILE NO. : Z-026/22, ZNG/6730

5. NEIGHBOURHOOD CHARACTERISTICS:

NEIGHBOURHOOD MAP



NEIGHBOURHOOD MAP - Z-026/22, ZNG-6730
 & OPA 162, OPA-6731



SUBJECT LANDS

SURROUNDING LAND USE

- *North of the subject land:* Wyandotte Street right-of-way abuts the north limit of the subject land. Further north, there are low density residential uses, mostly single unit dwellings

along Paulina Court and Florence Avenue, a church (Calvary Baptist church) and a residential development (Border City Co-Operative homes).

- *South of the subject land:* Mainly Open Space use, including storm water management pond. There are two small parcels of residential lands on the north and south sides of Jerome Street westerly extension. Further south, about 3.6km from the subject land, at Clover by McHugh Street, there is St Joseph's Catholic High School.
- *West and southwest of the subject land:* Open space use, including a multi-use trail (Ganatchio trail) and municipal park (Riverside Kiwanis Park). Little River drain is within the Open Space Land Use area west of the subject land. Further west, there is the Windsor Little River Pollution Control Plant (approximately 420m distance from the subject land, measured from the most easterly existing sludge plant building), Riverside Secondary School (approximately 1.8km from the subject land) and MS Hetherington Public School (about 1.6km from the subject land).
- *East of the subject land:* To the immediate east of the subject land, there is an open north/south alley abutting the east limit of the proposed Florence Avenue extension. There are undeveloped lands immediately east of the open north/south alley. Further east, there are low density residential dwellings fronting on both sides of Elinor Street. A closed north/south alley exists between the undeveloped lands and the residential dwellings along Elinor Street.

Attached to this report as **Appendix C** are site photos taken on August 11, 2023.

MUNICIPAL INFRASTRUCTURE

- The City's records show that there are municipal storm and sanitary sewers within the abutting/nearby roadways, available to service the subject property.
 - Wyandotte Street East R.O.W. contains 1950mm Reinforced Concrete Pipe Storm Sewer;
 - Elinor Street contains 350mm Asbestos Cement Pipe Sanitary Sewer;
 - Florence Avenue (south of the subject development) contains 1500mm Reinforced Concrete Pipe Sanitary Sewer.
- There are municipal watermains, Telecommunications Fibre Optics, LED streetlights and fire hydrants along Wyandotte Street and Florence Avenue (north of proposed development). There is a fire hydrant at the southwest corner of Wyandotte Street east and Florence Avenue intersection.
- There are curbs and gutters, concrete sidewalks and bicycle lanes along both sides of Wyandotte Street pavement.
- Florence Avenue (north of proposed development) has curbs & gutters both sides of the pavement and concrete sidewalk on the west side of the pavement.
- Transit Windsor Buses, Lauzon 10, travel (north bound) through Wyandotte Street East. There is a bus stop across the street on the north side of Wyandotte Street East, west of Florence Avenue, at the northwest corner of Wyandotte & Florence intersection.
- Wyandotte Street is a Class II Arterial Road, and Florence Street is Class II Collector Road.

Discussion:

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.

This planning report recommends a Zoning By-law Amendment, which I will refer to as the *Recommended ZBLA* or *Recommended Amendment*. The Recommended Amendment in this planning report will promote residential intensification and infill in an area surrounded by residential, institutional and open space uses along with a sewage treatment plant. Therefore, in evaluating the subject Amendments for consistency with PPS 2020, a number of policies of the PPS 2020 are relevant for the discussion as evident in this report and in the Planning Justification Report (PJR) dated March 2023, prepared by the applicant's planning consultant (Dillon Consulting Limited). The PJR contains the planning consultant's key policy considerations of the PPS as it relates to the proposed development on the subject land. I have reviewed the PJR and I am providing independent and complementary planning analysis to what the planning consultant has already stated in their March 2023 PJR.

PPS 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;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- i) *preparing for the regional and local impacts of a changing climate.*

With respect to 1.1.1(a) – The recommended Zoning By-law Amendment (ZBA) will promote and enhance the existing land use pattern. The proposed building layout demonstrates the applicant's intent to efficiently utilize the vacant/undeveloped subject land.

With respect to 1.1.1(b) –The surrounding land uses in the subject area include a mix of low-density, low profile residential dwellings (mostly single unit dwellings), vacant/undeveloped lands, and open space lands with multiuse trails and storm water facilities. The current

residential zoning districts in the immediate area permit low profile residential developments only. The recommended amendments will accommodate a mix in housing types and options ranging from low to high density residential developments comprising small scale, low profile residential developments and medium profile residential developments that are appropriate mix of residential types for the subject area. The Recommended Amendment is consistent with policy 1.1.1(b) of the PPS.

The applicant's proposed high profile residential development is **not appropriate** for the subject site as discussed later in the Official Plan and Zoning sections of this report.

With respect to 1.1.1(c) – There is no known environmental or public health and safety concern resulting from the recommended amendment or from the proposed development on the subject site. Odour from the treatment plant is an existing environmental, health, and safety concern in the immediate area. Consequently, appropriate warning clause is recommended for inclusion in any future Site Plan Agreement for a residential development on the subject land.

As noted in section 2.7.8.7 of OP Volume 2, “The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, *the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion.* As such, only recreational and stormwater management facilities shall be permitted to locate within 300 metres of the existing and/or expanded Little River Sewage Treatment plant.” The required separation of 300m between the sensitive land use and the treatment plant will help to minimize and mitigate public health and safety concerns (odour and potential noise) arising from proximity to the treatment plant.

The Phase 1 Environmental Site Assessment (ESA) dated July 2021 and prepared by Dillon Consulting, indicates that no actual environmental sources of contamination were identified at the site; however, *potential* sources of contamination to both soil and groundwater were identified. Consequently, the ESA recommends a soil sampling program in order to assess the potential impacts to soil from the former orchard operations at the site. To address the soil sampling requirement, this report recommends that at the time of Site Plan Control a Phase 2 Environmental Site Assessment be completed in accordance with the Canadian Standards Association (CSA) standard.

With respect to 1.1.1(d) – The proposed development is on land that is located within the inner part of the City of Windsor settlement area and surrounded by existing developments and other land holdings. Therefore, the proposed development does NOT prevent the efficient expansion of settlement areas.

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

With respect to 1.1.1 (f) – Sidewalks provide safe pedestrian connection for the public to access available public services (such as parks, transit, schools, etc). Sidewalks also improve *accessibility for persons with disabilities and older persons.* As noted already in this report, there are existing concrete sidewalks on Wyandotte Street East and Florence Avenue on the north side of Wyandotte Street East. Additional sidewalks are required to be constructed along both sides of Florence Avenue extension to connect to existing sidewalks in the area and increase full participation in society, for older persons and people with disabilities.

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). There are existing local park(s) with multi-use trails (Ganatchio trail), and nearby place of worship. The subject land appears to be within the area serviced by nearby schools.

With respect to 1.1.1(i) Consideration for climate change is addressed through various methods including lot-grading plans, stormwater management measures, tree planting requirements, landscaping requirements and more. Therefore, Regional and local impacts of climate change will be further assessed at the Site Plan Control stage when lot-grading, stormwater management, servicing study, landscaping are carefully reviewed prior to Site Plan approval and agreement. This report also contains zoning provisions that cap required number of parking spaces and increase required landscape buffers at the south and west limits of the property to help reduce the urban heat island effect created by extensive hard surface parking areas.

In summary, the recommended amendments will facilitate an efficient development that will positively impact the financial well-being of the City of Windsor. The amendments 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 Official Plan and Zoning By-law amendments are consistent with policy 1.1.1 of the PPS.

11.1.3.1 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 the Recommended Amendment creates opportunity for growth and development in the city through residential intensification. The recommended amendments promote a land use that is based on density and makes efficient use of land and existing infrastructure, including existing and planned active transportation options such as sidewalks, bike lanes, and multiuse trails. The proposed infill development will support existing active transportation options (such as sidewalks and multi use trail) and transit services adjacent to, or near the subject land.

With respect to 1.1.3.3, the recommendations of the Multi-Residential Interim Control By-law Study (2022) implemented by OPA 159 did not include the subject land as an area for high profile residential intensification. However, Planning Staff also recognise that the OPA 159 did not prohibit residential intensification on the said land. The recommended amendments will encourage residential intensification that considers existing building stock (mostly ranch style low-profile developments), infrastructure (existing and planned) and public service facilities in the subject area. The Recommended ZBLA signifies that the subject land represents an appropriate location for some form of intensification.

The Recommended ZBLA is consistent with PPS policies 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.1.3.4.

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

The nearest existing major facility in close proximity to the subject lands is the sewage treatment facility called Little River Pollution Control Plant (LRPCP), located approximately 420.0 m distance southwest of the subject residential land (measured from the existing property lines of both lands). Note, the existing property line of the LRPCP is considered to be the current east limit of the existing facility, prior to proposed expansion). Therefore, based on the current limit of the existing treatment plant property, the proposed development meets the 300m requirements (per s.5.4.10.3 of the OP) and provides the desired separation, which helps to mitigate adverse effects from odour, noise and other contaminants; thereby, minimizing the risk to public health and safety and achieving the required land use compatibility. However, as discussed already in this report, there is a secondary plan policy (s.2.7.8.7 of East Riverside Planning Area) that provides more details on the separation requirement and shows that the proposed development does not conform with the OP because the minimum separation (300m) required from the planned future expansion of the treatment plant is not provided.

The City has identified the need for a significant future expansion (easterly) of the LRPCP. The proposed future expansion is required to accommodate future growth. As a matter of background, the City's website confirms that in 2021, the City of Windsor initiated a master servicing plan for the Sandwich South Area geared towards providing the required municipal infrastructure in support of growth. The Sandwich South Master Service Plan, a Municipal Class EA discussed the capacity limitations of the existing LRPCP and recommended increasing the capacity to accommodate the future Sandwich South development. This will entail studying the abutting property to the east of the existing LRPCP to determine the best location to

accommodate new/additional treatment tanks and facilities. The future expansion of the LRPCP is subject to the requirements and approval of the Ministry of Environment Conservation and Parks (MECP). The Environmental Assessment (EA) for the proposed expansion has commenced, and is projected for completion by the end of the year 2024.

The City has serious concerns that the applicant's request to locate the proposed residential development at a reduced separation of 230m from the future treatment tanks would adversely impact the proposed expansion of the LRPCP and the servicing of the Sandwich South lands. This would unnecessarily limit options for the design/placement of the new facility, and would increase the cost of odour and noise mitigating equipment from both an operating and capital perspective. Therefore, to ensure that the proposed expansion of the treatment plant and the proposed residential development are appropriately designed, buffered and/or separated from each other per PPS policy 1.2.6.1, this report recommends against the reduced 230m separation from the LRPCP.

It should be noted that the applicant submitted an Odour Impact Assessment dated March 2023, prepared by Dillon Consulting Limited. The City did not accept the conclusion in the Odour report as the analysis is based on a number of assumptions, which may not be consistent with the recommendations of the Environmental Assessment that is currently being undertaken by the City for the planned expansion of the LRPCP.

There is an identified need for the proposed use. The subject land was recently approved for development of a residential subdivision with different site layout; therefore, it was not necessary to request alternative locations for the proposed new development. Adverse effects from the nearby LRPCP to the proposed sensitive land use will be minimized and mitigated as shown in the recommendation contained in this report. To minimize and mitigate potential impacts to the LRPCP, the recommendation in this report includes zoning provisions (separation) and site plan control provisions (such as odour warning clauses, separation and landscape buffer requirements) that are to be fulfilled at the time of Site Plan Control and construction permit. Potential impacts of the proposed residential development to the LRPCP are minimized and mitigated by maintaining the required 300m minimum buffer (separation) from the new easterly lot line of the proposed future expansion of the LRPCP. The required separation shall be measured from the closest wall of the residential building or structure to the new east lot line of the expanded plant property.

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, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

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

The Recommended Amendment will permit and facilitate

- a variety of low and medium profile housing options (single unit dwellings, semi-detached dwellings, duplexes, double duplexes, townhomes and multiple dwellings), and
- all types of residential intensification (including Additional Dwelling Units) that are appropriate in the subject neighbourhood.

The Recommended Amendment will

- bring new housing in an area that has appropriate level of infrastructure;
- promote a higher density residential development on the vacant subject land, thereby, efficiently using the land and infrastructure;
- 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 Sewage, Water and Stormwater

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. The recommended amendment will help optimize the use of existing municipal services and utilities in the area. The recommended amendment is consistent with policy 1.6.6.2 of the PPS.

1.6.6.7 Planning for stormwater management shall:

- 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.*

With respect to 1.6.6.7 (c) & (d) – The applicant submitted a Stormwater management report dated March 2023, by Dillon Consulting Limited. The Stormwater management report assessed the storm water management requirements for the proposed development. The report concludes that “The stormwater management design for the proposed development meets the established SWM criteria for the overall site, and no negative impacts due to the site development are anticipated in the existing system.”

With respect to 1.6.6.7(e) - The landscaped open space yard proposed by the applicant, the recommended reduction in paved surfaces and increased building setbacks from the south and

west limits of the property will help to maximize the extent and function of vegetative and pervious surfaces on the subject site.

With respect to 1.6.6.7 (f) - The applicant submitted a Functional Servicing Report (FSR), dated March 2023, prepared by Dillon Consulting Limited. The applicant's consulting Engineer concludes that the adjacent services are sufficient for the proposed development.

The recommended ZBA is consistent with policies 1.6.6.7 (c), (d), (e) & (f) of the PPS.

In summary, the above planning analysis demonstrates that the recommended ZBLA is consistent with relevant Policies of PPS 2020

2.1.1 Natural features and areas shall be protected for the long term.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

According to a Natural Site Features Inventory and Preservation Study, dated August 2018, submitted by Goodban Ecological Consulting Inc., the subject land was being used for agricultural purpose and largely free of natural features, except for hedgerows dominated by scattered Eastern Cottonwood and thickets of Gray Dogwood and Common Buckhorn. City's records show that in a 2017 written correspondence between Goodban and the Ministry of Natural Resources and Forestry (MNR), MNR confirmed that *"there are no known occurrences of Species at Risk (SAR) on the property, though there are known occurrences of SAR in the general project area with potential to also occur in the hedgerows and thicket on the property"*. MNR further noted that *"if the hedgerows and thicket are proposed to be retained, the project will likely not contravene the Endangered Species Act, 2007 (ESA 2007)."*

This report recommends protection of the perimeter hedgerows and thicket on the property.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

CRM Lab Archaeological Services prepared Stage 1 Archaeological Background Study and Stage 2 Archaeological Property Assessment Reports (Original Report and Supplementary Information) dated October 19, 2018, for the subject land. According to CRM Lab Archaeological Services, *"the results of the Stage 1-2 Archaeological Assessment indicate that despite the extensive disturbance in the northern portion of the subject property, the southern portion of the subject property still retains potential for subsurface archaeological resources of cultural heritage value or interest (CHVI) related to the Nicodemo-Dupuis Site located directly to the south of the subject property. There is a very high probability that the Nicodemo-Dupuis Site does extend into the southern portion of the subject property"*.

It was noted that further cultural heritage value or interest (CHVI) associated with the subject property would require further assessment prior to development of the southern portion of the subject property. Consequently, a Stage 3 Assessment was recommended along with options for avoiding the required Stage 3 assessment. The 2019 development proponent chose to protect a 20m wide land area along the southern portion of the subject property (marked as Archeological Potential Zone on the Map above) by conveying the said area to the Corporation of the City of Windsor as Parkland. The Ministry of Tourism, Culture and Sports was satisfied

with the recommended approach, provided they (MTCS) received a formal letter from the City indicating the following as per the recommendations:

- “1. The lands will be conveyed to the Municipality and that the Municipality is aware of the potential for the Nicodemo-Dupuis Site to be present in this location, and;
2. The Municipality will keep this area passive prohibiting activities that could impact the Nicodemo-Dupuis Site negatively within this Buffer area prior to additional Archaeological Assessment”.

The above is the appropriate wording for the protection of the Archaeological Potential Zone (APZ) on the subject site. Attached to this report as Appendix E, is a letter dated February 4, 2020, from the City to MTCS, which satisfied the requirement of MTCS regarding the protection of Archaeological Potential Zone on subject land.

A portion of the Archaeological Potential Zone extends into the future road allowance (Florence Avenue future extension), which would be conveyed to the Corporation of the City of Windsor; therefore, the City will also protect the cultural heritage value of the subject area and ensure that Stage 3 assessment is undertaken at the appropriate time. Based on the above discussion, the recommended amendment is deemed consistent with policies 2.6.1 & 2.6.2 of the PPS.

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 create new or aggravate existing hazards.

Essex Region Conservation Authority (ERCA) was consulted because the *parcel falls within the regulated area of the Little River and Lake St. Clair*. ERCA had no objections but required the property owner to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Based on ERCA’s comment, one can state that the zoning by-law amendment is consistent with policy 3.0 of the PPS or will be consistent with policy 3.0 of the PPS upon successfully completing ERCA’s development review process.

In summary, the Recommended ZBLA is consistent with the relevant Policies of the PPS 2020.

3. OFFICIAL PLAN:

The subject land abuts a city corridor, per Schedule J – Urban Structure Plan, of the City of Windsor Official Plan (OP).

The OP, in s.3.3.2.1 states “Residential development may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts”.

The Applicant’s planning consultant cited s.3.3.2.1 in rationalizing the request for permission to develop a high-profile residential development on the subject land. However, this rationale which is a general non-area specific provision, is not supported by the recent council approved amendments to the OP as stated in OPA 159.

In 2022, the Planning Department completed a city-wide Residential Intensification review study resulting in the recommendations for city-wide Official Plan Amendment (OPA 159) and the

accompanying zoning by-law amendment (Z-019/22). On June 13, 2022, council adopted OPA 159 and approved file zoning amendment file Z-019-22, by CR264/2022. On July 11, 2022, Council passed By-law 100-2022, which adopted OPA 159, and passed By-law 101-2022 for Z-019/22.

The purpose of OPA 159 is to implement policies that will encourage the production of affordable and attainable housing within the City of Windsor. OPA 159 directs intensification to areas within the city where present and future residents will be in proximity to goods and services, public transportation and employment areas.

In the background discussion for OPA 159, it was noted that

- Low profile residential neighbourhoods should accommodate intensification in a manner that is compatible with the existing density and built form in those neighbourhoods.
- There is concern that uncontrolled intensification can adversely impact the character of existing residential neighbourhoods within the city.

Although OPA 159 contains policies which provide direction with respect to residential intensification in the City of Windsor, there are still areas or parcels within the city that could be appropriate for residential intensification but were not considered for residential intensification in OPA 159. Such lands will be evaluated on a site-by-site basis through site-specific Official Plan amendment applications and/or zoning by-law amendment applications brought forward by land owners.

With respect to Residential Intensification, here are three relevant policies in OPA 159, which help to direct residential intensification in the City of Windsor:

6.1.14, RESIDENTIAL INTENSIFICATION - To direct residential intensification to those areas of the city where transportation, municipal services, community facilities and goods and services are readily available.

6.3.1.3, INTENSIFICATION, INFILL & REDEVELOPMENT - To promote residential redevelopment, infill and intensification initiatives in appropriate locations in the city.

6.3.2.4, LOCATIONAL CRITERIA - Residential intensification shall be directed to the Mixed-Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 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 residential development and intensification shall be located where:

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

LAND USE DESIGNATION - The site is designated "Residential" in the Land Use Schedule D of City of Windsor Official Plan.

The objectives and policies of the Residential land use designation establish the framework for development decisions in Residential areas within the City of Windsor.

The Official Plan supports a complementary range of housing forms and tenures in all neighbourhoods (s.6.3.1.1); promotes compact neighbourhoods which encourage a balanced

transportation system (s.6.3.1.2); and promotes residential redevelopment, infill and intensification initiatives in appropriate locations in the City of Windsor (s.6.3.1.3).

The above noted objectives of the OP are satisfied by the Recommended ZBLA, which will permit the townhome development (low density) and complementary range of housing forms (semi-detached and single detached dwellings) and higher density development (medium profile multiple dwelling) on the subject land. The Recommended ZBLA will result in an infill development, which by its very nature promotes a compact neighbourhood.

CHAPTER 2, OP VOL. 1, "Development Profile refers to the height of a building or structure. There are four development profiles described in the Plan:

- a) Low Profile development is a building or structure generally no greater than fourteen (14) metres in height.
- b) Medium Profile development is a building or structure generally no less than fourteen (14) metres in height and generally no greater than twenty-six (26) metres in height;
- c) High Profile development is a building or structure generally no less than twenty-six (26) metres in height and generally no greater than fifty-eight (58) metres in height;
- d) Very High Profile development is a building or structure generally greater than fifty-eight (58) metres in height.

CHAPTER 6, OP VOL. 1, s.6.2.1.2 further defines development profiles as follows:

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

OPA 159 deleted the existing s.6.3.2.1 and replaced it with the following:

PERMITTED USES (s. 6.3.2.1) – Uses permitted in the Residential land use designation identified on Schedule D: Land Use include Low Profile and Medium Profile dwelling units.

High Profile Residential Buildings shall be directed to locate in the City Centre, Mixed Use Centres and Mixed Use Corridors.

S.6.3.2.1 makes it very clear where to direct high profile residential Buildings in the City of Windsor. The applicant's property is not in the City Centre, nor in the Mixed-Use Centre or Mixed Use Corridor. Therefore, the applicant's request for site-specific OPA to permit high/very high-profile residential development on the subject land does not conform to the recently amended mandatory policy direction of s.6.3.2.1. of the OP. Section 6.3.2.1 overrides the general non-area specific provision found in s. 3.3.2.1 relied on by the applicant's planning consultant. Therefore, the recommendation in this report is to deny the request for high profile building on the subject land.

As noted already in this report under s.6.3.2.4, new residential development and intensification shall be located where:

- a) *there is access to a collector or arterial road;*

The proposed development is on a property with access to an arterial road (Wyandotte Street East) as well as access to a proposed collector Road (Florence Avenue extension).

b) full municipal physical services can be provided;

As noted already in this report, there are existing full municipal physical services available to service the subject land.

c) adequate community services and open spaces are available or are planned; and
Existing community services, open spaces and public transportation are already in, and near, the neighbourhood and can service the new development.

d) public transportation service can be provided.

As noted already in this report, public transportation service is provided in the subject neighbourhood by Lauzon 10 transit buses, which travels through Wyandotte Street East in front of the subject land.

Although, the proposed development satisfies the locational criteria (s.6.3.2.4) of OP Vol. 1, the subject land is not within an intensification priority area identified by OPA 159 approved by Windsor City Council on July 11, 2022 (e.g. Mixed Use Centres; Mixed Use Corridors; and Mixed Use Nodes.)

The recommended intensification in this report is supported by the permitted uses in s.6.3.2.1 of the Residential land use designation. The recommended intensification is also a reflection of the zoning categories that currently exist in the immediate neighbourhood. The recommended zoning category will result in intensification that is similar to, and/or same as, what is approved on lands designated Residential in the immediate area.

Section 6.3.2 5 – Evaluation Criteria for a Neighbourhood Development Pattern -

In analysing conformity with section 6.3.2.5 (a) under the evaluation criteria, with respect to development constraints, it is important to note that the proposed development is within the Shoreline and Floodprone areas of the city and is in an area of High Archaeological Potential.

CRM Lab Archaeologist Services prepared Stage 1 and Stage 2 Archaeological Assessments Reports recommending mitigation measures, which have been incorporated in this report, to address archaeological findings summarized in their reports dated October 19, 2018.

The Essex Region Conservation Authority (ERCA) has advised that the parcel falls within the regulated area of the Little River and Lake St. Clair. ERCA requires the property owner to obtain a Permit and/or Clearance from their office prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Their office may provide further comment regarding Storm Water Management for this development at the time of application for Site Plan Control.

This report contains information confirming that the Recommended Amendment will result in a development that is feasible, having regard to the other provisions of the OP, provincial legislation, policies and appropriate guidelines and support studies. Therefore, the evaluation criterion set out under s.6.3.2.5(a) OP Vol. 1 is satisfied.

With respect to s.6.3.2.5 (b) of OP Vol. 1, the proposed development is required to be in keeping with the goals, objectives and policies of any secondary plan or guideline plan affecting the surrounding area. There is no guideline plan affecting the subject area, but the East Riverside Secondary Plan affects most of the surrounding area. Therefore, it is important to consider the following secondary plan policy:

The environmental policy 2.7.8.7 of East Riverside Planning Area, OP Vol. 2, states

“The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion. As such, only recreational and stormwater management facilities shall be permitted to locate within 300 metres of the existing and/or expanded Little River Sewage Treatment plant.”

Based on the above, the proposed development must be located outside of the 300 m buffer of the existing and/or expanded LRPCP. The recommendation in this report satisfies the requirement to locate the proposed residential buildings outside of the 300 m buffer, per the Official Plan environmental policies 5.4.10.3, Vol. 1 and s.2.7.8.7, Vol. 2. Therefore, the recommended amendment satisfies s.6.3.2.5 (b).

With respect to s. 6.3.2.5 (c) of OP Vol. 1, the proposed 54m tall multiple dwelling is not compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas. Consequently, the report recommends a zoning category and site-specific provisions with which the proposed development can be designed to achieve compatibility with the surrounding area, per s.6.3.2.5(c).

There is more off-street parking than required by the zoning by-law; therefore, s.6.3.2.5(d) is satisfied. It should be noted that at the September 8, 2022, Public Information Centre the area residents expressed concerns with respect to street parking and number of parking spaces being proposed. Thereafter, the applicant increased onsite parking from 482 to 544 spaces.

The proposed development on the subject site is capable of being provided with full municipal physical services and emergency services; therefore, s.6.3.2.5 (e) is satisfied.

Section 6.3.2.5(f) – *“facilitating a gradual transition from Low Profile residential development to Medium and/or High profile development and vice versa, where appropriate. In accordance with Design Guidelines approved by Council.”*

The design guidelines in the Windsor Intensification Guideline, approved in 2022, indicate the City’s expectations with respect to the character, quality, and form of new development in Windsor’s mixed-use centres, nodes, and corridors, and stable and mature neighbourhoods. The following design guidelines are implemented in the applicant’s concept plans and elevations for facilitating a gradual transition from low profile residential development to the medium and/or high profile development:

- a. *Locate less dense and lower scale residential buildings in locations adjacent (or closer) to existing low density neighbourhoods.*

The concept plan shows townhome dwellings closer to the lands containing existing or future low profile developments.

- b. *Provide rear and side step-backs for upper storeys to provide contextually appropriate transitions from the Medium and High Profile buildings to the surrounding low profile neighbourhoods;*

The applicant’s concept plan and elevation drawings contain proposed step-backs. This planning report also contains zoning provisions that address step-backs for upper storeys.

- c. *Ensure new development is compatible with adjacent and neighbouring development by siting and massing new buildings to avoid undue adverse impacts on adjacent properties particularly in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.*

The proposed multiple dwelling was sited at the rear to minimize adverse impact on adjacent neighbouring residential developments. However, the siting requires adjustments in order to mitigate potential impact on the future expansion of the LRPCP.

Section 7.2.3.2 – Pedestrian Network, OP Vol. 1: The Official Plan requires the installation of sidewalks on both sides of proposed Florence Avenue extension within the proposed development. This report contains recommendations that ensure compliance with the sidewalk requirements under s.7.2.3.2 (a) of OP Vol. 1.

Section 7.3.4.4 of OP Vol. 1 states, “Council shall protect pollution control plants from incompatible development in accordance with the Environmental chapter of this Plan”.

The Official Plan in s.5.4.10.3 (Environmental Chapter) prohibits residential, commercial, mixed use and institutional development within 300m of a Pollution Control Plant and states “The 300m distance shall be measured from the property line of the Pollution Control Plant to the property line of the proposed development.”

The environmental policy 2.7.8.7 of East Riverside Planning Area, OP Vol. 2, states “The plant is proposed to be expanded to the east, to accommodate projected growth in Windsor and adjacent municipalities. Due to odours which may emanate from the sewage treatment plant, the Ministry of Environment and Energy has required, and the City of Windsor must comply with, a designated 300 metre buffer zone around the proposed plant expansion.”

As noted already in this report, the City plans to expand the existing LRPCP easterly. An Environmental Assessment (EA) is currently underway for an expansion to the Little River Pollution Control Plant. The EA will outline the recommended expansion. For more information on the Little River Pollution Control Plant Schedule ‘C’ Class Environmental Assessment, copy this link:

<https://www.citywindsor.ca/residents/Construction/Environmental-Assessments-Master-Plans/Pages/Little-River-Pollution-Control-Plant-Expansion-Schedule-C-Municipal-Class-Environmental-Assessment.aspx>

The applicant requests a site-specific OP Amendment to permit the proposed residential development at 230 m distance from the Pollution Control Plant future expansion. For a number of reasons noted already in this report, the requested reduction in separation/distance between the proposed residential development and the treatment plan cannot be supported. Below are some of the reasons for not supporting the reduction in separation.

Approval of the proposed development at a distance closer than 300m from the future plant expansion may limit options for placement of new facilities and increase the capital cost of required noise and odour mitigation equipment, which would have cost implications to the rate payers and the Corporation. See the Financial Section of this report, and comment below from the City’s Commissioner of Infrastructure:

“Odour buffers play a critical role in preventing unpleasant odours from sewage treatment plants and pumping stations from affecting nearby residential and sensitive areas. They serve several essential purposes, including mitigating odour-related issues for communities, protecting investments in wastewater facilities, and ensuring compatibility with future planning and development.

Reducing the odour buffer distance around the Little River Pollution Control Plant (LRPCP) is not recommended. Reducing the plant’s odour buffer distance could impose limitations on the plant’s

upcoming design possibilities, potentially leading to increased costs (both capital and operating) and a higher number of odour complaints from nearby residents.

Currently, the City receives 311 complaints from Riverdale residents regarding odours emanating from the LRPCP. If the odour buffer distance were reduced, it is anticipated that these complaints would likely increase. The annual expenditure on current odour control chemicals for the existing plant is approximately \$400,000. Doubling the plant's size would inherently double this cost, exceeding \$800,000 annually. A reduction in the odour buffer zone would only further escalate these expenses, placing additional strain on the annual operating budget and creating additional capital expenditures to mitigate odours. It's important to note that the increase in costs for odour control will be for the life of the facility and be borne by the sewage rate payer.

In addition, without full knowledge of the future sewage characteristic, as well as a recommended design and treatment science of a plant expansion that will result from the recently initiated EA, it is problematic to quantify the noise and odour disrupters that will be generated from this future facility at this time.

In an informal survey with Municipal peers there was consensus that reducing buffers has created both operating and capital issues for them, and it was recommended to maintain the existing buffer outlined in the OP”

Based on the above comment, to achieve the required compatibility between the proposed residential development and the LRPCP, the proposed development must be located outside of the 300 m buffer of the easterly limit of the proposed expansion of the LRPCP. The recommendation in this report implements Council approved Official Plan policy regarding the protection of pollution control plants from incompatible development.

Approval of the recommended amendment will ensure that the proposed residential development is designed in a manner that would be compatible with the existing and/or expanded LRPCP and avoid unnecessary additional capital and operational costs for the Corporation.

The recommended ZBLA maintains conformity with the Official Plan, based on the analysis provided in this report.

4. ZONING BY-LAW

As noted already in this report, the property is zoned Green District 1.4 (GD1.4), Green District 1.5 (GD1.5) and Residential District 2.1 with a holding symbol (HRD2.1) by Zoning By-law 8600. A site-specific zoning provision [S.20(1)383] also applies to the GD1.4 area of the subject land.

The applicant is requesting to change the zoning of parts of the subject land from GD1.5 and HRD2.1 to RD3.3 to permit the proposed 54m tall residential development on the subject site. The portion of the subject site zoned GD1.4 and S.20(1)383 will be conveyed to the City as parkland and its current zoning will remain unchanged.

The RD3.3 zoning district does not permit townhome dwellings. The permitted maximum main building height in the RD3.3 zone is as follows:

<i>Corner Lot</i>	30.0 m;	and	<i>Interior lot</i>	24.0 m
-------------------	---------	-----	---------------------	--------

Therefore, the applicant also requests a site specific by-law amendment to permit the following:

- townhome dwelling as additional permitted use on the property,

- a maximum building height of 54.0m, instead of the 30.0m maximum height allowed in the RD3.3 district; and
- a scenery loft with no maximum gross floor area.

The RD3.3 zoning district permits the following:

Lodging House
Multiple dwelling
Religious Residence
Residential Care facility

Any of the following existing dwellings:

Double Duplex Dwelling
Duplex Dwelling
Semi-Detached Dwelling
Single Unit Dwelling

Any use accessory to the preceding uses.

The existing zoning categories in the surrounding area are: RD1.1, RD1.2, RD2.3, RD2.5, DRD1.1, HRD2.3, HRD2.5, HRD1.2, GD1.1, and RD3.4. The existing zoning categories in the immediate area predominantly permit low profile residential developments such as new single unit dwellings and semi-detached dwellings. Townhome dwellings are permitted in the RD2.3, RD2.5 and RD3.4 zoning districts. Multiple dwellings are also permitted in the RD2.5 and RD3.4 zoning districts; however, a review of the locations and provisions of the RD3.4 zoning district leads to the conclusion that the RD3.4 zoning is not meant for new development proposals. The subject residential neighbourhood reflects the intent of OPA 159, which amendment permitted uses in Residential land use designations.

The applicant's proposed development of a 54m tall (high profile) residential building does not reflect the character of the neighbourhood. A medium profile residential development is deemed more appropriate for this neighbourhood and can help achieve a mix in residential types and densities. After much analysis of the provisions within the RD3.3 and RD2.5 zoning districts, it is the Planning Staff's opinion that a site-specific RD2.5 zoning is a more appropriate direction for development on the subject site. The RD2.5 zoning permits "Double Duplex Dwelling, Duplex Dwelling, Multiple Dwelling, Semi-Detached Dwelling, Single Unit Dwelling, Townhome Dwelling, and any use accessory to the above uses".

As indicated already in this report, medium profile developments are generally no greater than 6 storeys in height and medium profile developments are generally no less than 14.0 m in height and generally no greater than 26.0 m in height. The zoning by-law main building height provision is expressed in metric units; therefore, it is appropriate to work with the definition of medium profile development as presented in Chapter 2 of the OP.

RD2.5 permits a maximum building height of 18.0m for a multiple dwelling, which means medium profile developments are allowed in the RD2.5 zone. Based on the proposed site layout and the Shadow Impact Study submitted, it appears permitting a 26.0 m maximum building height on the subject land would help achieve good planning on the subject land.

Planning Staff support a change in zoning from HRD2.1 to HR2.5 with site-specific provision allowing a maximum height of 26.0 m for the multiple dwelling. The site-specific zoning will also address the proposed scenery loft on the property. The recommendation will permit the proposed uses (townhome and multiple dwelling), which are currently not permitted on the subject land. The proposed main building height of 54.0 m is a zoning provision that is excessive and inappropriate for the subject area.

RD2.5 zone permits the following density: Lot area per dwelling unit is 166.0 m² minimum for multiple dwelling with 5 or more units, and 190.0 m² minimum for a townhome dwelling. That

means the subject land (3.296 ha in size) can accommodate 28 townhome dwelling units and 166 multiple dwelling units. Therefore, the RD2.5 zone further addresses the concern of the area residents regarding proposed density on the subject land.

To ensure further protection of the hedgerows and the APZ (GD1.4 zone) per the comments of the Ministry of Natural Resources and Forestry (MNR) and Ministry of Tourism, Culture and Sports (MTCS) regarding the existing hedgerows and APZ, site-specific zoning provisions are recommended that will impact the implementation of the minimum rear yard depth and side yard width provisions.

The applicant's proposal implements gradual transition policy (s.6.3.2.5(f)) of the OP by proposing low profile townhome dwellings closer to the existing low profile developments in the immediate area. The concept plan shows adequate separation of the multiple dwelling from the nearby existing low profile developments north and east of the subject land.

Building step back requirement was contemplated to maintain human scale for the users of the trail; however, as a result of the recommended height of 26.0 m, the required buffer created by the GD1.4 zone, it is not necessary to impose any further step back provision along the south and west walls of the proposed multiple dwelling.

Parking requirement for multiple dwelling with a minimum of 5 dwelling units is calculated at the rate of 1.25 parking spaces per dwelling unit; meaning 1.25 x 275 units. Therefore, the proposed 275 dwelling units will require a minimum of 343.75 spaces (i.e. 343 spaces, when you round down). With 166 dwelling units, minimum parking requirement is 166 x 1.25 = 207.5 spaces (i.e. 207 spaces, when you round down).

Townhome dwelling having an attached garage or carport requires a minimum of 1 parking space for each dwelling unit, whereas townhome dwelling without an attached garage or carport requires a minimum of 1.25 parking spaces for each dwelling unit. The proposed 28 townhome dwelling units have attached garage(s); therefore, required minimum parking is 28 spaces. Furthermore, s.11.5.5.7.50 states *"for a townhome dwelling unit that fronts a street, the required number of parking spaces shall be one parking space for each dwelling unit"*.

Total required minimum parking for is 343 + 28 = 371 spaces but based on the recommended new zoning category (RD2.5), total minimum required parking would be reduced to 207 + 28 = 235 spaces. The applicant proposes 544 parking spaces, which is excessive and depletes vegetative and pervious surface on the property.

PPS 2020 requires that vegetative covers be maximized to help in stormwater management. By reducing excess parking on the site, the development can be better designed to maximize vegetative covers, utilize land more efficiently, have greater separation from the sewage treatment plant, and still achieve higher density, medium profile residential development.

This report recommends a reduced building height and density, which will result in less dwelling units on the site and, consequently, less than 544 parking spaces on the subject site. Based on the neighbourhood demand for more parking on the subject site, the applicant's planning consultant proposed a parking ratio of 1.57 spaces per dwelling unit for the multiple dwelling, along with 4 parking spaces per townhome dwelling. The townhome parking spaces are proposed in the 2-car garages and on the private driveways. This report aims to limit the proposed parking to the 1.57 spaces maximum for each multiple dwelling unit, per the

applicant's Planning Justification Report, and restrict the townhome parking within the garage and on the private driveways, as proposed by the applicant.

A hold provision is recommended to ensure that development cannot occur on the site until the required land conveyance for Florence Avenue extension is fulfilled.

A draft by-law is attached as **Appendix F** to this report.

5. 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 statutory public meeting of the Development and Heritage Standing Committee.

The following issues and recommendations contained in the Studies submitted by the applicant, along with the comments received from some of the municipal departments and external agencies are detailed in Appendix A hereto attached, and are best addressed at the time of Site Plan Approval. The requirements listed below, along with other conditions/requirements will be more appropriately included in the Site Plan Agreement:

- A. Servicing Study
- B. Corner Cut-off (6.1m x 6.1m) at the southwest corner of the Wyandotte Street East and Florence Avenue intersection;
- C. Florence Avenue Construction
- D. Concrete sidewalks on both sides of Florence Avenue.
- E. Construct all sidewalks in conformity with the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA)*.
- F. Access driveways: maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing
- H. \$129,000.00, Servicing fee for Sanitary Sewer Stub south of the subject lands.
- I. Servicing of vacant lots fronting on east side of Florence Avenue Extension.
- J. 0.3m Reserve and cost-sharing.
- K. Parkland Conveyance - convey the GD1.4 portion of the subject land.
- L. Species at Risk/ Habitat Protection.
- M. Protection and preservation of the Archaeological Potential Zone (APZ) portion of the subject land
- N. Installation of a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland.
- O. Warning clause for proximity to a Sewage Treatment Plant.
- P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard. (See Appendix A for information on the soil sampling program).

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, as such, 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 town home dwelling units and multiple dwelling units provides an opportunity to increase resiliency for the development and surrounding area. The implementation of approved landscape plan, 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.

Financial Matters:

"The Little River Pollution Control Plant will currently be spending approximately \$400,000.00 annually for odour control. The cost for odour control will increase substantially with the doubling of the plant. Any development will further increase the number of annual odour complaints to the City. Complaints could also result in orders filed by the Ministry of Environment, Conservation and Parks (MECP) against the City for costly retrofits or result in charges laid under s. 14 of the Environmental Protection Act.

Consultations:

1. OPEN HOUSE SESSION/Public Information Centre:

Held on September 8, 2022, and organized by the applicant to provide information to area residents on the proposed development, the required planning processes, and discuss/collect comments and questions relating to the proposed development. It was noted that top concerns from residents related to traffic, density, shadow and flooding. The applicant's planning consultant responded to the neighbourhood concerns in the document titled "Engagement Summary – September 2022" on the city's website using this link: [https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Documents/0%20Wyandotte%20St%20E%20\(Ganatchio%20Gardens%20Inc\)%20-%20Public%20Information%20Centre%20Engagement%20Summary.pdf](https://www.citywindsor.ca/residents/planning/Land-Development/Development-Applications/current-development-applications/Documents/0%20Wyandotte%20St%20E%20(Ganatchio%20Gardens%20Inc)%20-%20Public%20Information%20Centre%20Engagement%20Summary.pdf)

2. DEPARTMENT AND AGENCIES

Comments received from municipal departments, service units and external agencies are included in **Appendix D**. The applicant/owner shall satisfy all items as set out in the Results of Circulation (Appendix D) attached. The City's Biodiversity Coordinator expressed concerns regarding the Environmental Evaluation Report submitted by the applicant. See Appendix D for details. It should be noted that Council, in 2020, approved a zoning by-law amendment and a draft plan of subdivision for the subject site. This report contains recommendations carried forward from the 2020 approval (CR54/2020) with respect to impact on Natural Areas.

Other municipal departments and external agencies have no objections; some are recommending approval of the amendments with conditions as noted in Appendix D attached to this report. The requirements of Engineering & Geomatics, Transportation Planning, Canada Post, and other agencies and municipal departments, as found in Appendix D, have mostly been addressed under Recommendation V of this report and will show up in a site plan agreement as special, or/and general, provisions.

Parkland Conveyance: The GD1.4 portion of the subject land will be conveyed to the Corporation for Parkland purposes as permitted in Section 51.1 of the Planning Act. It is understood that the conveyance of the GD1.4 portion will exceed the 5% required by the Planning Act, because the proposed parkland also serves the following additional purposes:

- (i) buffer zone from Little River Future Treatment Plant Expansion,
- (ii) protection of existing 4.4 m wide south and west hedgerows, and
- (iii) protection of the required 20.0 m wide Archaeological Potential Zone.

Species at Risk/ Habitat Protection: In a letter dated November 28, 2019, the Ministry of Municipal Affairs & Housing (MMAH) confirmed that the Ministry of Natural Resources & Forestry (MNRF) provided comment on the subject development in July 2017 directly to the 2018 residential subdivision proponent and that MNRF did not have any concerns with the proposed development at that time.

In the November 2019 Letter, MMAH also advised that the Ministry of Environment, Conservation & Parks (MECP) recommends that the City of Windsor consider imposing the following conditions of the Draft Approval:

'That the fully executed subdivision agreement between the Owner and the City of Windsor shall contain a provision requiring the Owner to design the subdivision such that the existing perimeter hedgerows are retained, and furthermore, that the shrub thicket to the south will not be disturbed in anyway. These measures to be incorporated for the purpose of "Species at Risk/ Habitat Protection."

Fast forward to this new development proposed on the subject land. A Subdivision agreement is not required for this new proposal, but a Site Plan Control agreement is required at the Site Plan Approval stage. Therefore, the MECP recommendation noted above is also included in the recommendation section of this report to be implemented as a zoning provision and incorporated in the Site Plan Control Agreement at the appropriate time in the planning process.

3. PUBLIC NOTICE

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

Planner's Conclusion and Opinion:

The discussion in this report contains reasons for not supporting the applicant's request for site-specific Official Plan Amendment (OPA). In my professional opinion, the requested OPA is not consistent with some policies of the PPS 2020, such as 1.2.6 and 1.1.3.3, and should be denied. The recommended denial of the applicant's request will protect the LRPCP from incompatible development.

This report does not support a high profile residential development on the subject land and recommends that the applicant's request for a 54m tall multiple dwelling be denied along with the proposed RD3.3 zoning. This report presents facts to support a medium profile development on the subject land and goes further to recommend a site-specific RD2.5 zoning category to permit the medium profile development at a maximum height of 26m.

The recommended zoning by-law amendment (ZBLA) will provide housing options/opportunities that will help improve housing supply in the City of Windsor. The recommended ZBLA will support the use of existing and planned active transportation and public transit in the area.

The recommended Zoning By-law Amendment (ZBLA) is consistent with the policies of the Provincial Policy Statement 2020. The recommended ZBLA will maintains conformity with the City of Windsor Official Plan. The recommended amendment constitutes good planning.

Administration is recommending that the Zoning By-law amendment be approved subject to site-specific zoning provisions and holding prefix as specified in the Recommendation section of this report.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
 Manager of Development / Deputy City Planner

Neil Robertson, MCIP, RPP
 Acting City Planner

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

JP

JM

Approvals:

Name	Title
Greg Atkinson, MCIP, RPP	Manager of Development / Deputy City Planner
Neil Robertson, MCIP, RPP	Acting City Planner
Chris Nepszy	Commissioner, Infrastructure Services
Wira Vendrasco	Deputy City Solicitor
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
Abutting property owners and tenants within 120 meter (400 feet) radius of the subject land		
Applicant/Owner: Ganatchio Gardens Inc. c/o Wing On Li	4510 Rhodes Dr., Suite 520, Windsor, Ontario N8W 5K5	Wingon.li@horizonv.ca
Agent: Dillon Consulting Limited c/o Melanie Muir	3200 Deziel Dr., Suite 608, Windsor, Ontario, N8W 5K8	mmuir@dillon.ca

Name	Address	Email
Councillor Angelo Marignani	350 City Hall Square W., Suite 530, Windsor, Ontario, N9A 6S1	amarignani@citywindsor.ca
Shannon Porcellini	10279 Paulina Court, Windsor, Ontario, N8P 1H6	fivepeasinapodd@gmail.com
Jim Roe	541 Breezewood Street, Windsor, Ontario, N8P 1H4	jimroe1@mnsi.net

Appendices:

- 1 Appendix A, Details of Requirements 'A' to 'P', Files Z-026-22 & OPA 162
- 2 Appendix B, Development Concept Plan
- 3 Appendix C, Site Photos
- 4 Appendix D, Consultations - Comments from Municipal Departments & External Agencies
- 5 Appendix E, City of Windsor Archaeological Protection Letter to MTCS, Feb 4, 2020
- 6 Appendix F, Draft By-law, Z-026/22

APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

- A. Servicing Study: The Owner(s) shall
- i) retain a consulting engineer to review the existing and proposed sewer system for this development to determine its effect on the municipal sewer system. The Study shall be done to the satisfaction of the City Engineer and the Chief Building Official; and
 - ii) demonstrate, to the satisfaction of the City Engineer, that no negative impacts to existing properties will be realized by the surrounding community, before the proposed development will be allowed to proceed.
- B. Corner Cut-off: The Owner(s) shall, prior to issuance of a construction permit, gratuitously convey a 6.1m x 6.1m corner cut off at the southwest corner of the Wyandotte Street East and Florence Avenue intersection, in accordance with City of Windsor Standard Drawing AS-230, to the satisfaction of the City Engineer and City Solicitor;
- C. Florence Avenue Construction: The Owner(s) agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, with sidewalks on both sides on the road. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.
- D. Sidewalks: The Owner(s) shall construct, at its expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer, concrete sidewalks on both sides of Florence Avenue.
- E. The Owner(s) shall construct all sidewalks in conformity with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and to construct all accesses in conformity to the TAC Geometric Design for Canadian Roads and the City of Windsor Standard Engineering Drawings, to the satisfaction of the City Engineer.
- F. Access driveways: All access driveways shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings. The northerly driveway closest to Wyandotte Street East, shall maintain a minimum clearance of 55.0 m from the nearest cross road with existing or planned signals.
- G. Oversizing and cost sharing:
- i. The Owner(s) shall pay to the Corporation, prior to the issuance of a construction permit, its share of the costs as determined by the City Engineer for previously oversized services that were constructed to ensure that the subject lands could be serviced.
 - ii. In the event that the Owner is required to oversize any services in order to service other vacant lands, it is agreed that any oversizing costs to be paid by the Corporation to the Owner shall be based on a cost-sharing strategy satisfactory to the City Engineer. Any cost-sharing strategy agreed to at the time of Site Plan Control will be subject to the approval of the Corporation's City Council.

APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

H. Servicing fee for Sanitary Sewer Stub south of the subject lands: The Owner(s) shall pay the amount of \$129,000.00, being the required servicing fees for the construction of the sanitary sewer stub south of the subject lands in the Florence Avenue right-of-way.

I. Servicing of vacant lots fronting on east side of Florence Avenue Extension: The Owner(s) shall, at its entire expense, install required municipal services to the lots along the east limit of the abutting north/south alley, being Lots 34 to 44 (incl.) on Registered Plan 1142. All work is to be completed to the satisfaction of the City Engineer.

J. 0.3m Reserve and cost-sharing: Upon completion of the servicing work associated with abutting lots, the Owner(s) shall, prior to a construction permit, register a 0.3m wide strip of land across the frontage of the lands along the entire east limit of the north/south alley, being the west limit of lots 34 to 44 on Registered Plan 1142, to the satisfaction of the City Engineer and City Planner. The 0.3m reserve will not be removed until individual owners of the serviced lots have paid, their proportionate share of costs for construction of infrastructure associated with the extension of Florence Avenue. When a proportionate share of said infrastructure costs are paid, the City's Legal Department will be notified in writing by the Owner(s) and the City will DECLARE the appropriate portion of the 0.3m reserve a public highway.

K. Parkland Conveyance: The Owner(s) shall, prior to the issuance of a construction permit, convey the GD1.4 portion of the subject land shown as a 4.4m wide strip along the west property boundary containing much of the natural vegetation abutting the Little River Corridor, and a 20m wide buffer along the south property boundary identified as Archaeological Potential Zone (having high potential for archeological artifacts) as Passive Parkland - only subject to minor maintenance or traditional agricultural practice, to the Corporation primarily for park purposes in accordance with Section 51.1 of the Planning Act, and for other purposes noted below, to the satisfaction of the Executive Director of Parks, City Engineer and City Planner:

- i. buffer zone from Little River Future Treatment Plant Expansion
- ii. protection of existing hedgerows, per Ministry of Natural Resources & Forestry's guidelines
- iii. protection of 20m-wide southerly Archaeological Potential Zone per Ministry of Heritage, Sport, Tourism and Culture Industries' guidelines.

L. Species at Risk/ Habitat Protection: The Owner(s) shall design the development such that the existing perimeter hedgerows are retained, and furthermore, that the shrub thicket to the south will not be disturbed in anyway, to the satisfaction of the City Planner.

M. Archaeological Potential Zone (APZ) - Protection and preservation of the APZ portion of the subject land per the recommendations made in the July 17, 2020 and July 10, 2020 letters filed with the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI);

N. Fencing Requirement: The Owner(s) shall install a non-permeable 1.8m (6ft) fence with no gates between the boundaries of the proposed dwellings and the proposed parkland being conveyed to the City, to the satisfaction of the City's Landscape Architect.

O. Warning clause for proximity to a Sewage Treatment Plant: The Owner(s) shall place the following warning clause(s) in all Offers to Purchase and Agreement of Purchase or Sale or lease

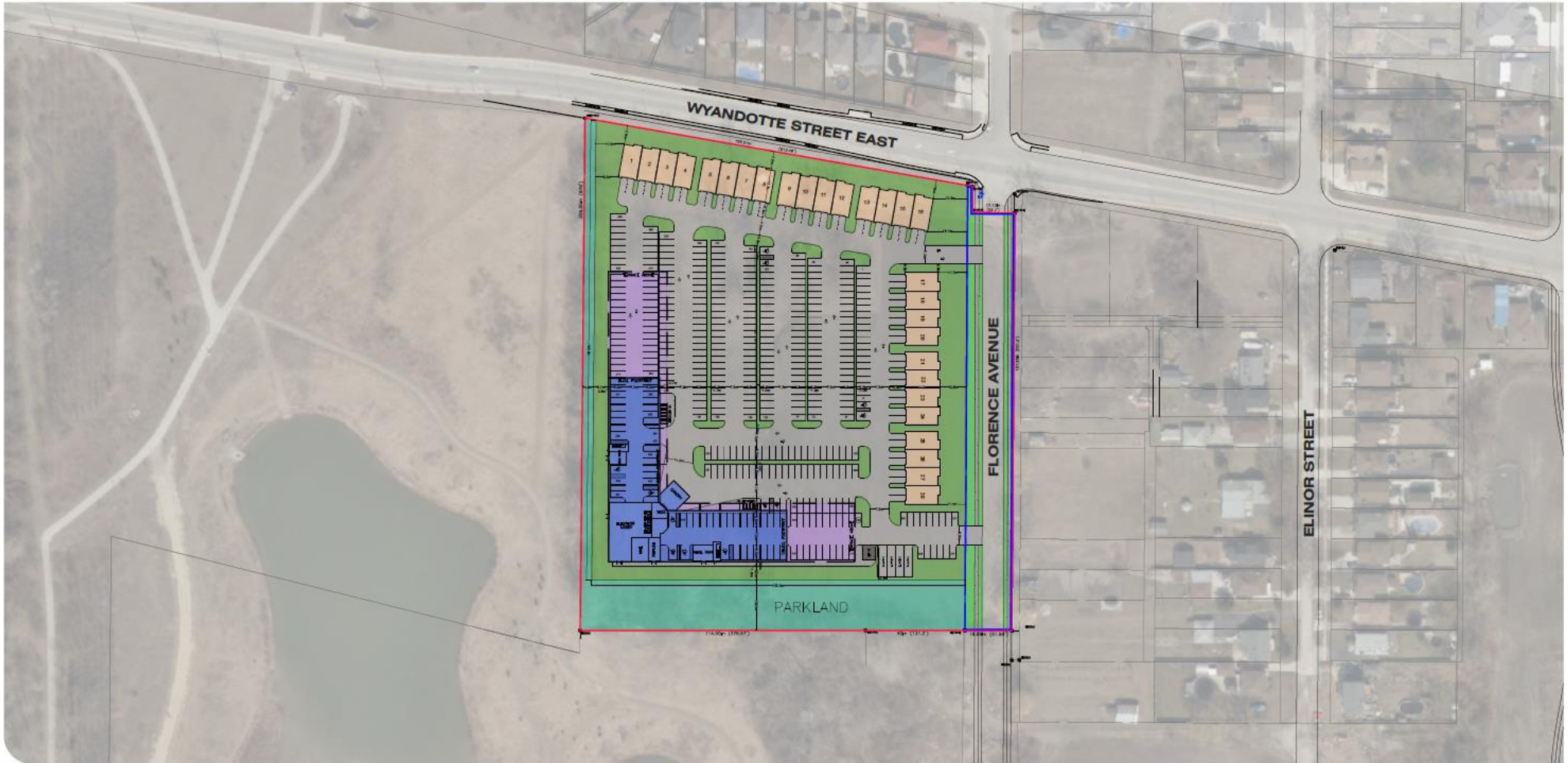
APPENDIX A, DETAILS OF REQUIREMENTS 'A' to 'P', FILES Z-026/22 & OPA 162

between the Owner(s) and all prospective home buyers, and in the title of each dwelling or dwelling unit within the subject development:

“Purchasers/tenants are advised that an existing sewage treatment plant is located west of the subject land and an easterly expansion of the treatment facility is anticipated in the future. As a result of the proximity of the existing and future treatment facilities to the proposed new developments, it is possible that the new treatment facilities could occasionally emit odours that could interfere with some activities of the dwelling occupants.”

P. Phase 2 Environmental Site Assessment completed in accordance with the Canadian Standards Association (CSA) standard, in lieu of the Soil Sampling Program recommended in the Phase 1 Environmental Site Assessment (ESA) dated July 2021, prepared by Dillon Consulting Limited to assess the potential impacts to soil from the former orchard operations at the site.

APPENDIX B



GANATCHIO GARDENS INC.
 WYANDOTTE STREET EAST
 AT FLORENCE AVENUE

CONCEPTUAL DEVELOPMENT PLAN
 FEBRUARY 16, 2023

- SUBJECT AREA
(± 3.30ha / 8.15ac)
- PROPOSED TOWNHOME
UNITS (28 UNITS)
- PROPOSED MULTI-UNIT
RESIDENTIAL BUILDING (275 UNITS)
- PROPOSED ELEVATED
TERRACE
- LAND CONVEYANCE
(± 0.32ha / 0.79ac)
- PROPOSED PARKLAND
- PROPOSED LANDSCAPING
- PROPOSED SIDEWALK

UNIT COUNT:	PARKING DETAILS:
MULTI-UNIT RESIDENTIAL: 275 units	PARKING/UNIT RATIO (MULTI-UNIT) : 1.57 SPACES / UNIT
TOWNHOME: 28 units	PARKING/UNIT RATIO (TOWNHOME) : 4 SPACES / UNIT
TOTAL: 303 units	(GARAGE + SURFACE PARKING)
	LOADING SPACES : 4 SPACES
	ACCESSIBLE SPACES PROVIDED (TYPE A/TYP B) : 12 SPACES
PARKING COUNT:	
PARKING MULTI-UNIT: 432 SPACES	
TOWNHOME GARAGE, 2 / UNIT: 56 SPACES	
TOWNHOME (SURFACE, 2 / UNIT): 56 SPACES	
TOTAL: 544 SPACES	

File Location:
 c:\pw working directory\projects 2021\dillon_30mnu\dms20930\21-1691 - ganatchio gardens - concept plan - feb 2023.dwg
 February, 16, 2023 3:06 PM

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.

CREATED BY: MRU
 CHECKED BY: MAM
 DESIGNED BY: MRU

SCALE: 1:1500 (11x17)



PROJECT: 21-1691
 STATUS: DRAFT
 DATE: 2023/02/10



Partial view of the subject land looking southeast from Wyandotte St.



Partial view of the subject land looking southwest from Wyandotte St.



Partial view of the subject land looking northwest from N/E CNR of the subject land



Partial View of the subject land looking southwest from N/E CNR of the subject land



View of Wyandotte Street east of Florence Avenue & subject land



View of north side of Wyandotte St. west of Florence Avenue, across from subject land



View of Florence Avenue north side of Wyandotte Street R.O.W.



View of Elinor Street north of Wyandotte Street



View of Elinor Street south of Wyandotte Street

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

ASSESSMENT MANAGEMENT OFFICER - JOSE MEJALLI

No objection to the zoning amendment to permit the following:
16-storey multiple dwelling containing 275 dwelling units, a 2-storey clubhouse (for residents) on an elevated platform, along with 28 ground level townhomes

ENVIROMENTAL SERVICES - ANNE MARIE ALBIDONE

Environmental Services is not opposed to the rezoning however care should be give to the location designated for waste collection. The current location in the draft drawing does not appear to be adequate.

TRANSIT WINDSOR - JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop to this property is located directly across the street on Wyandotte at Florence Northwest Corner providing direct transit access. Transit Windsor's 2023 City Council approved Service Plan and Operating budget has a new local route replacing the Lauzon 10. This will be an improvement over the existing service as it will be a 2 way conventional transit route rather than the existing 1 way loop. This is proposed to change early 2024 and aligns with our City Council approved Transit Master Plan. The existing bus stop on Wyandotte at Florence Northwest Corner will move to the Northeast Corner as the bus route will be travelling along Florence between Riverside and Wyandotte. Another new bus stop is proposed on Wyandotte at Florence Southeast corner for travelling in the other direction.

CANADA POST - BRUNO DESANDO

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).

Please see Appendix A for any additional requirements for this developer.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

Appendix A

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.*

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 Objections, however please note there are City of Windsor streetlight poles with 120/240 volt underground distribution along Wyandotte St E, North of the property.

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

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

WATER ENGINEERING:

Water Engineering has no objections.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

REAL ESTATE SERVICES - DENISE WRIGHT

There are no other comments from real estate services other than someone from Parks or the City Naturalist should monitor this area once development begins to ensure that there is no encroachment into the neighbouring City owned naturalized area.

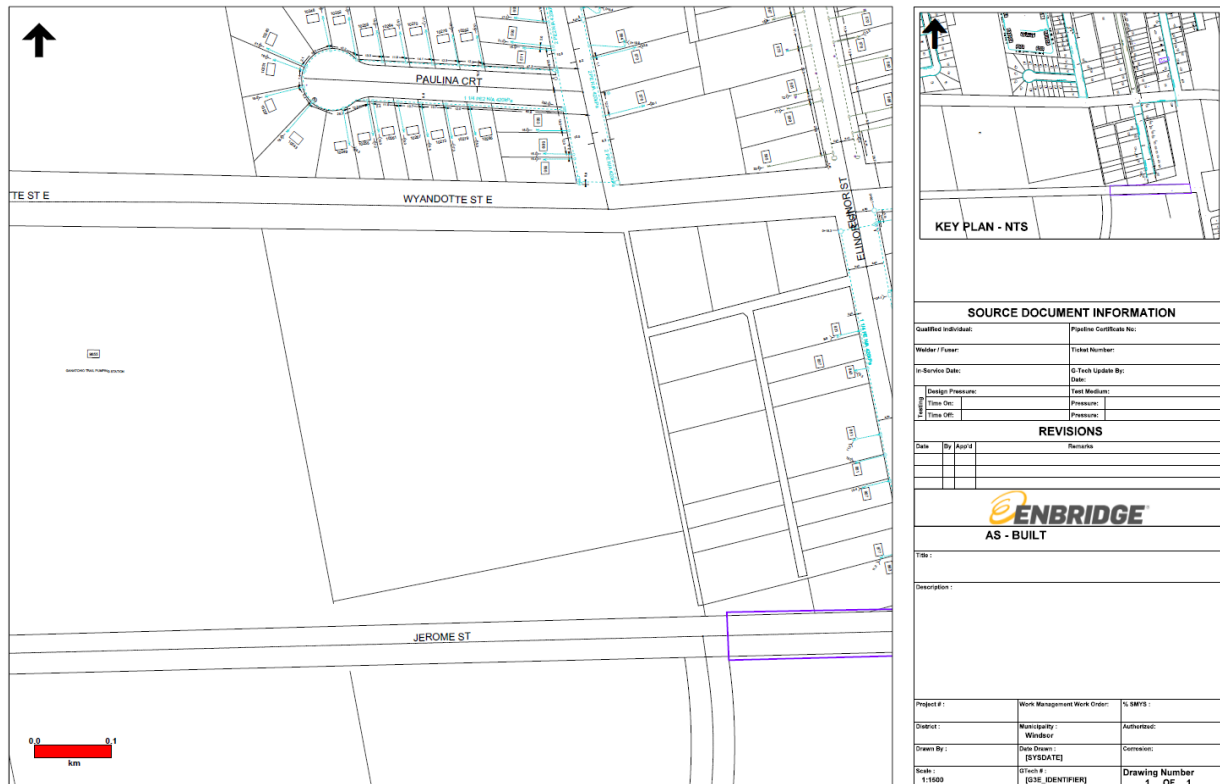
ENBRIDGE

After reviewing the provided drawing at 211691 Ganatchio Gardens 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

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



APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

ERCA – ALICIA GOOD

The City of Windsor has received an application for Official Plan Amendment 162 and Zoning By-Law Amendment Z-026-22 to support the future construction of a 16 storey building, a 2 storey clubhouse, 28 townhomes, and associated parking on the subject lands. The following comments are provided as a result of our review of this application.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

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

FINAL RECOMMENDATION

Our office has no objections to the proposed Official Plan Amendment 162 and Zoning By-law Amendment Z-026-22. Our office may provide further comment regarding Storm Water Management for this development at the time of application for Site Plan Control. Our office requests continued circulation for this proposed development.

If you have any questions or require any additional information, please contact the undersigned.

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

HERITAGE PLANNING – KRISTINA TANG

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

The property has archaeological potential, though the current proposal shows the same study area as the P244-0124-2018 Report.

The Ministry's letter for review and entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "STAGE 1 ARCHAEOLOGICAL BACKGROUND STUDY & STAGE 2 ARCHAEOLOGICAL PROPERTY ASSESSMENT Wyandotte & Florence Development Part of Lot 138, Concession 1 – Geographic Township of Sandwich East City of Windsor, County of Essex REVISED REPORT", Dated Jul 7, 2020, Filed with MHSTCI Toronto Office on Jul 10, 2020, MHSTCI Project Information Form Number P244-0124-2018, MHSTCI File Number 0009005

"The report documents the Stage 1-2 archaeological assessment of the study area as depicted in Figures sA3, A8 and A9 of the above titled report and recommends the following:

1. *Should the Archaeological Potential Zone (APZ) portion of the subject property conveyed to the City of Windsor ever proposed to be impacted in any way, it is recommended that limited Stage 3 testing take place within the APZ given that there remains a high likelihood that the Nicodemo-Dupuis Site continues to the east and to the north of the known site limits. The Stage 3 testing should involve a series of 1x1m test units in the area of this buffer overlap to confirm that the Site does not extend into the subject property.*

a. *If no archaeological resources are found during the Stage 3 testing, the area should be considered sufficiently assessed and no further assessment for the Nicodemo-Dupuis Site within the Subject Property will be required.*

If archaeological resources are found, the limits of the Nicodemo-Dupuis Site will require adjustment to include this area and additional fieldwork, including Stage 4 Site Mitigation, may be required. Stage 4 mitigation may include an avoidance and longterm protection strategy which would reduce or eliminate additional (Stage 4) fieldwork; this is MHSTCI's preference (see Section 4.1 of the 2011 Standards & Guidelines).

2. *Recommended Test Unit Placement:*

a. *The Stage 3 test units should begin between 2.5 and 5m north of the southern property line (where the hedges will allow) and consist of two rows at a five metre interval (offset at a 2.5 metre interval).*

b. *Should significant archaeological resources be recovered within these two rows of test units, additional excavation lines will continue to the north until no significant archaeological resources are found within the APZ.*

3. *In addition to the above, Walpole Island First Nation should be engaged regarding the Stage 3 work plan and any short or long-term avoidance and protection strategy at Stage 3 or Stage 4 given that they have expressed interest in the Site, were engaged in the fieldwork of the portion of the Site to the south, and a component of this Site dates to the Woodland period (see MHSTCI Bulletin Engaging Aboriginal Communities in Archaeology Standard 2).*

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

4. *The remainder of the subject property outside the APZ is clear of archaeological concern and may proceed to development as no archaeological resources representing further cultural heritage value or interest (CHVI) were recovered in this area during the current fieldwork. “*

The request for further archaeological assessment may only be waived for the Parkland if the applicant is agreeable and able to demonstrate through the submitted application that the site plan and development conditions and agreements for the Archaeological Potential Zone would remain exactly the same as per reviewed in P244-0124-2018 (ie. The same recommended Archaeological Potential Zone is to be conveyed to the City as passive Parkland and only subject to minor maintenance or traditional agricultural practices. The applicant is also required to erect a non-permeable (no gates) 1.8m (6 ft) fence between the proposed residences and the proposed parkland as a Condition of the Subdivision agreement. Consent from City of Windsor Parks Department would be required for these proposed measures).

In addition, the portion of the area not identified as Parkland but identified as Land to be Conveyed for the development of Florence Avenue overlaps with the APZ (measuring 20.0 m from south property line). Since it would be impacted by road development, the proponent will be responsible for conducting the Stage 3 and any further required assessment on that portion, unless the City is prepared to accept the lands for Florence Avenue and conduct the required Archaeological assessment on it.

TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Wyandotte St E as a Class 2 Arterial with a required right-of-way width of 30.9 metres. The current right-of-way width is not sufficient; however, a land conveyance is not required at this time.
- A review is currently underway to determine if an Environmental Assessment (EA) is required for the Florence Avenue extension.
- Per the Official Plan, a sidewalk is required on two sides of a Collector Road. A sidewalk construction is required on both sides of Florence Ave as per Engineering Right-of-Way's comments.
- A corner cut-off of 6.1 metres x 6.1 metres is required on the corner of Wyandotte St E and Florence Ave since the TIS submitted states that a traffic signal may be introduced in the future at this intersection.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
 - Bicycle parking must comply with ZBL for the dimensions and number of spaces.
 - Total GFA is required in order to determine if loading spaces proposed are sufficient according to the ZBL.
- Transportation Planning has reviewed the Transportation Impact Study titled, “Ganatchio Gardens Inc. Official Plan and Zoning By-Law Amendments Transportation Impact Study Southwest Corner of Florence Avenue and Wyandotte Street East Windsor, Ontario” conducted by Dillon Consulting Ltd. in March 2023. Transportation Planning has the following comments:

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

- Report is satisfactory in its current form
- 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.
 - Minimum clearance required between the northerly driveway and the nearest cross road is 20 metres for stop controls at the cross road. Distance shown on site plan provided shows about 25 metres, which complies with this requirement. However, the TIS submitted states that it may be necessary to reassess the northerly driveway location based on the findings of the Florence EA, and that it is anticipated that a traffic signal may be introduced in the future at this intersection. The minimum clearance required between the northerly driveway and the nearest cross road is 55 metres for signals at the cross road. Therefore, for safety purposes, the northerly driveway must be 55 metres away from the intersection based on that requirement.
 - The throat length shown on the conceptual plan for the southerly driveway access does not meet the suggested 25 metres as per TAC Guidelines; a comment is required from the Engineer.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE CHANGE - KARINA RICHTERS

Pursuant to the application for a zoning amendment (**Z 026/26**) and Official Plan Amendment **OPA 162** for the proposed development on the southwest corner of Wyandotte Street East and Florence Avenue, please note the following comments:

Energy Conservation, Air Quality and Climate Change:

Energy Efficiency

In order to maximize energy efficiency and conservation as energy strategy is required. The City's energy strategy terms of reference are available for review.

The installation of EV chargers is highly encouraged, as electric vehicles continue to penetrate the personal car and truck market, and supported by federal targets for EV production.

Urban Heat and Access to Green Space

To mitigate the effects of the urban heat caused by the increase in hard surfaces, it is recommended that landscaping efforts be maximized and include the planting of trees. To promote tree growth near parking lots, engineered systems (e.g. Silva Cells or equivalent) are recommended.

Little River Pollution Control Plant

An Environmental Assessment (EA) will be underway shortly for an expansion to the Little River Pollution Control Plant. As the EA will outline the recommended expansion, it is recommended that consultation be conducted to minimize the impact on residents from the waste water treatment plant.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

BIODIVERSITY COORDINATOR - CHRIS HART

JULY 28, 2023: After reviewing the EER, I have some comments regarding the timing and extent of the surveys and site visits conducted, and their ability to adequately identify the natural features, including SAR, of the site, particularly in its current state. While I understand that some time has passed between the original proposal and now, as I read the report, I am obligated to highlight certain aspects that could result in the development potentially negatively impacting natural features within the City.

The development plans were influenced by the MNR's 2018 recommendation that by retaining the outer hedgerows, there would be no contravention of the ESA. This was based off of a 2017 March survey, at which time the site was still being farmed. The EER states the site was last farmed in 2020, and that the land to the immediate west and south of the site is classified as parkland/meadow habitat, as well as candidate Significant Wildlife Habitat (under multiple criteria). The most recent vegetation survey, conducted on March 10, 2022, had accounts of several native/meadow species which suggest potential regeneration is occurring on site. Although only a one-season vegetation survey was required in the Terms of Reference, results beyond winter could be more representative of the current state of this site.

Similarly, the Terms of Reference indicates that no formal snake surveys were required. The EER states that "No SAR were observed during the field reconnaissance and SAR surveys", however it should be noted that the two site visits were conducted on March 23, 2017 and March 10, 2022, with temperatures of 1 and 0°C, respectively. These conditions are unsuitable to look for snakes, and are also unlikely to present recent and representative vegetation cover of the site, i.e., potential habitat, during the SAR snake active period. As mentioned above, the surrounding habitats, including candidate for terrestrial crayfish (associated with SAR snakes), the possible regeneration of the site, and the MNR's recommendation to keep the hedgerows, all suggest that a different survey protocol would have been more appropriate to assess the impact on SAR.

Without ERCA's support with the review of these inappropriate EER's, it falls on the City to require further work or consultation before permitting development. To confirm absence of Natural Heritage features, particularly the species at risk with potential habitat in this area, surveys really need to be done at the appropriate time of year. At this time, Natural Areas cannot recommend proceeding with this development until an appropriate EIA is complete.

SEPTEMBER 1, 2023: Although development plans were approved by the Ministry in 2018, site conditions were not maintained in a similar state as that reviewed. Farming of the site stopped in 2020, and roadside observations from July 2023 suggested that it was allowed to naturalize. Habitat can regenerate in only a few years, especially when adjacent to existing natural heritage features. In this case, these adjacent features include SAR habitat, which suggests protected wildlife could enter the site to make use of any new habitat. As stated in my previous email from July 28, 2023, and ERCA's email from August 2022, the site was not surveyed properly to sufficiently assess for SAR and SAR habitat. As such, the development was not recommended to prevent possible contravention of the Endangered Species Act and 2.1.7 of the Provincial Policy Statement ("Development and site alteration shall not be permitted in habitat of endangered species...").

Roadside observations from August 24, 2023 showed that the site had been recently mowed, and on August 26, 2023, it appeared the site had been tilled. This negates our initial request for further surveys of the site, however the concerns of PPS validity remain.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

SEPTEMBER 5, 2023: It is the proponent's obligation to ensure that their activities do not contravene any policies and/or legislation, i.e., the Provincial Policy Statement, Endangered Species Act, Migratory Birds Convention Act and Fish and Wildlife Conservation Act. Despite the concerns stated in my previous email, there are currently no municipal policies, in the Official Plan or otherwise, that provide grounds for us to stop this development.

In contrast, the County of Essex Official Plan General Policy 3.4.6. a) viii) states "Removal of a natural heritage feature for the purpose of lowering the natural environment classification... will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the Environmental Impact Assessment." The Environmental Evaluation Report for this development sparked two separate recommendations for appropriate habitat/SAR surveys to be done on site, but the subsequent mowing and tilling has since removed any potential habitat, and thus reduced the practicality of those surveys. If the City had a policy similar to that mentioned above, which is implemented in the rest of the county, then we could likely consider further action.

ENGINEERING - ROB PERISINOTTI

We have reviewed the servicing requirements of the subject lands pertinent to this application, and offer the following comments:

ROADS AND RIGHTS-OF-WAY:

The section of Wyandotte Street East fronting the subject lands was constructed by the City in 2007 and currently has a right of way width of 24m; no conveyance is required. Florence Avenue, south of Wyandotte Street East is classified as a class 2 collector road and requires a right of way width of 22m. We note based on the information circulated that the existing open alley running parallel to Florence Avenue through the site is needed in order to achieve the required right of way. Through discussions with Planning and Transportation Planning we understand this alley will be closed and conveyed to the applicant for these purposes. A 6.1m x 6.1m corner cut off is required at the southwest corner of the Florence Avenue and Wyandotte Street East intersection. In accordance with the Official Plan sidewalks will be required on both sides of the Florence Avenue extension.

SEWERS:

This site is to be serviced by a future 250mm diameter sanitary sewer stub in the Florence Avenue right-of-way, south of the subject lands. This sub will be constructed as part of a proposed subdivision development. There are municipal storm sewers within the abutting road ways, available to service the subject property as follows:

Wyandotte St E

Storm Sewer: 1950mm RCP

Florence Ave

Future Sanitary Sewer: 250mm PVC, south of the subject lands

A sewer servicing study is required to demonstrate there is adequate capacity in the municipal storm and sanitary sewer networks and the impact based on the proposed development. The City has completed a re-assessment study for the North Neighbourhood Pond, the findings of which the applicant will be required to comply with.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

The applicant will be required to submit, prior to the issuance of permits, a stormwater management plan in accordance with Windsor Essex Region Stormwater Management Standards Manual, restricting Storm water runoff to pre development levels. This will include at a minimum:

- Submission of stormwater management review fee,
- Stormwater management report stamped by a professional engineer
- Stamped Site servicing drawings
- Stormwater management check list (see link below)

For more information of SWM requirements, visit: link

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

<https://www.citywindsor.ca/business/buildersanddevelopers/Documents/Checklist-Rational-Method.pdf>

Cost Sharing/Oversizing:

The applicant is required to provide municipal services to the vacant lots fronting the east side of the Florence Avenue Extension. A 1ft reserve will be registered across the frontage of these lots preventing access to the services until such time as the owners have paid their proportionate share of the cost of the infrastructure constructed.

The applicant will be required to pay servicing fees for the future construction of the sanitary sewer stub in the Florence Avenue right-of-way, south of the subject lands, in the amount of \$129,000.00 (actual amount to be based on final construction cost), plus HST and applicable interest charges.

In summary, we have no objections to this application, subject to the following conditions:

Servicing Study – The applicant shall agree to retain a consulting engineer to review the existing and proposed sewer system for this development to determine its affect on the municipal sewer system. The study shall be done to the satisfaction of the City Engineer and the Chief Building Official. The applicant is required to demonstrate that no negative impacts will be realized by the existing surrounding community, before the proposed development will be allowed to proceed.

Alley Closing – Prior to the issuance of a Building Permit, the applicant shall apply to the Street and Alley Closing Committee to close the existing alley adjacent to the subject property.

Corner Cut Off – The applicant(s) agree, prior to the issuance of a construction permit, to gratuitously convey a 6.1m x 6.1m corner cut off at the southwest corner of the Wyandotte Street East and Florence Avenue intersection, in accordance with City of Windsor Standard Drawing AS-230.

Florence Avenue Construction – The owner agrees to construct pavements, including curbs and gutters, driveway approaches and the necessary drainage facilities according to City of Windsor standard specifications, with sidewalks on both sides on the road. The owner further agrees that one (1) full winter shall elapse following the laying of base asphalt, prior to the laying of surface asphalt. All work to be to the satisfaction of the City Engineer.

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

Servicing Agreement – The owner shall enter into a servicing agreement with the Corporation, to supply, construct of Florence Avenue through the subject lands at its own expense, in accordance with the manner, location and design to be approved by the City Engineer. Prior to the issuance of a construction permit, the owner shall ensure that:

- a) The servicing agreement between the owner and the Corporation for servicing of the surrounding lands, has been signed by all parties, and registered on the lands, and
- b) All necessary bonding and insurance has been approved by the Manager of Risk Management

Oversizing:

- (1) The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, its share of the costs as determined by the City Engineer for previously oversized services that were constructed to ensure that the subject lands could be serviced.
- (2) In the event that the Owner is required to oversize any services in order to service other vacant lands, it is agreed that any oversizing costs to be paid by the Corporation to the Owner shall be based on a cost-sharing strategy satisfactory to the City Engineer. Any cost-sharing strategy agreed to will be subject to the approval of the Corporation's City Council.

Little River Pollution Control Plan Expansion Set Back – The applicant(s) agree to comply with Ministry of the Environment and Climate Change requirements relating to required set backs from the holding tanks to be constructed in the future when the Little River Pollution Control Plan is expanded.

If you have any questions or concerns, please contact Robert Perissinotti at 519-255-6257, ext. 6615.

SENIOR URBAN DESIGNER (A) & LANDSCAPE ARCHITECT - STEFAN FEDIUK

Pursuant to the application for a zoning amendment (Z 026-22) to permit Residential and Green Space on the subject, please also note the following comments:

Zoning Provisions for Parking Setback:

There are no additional zoning requirements from a landscape or urban design perspective.

Parkland Dedication:

Pursuant to the comments by the Heritage Planner and MNR, the applicant has proposed that the a 4.4m wide strip along the west property boundary containing much of the natural vegetation abutting the Little River Corridor, along with a 20.2m wide buffer along the south property boundary identified as high potential for archeological artifacts, is being dedicate to the City of Windsor as Parkland, and will remain undisturbed to ensure that natural habitat corridors are preserved.

Tree & Natural Habitat Preservation:

The applicant has provided an Environmental Evaluation Report (May 2022), Natural Site Features Inventory & Preservation Study (Aug 2018), Soil characterization Report (July 2021) and a Phase 1 Environmental Site Assessment (July 2021) for the subject site and proposed

APPENDIX D - CONSULTATIONS

[Comments from Municipal Departments & External Agencies; File Z-026/22; OPA 162]

development. These studies have been coordinated and vetted through MNR/MECP, ERCA, and City of Windsor Parks, Natural Areas and Forestry Departments.

Several potential SAR in the area, and confirmed SAR observations in the area.

A portion of an existing natural feature: Forest. Touches the south side of the property. The applicant is proposing to mitigate potential impacts through Parkland dedication along the south and west property boundaries. In addition, the SARs biophysical studies indicated that the presence of SARs, wetlands, and significant species exist primarily on the adjacent parkland of Little River Corridor. The former agricultural land where this development is proposed may have been foraging areas for these species. Mitigating measures as well as parkland dedication are outlined in Section 9 of the EER as a means to enhance the wildlife and natural character of the development and the area. The applicant is to provide evidence that these mitigation measures are being employed throughout the development process.

As identified by the City Forester, the development site is well treed. The Natural Site Features Inventory & Preservation Study (Aug 2018), cites a Tree Inventory and Preservation Plan (TIPP) where 114 trees were recorded with 41 trees scheduled for removal in addition to 2 hazardous trees. The proposed parkland dedication will preserve many of the trees found in hedgerows along the boundaries of the subject property. The applicant is to consult further with the City Forester for any further compensation required for the removal of any trees found on the property.

Urban Design & Climate Change:

The proposed 16-storey multi-residential development at the southwest corner of the subject lands adjacent to parkland will provide a more manageable development by reducing the potential for encroachment into parkland that would be experienced with lower density development.

To further reduce this potential, and to increase the sustainability of the development from a climate change perspective, it is also recommended that the applicant provide a vegetative buffer of taller growing trees between the proposed 16-storey residential building and the property boundaries.

The site development will be subject to a Site Plan Approval process where detailed landscape comments will be made to ensure that the development maintains a healthy, safe and environmentally sustainable approach while providing accessible design and resilience from climate change.

February 4, 2020

Ministry of Tourism, Culture and Sport

Attention: Shari Prowse - Archaeology Review Officer

As discussed relating to the Ministry of Tourism, Culture and Sport (MTCS) concern to ensure that the area depicted as the "Archaeological Potential Zone (APZ)" in Figure 9 attached is protected from any impacts until the Stage 3 archaeological assessment and if required, the Stage 4 mitigation is completed. As per this request by the Ministry's email related to the Wyandotte & Florence Development:

- 1) The developer will convey to the City of Windsor Block 35 that contains the "Archaeological Potential Zone (APZ)";
- 2) The City of Windsor understands that the block has the potential to contain archaeological resources associated with the Nicodemo-Dupuis Site (AbHr-19);
- 3) The City of Windsor will ensure that area marked as the "Archaeological Potential Zone (APZ)" will remain passive, only subject to minor maintenance (e.g. mowing and seeding) or traditional agricultural practices; and
- 4) The City of Windsor will insure that a Stage 3 archaeological assessment and if required, Stage 4 mitigative excavations will be conducted for this area and the site prior to any impacts being allowed within this area.

The City of Windsor's Parks, Recreation & Culture and Facilities Department (PRCF), recognizes that the lands proposed by the developer as Parkland Conveyance may constitute part of an archeologically significant parcel of land. PRCF is aware that the site may contain archeological artifacts as described in the Stage 1 Background Archeological Study Supplement conducted by CRM Lab in August 2018.

PRCF is also aware that the Ontario Ministry of Natural Resources and Forestry (MNR) has recommended protection of a portion of land within the subject development and within the 20m buffer of Block 35, as well as a hedge row and natural drain along the west property boundary of the development parcel. PRCF is prepared to accept the Parkland Conveyance with no intention of developing it for purposes other than maintaining it as part of the Natural Area of the Little River Corridor as per REDISCOVER OUR PARKS (the City of Windsor's Parks and Outdoor Recreation Master Plan). In addition, PRCF has no intention to install any park amenity that would compromise the integrity of the archeological and natural significance.

Parks, Recreation, Culture and Facilities • City of Windsor • 2450 McDougall Windsor, ON

To accommodate MNR's requests for protection of the hedgerow, the owner has also agreed to modify the polygon of Block 35 to include the drain and hedgerow to be conveyed to the City of Windsor. The City of Windsor through Bylaw 135-2004 is prepared to preserve the hedgerows within the Conveyed Parkland. To further protect the natural environment of the existing parkland of Little River Corridor and the Conveyed Parkland, the City of Windsor also requires the developer to erect a non-permeable (no gates) 1.8m (6ft) fence between the proposed residences and the proposed parkland as a Condition of the Subdivision Development.

As a final note, Block 35 is also to be redrawn with Block 36 as a Stormwater Retention area, which is to be managed by the City of Windsor through the Public Works Department. Block 36 will not be part of the Parkland Conveyance nor will PRCF have any development or operational responsibility on that parcel of land.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jan Wilson', with a stylized flourish at the end.

Jan Wilson
Corporate Leader
Parks, Recreation & Culture and Facilities
Corporation of the City of Windsor

APPENDIX F

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	14	Part of Lot 138, Concession 1, located at the southwest corner of Wyandotte Street East and Florence Avenue.	-	GD1.4, GD1.5, & HRD2.1	GD1.4 & HRD2.5

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

“490 SOUTHWEST CORNER OF WYANDOTTE STREET EAST AND FLORENCE AVENUE

“For the lands comprising Part of Lot 138, Concession 1, the following additional provisions shall apply

- 1) *Multiple Dwelling* with 5 or more *dwelling units*,

Main building height - maximum	26.0 m
Required Parking Space – maximum	1.25 per dwelling unit
 - 2) Building setback - minimum
 - a) from the nearest building wall to the new east lot line created by the conveyance of the 4.4 m wide existing perimeter hedgerows 10.0m
 - b) from the nearest building wall to the new south lot line created by the conveyance the 20.0 wide Archaeological Potential Zone 10.0 m
 - 3) A scenery loft shall be an additional permitted facility on a multiple dwelling with five or more dwelling units, subject to the following:
 - (a) The “Exceptions To Maximum Building Height Provisions” shall not apply to a scenery loft on the subject land;
 - (b) The Scenery Loft Provisions in section 5.35.5 of by-law 8600 shall not apply, save and except the requirement for a maximum height of 4.0 metres; and
 - (c) The scenery loft enclosure(s) shall be designed to preclude views of the east side of the property.
 - 4) No outdoor sitting/viewing area shall be permitted above 10m height of the multiple dwelling.
 - 5) Location of a *building* or *structure* within 300 metres of the east limit of the planned expansion of the Little River Sewage Treatment plant, measured from the nearest wall of the building or structure, is prohibited.
 - 6) An access area or direct vehicular access to Wyandotte Street East is prohibited.
- [ZDM 14; ZNG/6730]”

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

1. Item Number	2. Zoning District Map Part	3. Lands Affected	4. Official Plan Amendment Number	5. Zoning Symbol
1	14	Part of Lot 138, Concession 1, located at the southwest corner of Wyandotte Street East and Florence Avenue.	-	S.20(1)H490

4. That the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding (H) symbol and the following conditions are satisfied:

- (a) The Owner(s) gratuitously convey to the Corporation of the City of Windsor lands sufficient in width for the creation of a 22.0 m wide road allowance for the extension of Florence Avenue south of Wyandotte Street East.

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 1.295 hectares land described as Part of Block 1, Plan 12M-428, designated as PART 2, Plan 12R-29004, located on the east side of Banwell Road, between McNorton Street and VIA Rail Corridor, so as to permit the construction of a multi-storey, multi-unit residential building with some commercial space on the subject land.

This amendment also has the effect of accommodating a housing type that increases density and housing options in the area. This amendment has the potential to enhance public transit ridership in the area as a result of the number of residential units that will be accommodated on the subject land.

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



PART OF ZONING DISTRICT MAPS 14 & 15

N.T.S.

SCHEDULE 2

Applicant: Maple Leaf Homes



SUBJECT LANDS



SEVERED LANDS (PART 2, 12R-29004)
SUBJECT OF OPA & ZBA



PLANNING & BUILDING DEPARTMENT

DATE : DECEMBER 2022
FILE NO. : Z-010/22, ZNG/6701



Council Report: S 121/2023

Subject: Official Plan & Zoning Bylaw Amendments Z 024-23 [ZNG-7069] & OPA 175 [OPA-7072] 1027458 Ontario Inc. Multiple Dwelling Development Banwell & McHugh (South) - Ward 7

Reference:

Date to Council: October 3, 2023

Author: Jim Abbs

Senior Planner

519-255-6543 x6317

jabbs@citywindsor.ca

Report Date: September 13, 2023

Clerk's File #: Z/14648 & Z/14647

To: Mayor and Members of City Council

Recommendation:

THAT the City of Windsor Official Plan Volume II – East Riverside Secondary Plan Schedule ER-2 **BE AMENDED** by changing the land use designation of Block 8, Plan 12M-425, City of Windsor from Business Park to “Banwell Road Mixed Use Corridor”; and,

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

1.# SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET

1.#.1 The property described as Block 8, Plan 12M-425, in the City of Windsor, known municipally as 0 McHugh Street, is designated a special policy area on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan.

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

- a) Medium Profile Residential Buildings shall be permitted on the subject property; and
- b) High Profile Residential Buildings shall be permitted within 30 metres of Banwell Road on the subject property; and,

THAT the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 from MD1.2 to HCD2.7; and,

THAT the hold prefix **BE REMOVED** when the applicant/owner submits an application to remove the holding prefix and the following condition is satisfied:

- a) an updated Transportation Impact Study is prepared and submitted to the satisfaction of the City Engineer; and,

THAT subsection 1 of Section 20 of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Block 8, Plan 12M-425 by adding site specific regulations as follow:

4xx. **SOUTH WEST CORNER OF BANWELL ROAD AND MCHUGH STREET**

For the lands described as Block 8, Plan 12M-425, the following shall be additional permitted uses:

- i. residential care facility;
- ii. multiple dwelling;

subject to the regulations in Section 12.2.5, and,

Building height – Maximum – within 30m of Banwell Road - 35m

Building height – Maximum – remainder of site - 26 m

A vehicle access area to Banwell Road is prohibited.

(ZDM 15; ZNG/7069)

Executive Summary:

N/A

Background:

This site is part of the East Riverside Secondary Plan area. That plan designated a large area of agricultural land within the City of Windsor for various forms of urban development. Over time, the majority of the area has developed, seeing the creation of primarily low profile residential areas interspersed with institutional, recreation and multiple dwelling uses.

One of the uses contemplated in the East Riverside Secondary Plan included an area set aside for Business Park (light industrial, commercial) use. The site of this development is subject to that Business Park designation. This designation, along with the lands designated Banwell Road Mixed Use Corridor were intended to form a commercial center for the secondary plan area.

Since the approval of the East Riverside Secondary Plan, commercial uses locating at the intersection of Banwell Road and Tecumseh Road East has taken on much of the commercial role anticipated for the intersection of Banwell and Mchugh/McNorton.

Other notable developments within the immediate area include a Mixed Use development on the Northeast corner of Banwell and McNorton (*ELM Windsor Inc, Z-013/17 approx 100 units*) and a Multiple Dwelling development immediately south of the Banwell Community Church (*Maple Leaf Homes Z-010/22 approx 130 units*). Both have been approved by City Council through Site Specific Zoning By-law amendments, but have not yet commenced construction.

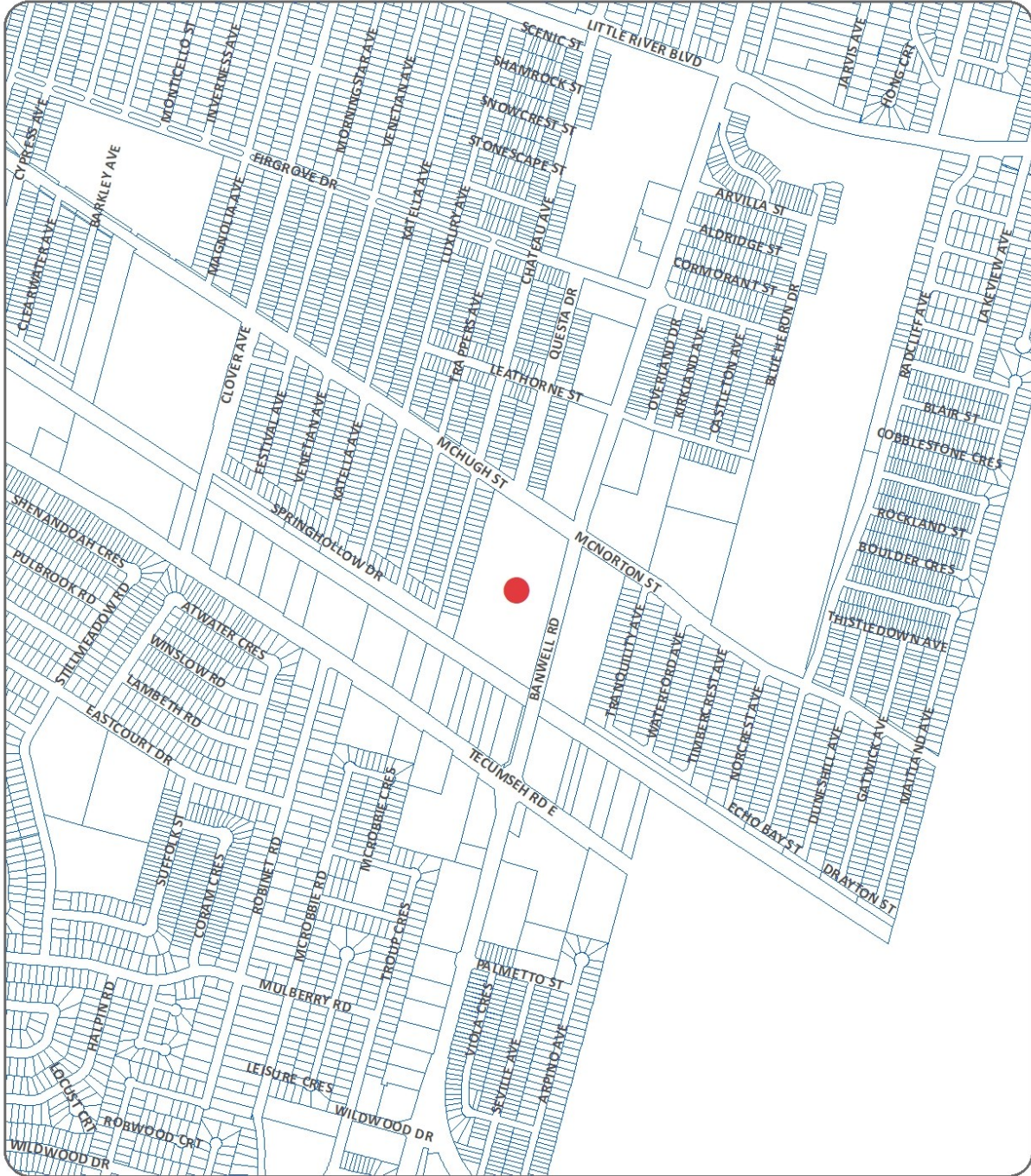
Application Information:

Location: 0 McHugh St – Part of Blocks 8 & 9, Plan 12M-425

Ward: 7 **Planning District:** East Riverside **ZDM:** 15

Registered Owner\Applicant: 1027458 Ontario Inc.

Agent: Dillon Consulting (Theresa O’Neil)



KEY MAP - Z-024/23, ZNG-7069, OPA 175, OPA-7072



● SUBJECT LANDS

Figure 1: Location Map



NEIGHBOURHOOD MAP - Z-024/23, ZNG-7069
& OPA 175, OPA-7072



SUBJECT LANDS

Proposal:

This application is one of three by the same developer along the West Side of Banwell Road between the Via Rail line and Firgrove Street. (see Appendix 1: Concept Plan) This phase of the development includes one (1) six (6)-storey multiple dwelling residential building with 72 units; one (1) eight (8)-storey multiple dwelling residential building with 96 units; two (2) 10-storey multiple dwelling residential buildings each with 120 units; For a total of 408 residential units.

A two (2)-storey business office; and a residential care facility is proposed for the McHugh Avenue frontage of the site and is intended to be used by a local charitable organization. This site of the residential care facility and business office was the subject of a recent successful consent to sever application to prepare the area for that development.

It is intended that the business office will have; 1,860m² of Gross Floor Area (GFA) and the residential care facility will be smaller at 499m² GFA.

The site is proposed to have driveway access from McHugh Street and will include a surface parking area with 531 parking spaces for the residential dwellings; 60 parking spaces for the business office; and 12 parking spaces for the residential care facility to accommodate on-site parking, for a total of 603 parking spaces. No reduction in parking is being requested for this development.

The multiple dwelling residential buildings on the South Site are intended to be developed in two phases. South Site - Phase 1 will be constructed first and includes 2 ten storey (35m) buildings fronting Banwell Road. Phase 2 will include the construction of the 8 storey building and the 6 storey building.

The applicant is requesting a site specific policy area to permit High profile development (greater than 4 storeys) on the site and to permit "Community Institutions" as a permitted use on the portion of the site fronting McHugh Street.

The applicant is requesting a Zoning By-law amendment that would add "Multiple Dwelling" subject to the regulations of the RD3.2 zone" and Residential Care Facility as a permitted use. As well the applicant is requesting an increase in the permitted height to 35m and a reduction in landscaped open space from 35% as required in the RD3.2 zone to 24.5%.

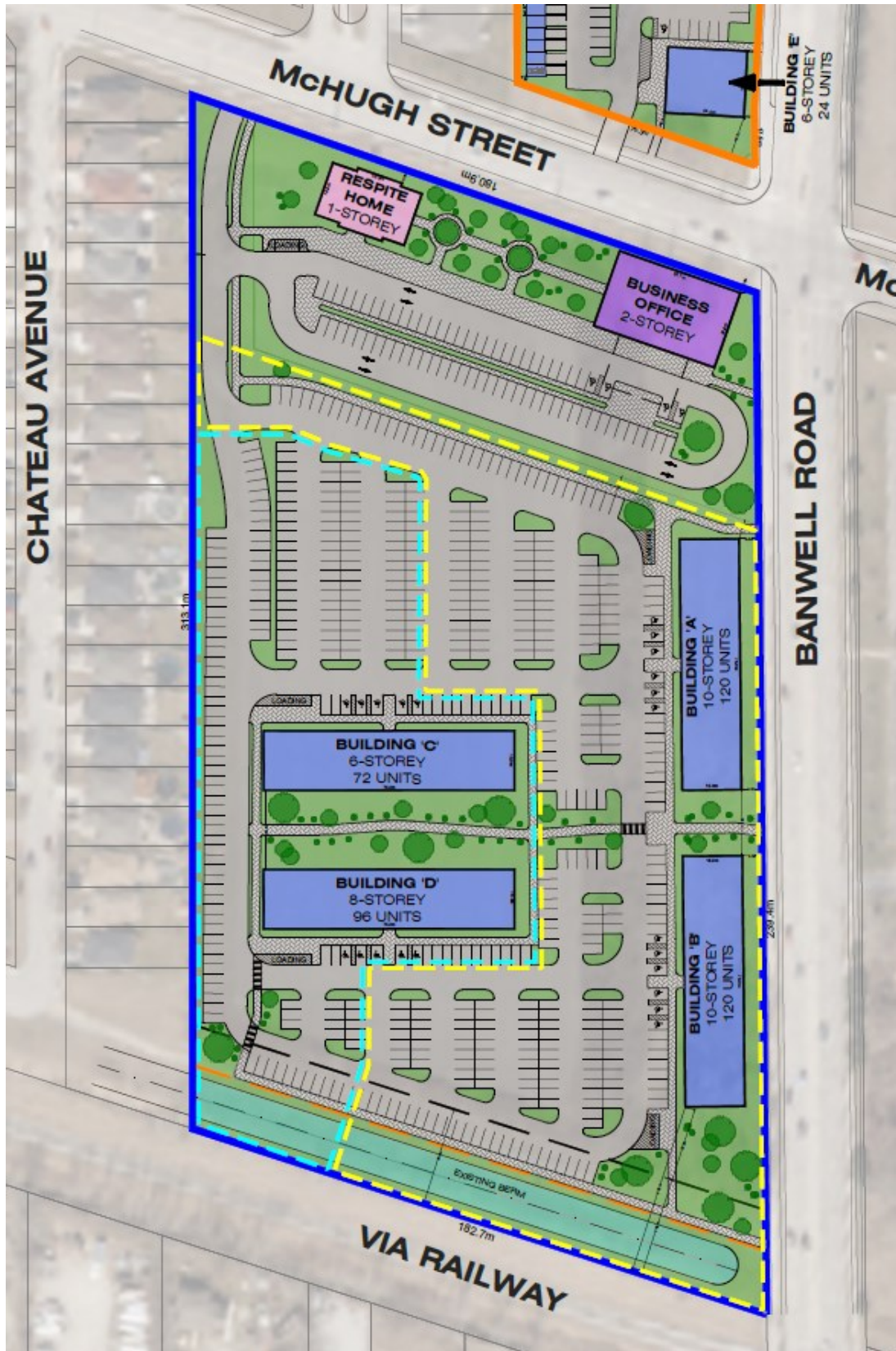


Figure 2: Concept Plan

Site Information:

Official Plan	Zoning	Current Use	Previous Use
Mixed Use Node Schedule D – Land Use, (OPA#159) Business Park (BP) Schedule ER-2: Land Use Plan, Secondary Plan East Riverside Planning Area Business Park (Schedule D – Land use	MD1.2 and S.20(1)112	Vacant	Vacant
Width	Depth	Area	Shape
+/-180 m	+/-313 m	5.35 ha	irregular
All measurements are approximate.			

Neighbourhood Characteristics:

This proposed development is located at 0 McHugh at the South west corner of Banwell Road and McHugh Street. The site is currently vacant and is bounded as follows:

North –townhouse dwellings and vacant land

East - Banwell Community Church, Huron Terrace Retirement Home, single detached dwellings, semi-detached dwellings, townhomes, East Riverside Park, and Tecumseh Arena;

South - CN Rail, Commercial, and Light Industrial;

West - Single detached dwellings and townhomes

Discussion:

Provincial Policy Statement 2020 (PPS):

The Multiple Dwelling development is an infill development (a development on underutilized or vacant land within the context of an existing urban or built up area) consistent with the Provincial Policy Statement (PPS) in that the development promotes the efficient use of existing land, promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. Related to this direction, the PPS states:

“1.1.1 b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;”

The requested Official Plan and zoning bylaw amendments promotes cost-effective development by redeveloping an under-utilized vacant site. Allowing the proposed multiple dwelling development in this location contributes to minimizing land consumption and servicing costs by using a site that already has available trunk infrastructure in the immediate area.

The PPS also states:

“1.1.2 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 20 years.”

The PPS requires that land be available to diversify developments to meet the future needs of the community. Subsequent to the proposed Official Plan Amendment The multiple dwelling development will be consistent with that requirement by accommodating new residential construction on lands designated for that purpose.

The PPS also states:

“1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b. maintain at all times where new development is to occur, land with servicing capacity*

sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”

The proposed multiple dwelling development is consistent with the PPS by developing as part of a planned residential neighbourhood. This development will help to provide additional residential inventory within the City of Windsor.

The PPS also states:

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a. permitting and facilitating:

- 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

b. 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;

c. 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; and”

Approving the Official Plan Amendment and Zoning By-law Amendment would support residential development using the infrastructure that is already in place, instead of requiring more expenditure on new trunk infrastructure in an unplanned area. In terms of supporting active transportation and transit, the proposed development is in close proximity to Transit Windsor service, and in close proximity to an extensive trail system.

Official Plan:

Section 3.3.2.2 of the Urban Structure Plan contained in the City of Windsor Official Plan identifies Barwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) and residential over retail at street, as well as row housing and lofts. The proposed development conforms with this policy.

The sites are designated “Mixed Use Node” and Business Park in the City of Windsor Official Plan, the Mixed Use Node designation indicates that Residential intensification shall be directed to the Mixed Use Nodes and areas in proximity to those Nodes. Within these areas Medium Profile buildings, up 4 storeys in height shall be permitted.

This site is identified as “Business Park” in the East Riverside Secondary Plan and on Schedule D –Land Use in Volume 1 of the City of Windsor Official Plan. The proposed Multiple Dwellings and Residential Care Facility would not be permitted in this designation, however the Business Office proposed would be permitted.

To help harmonize designations between Schedule D of Volume 1 of the Official Plan and Schedule ER-2 of the East Riverside Secondary Plan, the Planning Department recommends that Schedule ER-2 be modified to identify the subject site as Banwell Road Mixed Use Corridor. This would permit both the residential and business office uses on the site.

To prevent confusion between the conflicting sections of the Official Plan related to the height or profile of the development, the Planning Department recommends that a Site Specific policy area be applied to confirm that High Profile Buildings are permitted on this site within 30 metres of Banwell Road and Medium Profile buildings are permitted on the balance of the site. The site specific policy area would be implemented through a site specific zone (see Zoning Section).

Zoning:

The site is currently zoned MD1.4 with a site specific provision that permits an athletic and/or sports facility as a permitted use and prohibits building with 30m of the Railway Right of way. (S.20(1)112)

The applicant is requesting that the CD2.7 zone be applied to the site as it would be consistent with the requested Official Plan Amendment and the Mixed Use Node designation within the City’s Official Plan. The Planning Department concurs with the requested CD2.7 zone as it had been specifically designed for the mixed use area identified in the East Riverside Secondary Plan and contains uses and regulations appropriate for that area, and it would be consistent with the zone category on the Northeast corner of Banwell Road and McNorton Street.

The application of the regulations contained in the RD3.2 zone is appropriate because those regulations are designed for the Multiple Dwelling and Residential Care facility uses and the forms that those uses take. The regulations of the RD3.2 zone are generally designed to ensure that Multiple dwelling(s) are located on sites that are sized appropriately for the number of units proposed for the development.

Building Heights

The Planning Department is able to support the request for increased height on the site because the Urban Structure Plan designates Banwell Road as a City Corridor. Residential development on a City Corridor may include high profile (26 to 58 metres in height), medium profile (14 to 26 metres in height) on roads designated as City Corridors. More specifically, high profile residential buildings (up to a maximum height of 35 metres) are supported as part of Phase 1 of the development on the Banwell Road frontage. Medium profile residential buildings (up to a maximum height of 26 metres) are supported as part of Phase 2 of the development adjacent to the existing low profile residential dwellings on Chateau Avenue.

Request for reduction of landscaped open space

The Planning Department does not support the request for reduced landscaped open space from 35% to 24.0%. The site statistics provided for this phase of the development indicates that a landscaped open space of 38.2% is available on the site. As well the applicant is oversupplying (530 provided, 510 required) parking that could be used to enhance the Landscaped open space area if necessary.

Application of Hold Prefix

Transportation Planning indicates that the Transportation Impact Statement requires further refinement, as it is unclear whether the TIS fully accounted for the proposed residential units permitted within the ELM Windsor development on the northeast corner of the Banwell/McNorton intersection. While this update could be completed as part of the Site Plan Control process where mitigation of any transportation issues will be included as conditions within a site plan control agreement, it is important that a revised TIS be part of the zoning to ensure that the revised TIS is completed before the issuance of a building permit for the Multiple Dwelling portion of the site.

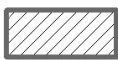


PART OF ZONING DISTRICT MAP 14 & 15

N.T.S.

REZONING

Applicant: 1027458 Ontario Inc.



SUBJECT LANDS

PLANNING & BUILDING DEPARTMENT



DATE : JULY, 2023
FILE NO. : Z-024/23, ZNG/7069

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

The site will be subject to a site plan control agreement and will release storm water to the municipal system at a rate determined by a storm water management plan and development servicing plan that will be reviewed and approved by the City's Public Works department

Climate Change Adaptation:

The development on the site is close to existing bus routes and also community recreational opportunities. This will encourage the use of public transit and walking as modes of transportation, thereby helping to minimize the City's carbon footprint.

Financial Matters:

N/A

Consultations:

A Public Information Centre (PIC) was held by the developer's consultant on April 19, 2023. The approximately 150 residents attended. The results of the PIC are attached as Appendix 3.

As required in the Planning Act, notice was provided by advertisement in the Windsor Star. In addition, a courtesy notice to all property owners and tenants within 120 metres (400 feet) of the subject parcel were sent by mail.

The applications and relevant supporting studies were circulated to commenting agencies. Those responses are included as Appendix 2 – Agency Comments.

Conclusion:

The proposed use of this site as a development containing Multiple Dwelling structures containing 408 units represents an efficient development that will have no adverse impact on the well-being of the City of Windsor. The proposed development represents an appropriate residential use, adds to the range and mix of uses and will not cause any environmental or public health and safety concerns. This development is consistent with the Provincial Policy Statement.

The proposed Multiple Dwelling represents a housing type and density that meets the requirements of current and future residents, that meets the social, health and well-being of current and future residents, represents a form of residential intensification, is set in a location with access to infrastructure, public service facilities, and is close to commercial land uses.

The proposed Multiple Dwelling is located within a growing area that contains other Multiple Dwelling buildings in various stages of development of similar form and is compatible within its context.

The proposed Official Plan and zoning by-law amendments are consistent the PPS, conform with the policy direction of the City of Windsor Official Plan (as recommended for amendment), are compatible with existing and permitted uses in the surrounding neighbourhood, and constitute good planning.

Planning Act Matters:

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

Greg Atkinson Manager of Development/Deputy City Planner

Neil Robertson Acting City Planner

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

JP JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development & Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

Name	Address	Email
1027458 Ontario Inc.	949 Wilson Ave, Toronto ON M3K 1G2	jcoco@cocogroup.com
Dillon Consulting Limited (Theresa O’Niell)	3200 Dezeil Drive, Suite 608, Windsor ON N8W 5K8	toneill@dillon.ca
Councillor Marignani		

Appendices:

- 1 Combined Concept Plan
- 2 Liaison Comments
- 3 PIC Engagement Summary

CONSULTATION

ANNE-MARIE ALBIDONE – ENVIROMENTAL SERVICES

No concerns.

ENBRIDGE

After reviewing the provided drawing at Banwell Rd & McHugh St (North 'A' Site, North 'B' Site, South Site) and consulting our mapping system, please note that Enbridge Gas has active infrastructure around the proposed area. A PDF drawing has been attached for reference.

Please Note:

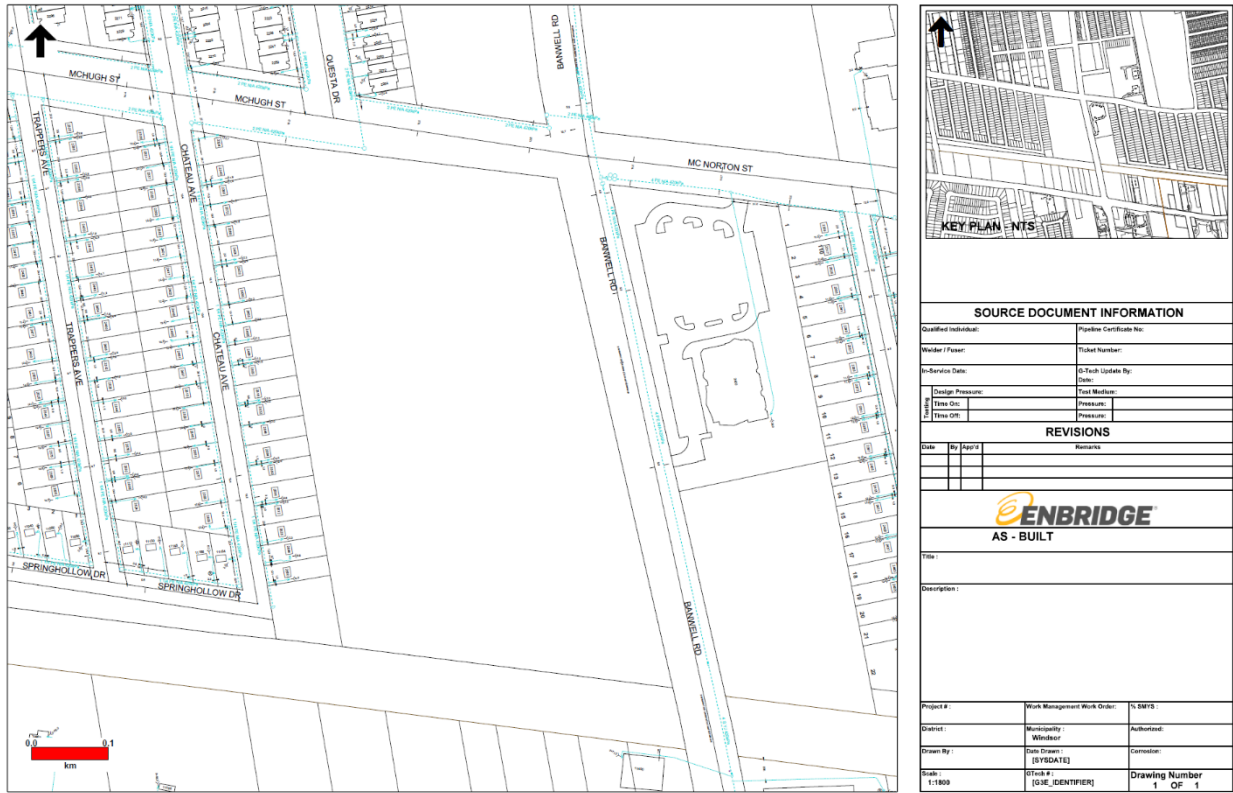
- 1. The shown piping locations are approximate and for information purposes only**
- 2. The drawings are not to scale**
- 3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc**

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.



LANDSCAPE & URBAN DESIGN – STEFAN FEDIUK

Pursuant to the application for a zoning amendment (**Z 024/23**) to permit a High profile development (greater than 4 storeys) along Banwell Road with Multiple Dwelling with an excess height of 35m and a Residential Care Facility as a permitted use. Please also note the following comments:

Zoning Provisions for Parking Setback:

The application also requests reduced landscape open space to 24.5% on the subject, However, the Combined Concept Plan provided by the applicant does not demonstrate the need for this reduction on the South Site Properties, and lists them as 38.2% landscape open space to be provided. If the intent is to reduce the landscape open space is for a particular component of the South Properties, then more detailed information is required.

Per the Zoning Bylaw 8600, Section 24 – Parking, Loading and Stacking Provisions, specifically 24.20.5 Table 24.20.5.1 Requires Parking Spaces for Multiple dwelling containing a minimum of 5 dwelling Units, the rate is 1.25 parking spaces for each dwelling unit. South Site proposes 1.30 parking spaces per unit within the residential component. This represents an excess of 21 parking spaces than what is required.

Therefore, the proposed reduction of landscape area to 24.5% is not supported.

Tree Preservation:

The applicant has provided a Tree Inventory and Preservation Study (March 2023) for the entire three parcel development, prepared by Dillon Consulting, which documented 310 trees (27 on the property immediately north of the proposed development). A majority of the trees (84%) were identified as native species, including 20 Kentucky Coffeetree near the southern development parcel which are classified as an S2 Threatened SAR being very rare and

imperiled. The study implies that all 20 of the Kentucky Coffeetrees will be preserved. However, the TIP mapping and Detailed Tree Inventory spreadsheet indicate that two of these trees (tree # 176 & 186) are in good condition and scheduled for removal. Additionally, three of the Kentucky Coffeetrees (Tree # 177, 178, & 184) are extremely close to the proposed footprint of Building 'B' that their survival due to root damages will be impaired. This represents 25% of these SAR tree species would be removed or in jeopardy of removal. It is therefore recommended that the footprint for Building 'B' be moved northward to remove any risk of harm to this stand of SARs trees.

The remaining hedgerow of trees and scrub undergrowth running north-south through the middle of the South site, is dominated by Eastern Cottonwood, and Manitoba Maple (aka Boxelder). None of these are identified as SARs. As per Section 5.3 of the TIP report it is recognized that a Landscape Plan will be provided with the Site Plan Approval application to ensure that the loss to urban tree canopy has been compensated at a rate of caliper-to-caliper of tree trunk DBH to the satisfaction of the City Forester and the Planning Department's Landscape Architect.

Additionally, several trees on city owned land are proposed to be removed. Applicant is to provide confirmation from the City Forester that these tree may be removed and what if any compensation to the City of Windsor is required.

In addition, several endangered SAR Bat species and Butler's Gartersnake have been identified as potentially occurring in the vicinity of the proposed development. While suitable habitat for Butler's Gartersnake is not found on the site, there are suitable roosting habitats for bats. The proposed development would see the entire hedgerow removed due to the proposed site layout. The study recommends no removal between April 1 and September 30, and additional recorded monitoring is required to ensure that there are no bat species are roosting prior to any removals.

Climate Change:

The proposed development is oriented in a north-south direction through the South Site. The increased asphalt surface and removal of existing tree canopy will increase the urban heat island effect through the site and abutting residential properties to the west. The requirement for tree replacement and increased landscape area is essential to mitigate the impacts of the hard surface paving from a sustainability perspective. As recommended by the above Zoning comments, reduction of the proposed area of hard surface is necessary to increase climate change resiliency and reduce storm water runoff.

Urban Design:

While consistency is prescribed by the O.P. vol 2, Section 2.7.5, the design of the proposed Building's 'A' thru 'D', should ensure materials and details that allow for accessibility needs to help people with cognitive and visibility constraints identify different units readily.

Parkland Dedication:

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

CANADA POST – BRUNO DESANDO

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

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

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

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

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

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*

Compartments 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.

BUILDING DEPARTMENT – BARBARA RUSAN

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

The Building Code Act, Section 8.(1) requires that a building permit be issued by the Chief Building Official for construction or demolition of a building. The building permit review process occurs after a development application receives approval and once a building permit application has been submitted to the Building Department and deemed a complete application.

Due to the limited Ontario Building Code related information received, review of the proposed project for compliance to the Ontario Building Code has not yet been conducted. It is strongly recommended that the owner and/or applicant contact the Building Department to determine building permit needs for the proposed project prior to building permit submission.

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

In addition to the above please note: a Record of Site Condition will be required if the proposed land use changes to a more sensitive land use (for example: changing from an existing industrial or commercial use to a residential use).

TRANSIT WINDSOR – JASON SCOTT

Transit Windsor has no objections to this development. The closest existing transit route to this property is with the Lauzon 10. The closest existing bus stop is directly adjacent to this property on McHugh at Questa Northeast Corner providing direct transit access. Transit service will be greatly improved in this area with City Council's approval of Transit Windsor' 2023 operating budget and service plan as 2 new local routes will be introduced to replace the Lauzon 10. Both of these routes will be along McHugh and Banwell and will both have 2 way conventional transit service versus the existing one way loop with the Lauzon 10. They are proposed to be implemented in early 2024. This is consistent with our City Council approved Transit Master Plan. Transit Windsor is pleased to see the majority of the buildings being located directly adjacent to the roadway. This helps with passenger accessibility and active transportation by reducing the walking distance from the buildings to the road. The inclusion of sidewalks from the buildings in the interior of the proposal is also welcome so people don't have to walk through parking lots to get to the road.

JOHN WALSH – VIA RAIL

We are in receipt of your Liaison Submission dated 26 July 2023 for the above-captioned applications.

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

Should the City still decide to progress the subject applications, the attached noise, vibration and safety mitigation measures must be addressed for any new development within 300m of VIA's Chatham Subdivision.

In addition to the aforementioned measures, it is also noted that the sight-triangle for the Banwell Road and VIA at-grade crossing could be compromised by the proposed development despite the

presence of automatic protection devices at the level crossing. Please consult with Transport Canada to ensure compliance with their regulations in this regard.

Kindly keep us informed on the progress of this application.

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, provided adequate clearances are achieved and maintained.

ENWIN has existing underground along the south side of McHugh with 27,600 volt primary hydro distribution.

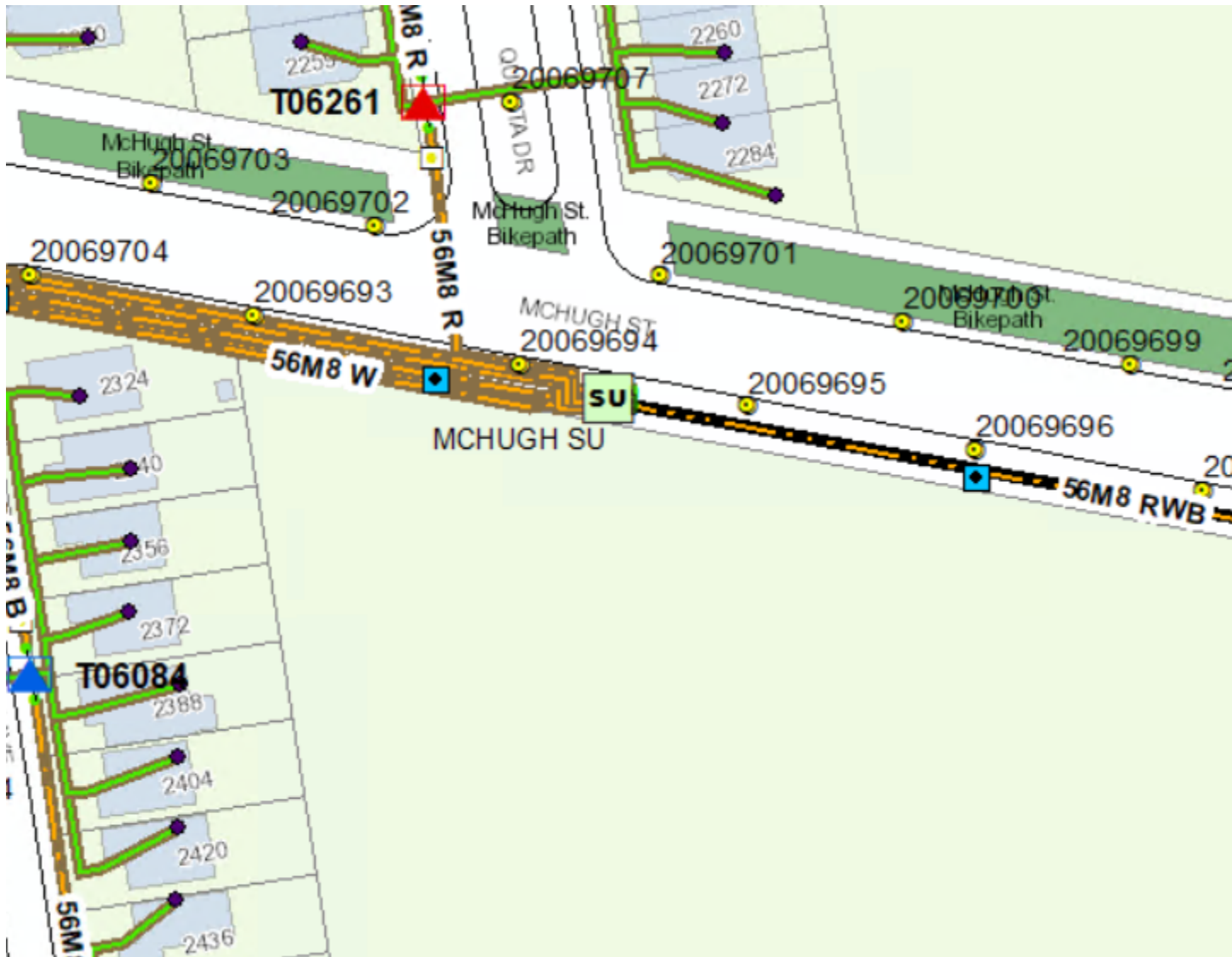
ENWIN has existing switching unit at the south west corner of McHugh with 27,600 volt primary hydro distribution.

ENWIN has existing streetlight poles on the south side of McHugh with underground 120/240 volt distribution.

ENWIN has existing streetlight poles on the north side of McHugh with underground 120/240 volt distribution.

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

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



WATER ENGINEERING:

Water Engineering has no objections.

ALICIA GOOD – ERCA

The City of Windsor has received an Application for an Official Plan Amendment 175 and a Zoning By- Law Amendment 024-23 to support the construction of a Mixed-Use development with multiple High Profile buildings on the subject lands.

The following is provided as a result of our review of Application for Official Plan Amendment OPA-175, and Zoning By-Law Amendment ZBA-024-23.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

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

FINAL RECOMMENDATION

Our office has no objection to the proposed OPA 175 and ZBA-024-023. We request continued circulation for this development as we may have further comment regarding the Stormwater Management Plan at the time of application for Site Plan Control. As noted above, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

If you have any questions or require any additional information, please contact the undersigned.

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>.

ZAID ZWAYYED - ZONING COORDINATOR

Below is the zoning review for the proposed development:

- **Current Zoning Designation:** MD1.4 Subject to a Site Specific provision S.20(1)112
- **Proposed Zoning Designation:** Site-specific to permit multiple dwelling and Residential Care Facility, subject to the provisions of RD3.2

- **Existing Use [as per historical Building Permit(s) / Planning Act Application(s)]:**
 - Vacant property

- **Proposed Use:**
 - Four Multiple Dwelling Buildings with 408 dwelling units, two storey business office, residential care facility building, and a parking area.

- **Section 5 – General Provisions**
 - **Railway Right of Way Provisions (5.60):**

- An Earth Berm having a minimum height of 2.50 m and slopes of 2.5 to 1 or greater to be provided along the property line abutting the railway right of way (5.60.1.1)
 - Minimum Separation of a residential building from the railway right of way (5.60.1.2):
 - 30.0 m (Required)
 - 31.0 m (Provided)
 - A security fence, 1.830 m high along the property line abutting the railway right of way, is required (5.60.5).
- **Zoning Provisions (12.2):**
 - **Minimum lot Frontage:**
 - 30.0 m (Required)
 - 180.78 m (Provided)
 - **Minimum Lot Area:**
 - 18,709.0 m² (Required)
 - 53,603.36 m² (Provided)
 - **Maximum Lot Coverage:**
 - 35.0% (Required)
 - 12.90% (Provided)
 - **Maximum Main Building Height:**
 - 35.0 m (Proposed) (Required)
 - The Applicant must confirm the proposed height (Provided)
 - **Minimum Landscaped Open Space Yard:**
 - 24.50% (Proposed) (Required)
 - 24.50% (Provided)
 - **Maximum Dwelling Unit Density:**
 - 188 units per ha (Required)
 - 108 Units per ha (Provided)
- **Section 24 - Parking, Loading and Stacking Provisions**
 - **Required Number of Parking Spaces:**
 - Dwelling Units (proposed rate 1.50 per unit): 530 spaces (Required)
 - Business Office: 41 (Required)
 - Residential Care Facility: The applicant must provide the number of beds to calculate
 - Total Provided Number of parking: 602 Spaces shown on the submission
 - **Required Number of Visitor Parking Spaces:**
 - 79 spaces (Required)
 - Designated visitor spaces must be shown

- **Required Number of Type A Accessible Parking Spaces:**
 - Number of beds must be provided to confirm (Required)
 - 10 spaces (Provided)
- **Required Number of Type B Accessible Parking Spaces:**
 - Number of beds must be provided to confirm (Required)
 - 16 spaces (Provided)
- **Access Aisles and curbcuts for accessible spaces:** curbcuts or ramps must be shown on the submission.
- **Required Number of Bicycle Spaces:**
 - Bicycle spaces are not shown on the submission
- **Required Loading Spaces:**
 - 5 spaces (Required)
 - 5 spaces (Provided)
- **Section 25 – Parking Area Provisions**
 - More information and dimensions are required to review for compliance with section 25.

TRACY TANG - HERITAGE PLANNING

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

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

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

Contacts:

Windsor Planning & Building Department:

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

Windsor Manager of Culture and Events (A):

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

Ontario Ministry of Citizenship and Multiculturalism

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

Windsor Police: 911

TRANSPORTATION PLANNING – CLARE AMICARELLI

- The Official Plan classifies Banwell Road as a Class 2 Arterial with a required right-of-way width of 30 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.
- The Official Plan classifies McHugh St as a Class 2 Arterial with a required right-of-way width of 36 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.
- A corner cut-off of 6.1 metres x 6.1 metres is required at the corner of Banwell Rd and McHugh St for a signalized intersection.
- Per the Official Plan, a sidewalk is required on both sides of an Arterial Road. A sidewalk construction or contribution is required along the frontage of McHugh St, as per Engineering Right-of-Way's comments.
- All parking must comply with ZBL 8600, otherwise a parking study may be required.
 - Development requires 32 bicycle spaces as per ZBL 8600. Bicycle spaces must comply with ZBL for number and dimensions of spaces and must be clearly shown on revised site plan.
 - Total GFA is required in order to determine if loading spaces proposed are sufficient according to the ZBL.
 - Aisle width must be 6 metres in order to have adequate width for turning maneuvers
- Transportation Planning has reviewed the Transportation Impact Study titled, "Banwell and McHugh Mixed Use Developments" conducted by Dillon Consulting Ltd. in March 2023. Transportation Planning has the following comments:
 - A revised TIS is required, as the TIS submitted does not include any developments along the east side of Banwell Rd. The revised TIS must account for any traffic that will be generated by the properties east of Banwell Rd, specifically at the southeast corner of Banwell Rd and Leathorne St by using estimated traffic volumes based on the existing and permitted zoning of those properties.
- A reciprocal access agreement is required in order for the severed lot to have access to McHugh St. The reciprocal access must be maintained and it should be in line with Questa Dr for safety purposes.
- All new exterior paths of travel must meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- All new accesses shall conform to the TAC Geometric Design Guide for Canadian Roads and the City of Windsor Standard Engineering Drawings AS-204.

- All proposed driveways must be 7-9 metres total at the property line (minimum 3.5m/lane, maximum 4.5m/lane)
- As noted above, the proposed access onto McHugh St should be in line with Questa Dr for safety purposes.

ENGINEERING – ROB PERISINOTTI

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

Sewers

There is a 250mm PVC sanitary sewer located within the Banwell Road right-of-way and a 300mm PVC sanitary sewer located in the McHugh Street right-of-way.

There is a 975mm RCP Storm sewer located within the Banwell Road right-of-way and a 375mm PVC storm sewer located within the McHugh Street right-of-way.

There is a 2100mm RCP sanitary trunk sewer located at the south side of the property within an existing easement A complete Servicing study will be required for all proposed services inclusive of all proposed developments.

Right-of-Way

Banwell Road is classified as Class II Arterial Road according to the Official Plan requiring a right-of-way width of 30 meters; the current right-of-way is sufficient; therefore, a conveyance is not required at this time.

McHugh St is classified as a Class II Arterial Road according to the Official Plan with a required right-of-way width of 36 metres, as per Schedule X. The existing right-of-way width is sufficient; therefore, a conveyance is not required.

A corner cut off of 6.1 meters x 6.1 meters is required at the south west corner of Banwell Rd and McHugh St.

The north side of the property is deficient in municipal sidewalk. Construction of concrete municipal sidewalk will be required to tie into the existing sidewalk at the west property line to the corner of McHugh St. and Banwell Rd.

At the time of SPC application the following will be required:

1. Stormwater Management Report
 2. Offsite works to alter Banwell Road if required by Transportation Planning.
- 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.

Corner Cut-Off – The owner(s) agrees, prior to the issuance of a construction permit, to gratuitously convey a 6.1m x 6.1m corner cut-off at the south west corner of Banwell Rd and McHugh St.

Sidewalks -The owner(s) agrees, to construct at their expense and according to City of Windsor Standard Specifications, a concrete sidewalk along the entire McHugh Street frontage of the subject lands. All work to be to the satisfaction of the City Engineer;

If you have any further questions or concerns, please contact Amy Kurek, of this department at akurek@citywindsor.ca



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING 'A':	10-STOREY, 120 UNITS
BUILDING 'B':	10-STOREY, 120 UNITS
BUILDING 'C':	6-STOREY, 72 UNITS
BUILDING 'D':	8-STOREY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING 'E':	6-STOREY, 24 UNITS
BUILDING 'F':	6-STOREY, 78 UNITS
BUILDING 'G':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	156
BUILDING 'H':	6-STOREY, 78 UNITS
BUILDING 'I':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE:	
(incl. trails):	24.5%
LOT COVERAGE:	9.02%

1027458 ONTARIO LTD.
BANWELL AND McHUGH - MIXED USE DEVELOPMENTS

CONCEPTUAL DEVELOPMENT PLAN
April 4, 2023

BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)	BANWELL AND McHUGH - NORTH 'A' SITE (±1.43 ha / 3.54 ac)	BANWELL AND McHUGH - NORTH 'B' SITE (±1.66 ha / 4.11 ac)	PROPOSED MULTI-UNIT RESIDENTIAL	PROPOSED LANDSCAPED OPEN SPACE	SOUTH SITE - PHASE 1
30m BUFFER FROM RAILWAY	EXTENT OF BERM	EXISTING BERM	PROPOSED BUSINESS OFFICES	PROPOSED RESPITE HOME	SOUTH SITE- PHASE 2

File Location:
c:\pw working directory\projects 2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
April, 04, 2023 1:22 PM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
CREATED BY: MRU
CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)



PROJECT: 22-5144
STATUS: DRAFT
DATE: 04/03/2023



DILLON
CONSULTING

1027458 ONTARIO INC.

Public Information Centre Engagement Summary

April 19, 2023

East Riverside, South Neighbourhood, Windsor, Ontario

Banwell & McHugh Mixed Use Developments

Table of Contents

1.0	The Public Information Centre	1
1.1	Format	2
1.2	Attendance.....	3
2.0	Comments Received	4
3.0	Next Steps	10

Appendices

- A Figure 1.0 – Location Map
- B Figure 4.0 – Conceptual Development Plan
- C Notice of Resident’s Meeting
- D PIC Presentation Boards
- E Resident’s Comments
- F Record of Attendance and Location Map



1.0 The Public Information Centre

The Public Information Centre (PIC) was held on April 19, 2023 on behalf of our client 1027458 Ontario Inc., by Dillon Consulting Limited in support of proposed mixed use developments located within the South Neighbourhood of the East Riverside Planning Area in the City of Windsor Ontario. The proposed mixed use developments include nine (9) multiple dwelling buildings with a total of 744 units, an office building, and a residential care facility (refer to Appendix A – Figure 1.0 – Location Map).

The proposed mixed use development is broken into three sites (refer to Appendix B – Figure 4.0 – Conceptual Development Plan) which includes the following:

- North 'A' Site
 - Two (2), six (6)-storey multiple dwelling buildings;
 - 156 units proposed; and,
 - 227 parking spaces provided.
- North 'B' Site
 - Three (3), six (6)-storey multiple dwelling buildings;
 - 180 units proposed; and,
 - 270 parking spaces provided.
- South Site
 - One (1), six (6)- storey multiple dwelling building;
 - One (1), eight (8)-storey multiple dwelling building;
 - Two (2), ten-storey multiple dwellings;
 - 408 units proposed;
 - 531 residential parking spaces provided;
 - One (1), two (2)-storey Office Building;
 - 60 office parking spaces provided;
 - One (1) Residential Care Facility; and,
 - 12 Residential Care Facility parking spaces provided.

The proposed mixed use developments require the following development applications:

- Official Plan Amendment to the City of Windsor's Official Plan;
- Official Plan Amendment to the East Riverside Planning Area Secondary Plan; and,
- Zoning By-law Amendment to the City of Windsor Zoning By-law 8600.

The purpose of the Public Information Centre was to provide additional information to residents on the proposed developments, provide information about the planning process, and discuss/collect comments and questions relating to the proposed development.

A copy of the Notice of PIC is provided in Appendix C.

1.1 Format

The Public Information Centre (PIC) was held in-person at the Windsor Family Credit Union (WFCU Centre) in the City of Windsor on April 19th, 2023 from 6:00pm – 8:00pm. The Public Information Centre was conducted in a drop-in format, with presentation boards displaying the following information (refer to Appendix D):

- Introduction Board;
- Welcome Board;
- Figure 1.0 – Location Map;
- Figure 2.0 – City of Windsor: Official Plan Designations;
- Figure 3.1 – City of Windsor: Zoning By-law 8600; North Site 'A' & 'B'
- Figure 3.1 – City of Windsor: Zoning By-law 8600; South Site
- Figure 4.0 – Conceptual Development Plan - Master Plan;
- Figure 5.0 – Conceptual Development Plan – North Site 'A' & 'B';
- Figure 6.0 – Conceptual Development Plan – South Site
- Figure 7.0 – City of Windsor: East Riverside Major Roads;
- Figure 8.1 – Shadow Impact Study – March 21, 7:00 AM-10:00 AM;
- Figure 8.2 – Shadow Impact Study – March 21, 3:00 PM-5:00 PM;
- Figure 9.1 – Shadow Impact Study – June 21, 6:00 AM-10:00 AM;
- Figure 9.2 – Shadow Impact Study – June 21, 12:00 PM-6:00 PM;
- Figure 10.1 – Shadow Impact Study – September 21, 7:00 AM-10:00 AM;
- Figure 10.2 – Shadow Impact Study – September 21, 12:00 PM-5:00 PM;
- Figure 11.1 – Shadow Impact Study – December 21, 8:30 AM-11:00 AM;
- Figure 12.2 – Shadow Impact Study – December 21, 2:00 PM-3:30 PM;

Resident feedback was obtained in the following ways:

- Visiting location map – residents were asked to identify with a sticker where they were visiting from in relation to the site;
- Individual discussions – conducted throughout the evening between residents and the representatives from Dillon Consulting Limited;
- Comment forms – collected in-person at the Public Information Centre, with the option for comments to be mailed or emailed to Dillon Consulting Limited at a later date and accepted up until 11:59pm on May 3, 2023; and

- A project specific email address was provided.

1.2 Attendance

There were approximately 150 residents in attendance for the PIC on April 19th, 2023. While a total of approximate 150 residents was observed by Dillon Consulting Limited, it is noted that only one (1) member per household was asked to provide information for sign-in. As such, the total number of residents reflected on the record of attendance is seventy-five (75).

The following table provides locational information of the attendees at the Public Information Centre, based on proximity to the proposed developments.

Attendance	Within 120 Meters	Within 121 Meters – 500 Meters	Beyond 500 metres
Number of Attendees	35	33	7
Percentage of Attendees	47%	44%	9%

A copy of the comments received has been included in Appendix E. A copy of the redacted record of attendance along with the location map identifying where residents were visiting from has been included in this summary as Appendix F.

2.0 Comments Received

A total of seventy-nine (79) comment forms were collected by receipt through in-person drop-box, approximately twenty-two (22) emails, and approximately ten (10) of phone calls were received. Tenants and land owners who responded provided valuable feedback to project staff.

Questions and concerns received during the meeting, through email, and through phone calls have been noted. Responses to the comments received are provided in this engagement summary.

The following table provides an overview of the comments received based on location:

Type of Comment	Within 120 Meters	Within 121 Meters – 500 Meters	No Address Provided
Comment Form	6	3	70
Email	6	3	2
Phone Call	9	1	0
TOTALS	21	7	72

The following table provides an approximate overview of the content of the comments received, broken down by category:

Category	Response Rates
Transportation & Traffic	30 %
Stormwater & Flooding	26 %
Lighting	14 %
Safety & Privacy	13 %
Concept Plan Design	6 %
Land Use Concerns	6 %
Wildlife & Vegetation	3 %
Noise	1 %
Air Quality	1 %

As indicated by the above table, comments received were about transportation / traffic and stormwater and flooding, followed by comments about lighting as well as safety and privacy.

The table below outlines the frequent topics observed through the comments received and the development team's response to each. Land Use planning matters have been considered below. Other comments not related to land use planning principles have been noted.

COMMENTS RECEIVED	RESPONSES
<p>Wildlife and Vegetation:</p> <ol style="list-style-type: none"> 1. What about the animals that are back there? 2. Concern that the natural habits of rabbits, deer, turkey, falcons and pheasants will be destroyed and that they will go away; 3. The kids will not be able to enjoy nature; 4. Green space will be permanently removed; and, 5. Where is the environmental study on increased housing? <p>Safety and Privacy:</p> <ol style="list-style-type: none"> 6. Request for a Vinyl Fence to be proposed to stop the light and people from cutting through; 7. Wood fence will break down in a few years; 8. A 10ft vinyl fence is requested to be proposed instead of wood along the properties east of Questa Drive; 9. Concerns about neighborhood security; 10. Concerns six (6)-storey building would infringe on privacy; 11. A lot of natural trees will be destroyed and will no more provide privacy and enjoyment; and, 12. More people will mean more criminals in the area and increased crimes. 	<p>Wildlife and Vegetation:</p> <ul style="list-style-type: none"> • A Tree Inventory and Preservation Study (TIPS), reviewing the natural site features present on the subject sites, has been completed as part of the background studies required for the development. A preliminary screening for Species at Risk (SAR) was also carried out as part of the process. • To the north of the proposed developments is the Elizabeth Kishkon Park and east of Banwell Road, along Blue Heron Drive, is the East Riverside Park. These parks are part of the Greenway System for future residents (OP 4.2.1.2; OP, Vol. II, Schedule ER-3), providing a network of pedestrian and cycling routes. The area is well supported by existing open space areas and greenway infrastructure. <p>Safety and Privacy:</p> <ul style="list-style-type: none"> • At present, a 1.8 m (5.9 ft) high, board-on-board fence is the industry standard to provide privacy for existing residential dwellings that are adjacent to the west lot line of the proposed developments. • The proposed fence is in keeping with the municipal requirements. • The proposed fence would limit the light (i.e. from cars entering or existing the proposed parking spaces) on the properties adjacent to the west lot line of the proposed developments. • Full cut-off lighting is a requirement of Site Plan Control to limit site trespass onto adjacent property. • Appropriate setbacks and landscaping will be provided to create barriers.
<p>Concept Plan Design:</p> <ol style="list-style-type: none"> 13. Resident concerns over limited proximity of the buildings that may affect 'Site Lines'; 14. A wider buffer is needed between the homes and the proposed building; 	<p>Concept Plan Design:</p> <ul style="list-style-type: none"> • Through additional required Approvals processes (i.e. Site Plan Control), options will be considered for optimizing building placement, ensuring an appropriate balance between the proposed density and the existing community. • Vehicular site lines at intersections will be reviewed to ensure safe access to the road network.

<p>15. Want the building further away from the backyards;</p> <p>16. Concern over limited sunlight into backyards in the summer months;</p> <p>17. Shadows from high-rise buildings are a major concern;</p> <p>18. The lack of sunlight due to the tall buildings in our back yard will impact the heating and cooling bills;</p> <p>19. Concerns over garbage and rat infestation backing into our backyard; and,</p> <p>20. What is the purpose of a 10' clearance from our lot line to the fence (referring to North 'A' Site)?</p>	<ul style="list-style-type: none"> • The proposed locations of the buildings adhere to the minimum setback requirements of the City of Windsor and provide adequate separation between the properties. • The proposed conceptual development has been designed to reduce shadow impacts on the existing neighbourhood. A Shadow Impact Study has been completed as part of the background studies required for the development. • Site Plan Control approval will address the location of garbage storage and disposal. • A fence is proposed to be located along the property line between the proposed development and existing residential dwellings.
<p>Land Use Concerns:</p> <p>21. How is it possible to build these buildings now because for 20 years one couldn't?</p> <p>22. When we move into this neighborhood, we were told only a commercial plaza is allowed to be built here. How is this changing now?</p> <p>23. North Site 'A' should be a park site, or building of a new retirement home as there is an aging population in the area;</p> <p>24. Concerns over the density proposed;</p> <p>25. Prefer single detached houses or townhouses;</p> <p>26. Prefer a 3 storey building that would help keep property value;</p> <p>27. Prefer 1-storey commercial or park property.</p> <p>28. There are a lot of empty land around Windsor, why not move there?</p> <p>29. This project is zoned for commercial not residential. How is it possible?</p> <p>30. The development seems an oversaturation of the area; and.</p> <p>31. The character of the neighborhood will be changed because of the high density.</p>	<p>Land Use Concerns:</p> <ul style="list-style-type: none"> • The proposed development is consistent with the Provincial Policy Statement 2020 (PPS) policies, providing for an appropriate range and mix of housing types and densities in order to meet projected needs of current and future resident (PPS 1.4.1). As well, the proposed development demonstrates a land use pattern which efficiently uses land and resources, and supports active transportation (PPS 1.8.1). • The proposed development promotes a land use pattern with increased density, introducing a range and mix of residential and commercial uses to the area and encouraging transit-supportive development that minimizes land consumption and servicing costs, as intended by the PPS (1.1.1 (b, e)). • Both Banwell Road and McHugh Street are classified as a Class II Arterial Roads in the City of Windsor Official Plan (OP) (OP), Vol. II, 2.7.9.12 (e)), where medium and high-density residential developments, as well as mixed use developments are encouraged to be located by the City of Windsor OP (OP, 6.9.2.3 and 7.2.6.18 (c)). The proposed developments are located along Banwell Road which is considered a City Corridor, as per Schedule J - Urban Structure Plan in the City of Windsor Official Plan. Higher density land uses, such as the proposed development, are encouraged along City Corridors (OP, 3.3.2.1). • In July 2022, the City of Windsor adopted Official Plan Amendment No. 159 to provide direction and implement policies regarding intensification within the City. Through this Amendment, changes to land uses and land use policies came into effect that designates the Banwell Road and McHugh Street intersection as a Mixed Use Node. • A site-specific Official Plan Amendment to the City of Windsor Official Plan is proposed for the Mixed Use Node land use designation to add High Profile residential dwelling units as a



	<p>permitted use. In addition, a site-specific Official Plan Amendment to the East Riverside Planning Area Secondary Plan will also be required to change the Subject Area to the Banwell Road Mixed Use Corridor land use designation with the added permitted use of Community Institutions.</p> <ul style="list-style-type: none"> • A Zoning By-law Amendment is proposed to rezone the Subject Area from General Commercial (East Riverside) (CD2.7) with S.20(1)218, General Commercial (East Riverside) (CD2.7), and Manufacturing District 1.4 (MD1.4) with S.20(1)112 to a site specific General Commercial (East Riverside) (CD2.7) with the Addition of "Multiple Dwelling" and "Residential Care Facility" as permitted uses, following site-specific Residential District 3.2 (RD3.2) zone standards, with an increased Main Building Height of 35.0m meters and Landscaped Open Space Yard of 24.5%. • This application(s) are specific to these properties, other vacant lands in the immediate area are not part of the analysis. • Site Plan Control approval, which will occur after these approvals, will confirm design elements, landscaping, and architectural features that harmonize with the neighborhood character will be considered.
<p>Transportation & Traffic:</p> <ol style="list-style-type: none"> 32. Concerns about traffic problems already existing in the area and adding many more cars; 33. Concerns that there won't be enough parking for 2 cars per unit so people will park on the streets and no room left for resident visitors; 34. Concerns over driver and pedestrian's safety; 35. Where will people park? Questa drive and Chateau drive is already full of street parking due to newly built residential buildings and raise concerns over street parking; 36. Exits onto Banwell is very dangerous now with limited site lines due to fencing and bushes. 37. How will traffic safety be maintained as the neighborhoods have a lot of kids playing on the streets? 38. What will be the school bus routes? 39. Will there be electric vehicle charging stations? 	<p>Transportation & Traffic:</p> <ul style="list-style-type: none"> • The City is responsible for traffic calming measures. Residents concerned about dangerous driving conditions or pedestrian safety should submit a formal submission to the City through 311. • At present, the City of Windsor's minimum zoning requirement for parking spaces for a Multiple Dwelling (i.e. multi-unit residential building) is 1.25 parking spaces per dwelling unit. A parking rate is provided for each site that is above the required minimum. The proposed parking rates are 1.45 parking spaces per dwelling unit (North 'A' Site), 1.50 parking spaces per dwelling unit (North 'B' Site), and 1.30 parking spaces per dwelling unit (South Site). A total of 1,028 parking spaces are proposed to support the 744 residential units, with an additional 72 parking spaces provided to support the business office and respite home. • A Traffic Impact Study (TIS) was completed to determine the transportation related impacts of the proposed development, including the determination for potential modifications to infrastructure to accommodate traffic generated by the proposed development. • Construction Routes are prescribed by the City to ensure there is no undue negative impacts on the surrounding residential areas. • School bus routes are determined by the local School Boards. • Through additional required Approvals processes (i.e. Site Plan Control), the inclusion of electric vehicle charging stations to accommodate future residents with electric vehicles will be considered.



<p>40. How are trucks allowed on these roads? Delivery vehicles are parking in front of our houses which is unacceptable.</p> <p>41. Where is the pedestrian crosswalk at Firgrove and Banwell?</p> <p>42. Residents strongly suggest a new traffic light at Banwell & Firgrove be installed for pedestrian safety;</p> <p>43. Need stop lights to get our onto Banwell from Leathorne & Firgrove; and,</p> <p>44. Residents suggest a parking permit be required for people to park in front of our houses; and,</p> <p>45. What will happen with the construction traffic?</p>	<ul style="list-style-type: none"> • A request for a neighbourhood parking permit system should be submitted to 311. • Specific design details such as: loading spaces, drive aisles, adequate turning radii for fire trucks, delivery and other vehicles are considered during Site Plan Control. • Specific parking questions / issues about existing residential dwellings / buildings in the area should be forwarded to 311.
<p>Lighting:</p> <p>46. Concern that lights will be in the backyard and bedrooms of residents.</p>	<p>Lighting:</p> <ul style="list-style-type: none"> • Site Plan Control approval requires “full cut-off lighting” ensuring lighting stays within the subject property.
<p>Stormwater / Flooding:</p> <p>47. General concerns about Flooding in the residential homes.</p> <p>48. Can the infrastructure in the area accommodate all these new residents?</p> <p>49. Can the sewer system accommodate these new residents? There are a lot of sewer back-up and flooding, which will in turn increase insurance due to excess claims. The increased residents will increase sewer output;</p> <p>50. The retention pond at Blue Heron has actually overflowed in 2016, along with numerous houses on Kirkland. So, the existing retention pond will definitely not be enough for the proposed development and additional residents. Explain;</p> <p>51. The Site has water pooling and flooding happens every storm.</p>	<p>Stormwater / Flooding:</p> <ul style="list-style-type: none"> • A Stormwater Management Report was completed to ensure that the development can be accommodated within the existing system. • A Functional Servicing Report was completed, evaluating the capacity of existing infrastructure to support the proposed development. • Parking lots act as retention areas for stormwater. This is a requirement in all multi-residential and commercial developments in Windsor.



<p>How is that being addressed?; and, 52. We would like the berm to stay as it helps with flooding.</p> <p>Noise: 53. The noise in the area will increase due to added cars and people.</p>	<p>Noise:</p> <ul style="list-style-type: none"> • A Noise and Vibration Assessment was completed regarding the impact of the rail line on the proposed land uses. • Noise assessments related to existing residential and proposed residential uses and increase in road noise are not completed.
<p>Air Quality: 54. Air quality will go down with all the new cars and added traffic.</p>	<p>Air Quality:</p> <ul style="list-style-type: none"> • Air quality related to the increase in vehicular traffic is not studied.
<p>Other: 55. General concern that the value of properties will decrease; 56. The property value of the condos will be higher than the residential houses. 57. Who will maintain the properties and the surrounding areas? 58. Are there adequate schools associated with the new developments? Are the City and schools engaged? 59. Property taxes will go up; 60. Will these be condos or apartment for rent?; and, 61. What income group is coming here?</p>	<p>Other:</p> <ul style="list-style-type: none"> • All concerns related the proposed development have been noted. The purpose of the Public Information Centre was to obtain feedback to determine the best possible use for the site. As the development proceeds, consideration will be taken regarding comments and concerns provided by residents. • There are a number of concerns raised that are not land use questions: <ul style="list-style-type: none"> ○ Tenure (ownership vs rental); ○ Taxes / mill rate; ○ Income level of the existing or future residents; and ○ Property values are not salient in the discussion around land use.
<p>Project Information Concerns: 62. The PIC was unsuccessful and a group discussion is demanded. 63. Preference for more than only the people within 120 m to be notified for future meetings.</p>	<p>Project Information Concerns:</p> <ul style="list-style-type: none"> • Future public meetings and information about this proposed development will be communicated in the future. • In our experience, an Open House Drop-In format is appropriate for this type of approval. • The 120m area for notification of the meeting is a requirement of the Planning Act.

A copy of the provided comments has been included in Appendix E.



3.0 Next Steps

As the project progresses there will be additional opportunities for the surrounding land owners to provide comments and concerns, which is a statutory requirement under the Planning Act. These meetings will offer the public, local residents and interested stakeholders the opportunity to review the project and continue to offer feedback.

Appendix A

Figure 1.0 – Location Map





1027458 ONTARIO INC.
 BANWELL AND McHUGH -
 MIXED USE DEVELOPMENTS
 PUBLIC INFORMATION CENTRE

LOCATION MAP
 FIGURE 1.0



BANWELL AND McHUGH -
 NORTH 'A' SITE
 (±1.43ha / 3.54ac)



BANWELL AND McHUGH -
 NORTH 'B' SITE
 (±1.66ha / 4.11ac)



BANWELL AND McHUGH -
 SOUTH SITE
 (± 5.35ha / 13.23ac)



PROJECT:
 STATUS: DRAFT
 DATE: 12/04/2023

File Location:
 c:\users\31r\Desktop\1. dillon projects\22-5144 pic figures\addresses\22-5144 &
 22-5266 - banwell sites - addresses.dwg
 April, 12, 2023 10:00 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL
 DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE
 VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.

CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

Appendix B

Figure 4.0 – Conceptual Development Plan



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING 'A':	10-STOREY, 120 UNITS
BUILDING 'B':	10-STOREY, 120 UNITS
BUILDING 'C':	6-STOREY, 72 UNITS
BUILDING 'D':	8-STOREY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING 'E':	6-STOREY, 24 UNITS
BUILDING 'F':	6-STOREY, 78 UNITS
BUILDING 'G':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	156
BUILDING 'H':	6-STOREY, 78 UNITS
BUILDING 'I':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE:	
(incl. trails):	24.5%
LOT COVERAGE:	9.02%

1027458 ONTARIO LTD.
BANWELL AND McHUGH -
MIXED USE DEVELOPMENTS
PUBLIC INFORMATION CENTRE

CONCEPTUAL DEVELOPMENT PLAN
Figure 4.0

BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)	BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)	BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)	PROPOSED MULTI-UNIT RESIDENTIAL	PROPOSED LANDSCAPED OPEN SPACE	SOUTH SITE - PHASE 1
30m BUFFER FROM RAILWAY	EXTENT OF BERM	EXISTING BERM	PROPOSED BUSINESS OFFICES	PROPOSED RESPITE HOME	SOUTH SITE- PHASE 2

File Location:
c:\pw working directory\projects\2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
May, 10, 2023 9:47 AM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
CREATED BY: MRU
CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)



PROJECT: 22-5144
STATUS: DRAFT
DATE: 12/04/2023

Appendix C

Notice of Resident's Meeting



Public Information Centre

Proposed Mixed Use Development Banwell Road and McHugh Street

On behalf of our client, 1027458 Ontario Inc., Dillon Consulting Limited is hosting a Public Information Centre to introduce three (3) proposed mixed use developments located in the South Neighbourhood area of the East Riverside Planning Area in the City of Windsor. During this session, guests will be able to:

- Meet the project team;
- Become informed about the planning process; and
- Discuss comments and questions relating to the proposed developments.

This meeting is the next step in the planning process to permit development of these lands for the proposed:

- **North 'A' Site** – Two (2), six (6)-storey multiple dwelling buildings with 156 dwelling units and 227 parking spaces total;
- **North 'B' Site** – Three (3), six (6)-storey multiple dwelling buildings with 180 dwelling units and 270 parking spaces total;
- **South Site** – One (1), six (6)-storey multiple dwelling, one (1), eight (8)-storey multiple dwelling, and two (2), 10-storey multiple dwellings with 408 units and 531 parking spaces total, one (1) two (2)-storey Office Building with associated parking; and one (1) Residential Care Facility with associated parking.

This meeting is being held in advance of a statutory public meeting required under the *Planning Act* to obtain approvals. The City of Windsor will be inviting all residents and landowners within 120 metres of the property limits to additional meetings in the near future.

The Public Information Centre will be a drop-in format with project materials available for viewing and representatives available to chat.

We are looking for your input and comment. Written comments, via mail or email, will be accepted until May 3, 2023.



Public Information Centre

Date:

Wednesday, April 19, 2023

Time:

6:00 pm to 8:00 pm

Location:

WFCU Centre – Reception Hall
8787 McHugh Street, N8S 0A1

Contact:

Theresa O'Neill, Planner
Dillon Consulting Limited
3200 Deziel Drive, Suite 608, Windsor, N8W 5K8
T – 519.438.1288 ext.1286
southneighbourhood@dillon.ca

Application to City of Windsor

Public
Information Centre

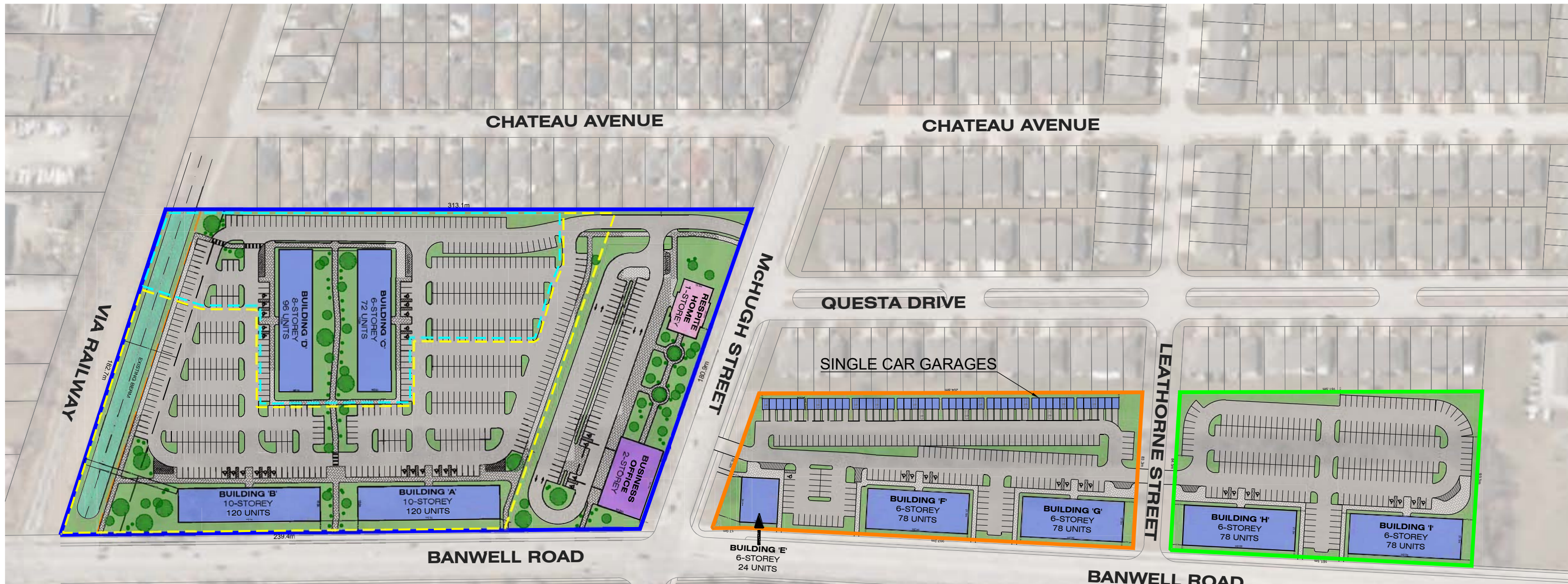
WE
ARE
HERE

Summary of Resident
Comments

Application Review by
City of Windsor

Development & Heritage
Standing Committee

Council Meeting



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING 'A':	10-STOREY, 120 UNITS
BUILDING 'B':	10-STOREY, 120 UNITS
BUILDING 'C':	6-STOREY, 72 UNITS
BUILDING 'D':	8-STOREY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING 'E':	6-STOREY, 24 UNITS
BUILDING 'F':	6-STOREY, 78 UNITS
BUILDING 'G':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	156
BUILDING 'H':	6-STOREY, 78 UNITS
BUILDING 'I':	6-STOREY, 78 UNITS
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE:	
(incl. trails):	24.5%
LOT COVERAGE:	9.02%

1027458 ONTARIO LTD.
BANWELL AND McHUGH - MIXED USE DEVELOPMENTS

CONCEPTUAL DEVELOPMENT PLAN
April 4, 2023

BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)	BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)	BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)	PROPOSED MULTI-UNIT RESIDENTIAL	PROPOSED LANDSCAPED OPEN SPACE	SOUTH SITE - PHASE 1
30m BUFFER FROM RAILWAY	EXTENT OF BERM	EXISTING BERM	PROPOSED BUSINESS OFFICES	PROPOSED RESPITE HOME	SOUTH SITE- PHASE 2

File Location:
c:\pw working directory\projects 2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
April, 04, 2023 1:22 PM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
CREATED BY: MRU
CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)



PROJECT: 22-5144
STATUS: DRAFT
DATE: 04/03/2023

Appendix D

PIC Presentation Boards



PUBLIC INFORMATION CENTRE

EAST RIVERSIDE
SOUTH NEIGHBOURHOOD
MIXED USE DEVELOPMENTS

The Public Information Centre is being hosted to introduce and provide information on three (3) proposed mixed-use developments.

The Public Information Centre is being hosted in a “drop-in” format with representatives available to take comments and answer questions.


The goals of the Public Information Centre are as follows:

1. Provide information on the planning process and development approvals process;
2. Provide information on the proposed mixed-use developments;
3. Provide details on anticipated timelines;
4. Collect comments and feedback from attendees to help guide the proposed developments as they continue through the development process.

Collecting Feedback:

1. Comment forms are available for attendees to complete;
2. Comments may also be emailed to **southneighbourhood@dillon.ca**;
3. All comments will be compiled at the end of the meeting and will be included in a report summarizing the meeting;
4. All comments will be accepted until **May 3, 2023.**

To Submit Comments: southneighbourhood@dillon.ca


DILLON
CONSULTING

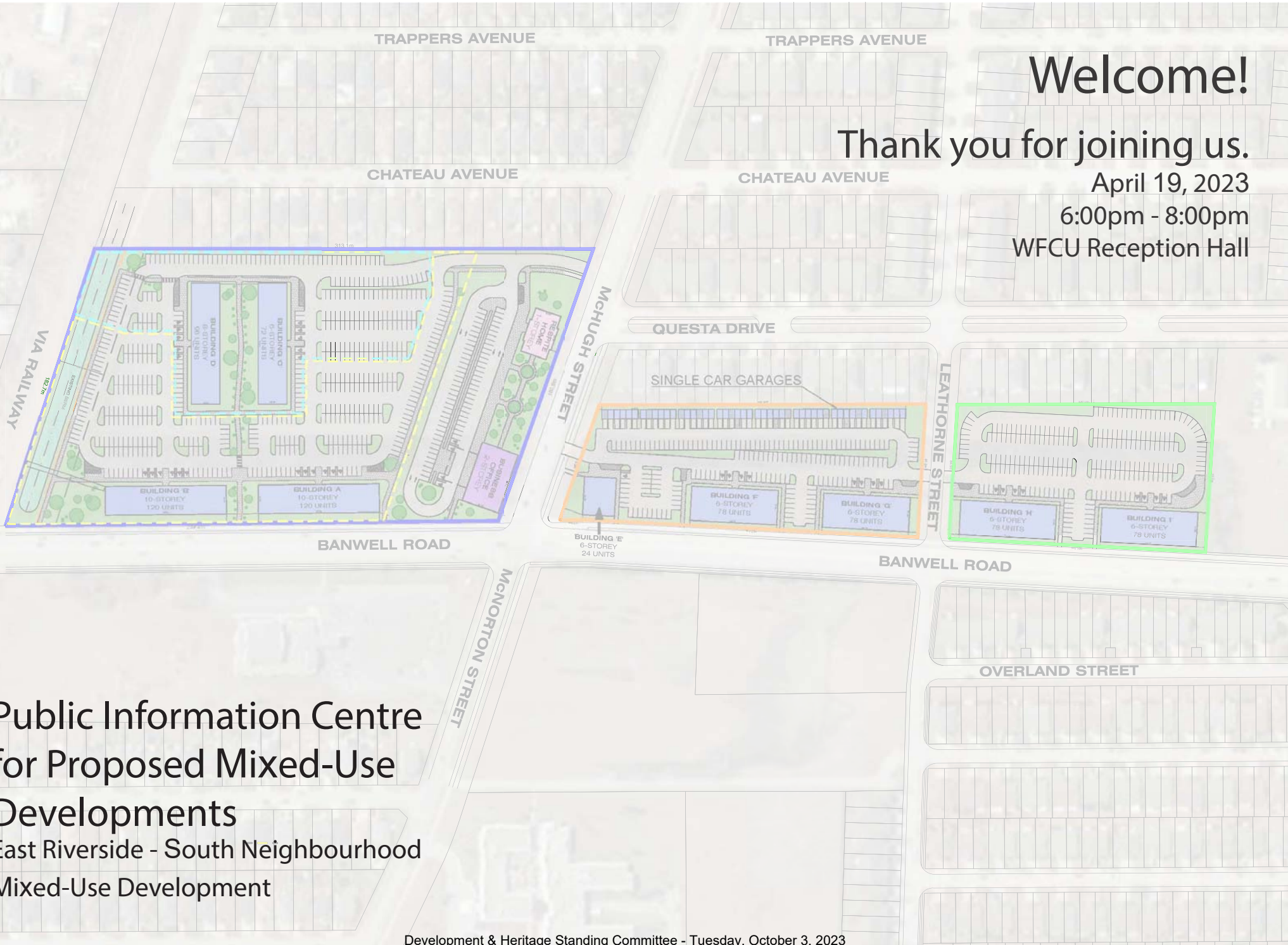
Welcome!

Thank you for joining us.

April 19, 2023

6:00pm - 8:00pm





WFCU Reception Hall



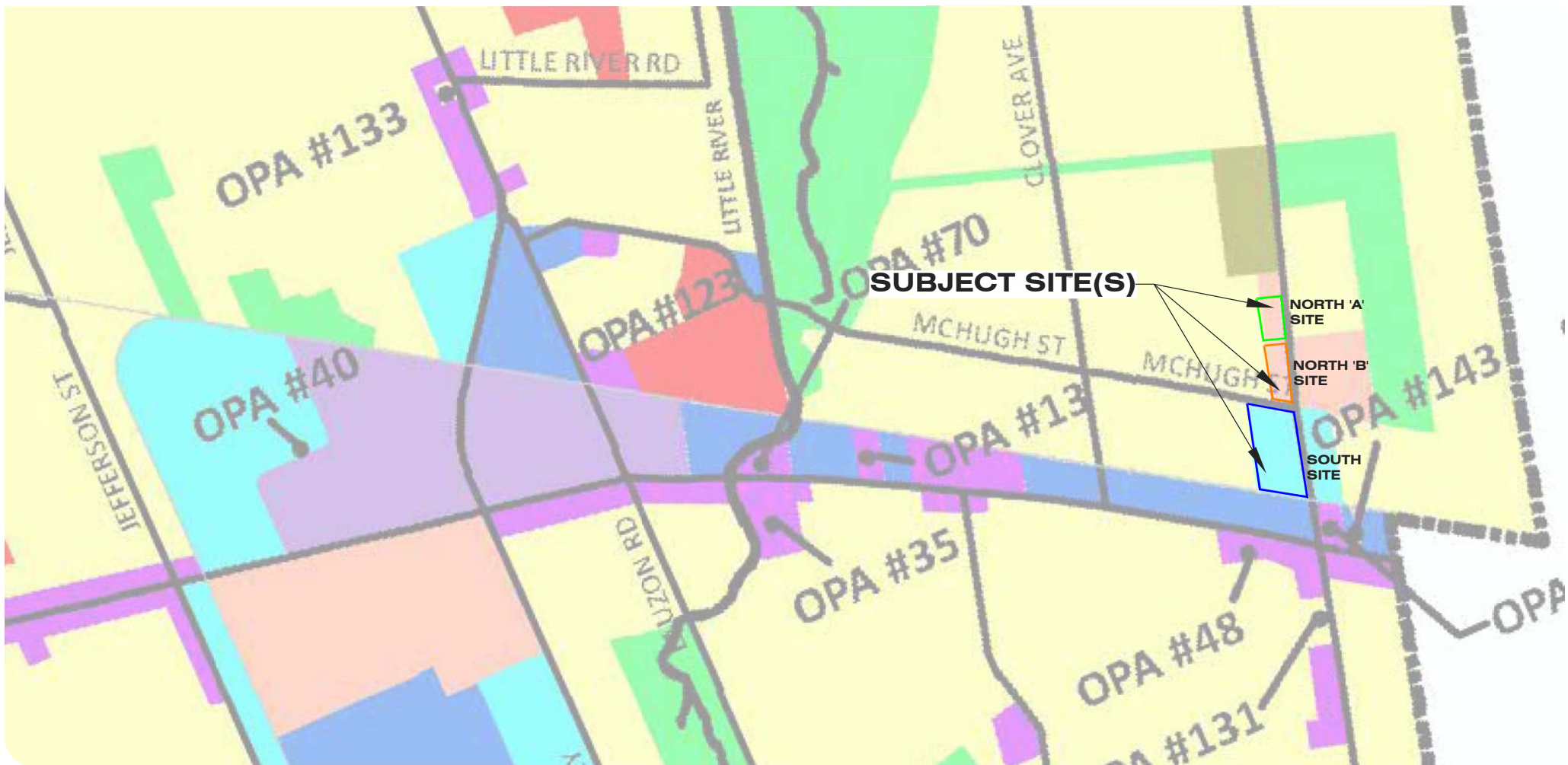
Public Information Centre
for Proposed Mixed-Use
Developments
East Riverside - South Neighbourhood
Mixed-Use Development



1027458 ONTARIO INC.
 BANWELL AND McHUGH -
 MIXED USE DEVELOPMENTS
 PUBLIC INFORMATION CENTRE


 BANWELL AND McHUGH - NORTH 'A' SITE (±1.43ha / 3.54ac)	 BANWELL AND McHUGH - NORTH 'B' SITE (±1.66ha / 4.11ac)	 BANWELL AND McHUGH - SOUTH SITE (± 5.35ha / 13.23ac)	
PROJECT: STATUS: DRAFT DATE: 12/04/2023			


LOCATION MAP
 FIGURE 1.0




1027458 ONTARIO LIMITED
 BANWELL AND MCHUGH -
 MIXED USE DEVELOPMENTS
PUBLIC INFORMATION CENTRE

**EXISTING CITY OF WINDSOR OFFICIAL
 PLAN DESIGNATION
 FIGURE 2.0**

 BANWELL AND MCHUGH -
 NORTH 'A' SITE
 (± 1.43ha / 3.54ac)

 BANWELL AND MCHUGH -
 NORTH 'B' SITE
 (± 1.66ha / 4.11ac)

 BANWELL AND MCHUGH -
 SOUTH SITE
 (± 5.35ha / 13.23ac)

 BUSINESS PARK	 RESIDENTIAL	 WATERFRONT RESIDENTIAL	 MIXED USE
 MAJOR INSTITUTIONAL	 OPEN SPACE	 WATERFRONT RECREATION	 NATURAL HERITAGE
 COMMERCIAL CENTRE	 COMMERCIAL CORRIDOR	 WATERFRONT PORT	 INDUSTRIAL

File Location:
 c:\pw working directory\projects 2022\dillon_31rfdms81077\22-5144 & 22-5266 -
 banwell sites - 09 figures.dwg
 April, 14, 2023 11:32 AM

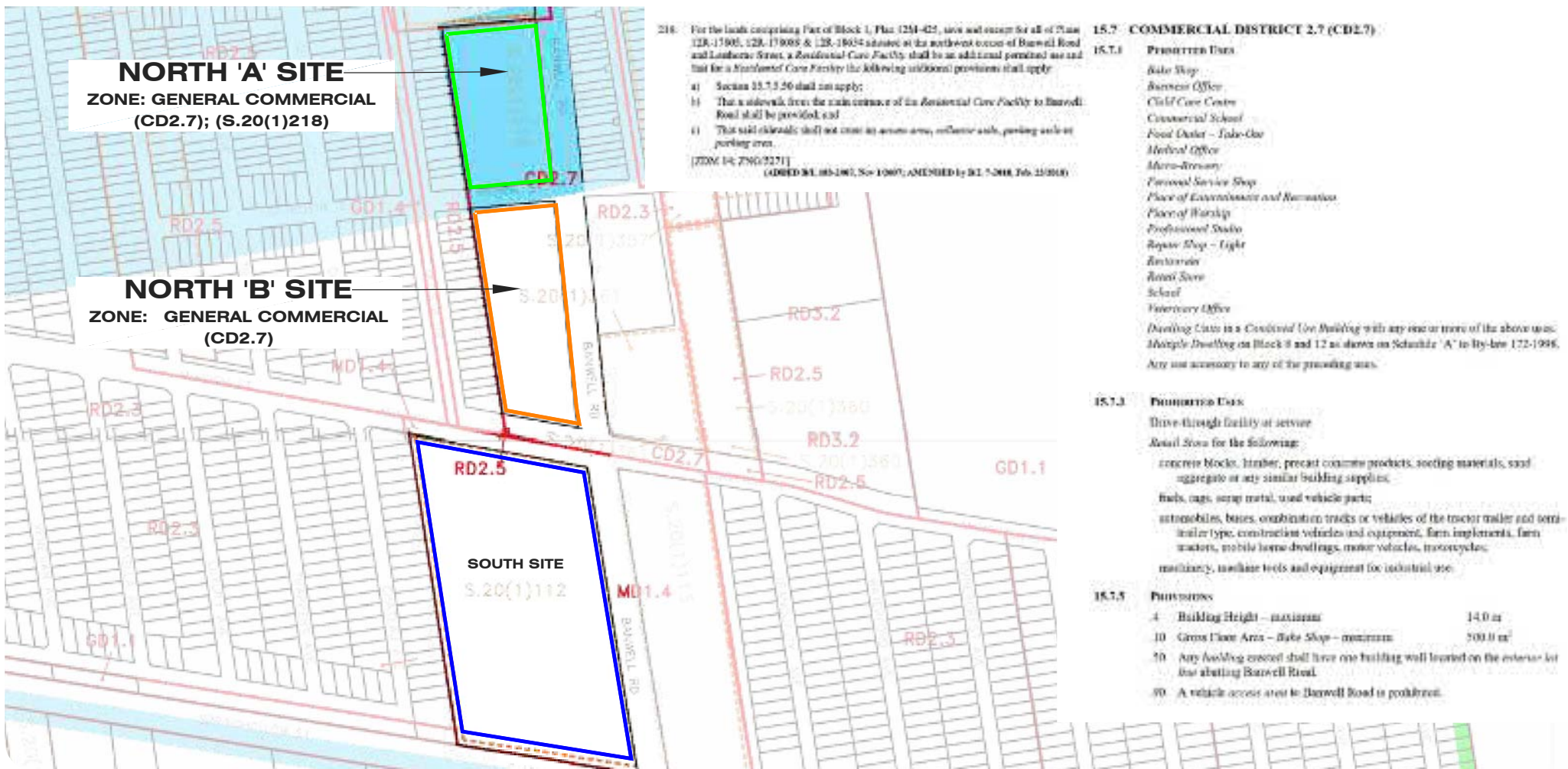
MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSE ONLY. ALL
 DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE
 VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S.



PROJECT: 22-5144 & 22-5266
 STATUS: DRAFT
 DATE: 04/14/2023

SOURCE: THE CITY OF WINDSOR OFFICIAL PLAN
 - SCHEDULE D: LAND USE



218. For the lands comprising Part of Block 1, Plan 1254-025, also set aside for all of Plans 128-17900, 128-17905 & 128-18634 situated at the northwest corner of Banwell Road and Lamborne Street, a Residential Care Facility shall be an additional permitted use and that for a Residential Care Facility the following additional provisions shall apply:

- Section 33.7.3.26 shall not apply;
- That a sidewalk from the main entrance of the Residential Care Facility to Banwell Road shall be provided; and
- That said sidewalk shall not create an access area, entrance aisle, parking aisle or parking area.

[ZON 14-2760(271)]
(ADDED BY 08-186, Sec 10607; AMENDED BY 01-5200, Feb 21/2010)

- 15.7 COMMERCIAL DISTRICT 2.7 (CD2.7)**
- 15.7.1 PROHIBITED USES**
- Bike Shop
 - Business Office
 - Child Care Centre
 - Commercial School
 - Food Dealer - Take-Out
 - Medical Office
 - Micro-Brewery
 - Personal Service Shop
 - Place of Entertainment and Recreation
 - Place of Worship
 - Professional Studio
 - Repair Shop - Light
 - Restaurant
 - Retail Store
 - School
 - Veterinary Office
- (Noting Uses in a Conditional Use Building with any one or more of the above uses.)
- Multiple Dwelling on Block 8 and 12 as shown on Schedule "A" to By-law 172-1998.
- Any use accessory to any of the preceding uses.

- 15.7.2 PERMITTED USES**
- Drive-through facility of service
- Retail Uses for the following:
- concrete blocks, lumber, precast concrete products, seeding materials, sand aggregate or any similar building supplies;
 - fuels, oils, scrap metal, used vehicle parts;
 - automobiles, buses, combination trucks or vehicles of the tractor trailer and semi-trailer type, construction vehicles and equipment, farm implements, farm tractors, mobile home dredging, motor vehicles, motorcycles;
 - machinery, machine tools and equipment for industrial use.

- 15.7.3 PURPOSES**
- 4 Building Height - maximum 14.0 m
 - 10 Gross Floor Area - Bike Shop - maximum 500.0 m²
 - 10 Any building erected shall have one building wall located on the eastern lot line abutting Banwell Road.
 - 10 A vehicle access area to Banwell Road is prohibited.

1027458 ONTARIO LIMITED
BANWELL AND McHUGH - MIXED USE DEVELOPMENTS
PUBLIC INFORMATION CENTRE

EXISTING CITY OF WINDSOR ZONING BY-LAW 8600
FIGURE 3.1

BANWELL AND McHUGH - NORTH 'A' SITE (±1.43ha / 3.54ac)	BANWELL AND McHUGH - NORTH 'B' SITE (±1.66ha / 4.11ac)	BANWELL AND McHUGH - SOUTH SITE (±5.35ha / 13.23ac)	ZONE BOUNDARY	SPECIFIC ZONING EXEMPTIONS	SPECIFIC ZONING REGULATION
			RD - Residential Districts CD - Commercial Districts	ID - Institutional Districts MD - Manufacturing Districts	GD - Green Districts

File Location: c:\pw working directory\projects 2022\dillon_31\rdms86270\22-5144 & 22-5266 - banwell sites - pic figures.dwg
April, 17, 2023 2:00 PM

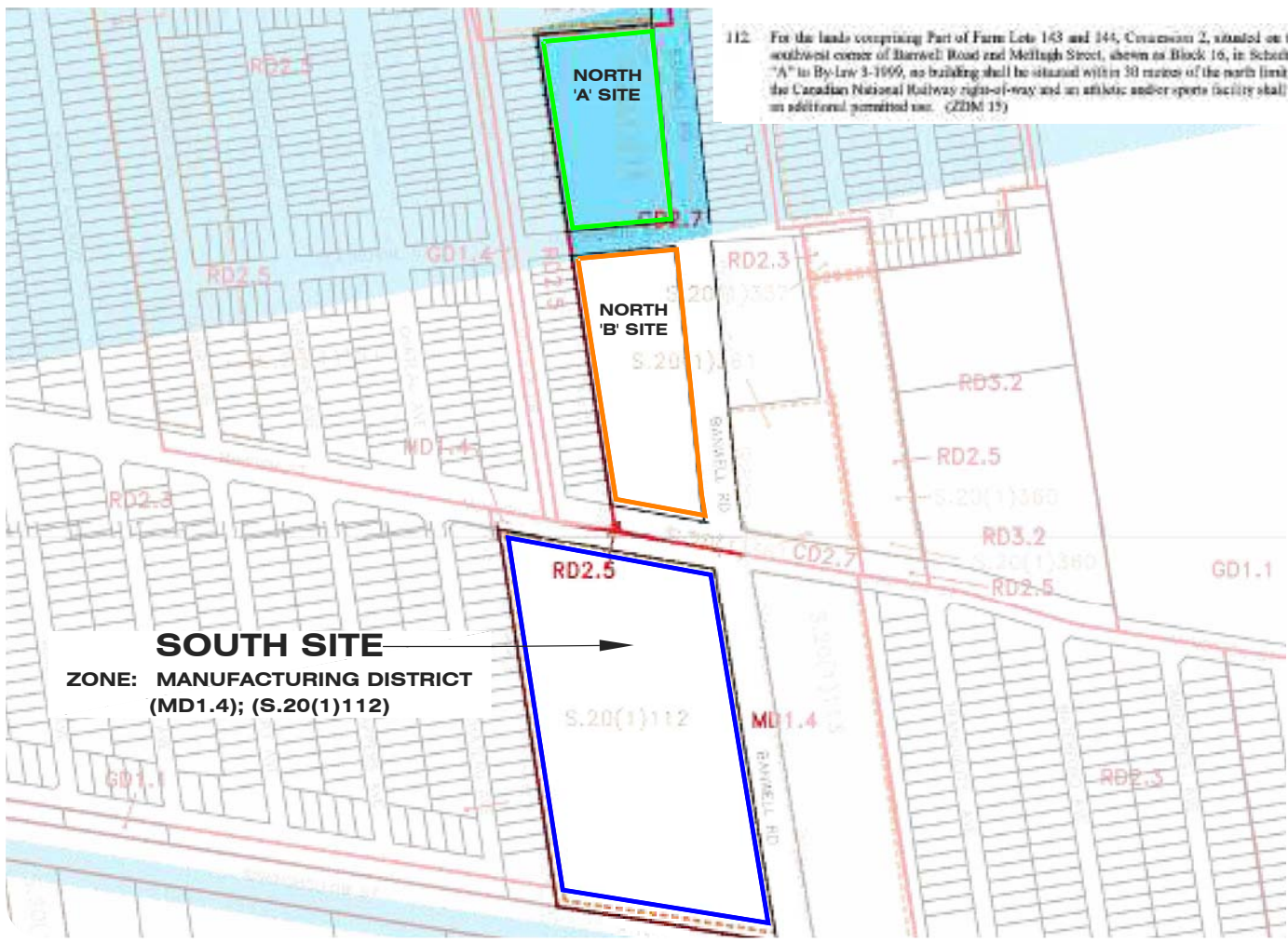
SOURCE: THE CITY OF WINDSOR - ZONING BY-LAW 8600 MAP

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSE ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
CREATED BY: RR
CHECKED BY: TJO
DESIGNED BY: RR

SCALE: N.T.S.

N
W E
S

PROJECT: 22-5144 & 22-5266
STATUS: DRAFT
DATE: 17/04/2023



112. For the lands comprising Part of Farm Lots 143 and 144, Concession 2, situated on the southwest corner of Banwell Road and McHugh Street, shown as Block 16, in Schedule "A" to By-Law 3-1999, no building shall be situated within 30 metres of the north limit of the Canadian National Railway right-of-way and an athletic and/or sports facility shall be an additional permitted use. (ZDM 15)

18.4 MANUFACTURING DISTRICT 1.4 (MD1.4)

18.4.1 PERMITTED USES

- | | |
|--|---|
| <ul style="list-style-type: none"> Auto/Service Service Bakery Business Office Commercial School Food Catering Service Food Packaging Facility | <ul style="list-style-type: none"> Manufacturing Facility Medical Appliance Facility Medical Office Micro-Brewery Professional Studio Research and Development Facility |
|--|---|

Any of the following Auxiliary Uses:

- | | |
|--|---|
| <ul style="list-style-type: none"> Child Care Centre Club Convenience Store Food Convenience Store Food Outlet - Drive-through Food Outlet - Take-out Gas Bar | <ul style="list-style-type: none"> Health Studio Personal Service Shop Restaurant Restaurant with Drive-through Warehouse Wholesale Store |
|--|---|

Any of the following Existing Uses:

- Motor Vehicle Dealership
- Sports Facility
- Transport Terminal

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

18.4.2 PROHIBITED USES

- Outdoor Storage Yard

18.4.3 PROVISIONS

- 1 Lot Width - minimum 30.0m
- 4 Building Height - maximum 20.0m
- 5 Front Yard Depth - minimum 9.0m
- 6 Rear Yard Depth - minimum 9.0m
 - From a rear lot line that abuts a lot on which a dwelling or dwelling unit is located 9.0m
- 7 Side Yard Width - minimum 9.0m
 - From a side lot line that abuts a lot on which a dwelling or dwelling unit is located or from a side lot line that abuts a street 9.0m
- 8 Landscaped Open Space Yard - minimum 11.0% of lot area
- 10 Gross Floor Area - Retail Store - maximum 25.0% of the GFA of the entire lot
- 30 All activities or uses shall take place entirely within a fully enclosed building. This provision does not apply to the following activity or use: child care centre, gas bar, loading area, outdoor eating area, parking area, parking space, sports facility, or refueling area.

1027458 ONTARIO LIMITED
BANWELL AND McHUGH - MIXED USE DEVELOPMENTS
PUBLIC INFORMATION CENTRE

EXISTING CITY OF WINDSOR ZONING BY-LAW 8600
FIGURE 3.2

BANWELL AND McHUGH - NORTH 'A' SITE (±1.43ha / 3.54ac)

BANWELL AND McHUGH - NORTH 'B' SITE (±1.66ha / 4.11ac)

BANWELL AND McHUGH - SOUTH SITE (± 5.35ha / 13.23ac)

ZONE BOUNDARY

SPECIFIC ZONING EXEMPTIONS

SPECIFIC ZONING REGULATION

RD - Residential Districts
CD - Commercial Districts

ID - Institutional Districts
MD - Manufacturing Districts

GD - Green Districts

File Location:
c:\pw working directory\projects 2022\dillon_31\rdms88270\22-5144 & 22-5266 - banwell sites - pic figures.dwg
April, 17, 2023 2:00 PM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSE ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
CREATED BY: RR
CHECKED BY: TJO
DESIGNED BY: RR

SCALE: N.T.S.



PROJECT: 22-5144 & 22-5266
STATUS: DRAFT
DATE: 17/04/2023



SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	408
BUILDING A:	10-STORY, 120 UNITS
BUILDING B:	10-STORY, 120 UNITS
BUILDING C:	8-STORY, 72 UNITS
BUILDING D:	8-STORY, 96 UNITS
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:

GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:

GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	180
BUILDING E:	6-STORY, 24 UNITS
BUILDING F:	6-STORY, 78 UNITS
BUILDING G:	6-STORY, 78 UNITS
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE:	
(incl. trails):	36.4%
LOT COVERAGE:	23.2%

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

TOTAL PROPOSED UNITS:	156
BUILDING H:	6-STORY, 78 UNITS
BUILDING I:	6-STORY, 78 UNITS
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE:	
(incl. trails):	24.5%
LOT COVERAGE:	9.02%

1027458 ONTARIO LTD.
BANWELL AND McHUGH -
MIXED USE DEVELOPMENTS

CONCEPTUAL DEVELOPMENT PLAN
FIGURE 4.0

BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)	BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)	BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)	PROPOSED MULTI-UNIT RESIDENTIAL	PROPOSED LANDSCAPED OPEN SPACE	SOUTH SITE - PHASE 1
30m BUFFER FROM RAILWAY	EXTENT OF BERM	EXISTING BERM	PROPOSED BUSINESS OFFICES	PROPOSED RESPITE HOME	SOUTH SITE- PHASE 2

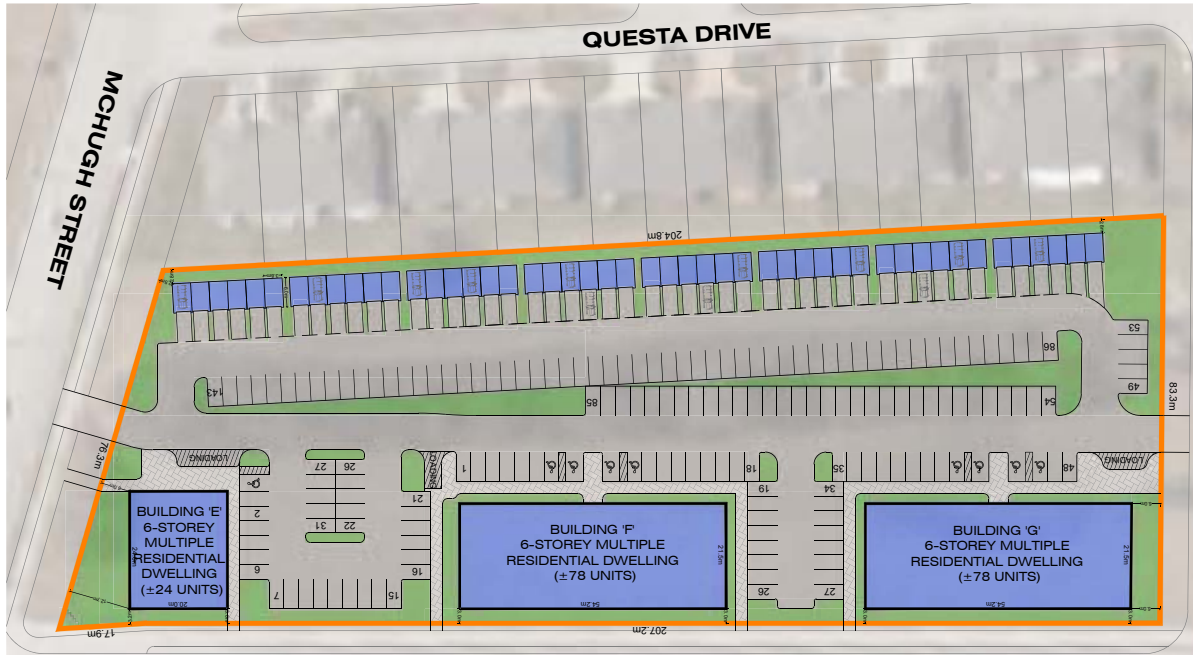
File Location: c:\pw working directory\projects 2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
April, 04, 2023 1:22 PM

SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2021)

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
CREATED BY: MRU
CHECKED BY: TJO
DESIGNED BY: MRU

SCALE: 1: 2000 (11X17)

PROJECT: 22-5144
STATUS: DRAFT
DATE: 04/03/2023



BANWELL ROAD

BANWELL ROAD

NORTH 'A' SITE - RESIDENTIAL DEVELOPMENT DETAILS:




PROPOSED UNITS:	156
PROPOSED PARKING SPACES:	227
PROPOSED PARKING RATE:	1.45
LANDSCAPED OPEN SPACE: (incl. trails):	24.5%
LOT COVERAGE:	9.02%

NORTH 'B' SITE - RESIDENTIAL DEVELOPMENT DETAILS:

PROPOSED UNITS:	180
PROPOSED PARKING SPACES:	270
PROPOSED PARKING RATE:	1.50
LANDSCAPED OPEN SPACE: (incl. trails):	36.4%
LOT COVERAGE:	23.2%

1027458 ONTARIO LTD.
BANWELL AND McHUGH -
MIXED USE DEVELOPMENTS
PLANNING JUSTIFICATION REPORT

**CONCEPTUAL DEVELOPMENT PLAN -
NORTH SITE 'A' AND 'B'
FIGURE 5.0**

 BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)	 PROPOSED BUILDINGS	 PROPOSED LANDSCAPED AREA	 PROPOSED SIDEWALK	 PROPOSED PAVEMENT
 BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)				

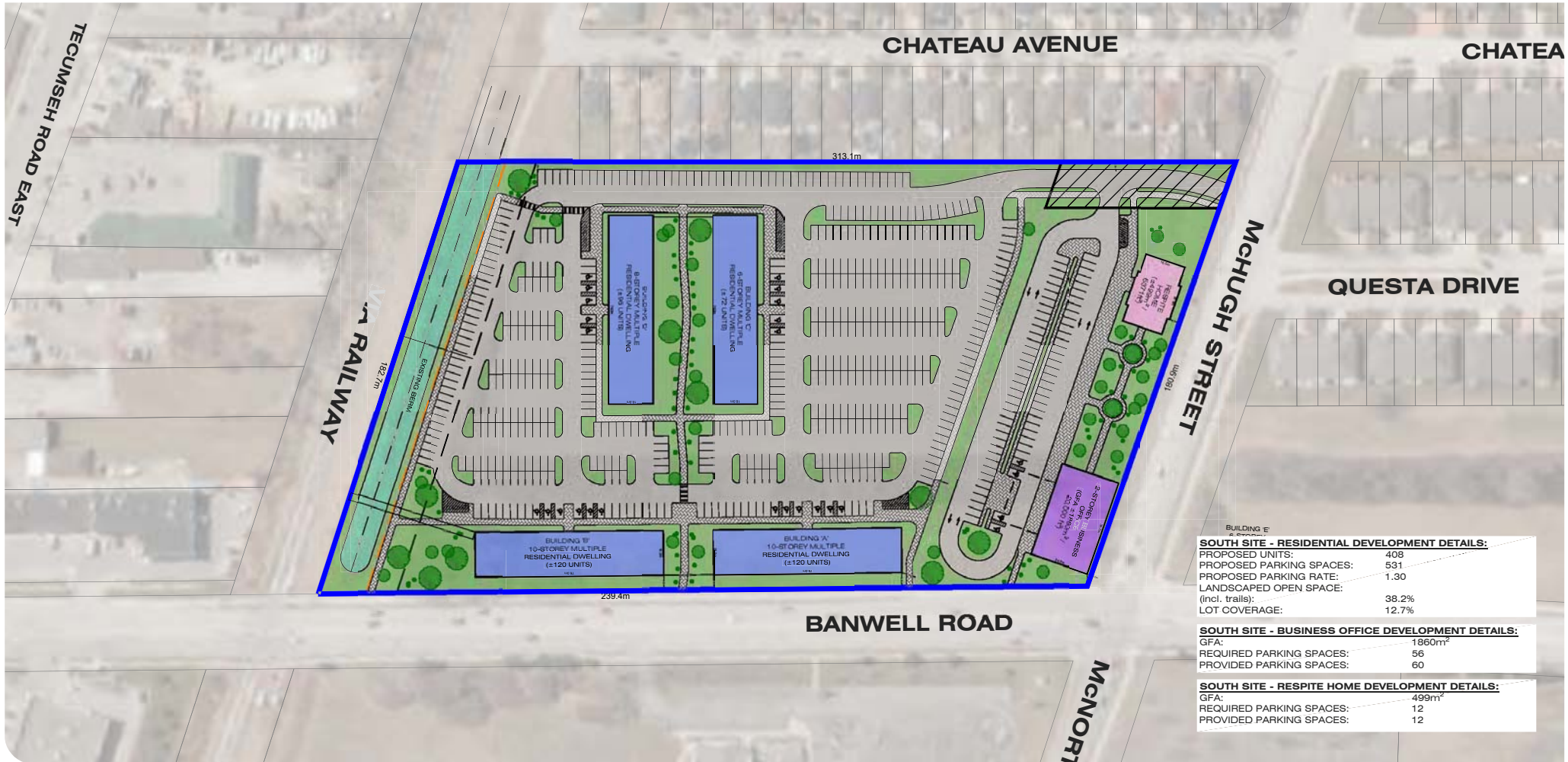
File Location:
c:\pw working directory\projects 2022\dillon_32mru\dms69088\22-5266 - banwell and leathorne - concept plan (a).dwg
March, 27, 2023 11:18 AM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
CREATED BY: MRU
CHECKED BY: KDT
DESIGNED BY: MRU

SCALE: 1:1000 (11X17)



PROJECT: 22-5266
STATUS: DRAFT
DATE: 12/06/2022



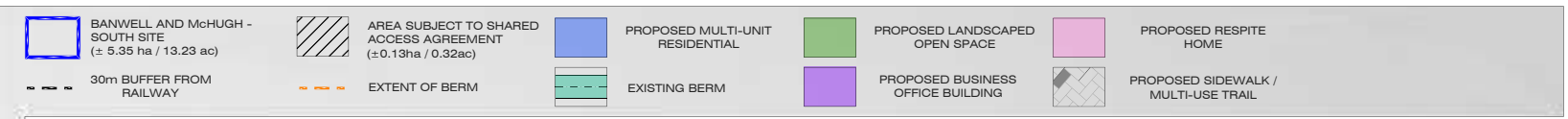
SOUTH SITE - RESIDENTIAL DEVELOPMENT DETAILS:	
PROPOSED UNITS:	408
PROPOSED PARKING SPACES:	531
PROPOSED PARKING RATE:	1.30
LANDSCAPED OPEN SPACE:	
(incl. trails):	38.2%
LOT COVERAGE:	12.7%

SOUTH SITE - BUSINESS OFFICE DEVELOPMENT DETAILS:	
GFA:	1860m ²
REQUIRED PARKING SPACES:	56
PROVIDED PARKING SPACES:	60

SOUTH SITE - RESPITE HOME DEVELOPMENT DETAILS:	
GFA:	499m ²
REQUIRED PARKING SPACES:	12
PROVIDED PARKING SPACES:	12

1027458 ONTARIO LTD.
BANWELL AND McHUGH -
MIXED USE DEVELOPMENTS
PLANNING JUSTIFICATION REPORT

CONCEPTUAL DEVELOPMENT PLAN -
SOUTH SITE
FIGURE 6.0



File Location:
 c:\pwworking\directory\projects\2022\dillon_32mru\dms63328\22-5144 - banwell and mchugh - concept plan.dwg
 March, 27, 2023 11:09 AM

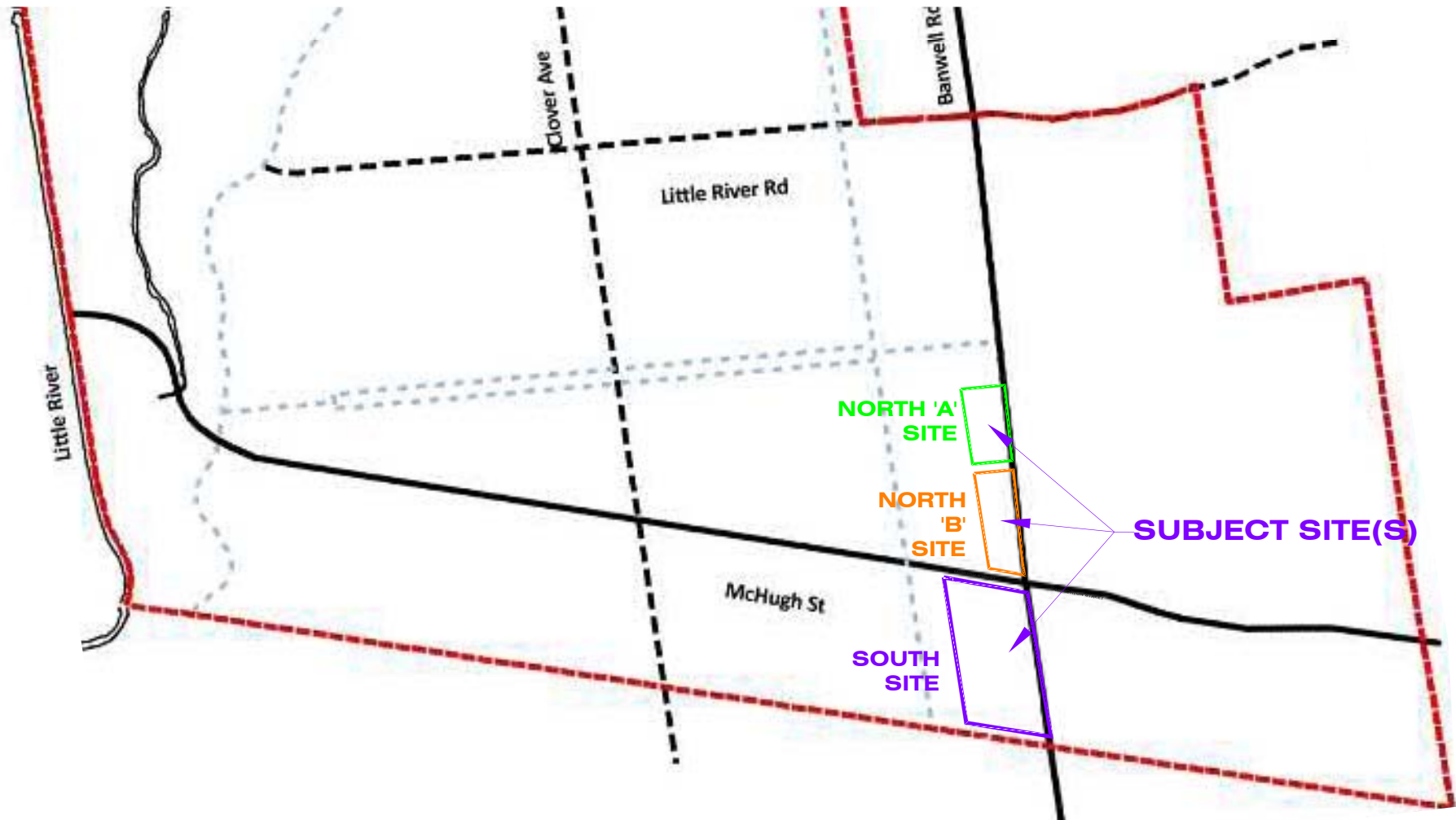
SOURCE: THE COUNTY OF ESSEX INTERACTIVE MAPPING (2021)

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
 CREATED BY: MRU
 CHECKED BY: KDT
 DESIGNED BY: MRU

SCALE: 1:1500 (11X17)


PROJECT: 22-5144
 STATUS: DRAFT
 DATE: 03/21/2023


DILLON CONSULTING




1027458 ONTARIO INC.
 BANWELL AND McHUGH -
 MIXED USE DEVELOPMENTS
 PUBLIC INFORMATION CENTRE

**CITY OF WINDSOR: EAST RIVERSIDE
 MAJOR ROADS
 FIGURE 7.0**


 BANWELL AND McHUGH -
 NORTH 'A' SITE
 (±1.43ha / 3.54ac)


 BANWELL AND McHUGH -
 NORTH 'B' SITE
 (±1.66ha / 4.11ac)

 BANWELL AND McHUGH -
 SOUTH SITE
 (± 5.35ha / 13.23ac)

 Class II Arterial

 Class I Collector

 Class II Collector

 Boundary of Planning Area

File Location:
 c:\users\j1r\desktop\1_dillon projects\22-5144 pic figures\22-5144 & 22-5266 -
 banwell sites - pic figures.dwg
 April, 14, 2023 11:37 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL
 DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE
 VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S.




PROJECT: 22-5144
 STATUS: DRAFT
 DATE: 14/04/2023


SOURCE: CITY OF WINDSOR - OFFICIAL PLAN,
 CHAPTER 2, SCHEDULE 'ER-4': MAJOR ROAD




1027458 ONTARIO INC.
Banwell and McHugh
Mixed Used Development
PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
MARCH 21ST - 7:00 AM - 10:00 AM
FIGURE 8.1

 BANWELL AND McHUGH - SOUTH SITE
(± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
(± 1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
(± 1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

File Location:
c:\users\31r\desktop\1. dillon projects\22-5144 shadow studies\22-5144 banwell
mchugh - shadow study - figures with titleblock.dwg
April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
CREATED BY: RR
CHECKED BY: TJO
DESIGNED BY: RR

SCALE: N.T.S



PROJECT: 22-5144
STATUS: FINAL
DATE: 2023/04/14



1027458 ONTARIO INC.
 Banwell and McHugh
 Mixed Used Development
 PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
 MARCH 21ST - 3:00 PM - 5:00 PM
 FIGURE 8.2

<p>BANWELL AND McHUGH - SOUTH SITE (± 5.35 ha / 13.23 ac)</p>	<p>BANWELL AND McHUGH - NORTH 'A' SITE (± 1.43 ha / 3.54 ac)</p>	<p>BANWELL AND McHUGH - NORTH 'B' SITE (± 1.66 ha / 4.11 ac)</p>	PROPOSED SHADOW	EXISTING SHADOW
--	---	---	-----------------	-----------------

File Location:
 c:\users\31r\desktop\1_dillon projects\22-5144 shadow studies\22-5144 banwell mchugh - shadow study - figures with titleblock.dwg
 April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR


SCALE: N.T.S.


PROJECT: 22-5144
 STATUS: FINAL
 DATE: 2023/04/14




1027458 ONTARIO INC.
Banwell and McHugh
Mixed Used Development
PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
JUNE 21ST - 6:00 AM - 10:00 AM
FIGURE 9.1

 BANWELL AND McHUGH - SOUTH SITE
(± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
(± 1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
(± 1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

File Location:
c:\users\31r\desktop\1_dillon projects\22-5144 shadow studies\22-5144 banwell
mchugh - shadow study - figures with titleblock.dwg
April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
CREATED BY: RR
CHECKED BY: TJO
DESIGNED BY: RR

SCALE: N.T.S





PROJECT: 22-5144
STATUS: FINAL
DATE: 2023/04/14




1027458 ONTARIO INC.
Banwell and McHugh
Mixed Used Development
PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
JUNE 21ST - 12:00 PM - 6:00 PM
FIGURE 9.2

 BANWELL AND McHUGH - SOUTH SITE
(± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
(± 1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
(± 1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

File Location:
c:\users\31r\desktop\1_dillon projects\22-5144 shadow studies\22-5144 banwell
mchugh - shadow study - figures with titleblock.dwg
April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
CREATED BY: RR
CHECKED BY: TJO
DESIGNED BY: RR

SCALE: N.T.S





PROJECT: 22-5144
STATUS: FINAL
DATE: 2023/04/14




1027458 ONTARIO INC.
 Banwell and McHugh
 Mixed Used Development
 PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
 SEPTEMBER 21ST - 7:00 AM - 10:00 AM
 FIGURE 10.1

 BANWELL AND McHUGH - SOUTH SITE
 (± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
 (±1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
 (±1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

File Location:
 c:\users\311\desktop\1. dillon projects\22-5144 shadow studies\22-5144 banwell
 mchugh - shadow study - figures with titleblock.dwg
 April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
 AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
 CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S





PROJECT: 22-5144
 STATUS: FINAL
 DATE: 2023/04/14




1027458 ONTARIO INC.
 Banwell and McHugh
 Mixed Used Development
 PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
 SEPTEMBER 21ST - 12:00 PM - 5:00 PM
 FIGURE 10.2

 BANWELL AND McHUGH - SOUTH SITE
 (± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
 (± 1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
 (± 1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

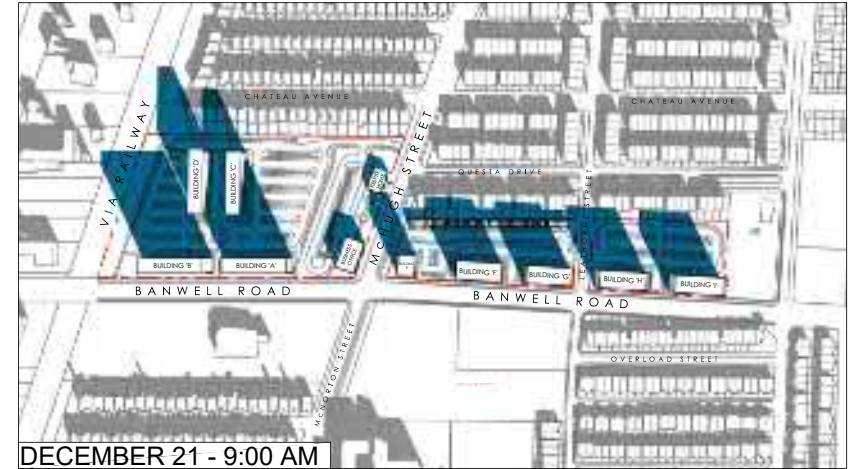
File Location:
 c:\users\311\desktop\1_dillon projects\22-5144 shadow studies\22-5144 banwell
 mchugh - shadow study - figures with titleblock.dwg
 April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
 AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
 CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S



PROJECT: 22-5144
 STATUS: FINAL
 DATE: 2023/04/14



1027458 ONTARIO INC.
 Banwell and McHugh
 Mixed Used Development
 PUBLIC INFORMATION CENTRE

SHADOW IMPACT STUDY
 DECEMBER 21ST - 8:30 AM - 11:00 AM
 FIGURE 11.1

BANWELL AND McHUGH - SOUTH SITE
 (± 5.35 ha / 13.23 ac)

BANWELL AND McHUGH - NORTH 'A' SITE
 (±1.43 ha / 3.54 ac)

BANWELL AND McHUGH - NORTH 'B' SITE
 (±1.66 ha / 4.11 ac)

PROPOSED SHADOW

EXISTING SHADOW

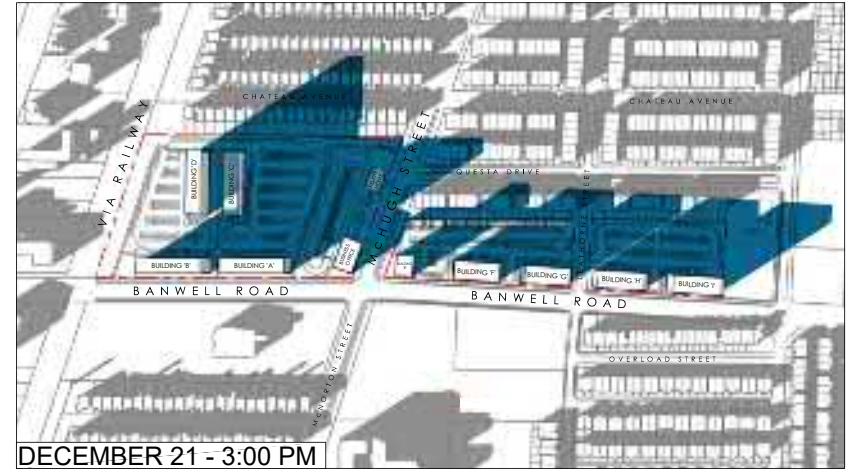
File Location:
 c:\users\31r\desktop\1_dillon projects\22-5144 shadow studies\22-5144 banwell
 mchugh - shadow study - figures with titleblock.dwg
 April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
 AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
 CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S





PROJECT: 22-5144
 STATUS: FINAL
 DATE: 2023/04/14




1027458 ONTARIO INC.
 Banwell and McHugh
 Mixed Used Development
 PUBLIC INFORMATION CENTRE


SHADOW IMPACT STUDY
 DECEMBER 21ST - 2:00 PM - 3:30 PM
 FIGURE 11.2

 BANWELL AND McHUGH - SOUTH SITE
 (± 5.35 ha / 13.23 ac)

 BANWELL AND McHUGH - NORTH 'A' SITE
 (± 1.43 ha / 3.54 ac)

 BANWELL AND McHUGH - NORTH 'B' SITE
 (± 1.66 ha / 4.11 ac)

 PROPOSED SHADOW

 EXISTING SHADOW

File Location:
 c:\users\311\desktop\1. dillon projects\22-5144 shadow studies\22-5144 banwell
 mchugh - shadow study - figures with titleblock.dwg
 April, 17, 2023 9:06 AM

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS
 AND BOUNDARY INFORMATION SHOULD BE VERIFIED PRIOR TO
 CONSTRUCTION. DIMENSIONS SHOWN IN METRIC.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR

SCALE: N.T.S



PROJECT: 22-5144
 STATUS: FINAL
 DATE: 2023/04/14

Appendix E

Resident's Comments



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

I have lived in Quetta for 22 years. I realize that there is a need for roads. I'm against that the lights will come into my back. I would want a fence (mixyl) to stop the lights & people sitting through. I am worried about security and flooding. There won't be enough parking for 2 cars so people will park on the street and no room left for our visitors.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

AS A NEIGHBOUR OF 1732 BANWELL RD, WE ARE CONCERNED ABOUT LIMITED APPROXIMATEY OF THE BUILDINGS THAT MAY AFFECT "SITE LINES" FOR DRIVER'S + PEDESTRIAN'S SAFETY. (WE "WITNESSED" A "FATALITY" AT BANWELL + FIRGROVE, IN 2022, PROBABLY DUE TO THE CURRENT POOR "SITE LINES" FROM RECENTLY BUILT BENCING + HIGH RISE BUILDINGS @ 1675 BANWELL).

ALSO, WE STRONGLY FEEL, THERE SHOULD BE A TRAFFIC LIGHT INSTALLED @ BANWELL + FIRGROVE. "THIS COULD SAVE MANY LIVES."

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site: 2248 Questa Dr.
South Site:	[REDACTED]

Please see reverse of page

General Comments and Feedback:

Said frankly very "HUB"
 I am quite disappointed that my quiet residential neighborhood is going to be saturated with ¹⁰ HUGE DEVELOPMENTS!! These 6 Storey Buildings will infringe upon our privacy and the amount of sunlight we will enjoy in the summer months (all year really!!) ~~the~~ the lights that will be erected ~~then~~ ^{cause} our backyards and bedrooms to be lit up like a runway!!! The infrastructure in this area cannot possibly accomodate all these new residents. There

will be no way to exit from the area housing buildings A, B, C, D other than McHugh. We already have experienced multiple ^{car} accidents on McHugh and Banwell because of the amount of cars on the road. I would like to request a 10ft "Vinyl" fence between our properties on the east side of Questa and not wood!! Wood

Please deposit this form in the comment box or email comment responses.

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email: southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

* The value of our properties ^{will} decrease!!!
 What about our sewer system?
 We've already experienced flooding?
 I'm not happy about all the natural trees that will be destroyed. They provide us with privacy ^{enjoyment}
 would create too much maintenance and who will do the upkeep!!
 All comments will be received until May 3, 2023



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Sewerbackup - Flooding - into our homes = Sewerbackup Claims, increasing insurance prices.

traffic - safety. - neighbourhood is full of kids. that play on streets.

Shadow from buildings

McHugh / Banwell / side streets already horrible to get out of

where will the traffic flow? hopefully not through our streets that are already tightly packed.

parking? where will people park? Questa is already having issues with the new buildings on Banwell

not wanting to pay for parking - they are parking on their streets already.

we also on Chateaux have no where to park - Drive through our streets - there is no parking.

What about the animals that are back there?

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Colo caught build for 20+ years now
you can't

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site: SHOULD BE A PARK SITE, OR BUILDING OF NEW RETIREMENT HOME. AGING POPULATION IN AREA.	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

INCREASED POPULATION - 744 UNITS X AVG. 2/PER UNIT
1488 PEOPLE, BETWEEN 744 AND 1488 + VEHICLES
INCREASED SEWER OUTPUT, TRAFFIC, NOISE.

RETENTION POND AT BLUE HERON - IT ACTUALLY
OVER FLOWED IN 2016, ALONG WITH NUMEROUS
HOUSES ON KIRKLAND (WHERE I LIVE) SO OBVIOUSLY
RETENTION POND COULD POSSIBLY NOT
BE SUFFICIENT FOR ALL OF THIS

ADDITIONAL PEOPLE IN A SMALL AREA.
NEED STOP LIGHTS TO GET OUT ONTO
BANWELL FROM LEATHORNE + FIRGROVE
VERY DANGEROUS NOW WITH LIMITED
SITE LINES DUE TO FENCING + BUSHES.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

I am concern about the new project that is coming to our neighbourhood. Our street is already packed with lots of traffic and building new project would bring chaos. More people means more crowd. We are concern about the garbage that will be. Our kids will not be able to enjoy nature freely since ~~but~~ destroying nature and building ground apartment complex for the sake of money.

Our neighbourhood is concern about safety, environment, ~~and~~ freedom of kids. garbage.

I will like to stop the project that is being plan posed.

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

We are very concerned about the density of the proposed development, especially the inclusion of multiple 8 storey buildings. As local residents, we are very concerned that the development will exit onto McHugh - as the only exit. Congestion of traffic will be a huge problem on McHugh and Barwell.

Additional concerns that development work with city and schools to ensure that are adequate schools associated with every new development.

This project permanently removes green space !!

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site: Property value will go down on my house. 2628 Chateaux Ave.	

Please see reverse of page

General Comments and Feedback:

I have been a original owner of my house. We back onto the field on Bonwell 2628 Chateaub Ave. We enjoy the deer, Turkeys, falcons, pheasants all the ~~the~~ time. We have maintained a large area of grass attached to the field for the entire time we have lived there. I have a pool, and now a large condo will block the sun I get in my back yard, and plus take away my privacy. Question is ~~is~~, we will have parking issue which we already do in are area. What about garbage. I don't want deal with rats! What are you plan is for privacy? I would like a privacy fence placed at least 10 feet tall vinyl. Also want the buildings farther away. Also what about the lights? ~~what about~~ I don't want street lights in my backyard. The noise the lights. Everything we do not support this. I would rather have house behind my house, then condos. This is agreed! ~~that~~

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

No respect for the people who have lived here for 20+ year!

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North ‘A’ Site:	North ‘B’ Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

QUESTA RESIDENT: NOT INTERESTED IN THIS DEVELOPMENT
AT ALL. KEEP THE NEIGHBOURHOOD SINGLE FAMILY
TOWN HOUSES OR HOUSES.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site: Concerns for construction of 744 residential units on Banwell plus another 157 units across the road!	North 'B' Site:
South Site:	

Please see reverse of page



East Riverside - South Neighbourhood - Mixed Use Development

Comment Form

Residents Meeting - April 19, 2023

General Comments and Feedback:

PS AT 88 YRS OLD THE ONLY GOOD SIDE OF IT, I MIGHT NOT SEE IT TO PUT UP WITH IT THERE IS A GOOD ENDING TO (CONGESTION) 55 YRS MAY GOD BE WITH US

I moved from 1251 Parkview close to the new construction at corner of Laurier Rd & M^cLaugh. I was a senior 88 YRS OLD I am not living in the past, I believe in people having new condos APT'S HOMES ETC

BUT NOT OVERLOADING ON THE ABOVE ENOUGH IS ENOUGH MOVED TO CHATEAU LIKE OBO WIFE + I. LOVE IT, UNTIL NOW MY UNDERSTANDING 6 NEW APTS ON BANWELL - RIDICULOUS (OVERCROWDING TRAFFIC CONGESTION) THE ALMIGHTY BUCK GASED FROM

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

OUTSIDE MONEY INSIDE MONEY

I MIGHT BE NEAR MY HEED ABOUT -

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8
 Tel: 519-438-1288 Ext. 1286
 Email: southneighbourhood@dillon.ca
 Attention: Theresa O'Neill, Planner



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

I understand the need for more housing soon but should it not be more family type dwellings instead of apartments? I am happy to see this empty land being developed - it has been discussed several times over the last few years - but this seems like over saturation!

I live on Arvilla and I usually have to wait for a significant time to be able to turn onto Banwell due to the traffic. This construction will definitely affect the traffic flow on Banwell both north & south. The present condition of Banwell Road surface is not ideal especially in the winter months with freezing on the surface as it buckles up. As a retired teacher I am concerned if there

is a significant increase in children living in these units where will they attend school? Tecumseh Vista Academy is already over capacity. I taught Grade 2 in a portable at Eastwood School for 12 years. This is not an ideal situation. Has any thought been given to the added impact of water drainage & flood prevention? We endured that severe fl in 2016 & little has been done since to prevent that again. Adding this increase in units will definitely impact the problem. As an 80 year old this will not impact me as much as all the younger people living in the nearby housing

Please deposit this form in the comment box or email comment responses.
developments. I understand those west of Banwell were not made aware of this construction.
All comments will be received until May 3, 2023

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

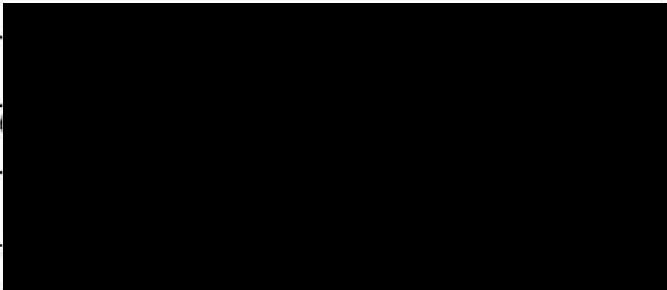
Safety of my husband and I who have health conditions - and sold our home in Riverside to live in a SAFE, QUIET, neighbourhood without 100's of more traffic and residents of ~~near~~ BANWELL from train tracks to FIRGROVE driving over speed limit on Chateau St.

ALSO

EUZEFEN Mc CANN

① Definitely danger of flooding, because of overflow

② School buses drive speed down



Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site: 9
South Site:	

Please see reverse of page

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

General Comments and Feedback: ^{CHATEAU}

I LIVE ON A CORNER. I ALREADY HAVE PROBLEMS WITH PEOPLE FROM ACROSS THE STREET PARKING TOO CLOSE TO MY DRIVEWAY (SOMETIMES, 3 DAYS) THEY DO IT TO EVERYONE ON THIS-NORTH SIDE OF McHUGH ^{SOUTH}
MANY TIMES I HAVE A PROBLEM WITH TRAFFIC BECAUSE THIS IS ALSO A BUS LINE
MY CONCERN IS FLOODING, IS THERE GOING TO BE A INFRASTRUCTURE IN PLACE TO TAKE CARE OF THIS
MY HEALTH IS POOR - I HATE THE SMELL OF ~~EXHAUST~~ EXHAUST FUMES. I HAVE A BAD HEART AND TROUBLE BREATHING



Please deposit this form in the comment box or email comment responses.
All comments will be received until **May 3, 2023**



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

General Comments and Feedback:

Make the roads on Banwell, McHugh, clover and surrounding areas safe from speeding cars. Build grade schools in area. Address parking for condos so people can park at the condos and not on our streets. Install traffic lights at Little River Road & Banwell, install traffic lights at firgrove & banwell for better traffic control, No environmental study on increased housing.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email:
North 'A' Site: [REDACTED]	North 'B' Site:
South Site:	

Please see reverse of page



Comment Form

Residents Meeting – April 19, 2023

General Comments and Feedback: *7 PM 21/23*

- Worry about:

- traffic*
- parking on Ovesta + Chateau from apartment residents*
- flooding*
- traffic already bad at light. We have all Condos now. Apartments will be overkill.*

- Condo's or apartments for rent

- Heared to income?



Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

General Comments and Feedback:

I oppose the building of this large hi-rise development in my neighbourhood. This will change the character of our neighbourhood, making it very high density. The local infrastructure is not prepared for this. I am particularly concerned about the sewers + traffic. Having had basement flooding 5 years ago, I cannot endure another flood. Banwell is only 4 lanes + the attempt at improving the Banwell - McHugh intersection is inadequate. Carving a left-turn lane out of another traffic lane (McHugh going east) is very dangerous, with the speed many drivers on Banwell make that left turn. I am part of a large group of Seniors, living in this area, whose lives will be totally disrupted by this development. I am also concerned that many existing residents will attempt to sell and property values will fall. *Margaret Kappeler*

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

General Comments and Feedback:

- TRAFIC is horrible now & people (pedestrians) have been hit & killed at the corner of Banwell & Fugiove trying to get across.
- Delivery people are parking on Banwell in front of the apartments and there are no stopping signs already in place.
- There is a childrens playground on Banwell and there are no signs relating to this for traffic.

We definitely need something done about speeding traffic on Banwell between McHugh & Little River Rds.

Action must be taken before all the new buildings are constructed. We need action on the traffic problem before it all gets worse. More people means more traffic!

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8
Tel: 519-438-1288 Ext. 1286
Email: southneighbourhood@dillon.ca
Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

2248

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [Redacted]	Email: [Redacted]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

WE LIVED Here 23 YRS. - PARTIALLY FLOODED ONCE.
I BELIEVE the BERM HAS SERVED to HELP with FLOODING
WOULD Like to Keep it. AS EXTRA PRECAUTION

AS FAR AS PARKING - A PARKING Permit OUT FRONT OF
OUR ADDRESS.

WHAT is the PURPOSE OF 10' CLEARANCE
FROM OUR Lot Line to the fence?



Four horizontal lines for additional handwritten comments.

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email:
North 'A' Site: TRAFFIC & SAFETY FLOODING - PRIVACY Fence NO MAINTENANCE MAINTENANCE 10' H. ALSO WILL THEIR PROPERTY LEVEL BE HIGHER than OURS.	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

- TRAFFIC IS HORRIBLE ALREADY - HOW MUCH MORE CAN WE STAND

- TRUCKS ALLOWED ON ROAD NOW - SEMI TRUCK WENT DOWN THE OTHER DAY

- A PERSON WAS ALREADY KILLED AT BANWELL + FARGROVE

- PEOPLE PARKING IN FRONT OF THE APARTMENT WITH FLASHERS ON
EVEN THOUGH THERE ARE NO PARKING SIGNS

- NOT ENOUGH ~~STREET~~ PARKING SPOTS FOR ALL THE RESIDENCE IN THE APARTMENTS SO THEY ARE ALL PARKING ON OUR STREETS - IF YOU HAVE COMPANY THERE IS NO WHERE FOR THEM TO PARK

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email: southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

- THERE IS A CHILDRENS PLAYGROUND AT ELIZABETH KESHKON PARK

- CARS DRAG RACE AT NIGHT

- THE ~~SOUND~~ ^{SOUND} OF THE CARS REFLECT ~~OFF~~ ^{OFF} THE BUILDINGS

- NO ONE GOES 50 MILES PER HOUR

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

- WHERE IS OUR PEDESTRIAN CROSS WALK AT FARGROVE + BANWELL



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback: The noise in area will increase.

- This area is a natural habitat for wild turkeys, Rabbits, etc
- The buildings are 6 stories high which will not give any privacy to condos on the east side of Questa.
- The car numbers for residence and their visitors will cause Questa to take the overflow.
- The traffic in this area will be congesting to say the least, when all is complete.
- The natural trees (mature) will be removed for parking. (More Positive Note.)
- limit the height of the buildings to no more than 3 stories would halve the numbers of residences and traffic
- The value of all Questa properties will be significantly reduced!!!

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
Email: southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

(one) story → Can this be Park property or perhaps Commercial (variety)

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
I'd expect from the likes of our current City of K. admin. & is why I voted	
South Site:	
<u>AGAINST DREW</u>	

Please see reverse of page

General Comments and Feedback:

Absolutely outrageous! I am disgusted at the leadership of Windsor East that would allow this absolute tyranny of BIG BUSINESS to RUIN neighbourhoods for our retirees & elderly.

I am fully against this RAPE of my neighbourhood. Shame & shame on you all. How about something that ENHANCES the community for these people and still provides you with your PROFIT? I hate the idea of development but OBVIOUSLY something was going to get there. A luncheonette or coffee shop, dry cleaners, strip mall convenience store, library — THINGS they can walk to and ENJOY.

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email: southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

AND THIS IS AN OUTRAGE AND THIS IS A TRAGEDY & is exactly what

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North ‘A’ Site:	North ‘B’ Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

- were just not happy about this project because, of the following reasons.
- 1.) every day heavy traffic,
 - 2.) for our safety for our family, no more privacy.
 - 3.) Insurance and Tax go up
 - 4.) Flooding Issue, before no problem.
 - 5.) no more sunrise, affecting our heating & cooling bill.
 - 6.) more people, more criminals in our area.
 - 7.) around windsor lot of empty land, they can move the project there.
 - 8.) not happy,

not good luck

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

WE LIVE IN THIS NEIGHBOURHOOD FROM THE BEGINNING. WHEN WE MOVE IN, WE WERE TOLD THAT THERE ^{WAS} GOING TO BE PLAZA. PLAZA IS ACETABLE, BUT BIG BUILDING NOT. EVEN NOW, WE HAVE TO WAIT TO CROSS MC HUGH, IMAGINE WITH 600 CARS. WHERE IS PARK FOR KIDS? WHAT IS GOING TO HAPPEN TO FLOODING WHAT IS GOING TO HAPPEN TO DEERS THAT LIVE IN SMALL FOREST. YOU GUYS THINK OF MONEY, MONEY. THINK OF PEOPLE THAT ALREADY LIVE HERE. HOUSES ARE ACETABLE BUT BIG BUILDING IN THIS SMALL AREA NOT, NOT.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback: — writing for my neighbour who cannot write.

Flooding Concerns, Basement Flooding.

Street congestion— no lights.

— Composite solid fence to give privacy— and stop people walking through our properties.

— eviction of animals.

Air Quality — cars defrosting in morning engines running—

Absolutely

shocking.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Flooding concerns - there is a subterranean stream running thru the proposed parking lot - It will be problematic for our all ready flood prone Basements.

- Need a composite solid fence Round parking lot we do not need lights in our bedroom windows all night -

- No traffic lights anywhere - Dangerous for all people

- Air Quality while building will Be awful and continue with traffic fumes.

- No space for animals we have deer, turkeys a fox - all sorts of creatures will have nowhere to go.

This is a terrible idea - a lot of modification is needed and a bit more compassion - This is completely

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Unacceptable - Please Rethink.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

This project will greatly impact the area in so many negative ways, it will create a lot of traffic that this neighbourhood is not equipt to handle including parking issues, safety issues - etc -

I strongly object the project as it will change the quite safe residential area to a crowded, unsafe busy area -



Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email:
southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site: We live directly behind Buildings C4D.	

Please see reverse of page

General Comments and Feedback:

- Vinyl privacy fence 10'
- no access @ berm
- lower storey buildings (maybe all 6 storey)
- indoor garbages
- move buildings closer to banwell. (C&D).
- Lighting (parking lot locations).
- wildlife displacement.
- flooding issues??
- where will overflow parking be?
- prefer single storey dwellings ☺
- Excess traffic.
- school bus route.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site: We live directly behind the buildings D and C on Chateau.	

Please see reverse of page

General Comments and Feedback:

I am not in agreement with the plans.

- I believe that the 2 buildings at the back of the property are too high
- Move the buildings closer to Banwell or on Mottingham
- We need a fence for sure
- Enclosed garbage areas
- No access at the barn - fence all the way through.
- Vinyl privacy fence 10 ft high
- Parking lighting will be a concern
- shade for my pool
- water that pools and floods the field every storm
- animals - lots of deer, turkey, coyotes

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Hello:

This project will affect the whole neighbourhood

- flooding

- traffic volume, not safe for families with kids! (intersects)

- no parking enough

Overall this project is really a bad news.

I object this project

not safe for our place and
our kids.

Crowded area!

pollution from cars will add
bad environment for the health.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner


Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site: 	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

- The area may become flood prone
- The traffic volume will increase significantly
- The value of Questa residences will be reduced greatly!!! (∴ Taxes must be lowered.)
- Animal life will be chased out with turkeys
- Parking overflow will end up on Questa.
- Homes on Questa will lose privacy with 6 story high back yard neighbours

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner


Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site: 	

Please see reverse of page



General Comments and Feedback:

Traffic Jams, Safety, Flooding, 10 storey buildings

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [Redacted]	Email: [Redacted]
North 'A' Site: # 1904	North 'B' Site:
South Site:	

Please see reverse of page



General Comments and Feedback:

744 UNITS WILL INVADE OUR NEIGHBOURHOOD.

CONGESTION RE: TRAFFIC INFRASTRUCTURE - WE ALREADY DEALT WITH FLOODING.

STOP LIGHTS - WILL THERE BE ANY?

IN OUR STREETS.

NO ROD IRON FENCING IN FRONT OF BUILDINGS - SIGNS LINES TO ENTER BANWELL

ROAD OBSTRUCTED.

THE QUESTIONS ARE SO MANY!! THE GATHERING HERE ARE FOLKS THAT EXPECTED TO BE SPOKEN TO AS A GROUP HAVING QUESTIONS + ANSWERS HEARD BY ALL. I FEEL INSULTED - ASK A QUESTION + ALL ANSWERS WERE WISHY WASHY - "OH COULD BE 6 STORES - COULD BY A 3 STOREY" "GARAGES?? OH MAYBE NOT!!" DETAILS RIDICULOUS - EVERYONE LEFT WITH NO SATISFACTION. "COCO?? YOU SAY" SHAME ON YOU!

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email: southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

UPSET IS NOT EVEN CLOSE TO DESCRIBING THE MOOD HERE.



East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site: <i>even great impact on my quality of life. The proposed board fence behind the proposed building will fall down in a few years and are not not high enough! The big impact on the environment is disastrous! Shame on Coco!</i>	North 'B' Site: <i>The proposed building will fall down in a few years and are not high enough! The impact on the environment is disastrous!</i>
South Site: <i>Building these proposed building in a retirement community is taking advantage of our elderly community</i>	

Please see reverse of page

General Comments and Feedback:

①
I am against this proposal. The traffic congestion will be increased and dangerous. There are already numerous accidents on Baswell. This will only increase. The impact on our sewer systems will be ~~strained~~ strained. Flooding will increase!!! The light pollution will increase. The sight lines onto Baswell will be obstructed. The natural ~~habitat~~ habitats will be destroyed, we ~~currently~~ currently have multiple bird species that live there. The limited sun exposure from the proposed buildings will limit my quality of life. The noise pollution from traffic will have an →

Please deposit this form in the comment box or email comment responses.

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

~~744~~ units = ↑ sewer ↑ flooding ↑ traffic ↑ noise ↑ congestion
'Figure & Banwell' → Black 'metal fence' = blind spot.
6 accidents, 1 death. *Need MORE traffic lights.



Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

I've read where they are wanting to build
 10,000 units in the Windsor area.
 * Why are we going to see almost
 1/10 of those units in our little neighborhood?
 They should be spread out across the
 city.



[Redacted] 1829 Kirklaw
 Ave.

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Why do your buildings need to look like 1970's
Soviet bloc architecture?

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Too much traffic - need lights at Ferguson & Buxwell
No stopping in front of present buildings to
deliver.

Longer lights at McHugh & Buxwell - when walking
can't make it across in one light.

3 lights on Buxwell between McHugh &
Ferguson. - please the traffic down

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site: <i>Current parking dilemma already from additional cars parking on Owista + Chateau from existing condos on Berwell.</i>	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Loss of trees
~~Loss~~ *Not enough parking - already cars are parking on Questa & Chateau from the condos already on Barwell.*
Concern of all cars exiting on side roads & causing congestion
Need traffic lights on Barwell

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
Email:
southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.
All comments will be received until May 3, 2023



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

1. This project is not
zoned for Residential
It is zoned for commercial

Zoning

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Limit height to ONLY 3 stories
this will reduce ~~the~~ the impact in
most areas or concerns by half.



Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development

Comment Form


Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:



 MY PROPERTY WILL LOSE VALUE, PARKING WILL HAPPEN ON THE
 SIDE STREETS AND WILL BE A NIGHTMARE FOR EXISTING RESIDENTS
 THE LIGHTS FROM PARKING LOTS WILL BE VERY BRIGHT.
 NATURE WILL BE GONE FROM AREA
 FLOODING WILL HAPPEN IN AREA – THE NOISE WILL INCREASE

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

 Tel: 519-438-1288 Ext. 1286
 Email:
southneighbourhood@dillon.ca

 Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.
 All comments will be received until May 3, 2023



East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	[Redacted]	Email:	[Redacted]
North 'A' Site:	[Redacted]	North 'B' Site:	[Redacted]
South Site:			

Please see reverse of page

General Comments and Feedback:

1. Unmanageable Traffic !!!
for such a small area
- traffic lights ~~needed~~

2. Sewer System needs upgrading
we already flooded

3. Need high privacy
fence

4. High Buildings leave
us with NO view NO
Sunlight!

Please deposit this form in the comment box or email comment responses,

All comments will be received until May 3, 2023

This Project is not Zoned
Residential for ~~apartments~~ Apartments

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email:
southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name:	Email:
North 'A' Site:	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

Way too many dwellings!

Very concerned about the impact over 1,000 new cars will have on the neighbourhood traffic. It is getting difficult to cross McHugh street already with all the new construction in the WFCU area.

Tax payers should not be liable to pay for roads expansion to accommodate the traffic

Dillon Consulting Limited
3200 Deziel Drive, Suite 608
Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286

Email:

southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

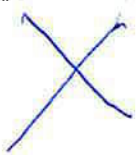
Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023

East Riverside – South Neighbourhood – Mixed Use Development Comment Form

Residents Meeting – April 19, 2023

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record.

Name: [REDACTED]	Email: [REDACTED]
North 'A' Site: 	North 'B' Site:
South Site:	

Please see reverse of page

General Comments and Feedback:

As a home owner on Questa Dr. I don't want this Project to move forward. My property's directly and negatively impacted by this project. The Value of my property is going to go down because of it. Privacy is a big concern. the bright lights at night is going to be a problem. Noise problems, traffic problems, Nature and wildlife will be destroyed. Floodings is also another of the problem will be having.

Vehicles will be parking in front of our houses all the time. this is a quiet and peaceful are. and we want it to be like this.

It should catch your attention that a single neighbor want this project. so please listen to the people.

Dillon Consulting Limited
 3200 Deziel Drive, Suite 608
 Windsor, ON N8W 5K8

Tel: 519-438-1288 Ext. 1286
 Email:
southneighbourhood@dillon.ca

Attention: Theresa O'Neill, Planner

Please deposit this form in the comment box or email comment responses.

All comments will be received until May 3, 2023



Neighbourhood, South <southneighbourhood@dillon.ca>

Attn: Theresa O'Neill, East Riverside-South Neighbourhood-Mixed Use Development

2 messages

Wed, May 3, 2023 at 2:57 PM

To: "Neighbourhood, South" <southneighbourhood@dillon.ca>

When we purchased our home on Questa Drive a large part of our choice was due to the beautiful green space behind, where we were reassured nothing major would be built. There is complete privacy day and night, We can open our drapes, open our windows and enjoy the retirement we have worked toward for many years, Wildlife is always there - eagles, hawks, deer, bunnies, doves mallard families, cardinals, blue jays, wild turkeys, squirrels, robins and many, many other small birds. There are always nice breezes. We get the early morning sun to start our day through our back patio doors This is a lovely quiet peaceful retirement community and our quality of living is wonderful.

We have easy access to drugstore, grocery stores, hospitals and other necessities of living, There is ample parking and we consider this area very safe to live in. This is a huge retirement community to which all these people made the choice to relocate because of what it represents to us for our retirement years.

This development will cause:

The **loss of green space a tree canopy, and wetland** which is so important to the environment, climate change and wildlife.

Between pavement and buildings, noxious car fumes, congestion of people and cars and loss of protective spaces for them, **wildlife will disappear.**

There will be about a 2 to 3 hours **loss of morning sunlight.** This light is very important to get in a middle unit that has no windows on the side, and for our mental health.

There will be a complete **loss of privacy** with hundreds of cars parked 20 feet from our bedroom window and six storey buildings overlooking our back deck and windows: now we will have to keep our blinds closed. With the cars there will be an excess of **fumes:** now we will have to close our windows. What will the effect be on those with COPD, asthma or any other respiratory ailments?

Excess noise - engines starting, stopping, car doors slamming, people talking: Ear plugs?

The car **lights** and apartment lights will light up our backyards all night long: now we will have to wear sleep masks.

The proposed 5.9 foot fence won't be the solution to any of these

There will be huge **garbage** containers outside our back door: stench and early morning garbage trucks.

Another concern is that with such a huge influx of people, there is more **crime.**

The **scariest outcome** of this development is the effect of 1300 plus additional vehicles concentrated in a 3 block area (in addition to the upcoming development on the other side of Banwell). The 3 buildings on Firgrove have already shown us: more traffic with speeding down our street, taking up our parking on our street, and one **fatality.** This area is too small to handle such an enormous number of people and vehicles safely, especially with many elderly who have canes, walkers, wheelchairs or just plain move a lot slower. Crossing the

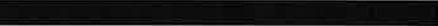
street will become a nightmare for them. I guess the answer would be for them to not even attempt to go anywhere. Just shut the door.

So our wonderful quality of life will now be shutting the door, closing the windows drawing the blinds, putting in ear plugs, and a sleep mask and live a different quality of life. That's progress?!



Neighbourhood, South <southneighbourhood@dillon.ca>

Wed, May 3, 2023 at 4:45 PM



We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to natural features, wildlife, potential shadow impacts, parking, traffic, the location of garbage facilities, and crime have been noted. These concerns will be taken into account during the City's review of the application. Issues relating to the location of the garbage disposal units would be addressed in later stages of the development approvals process, during Site Plan Control Approval (not yet initiated).

As per City requirements, a Natural Site Features Inventory & Preservation Plan, Shadow Impact Study and Traffic Impact Study (TIS) have been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Banwell, McHue, Chateau, Questa Project Concerns

2 messages

Thu, Apr 20, 2023 at 8:43 PM

To: southneighbourhood@dillon.ca

Hello Theresa,

Our property on Chateau Ave backs onto the area where the developer would like to build four apartment buildings.

Concerns:

- 1 The amount of dust this building project will create, My husband has asthma and I have COPD, which will make it impossible to use our back deck or yard during the building process.
- 2. Buildings create shade preventing sunlight from our property. We both suffer with SAD.
- 3. Flooding, infrastructure not in place to prevent future flooding.
- 4. Parking lots, cars idling will create a high level of exhaust fumes.
- 5. Apartment garbage disposal bins placed near our property line, i.e. odour, rats.
- 6. Safety concerns, increase in traffic volume and congestion on Chateau Ave, McHue St, Banwell Ave, Questa Ave, and other neighbouring streets.
- 7. Stress and anxiety created as a result of the noise and disruption to our lifestyle during the building process.
- 8. Request for compensation regarding our health and well being issues.

We do NOT support this proposal.

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 12:36 PM

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to dust, potential shadow impacts, stormwater management, parking and traffic, and the location of garbage disposal areas have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Shadow Impact Study, Stormwater Management Report, and Traffic Impact Study (TIS) have been completed for the sites. The materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Issues relating to the location of the garbage disposal units and creation of dust would be addressed in later stages of the development approvals process, during Site Plan Control Approval (not yet initiated).

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councillor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Dillon Comments 2

2 messages

Tue, May 2, 2023 at 10:24 PM

To: southneighbourhood@dillon.ca
Cc: "Marignani, Angelo" <amarignani@citywindsor.ca>

----- Forwarded message -----

Date: Tue, May 2, 2023, 9:51 p.m.
Subject: Dillon Comments 2

 **Dillon Comments 2.pdf**
6698K

Neighbourhood, South <southneighbourhood@dillon.ca>

Wed, May 3, 2023 at 4:33 PM

Cc: "Marignani, Angelo" <amarignani@citywindsor.ca>

Hello,

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to your City Councilor and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Dillon Comments File 1

2 messages

Tue, May 2, 2023 at 10:23 PM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>
Cc: "Marignani, Angelo" <amarignani@citywindsor.ca>

----- Forwarded message -----

Date: Tue, May 2, 2023, 9:50 p.m.
Subject: Dillon Comments File 1

 **Dillon Comments.pdf**
3814K

Neighbourhood, South <southneighbourhood@dillon.ca>

Wed, May 3, 2023 at 4:32 PM

Cc: "Marignani, Angelo" <amarignani@citywindsor.ca>

Hello,

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to your City Councilor and the City Planner on file with any other comments or concerns.

Thank you,

Theresa
[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

East Riverside -South neighborhood mixed use development

2 messages

Mon, May 1, 2023 at 7:23 PM

To: southneighbourhood@dillon.ca

Hello

my name is [REDACTED], which would be on the south site of the of the conceptual development plan.

I have various concerns if the these plans, become more than a concept in the near future .

We have lived at [REDACTED] since we built our home over 23 years ago .

My concerns and worry is not only for the health and safety of my family . It is also a safety concern to children and pedestrians in the area .

Due to the increase in the number of traffic going down our residential streets , parking which we already had issues with on our over crowded street .

This is already a problem with a recent build on Banwell with the condos and their parking issues that, have now spilled out onto the side road of Leathorne .

The exhaust from all these extra vehicles during build & after , will be a health hazard to us including excessive noise

These buildings, for one will be fairly close to our homes and will infringe on our privacy , of us enjoy our backyard & decks.

The buildings will also affect the enjoyment of seeing the sun raise everyday. The shadow effect is real for some will be greater than others who suffer from Sadds. It is a great concern for myself , my husband & my children who are 12 & 19.

The large scale parking lot that will wipe out most of the green space and nature that we enjoy on a daily basis . These field areas are home to many species, such as deer, various birds and on occasion coyotes .

There is also the scary fact of flooding !! This city has already had lots of flooding issues in Riverside and other parts . It is very scary , when it rains how much the water levels raise in that field behind our home !

These fields and used to be swamp land back in the 60's and to then put these massive buildings and parking lots in these areas will only increase the flood risk in our area !

There is also the overcrowding of our grade schools and high school is a huge issue already . There is no room to put anymore students without our children suffering from shortage of space in the classroom and shortage of teaching staff to meet the needs of our children currently.

With they being said , a lot more thought and effort needs to be put into the process of buildings of any type in this area.

There are a lot of residents that do not want to see these massive structure or parking lots in our backyards ! I urge you to please hear the plea of the residents of East Riverside and rethink planning and design of any stricter that would be put , this closely to our homes and green space.

I thank you for your time , in reviewing my concerns. I can only hope and pray that some sort of common ground can be met , when it comes to our beautiful east Riverside community and the residents they reside here.

[REDACTED]

Sent from my iPhone

[REDACTED]

[REDACTED]

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to traffic, vehicle noise, parking, the proposed location of the buildings C & D, potential shadow impacts, wildlife, flooding, and availability of community services have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Traffic Impact Study (TIS), Shadow Impact Study, Natural Site Features Inventory & Preservation Plan, and Stormwater Management Report have been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*. The *Planning Act* requires only that residents within 120 meters of a proposed development site be notified of the proposal.

Please don't hesitate to reach out to our team, your City Councillor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

East Riverside-South neighborhood Development..

3 messages

Mon, May 1, 2023 at 6:45 PM

To: southneighbourhood@dillon.ca
Cc: amarigani@citywindsor.ca

Hello my name is [redacted]. South site of conceptual development plan .
My concerns are : first and foremost is location of building C , D being so close to our homes and invasion of privacy.
My second concern is the traffic that will be created from these units and the safety of our children and pedestrian. Also the parking on our street from tenants of buildings with more then one vehicle. We see on the other buildings that were built on banwell.
.3rd concern is noise and pollution from vehicle that are parked behind our home .
4th is potential flood that could be caused by massive parking lot behind our homes with very little green space .
5th concern is the construction dust and noise and influx of work vehicle...
6th concern is our property that could be vandalized due to no buffer between our homes and parking lot...
Myself and a few neighbour's of Chateau Ave have maintained the grass for the last 22 years. Behind our fences is approximately 30ft out before the farmers field , that stretches from McHugh to springhollow .
In closing I wish not to see these buildings become a reality... I'm much more in favorite for more homes or townhouse or the original plan to have it as a plaza which was promised when I build this home... thank you for your time and consideration...

Neighbourhood, South <southneighbourhood@dillon.ca>

Wed, May 3, 2023 at 4:06 PM

Cc: amarigani@citywindsor.ca

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to the proposed location of the buildings C & D, traffic, parking, vehicle noise, flooding, disruptions due to construction have been noted. These concerns will be taken into account during the City's review of the application. A 1.8m (5.9 ft) high board-on-board privacy fence is proposed to be erected along the property line, providing a buffer between the proposed parking area and the existing residences.

As per City requirements, a Traffic Impact Study (TIS) and Stormwater Management Report have been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (For Residents > Planning > Land Development > Development Applications > Current Development Applications), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the Planning Act. The Planning Act requires only that residents within 120 meters of a proposed development site be notified of the proposal.

Please don't hesitate to reach out to our team, your City Councillor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Mixed use Development Banwell Rd. & McHugh St

2 messages

Tue, May 2, 2023 at 4:59 PM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>, "amarignani@citywindsor.ca" <amarignani@citywindsor.ca>

Attention Theresa O'Neill and Angelo Marignani

My name is [REDACTED] I would like to provide you with the following questions, concerns and thoughts about the proposed development unveiled at the April 19th Public Information Centre.

How were people informed about the Public Information Centre? I certainly was not aware of the scheduling of this session nor were any of my neighbours that I have spoken with.

Who are the executive officers and owners of 1027458 Ontario Inc.?

The proposal includes 9 multiple dwelling buildings. Will these be condominiums, rental units or both? How many of each? If rentals, is there provision for rent geared to income housing?

The proposal outlines creation of 744 dwellings. This will significantly increase the population density in the area at a level which is out of line with existing concentrations. This will exacerbate traffic issues in the area and likely compromise safety of residents.

Has consideration been given to the adequacy of the existing roads?

I am concerned that the parking provisions may not contain all the needs of the unit residents and guests. I feel this way because the 3 buildings that have been built over the last couple of years to the north of this proposed development has led to spill over parking on Questa Blvd on a permanent basis.

I look forward to receiving a response to my questions and receiving more information about the timetable on this process. I also will appreciate being invited to further meetings and improved transparency

Thanks

Sent from Outlook

Neighbourhood, South <southneighbourhood@dillon.ca>

Wed, May 3, 2023 at 4:31 PM

Cc: "amarignani@citywindsor.ca" <amarignani@citywindsor.ca>

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

Development & Heritage Standing Committee - Tuesday, October 3, 2023

The concerns relating to traffic and parking have been noted. These concerns will be taken into account during the City's review of the application. At present, the City of Windsor's accepted *minimum* requirement for parking spaces for a Multiple Dwelling (i.e. multi-unit residential building) is 1.25 parking spaces per dwelling unit. We have provided a parking rate for each site that is above the required minimum. The proposed parking rates are 1.45 parking spaces per dwelling unit (North 'A' Site), 1.50 parking spaces per dwelling unit (North 'B' Site), and 1.30 parking spaces per dwelling unit (South Site). A total of 1,028 parking spaces are proposed to support the 744 residential units, with an additional 72 parking spaces provided to support the business office and respite home. I did not have involvement with the development of the three (3) buildings north of these sites, thus I am unable to compare our proposed parking rates to what was permitted for the development to the north.

The proposed residential units are proposed to be condominiums. At this time, I am not authorized to disclose information about the executive officers and owners of 1027458 Ontario Inc. Regarding notification of the PIC, our team issued notices via mail to all owners/tenants located 120 meters around the subject sites. The *Planning Act* requires that, at minimum, residents within 120 meters of a proposed development site be notified of the proposal.

As per City requirements, a Traffic Impact Study (TIS) has been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to your City Councilor and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Project no.22-5144 and 22-5266

2 messages

Thu, Apr 27, 2023 at 8:19 PM

[REDACTED]
to: southneighbourhood@dillon.ca

Attention:Theresa O'Neil, Planner

The number of proposed apartment buildings is not needed as there are several new buildings in this area with lots of vacancies. These structures would create a monumental traffic problem. The land in this area tends to be low lying and there could be a flooding problem. This also could effect sewage, hydro and water. Also it would not be esthetically pleasing . Please come up with another plan.

Yours truly,

[REDACTED]
Arvilla Street

Neighbourhood, South <southneighbourhood@dillon.ca>

Tue, May 2, 2023 at 9:01 AM

[REDACTED]
[REDACTED]
We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to density, transportation, stormwater management, and servicing have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Traffic Impact Study (TIS), stormwater management report, and functional servicing report have been completed for the sites. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Project Numbers 22-5144 and 22-5266

2 messages

Sat, Apr 29, 2023 at 9:06 AM

To: southneighbourhood@dillon.ca

Attn Theresa O'Neil
1-519-438-1288 ext 1286.

The project is for 744 units. When looking at the site plan there is nowhere near that amount of parking spaces. How can this project proceed when that's the case?

Yours truly



Neighbourhood, South <southneighbourhood@dillon.ca>

Tue, May 2, 2023 at 9:01 AM

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to parking have been noted. These concerns will be taken into account during the City's review of the application. At present, the City of Windsor's accepted *minimum* requirement for parking spaces for a Multiple Dwelling (i.e. multi-unit residential building) is 1.25 parking spaces per dwelling unit. We have provided a parking rate for each site that is above the required minimum. The proposed parking rates are 1.45 parking spaces per dwelling unit (North 'A' Site), 1.50 parking spaces per dwelling unit (North 'B' Site), and 1.30 parking spaces per dwelling unit (South Site). A total of 1,028 parking spaces are proposed to support the 744 residential units, with an additional 72 parking spaces provided to support the business office and respite home.

As per City requirements, supporting materials have been completed for the sites. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*. The *Planning Act* requires only that residents within 120 meters of a proposed development site be notified of the proposal.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Proposed Mixed Use Development Banwell Road and McHugh Street

2 messages

Fri, Apr 28, 2023 at 1:22 PM

To: 311@citywindsor.ca, amarignani@citywindsor.ca, mayoro@citywindsor.ca, southneighbourhood@dillon.ca

I'm a recent arrival in Windsor. My wife and I moved here from the southeast corner of British Columbia three years ago. At first, it was a shock leaving the Rockies and it's abundant wildlife behind. And yet, here we are in the Blue Heron area and we would not go back: we both love living in East Windsor!

The transition to this new life was made a lot easier for me because we live close to East Riverside Park. This park has been a life saver!! And for the past two years, my twice daily walks with our big dog has expanded to include Elizabeth Kishkon Park and the stretch of greenspace that runs from this park all the way to the railroad tracks along Banwell Road, the new proposed area for this massive apartment building complex!!

The reality of living in a flood zone is new to me... And yet, I understand the crucial importance of greenspace, as is this stretch of land on Banwell Road, and the capacity it has to retain, distribute and use excess water in such an ecologically sensitive environment. Nevermind the amazing diversity of wildlife that uses and lives in this corridor...

I also understand the pressing need for new accommodation. And I am very sympathetic to the voices of the young families and the new immigrants that want to make this beautiful Essex County their home. Their need is great indeed... Homes are in short supply...

And I say that unless Dillon Consulting and the city of Windsor can provide clear answers to the ecological regression that this proposal would create, I am definitely opposed to this project! Because there is an urgent need for new housing does not mean we should throw caution to the wind!!! Let's build wisely.

Yours truly, [REDACTED]

Neighbourhood, South <southneighbourhood@dillon.ca>

Tue, May 2, 2023 at 9:01 AM

Cc: 311@citywindsor.ca, amarignani@citywindsor.ca, mayoro@citywindsor.ca

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to the environment, wildlife, and stormwater management have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Natural Site Features Inventory & Preservation Plan and Stormwater Management Report have been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councillor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

South neighbour hood project attention Theresa O'Neill,

2 messages

Fri, Apr 28, 2023 at 9:40 PM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>
Cc: "mayoro@citywindsor.ca" <mayoro@citywindsor.ca>, "amarignani@citywindsor.ca" <amarignani@citywindsor.ca>

To everyone concerned

I was not at the meeting on April 19th but neighbour across Kirkland Ave and friends on Questa informed us of the outcome. Disappointed that not everyone in the area wasn't invited because it impacts everyone in East Riverside.

Very disappointed with our leadership in Windsor. Reading in The Windsor Star quoted by mayor D. Dickens all he wants is to make great improvements in urban tree coverage?

On the other hand per meeting at WFCU "limited invitees" they want to put "9" high rise apartment complex on West side on Banwell from Firgrove to Leathorne to McHugh to the rail tracks. That approximatly 750 units along with an administration building and a respite place. Doesn't make a bit of sense.

WHY is East Riverside being singled out for so many high rises causing overcrowding.

We already have 3 monstrous and ugly ones sitting on Banwell and Firgrove. Already had a fatality at that corner.

Secondly

God's creatures deers, birds, rabbits, geese, ducks, pheasants etc. are being driven out of the area

Thirdly

This entire area is known for flooding especially to insurance companies. I'm sure this isn't going to sit well with them, can't get insurance now so what is going to happen with all this proposed construction. Are we "the residents of Riverside" be able to be compensated by the city if flooding occurs.

Has a Flood Plan report been done along with an Environmental plan? If so please make it available to everyone for viewing.

Fourth

Concerns on the traffic is also a big issue. Banwell is very busy, fast traffic now just image adding 750 units with approximately 2 vehicles per unit. Hard enough to get onto Banwell now either right or left and there's no other way to go. With 2 retirement homes plus a high school Banwell and McHugh very busy corner.

Quote from the representative at the meeting stating only about extra 30-40 cars at busy times. Don't know which planet he came from? Parking isn't sufficient now 3 high rises on Banwell the overflow spills over onto adjacent streets. Who is going to monitor that situation?

Five

Why is East Riverside being pushed for so many residences? Is it to fulfill the mayor's dream of 30,000 places?

How many are being planned for mayor's area or any of our councillors? Would be interesting to find out.

Hopefully this project never gets off the ground just leave some green space for our health and God's creatures instead of a concrete jungle.

Money is the "EVIL" peace and beautiful scenery and fresh air is everyone's dream.

Really praying this project never happens.

Thank You



Sent from my iPad

Neighbourhood, South <southneighbourhood@dillon.ca>

Tue, May 2, 2023 at 9:01 AM

Cc: "mayoro@citywindsor.ca" <mayoro@citywindsor.ca>, "amarignani@citywindsor.ca" <amarignani@citywindsor.ca>



We would like to thank you for taking the time to reach out to us with your concerns.

Development & Heritage Standing Committee Tuesday, October 3, 2023

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to density, wildlife, stormwater management, and traffic have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Natural Site Features Inventory & Preservation Plan, Stormwater Management Report, and Traffic Impact Study (TIS) have been completed for the sites. Regarding keeping nearby residents informed, we are preparing an engagement summary of all of the comments and concerns raised at the meeting on April 19, 2022 as well as those via telephone and email, which will be available as part of the public record. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*. The *Planning Act* requires only that residents within 120 meters of a proposed development site be notified of the proposal.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

apartment proposal Banwell and McHugh

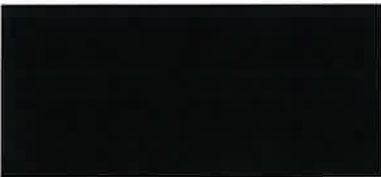
2 messages

Fri, Apr 21, 2023 at 4:00 PM

Cc: southneighbourhood@dillon.ca, mayoro@citywindsor.ca, amarignani@citywindsor.ca, 311@citywindsor.ca

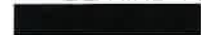
My husband and I attended an information meeting on Wednesday, April 19th at WFCU, concerning a proposal for 9 new apartment buildings on the corner of Banwell and McHugh. the properties in question are in a flood zone, we have lived in this area since 2001, and every time there is a storm, this property floods. There was a berm constructed at the back of our property to maintain flood control. The proposal for building these apartments would remove the berm and the people at the meeting had no answer on how the water would be stopped from coming onto our property. When asked about flooding his answer was " Oh you can call 311". There is a purpose for this berm. Was there a floodplain study done? There are many animals living in this area and would be disrupted by this endeavour. Was there an environmental study done? The increase in traffic of 744 plus apartments would put undue stress on our roads and sewers. there are two rest homes on this street, one arena, and one High School. This street can not afford any more traffic. When asked about the increase another person at the meeting said there wouldn't be more than roughly 30 cars increase in traffic. An increase of over 1000 more residents is not doable. After talking to several residents, we were all told the same thing at the time of purchase.

- 1....No building can be built higher than 2 stories behind us.
 - 2....The building behind us would be a small office-type structure.
- We don't want a multi-plex building behind us, we want the greenery saved. We don't want the berm removed.



If you forward this, PLEASE REMOVE all email addresses before you send it and use BCC when forwarding to several people at once.

"BE KIND TO OUR EMAIL FRIENDS"



Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 12:44 PM

Cc: mayoro@citywindsor.ca, amarignani@citywindsor.ca, 311@citywindsor.ca



We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

Development & Heritage Standing Committee - Tuesday, October 3, 2023

The concerns relating to flooding, the berm, wildlife, and traffic have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Stormwater Management Report, a Natural Features Inventory & Preservation Study, and a Traffic Impact Study (TIS) have been completed for the sites. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Banwell & McHugh development

2 messages

Fri, Apr 21, 2023 at 5:09 PM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>

Hi Theresa, I own one of the townhouses on Questa Dr, but I was unable to attend the information centre meeting on Wednesday night at WFCU Centre.

I'm writing to see if there is any new information from that meeting that you can share with me.

Thanks,

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 12:56 PM

We would like to thank you for taking the time to reach out to us.

At this time, there is no new information to share. As per City requirements, there are a number of supporting studies (i.e. stormwater management report, Traffic Impact Study, and Shadow Impact Study) that will be completed for the sites. The materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

(no subject)

2 messages

Mon, Apr 24, 2023 at 1:08 PM

To: southneighbourhood@dillon.ca

Hello,

I am [REDACTED]

I attended the meeting about the proposed changes to Banwell Road.

This is a very very bad plan in my estimation. I am very much against it.

The three existing apartment buildings on Banwell are already causing problems with parking. Not enough parking spots for the tenants, they are parking on Questa Drive as well as on other parts. I hear now they are even parking right in the parking spots that were installed for the people using the kids playground. So now your plan is to put in 9 more buildings and you have come up with the bright idea of providing 1.3 car space for each apartment. I suspect that the majority of people living in the proposed apartments will not be retirees but working people and many apartments will have two car owners. Can you kindly give us a clue where all those cars are going to park ?

This area of Banwell was not made to cope with so many people and so much traffic. This area of Banwell would need to be renamed Concrete Jungle, because that is how it will look. Twelve apartment buildings in one small area. Give me a break. This plan is probably the worst one Coco has ever come up with.

Also I see on the plans you have listed landscaped open spaces, you have put that in writing but all the spaces I can see are parking spots apart from the tiny landscaped drawing for the Respite Home and the Business space.

The area at the back of my house is the home of geese, ducks, pheasants, wild turkeys, just 3 days ago we had two deer and their fawn, I doubt you give a flying fig as to where these animals move to now as you are taking up more of the green with your horrific building plans, but the residents in this area do care a lot.

Ok, now lets get down to probably the biggest headache for us local residents. **F L O O D I N G.**

Questions were asked at WFCU about how to handle the big problem of the berm and the fact that the apartments and parking spots will all be a higher level than our homes and our lots. I questioned Kyle ? and was astonished to learn, he was there with all the info but when the subject of the berm came up he saide he had not seen it. He then said the berm will be removed ?????? He assured us we would have no flooding and came up with a load of gobbledegook of the parking lot being made to handle the water ?????? Also, why are the 48 garages positioned by the berm, is the plan they protect us from flooding ? I am amazed at how unrealistic this whole plan is.

Just stick in 9 more apartment buildings and ruin the neighbourhood.

Seven years ago, along with a lot of areas of Windsor, we had severe flooding here. I live in a block of four houses and we all flooded, along with many on this road. Coco built these houses so obviously did a poor job of safely preparing the area for construction, so forgive me if I am sceptical of taking the word of Kyle ? on this matter.

Well thats it, I look forward to your reply.

Neighbourhood, South <southneighbourhood@dillon.ca>
 [REDACTED]

Mon, May 1, 2023 at 2:45 PM

[REDACTED]

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to parking, traffic, wildlife, and stormwater management have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Traffic Impact Study (TIS), Natural Features Inventory and Preservation Study, and Stormwater Management Report have been completed for the sites. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

5/3/23, 4:49 PM

Dillon Consulting Limited Mail - (no subject)

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

att: Theresa O'Neill

2 messages

Wed, Apr 26, 2023 at 10:25 AM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>

I am concerned about the high rise apartment development proposed for Banwell near McNorton. Please send me a site plan or similar diagram, so I can understand it better. Thank you,

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 6:41 PM

We would like to thank you for taking the time to reach out to us with your concern.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

Please find attached to this email a PDF copy of the Notice sent to residents in early April. Included on the second page is the conceptual development plan.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]

 **Banwell & McHugh Mixed Use Development - PIC Notice - April 2023.pdf**
1967K



Neighbourhood, South <southneighbourhood@dillon.ca>

Attn:Theresa O'Neill, Planner

2 messages

Wed, Apr 26, 2023 at 9:57 AM

To: southneighbourhood@dillon.ca

Project # 225-5144 and 22-5266

Hello,

I am writing to express my deep concern about the proposed development of 744 new residential units, consisting of 11 buildings that will occupy the west side of Banwell Rd from the tracks all the way to Firgrove.

I believe that the three apartment buildings already on that side of the road by Firgrove as well as adding so many more will cause way too much congestion in the area. Where else in the city has there ever been so many buildings as such proposed been built together? What about normal city services- playgrounds for all the kids that will live there, transportation services, schools, etc.

It sounds like a poor plan at this point in time. What is the plan to make it a safe, vibrant community rather than a haphazard plan for a high density residence?

A concerned resident,

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 6:35 PM

We would like to thank you for taking the time to reach out to us with your concerns.

We acknowledge the many concerns raised regarding the proposed multi-unit residential buildings. Our team will be taking into consideration the thoughts shared during the Public Information Centre as well as the comments received through email and telephone.

The concerns relating to density, transportation, and provision of adequate City services have been noted. These concerns will be taken into account during the City's review of the application.

As per City requirements, a Traffic Impact Study (TIS) and other supporting studies have been completed for the sites. The supporting materials associated with this proposal will be available on the City's website (*For Residents > Planning > Land Development > Development Applications > Current Development Applications*), at the time the City determines the application submission to be complete.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

BANWELL / MCHUGH PROJECT

2 messages

Mon, Apr 24, 2023 at 12:28 PM

To: southneighbourhood@dillon.ca

Hello, We were told at the first meeting that the builder would put up a privacy white vinyl fence (up to 12 feet high) in the back for the people that live on Questa Drive

As you can see on the drawing our house would be the blue box on the right hand side of the drawing on Questa

From the back of our house, approximately how far back would the fence be built? As you can see the greenery is at it's thinnest just behind our house?

regards,



BANWELL : MCHUGH 2.bmp
198K

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 1:16 PM

We would like to thank you for taking the time to reach out to us with your concerns.

The drawings that were at the Public Information Centre show the proposed fence behind the existing dwellings to be a board-on-board privacy fence that is 1.8m (5.9 ft) in height. I am unsure how this miscommunication happened; however, I wanted to provide you with the accurate information for your consideration.

The fence is proposed to be built along the existing rear property line. I am unable to provide you with the distance between the back of your house and your rear property line as I do not have access to this information about your property at this time.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

Information request

2 messages

[Redacted]

Mon, Apr 24, 2023 at 9:14 PM

To: southneighbourhood@dillon.ca

Hi Theresa,

I attended your Banwell Development meeting.

Can you please send me a copy of the notice you sent to residents? I am mostly interested in the colour image of the development.

Thanks, and let me know if you have any questions or concerns that would prevent you from sending the information.

Regards,

[Redacted]

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, May 1, 2023 at 2:49 PM

[Redacted]

[Redacted]

Thank you for attending the Public Information Centre!

Please find attached to this email a PDF copy of the Notice sent to residents in early April.

Future public meetings and information about this proposed development will be the responsibility of the City of Windsor as required by the *Planning Act*.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you,

Theresa

[Quoted text hidden]

Banwell & McHugh Mixed Use Development - PIC Notice - April 2023.pdf
1967K



Neighbourhood, South <southneighbourhood@dillon.ca>

North B site Banwell and McHugh

4 messages

Wed, Apr 12, 2023 at 8:24 AM

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>

Hello,

Your plans have arrived in my mailbox.

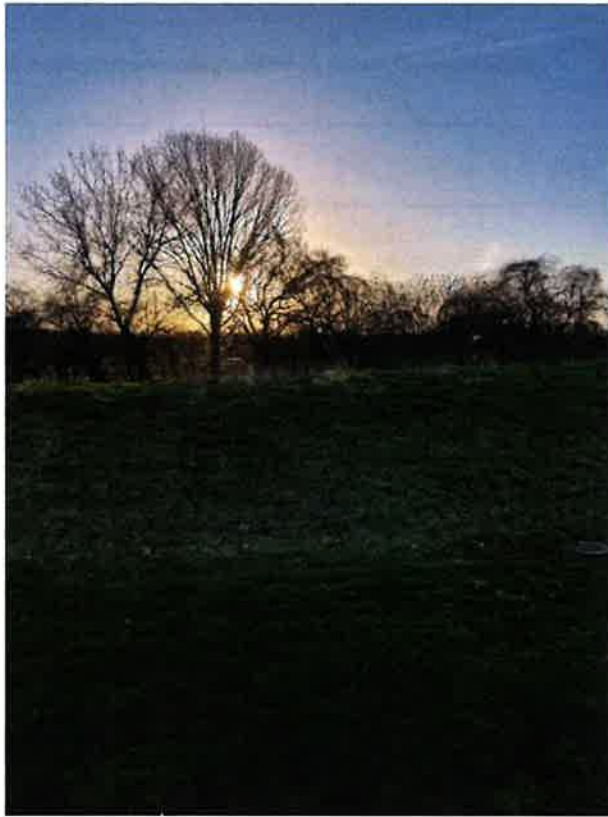
As the planner, I need more details on the area affecting my property line. The back end of the single car garage proposal will be along my backyard. Your orange line is obscuring the amount of green space separating my property from the actual building. This green space poses some questions:

- Will there be a fence along the backside of these garages?
 - What type – open or privacy, how high? What material?
 - Will you have a Shadow Study and Environmental Study for 3 blocks of tree line and the wildlife (birds, turkeys, deer) associated with it that will be disappearing with this entire project available for the Apr 19 meeting? Where can I get access to these online before the meeting.
- I noticed narrow green space between the garages, will people be able to walk between them into my yard?
- How will power be delivered to these garages – underground or overhead with power lines stretching over my property line? With the push for EV, what are the plans for EV charging options in the parking lot and garages?
- There is also a word to small to see under the "RA" in GARAGES, what is this word?
- Where and what type of lighting is planned for the parking lots? These will now be shining into my back windows.

We have seen many overflow people parking on our road (Questa) down by a similar development on Firgrove and Banwell. If there is no fence along this back line, I foresee people cutting through across my property to park on my street or even let pets wander on my property.

Its sad with all the new talk about climate change and Carbon emissions, you elect to decimate 3 blocks of trees that actually recycle Carbon in favour of a concrete parking lot jungle full of carbon emitting vehicles.

Just so you can see the view I won't have anymore.



[Redacted]

Neighbourhood, South <southneighbourhood@dillon.ca>

Mon, Apr 17, 2023 at 4:51 PM

[Redacted]

We would like to thank you for having taken the time to contribute your thoughts to the discussion.

Due to the scale of the concept plan that was shared with you, some of the details are difficult to see clearly. A larger scale copy of the concept plan, with all details being legible, will be available at the Public Information Centre (PIC) on Wednesday from 6:00pm - 8:00pm at the WFCU Centre.

Ahead of the meeting, we wanted to provide you with information about the amount of green space proposed between your backyard property line and the rear of the proposed single car garages. The width of this space is 2.8 meters (9.2 ft). Further, the small word under the "RA" in GARAGES is '204.8m', which is the length of the rear property line.

To answer your initial question, yes, there will be a fence along the backside of the proposed single car garages. The fence is proposed to be board-on-board (providing privacy) and be 1.8 meters in height. The space between the rear of the proposed single car garages and the rear of your property line/proposed fence is not designed to be used as leisure space by future residents. The proposed 1.8 meter high board-on-board fence will further preclude people being able to walk into your yard.

The graphics from the Shadow Impact Study will be available for viewing at the PIC on April 19. The supporting materials for this proposed development application, including the full Shadow Impact Study and the Natural Site Features Inventory & Preservation Study, will be available on the City's website once the application is submitted and deemed complete by the City. The application is not yet deemed complete.

We've noted your other concerns regarding hydro, EV charging stations, and the type of lighting in the parking lots. Along with holding a PIC, we are working on preparing an engagement summary of all of the comments and concerns raised about the proposed development and at the meeting. The engagement summary will be available as part of the public record.

Please don't hesitate to reach out to our team, your City Councilor, and the City Planner on file with any other comments or concerns.

Thank you!

Kindly,

Theresa

[Quoted text hidden]

Development & Heritage Standing Committee - Tuesday, October 3, 2023

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>

Please check this website that shows the sun position/azimuth.

<https://sun-direction.com/city/13531,windsor/>

For On: 21 Jun, 2023

Solar data for Windsor

- 05:21 – Dawn time in Windsor
- 05:56 – Sunrise time in Windsor
- 05:59–21:09 – Daylight time in Windsor
- 13:34 – Solar noon in Windsor
- 21:13 – Sunset time in Windsor
- 21:47 – Dusk time in Windsor

Time: 07:01

Position: 42.31714267,-82.90237599

Timezone: America/Toronto

Daylight duration: 15h7m

Shadow length (1m): 5.74 m

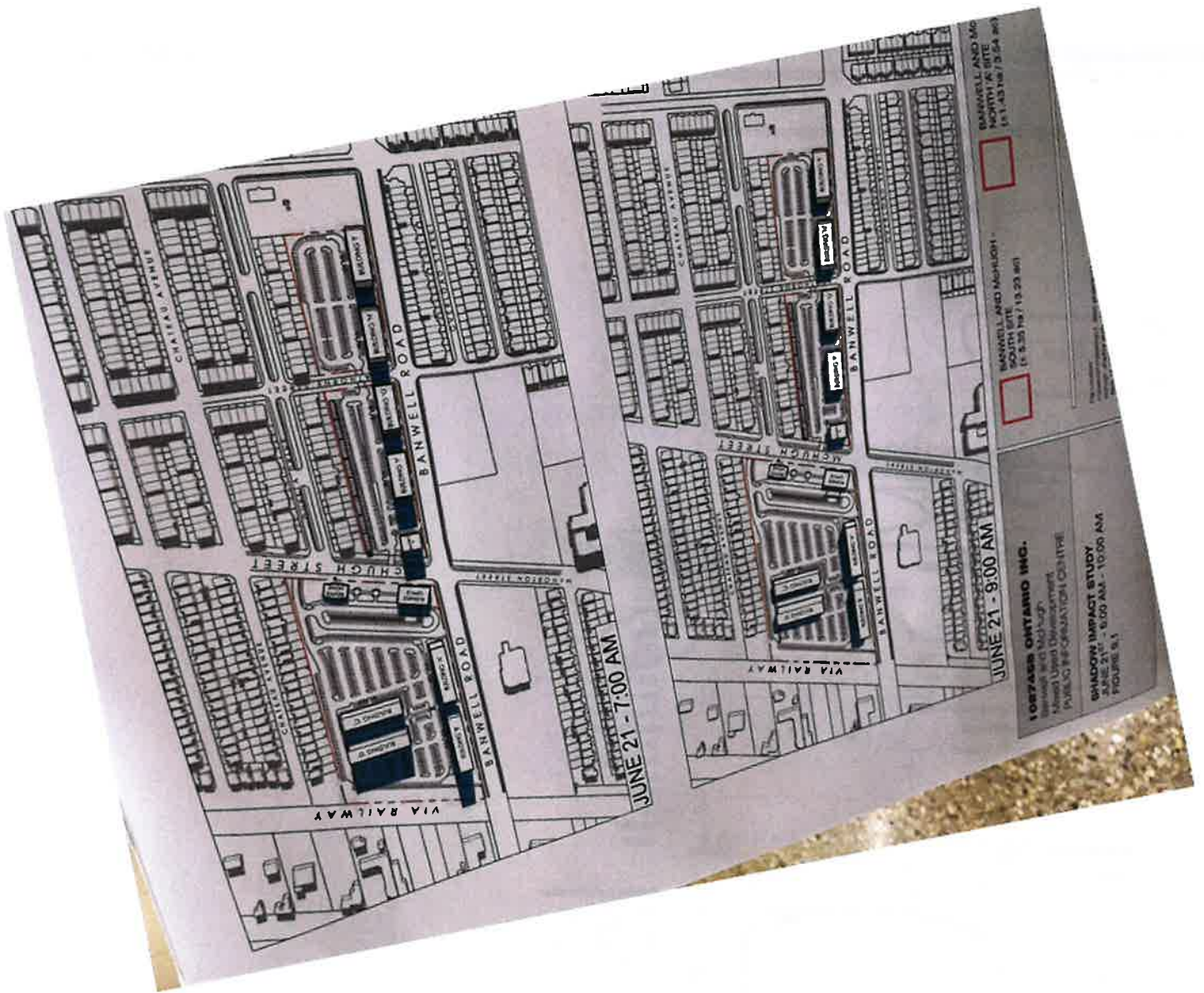
Altitude: 9.98°

Azimuth: -112.81°

Detailed sun information

- 00:00–03:41 – Night
- 03:41–04:36 – Astronomical twilight
- 04:36–05:21 – Nautical twilight
- 05:21–05:56 – Civil twilight
- 05:21 – Dawn
- 05:56 – Sunrise
- 13:34 – Solar noon
- 21:13 – Sunset
- 21:47 – Dusk
- 21:13–21:47 – Civil twilight
- 21:47–22:32 – Nautical twilight
- 22:32–23:27 – Astronomical twilight
- 23:27–03:00 – Night

In particular, when you insert Jun 21, 2023 @ 0700, the suns position (dark orange line) is absolutely no where near where your shadow charts depict it to be. Your charts show the sun to be well to the North, almost parallel to Banwell road according to the Shadow picture. (I've rotated your chart to a similar orientation to compare maps.



[Quoted text hidden]



01014CD3DB4E41669E5D47B94C1B4369.jpg
1202K

To: "southneighbourhood@dillon.ca" <southneighbourhood@dillon.ca>

Thu, Apr 27, 2023 at 2:23 PM

In addition to the email below. We have additional questions on to the location of Garbage site location for this project.

Development & Heritage Standing Committee - Tuesday, October 3, 2023

As we are requesting a minimum 10 ft high privacy vinyl fence along the Questa and Chateau homes, we do not want a garbage storage bin right behind our homes either.

This concern is based on the location of garbage storage bins on the existing 3 buildings on Banwell and FirGrove. They are at the back of the parking lot, but no ones lives there, it is just a forested area. (see below)



[Quoted text hidden]



Neighbourhood, South <southneighbourhood@dillon.ca>

East Riverside - South Neighbourhood - Mixed use development

1 message

[Redacted]

Wed, May 3, 2023 at 9:27 PM

To: southneighbourhood@dillon.ca

Attention Theresa O'Neill (Planner),

I am emailing my concerns to express my disagreement with this project. We attended the residents meeting on April 19, 2023 and spoke with multiple employees from Dillon Consulting Ltd. We received information regarding the East Riverside - South Neighbourhood - Mixed use development, and we would like to share our concerns.

We believe that the 2 buildings at the back of the property positioned closer to the houses are too high. We think the 2 buildings along Banwell are fine however, the 2 taller buildings are too much. We feel as though 4 apartment buildings will create way too much traffic and that there will not be enough parking for the residents. We would not appreciate these residents parking on our streets and having access to walk through paths along the tracks. If this project is to move forward we would like a fence that extends the entire perimeter of the property with zero access other than the parking entrance. Our side streets are already over crowded with cars and very busy with the amount of residents living in the area already. More residents in the area would also increase the traffic volume on McHugh which is a school bus route. Vehicles are already going through the school bus lights daily when activated while boarding and deboarding students.

We would like a fence in order to block access and maintain privacy. We would appreciate a nice vinyl fence in order for our house to keep its value and the neighborhood looking nice.

We would like to minimize the parking lot lighting and the lights shining into our back yards and homes. We often have our windows open and excess lighting would not be good for sleeping.

The field in which you are considering building on is constantly flooded. There is no way our properties will not flood due to this project. The land will definitely have to be built up and flooding problems will more than likely occur. The City of Windsor has more than enough flooding issues in the Riverside area. This field is also home to wildlife. Animals like deer, coyote, rabbits, turkey, pheasants and hawks are frequently seen in the area.

We have a pool and the shadow images shown at the meeting were far from accurate. The shade will cause some heat issues for our pool which will in turn will decrease our use of our pool.

Garbage and recycle will be an issue as well. All those buildings means more residents and more garbage. Enclosed garbage areas would be a necessity, preferably inside the building, to prevent rodents and to keep the neighborhood clean. If there are dumpsters in the plan for outside they will be positioned at the rear of the apartment, which means close to our yards and this is not acceptable.

Thank you for listening to our concerns. Please feel free to contact us if you have any questions or would like to address any of these issues with us.

Sincerely,

[Redacted signature]

Appendix F

Record of Attendance and Location Map



1/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	2325 Luxumy	N8P 1S9
[REDACTED]	2500 Chateau	N8P 1W2
[REDACTED]	1772 Chateau	
[REDACTED]	11325 FIR GROVE DR.	N8P 1L4
[REDACTED]	2612 Chateau	N8P 1W3
[REDACTED]	City 350 city hall	
[REDACTED]	2548 Chateau ave	N8P 1N2
[REDACTED]	2152 QUESTA DR	N8P 1N8.
[REDACTED]	2337 Chateau	
[REDACTED]	2189 Questa Dr.	N8P 1N8



2110

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	2079 Questa DR.	N8P 1N8
[REDACTED]	1812 Questa Dr.	N8P 1M5
[REDACTED]	1952 Questa Dr.	N8P 1M5
[REDACTED]	2104 QUESTA DR	N8P 1N8
[REDACTED]	2152. QUESTA DR.	
[REDACTED]	1732 BANWELL RD.	N8P 1P4
[REDACTED]	1732 BANWELL RD	N8P 1P4
[REDACTED]	2596 Chateau Ave	N8P 1N2
[REDACTED]	2164 QUESTA DR	N8P 1N8
[REDACTED]	2144 QUESTA DR	N8P 1N8



3/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	2564 Chateau, Ave	N8P 1N2
	11273 Firgrove Dr.	N8P 1M5
	2561 CHATEAU AVE	N8P 1N2
	1860 QUESTA DR	N8P 1M5
	2388 chateau Ave.	N8P 1M2
	1338 Blue Heron Crt	N8P 1M8
	2644 CHATEAU AVE	N8P 1N3
	" "	" "
	2401 chateau	N8P 1N2
	1109 Thunderbay	N8P 0C8
2212 Quseta		



4/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
	2072 Chateau	N8P 1N6
	1800 Questa	N8P 1M5
	1836 QUESTA.	N8P 1M5,
	2468 CHATEAU	N8P 1N2
	2188 Questa	N8P 1N8
	2188 Questa	N8P 1N8
	1976 QUESTA	N8P 1M5
	2259 QUESTA DR.	N8P 1N8
	1988 QUESTA DR.	N8P 1M5
	1829 KIRKLAND AVE	N8P 1L9
11229 LEATHORNE ST.	N8P 1N6	

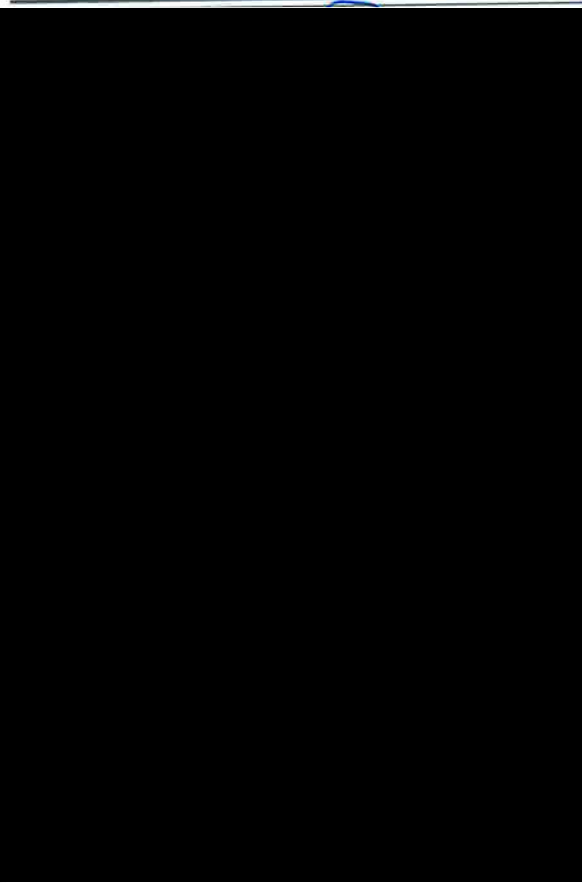


5/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
	7-92 Questa Dr. 1824 QUESTA DR	N8P 1N8 N8P 1N8
	2068 QUESTA DR	N8P 1N8
	2128 Questa Dr	N8P 1N8
	2248 Questa DR.	N8P 1N8
	2223 QUESTA	" "
	2576 TRAPPERS	N8P 1N5
	11261 FIRGROVE	N8P 1M5
	11256 LEATHORNE	N8P 1N8
	1805 Kirkland	N8P 1L9
	1805 Kirkland	N8P 1L9



6/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
	2085 Chateau Ave, Windsor	N8P 1N2
	2532 CHATEAU AVE WINDSOR	N8P 1N2
	2067 Chateau WIN ON	N8P 1N6
	" "	"
	11949 Boulder	N8P 1Z4
	2212 QUESTA	N8P 1N8
	2420 CHATEAU AVE	N8P 1N2
	2628 Chateau Ave	N8P N3
	2512 TRAPPERS	N8P 1N4
	2512 TRAPPERS	" "
	2032 QUESTA	N8P 1N8



7/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
	2272 Questa Dr	②
	2008 Questa Dr	
	2008 Questa Dr	
	11250 Wandaotte St East	N8P 1J9
	1105 Banwell	N8P 1J3
	2260 QUESTA DR.	N8P 1N6
	1928 Questa DR	
	1872 QUESTA DR	N8P 1M5
2545 Chateau Ave.	N8P 1N2	



8/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	2080 Questa	N8P 1N8
[REDACTED]	2080 Questa	N8P 1N8
[REDACTED]	2090 CHATEAU	N8P 1N6
[REDACTED]	2044 QUESTA	N8P 1N8
[REDACTED]	e 1964 Questa	N8P 1H5
[REDACTED]	11596 Arvilla St	N8P 1L5
[REDACTED]	2036 CHATEAU AVE.	N8P 1N6
[REDACTED]	2020 QUESTA DR.	N8P 1N8.
[REDACTED]	2020 QUESTA DR.	N8P 1N8
[REDACTED]		



9/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	2525 Trappers Ave	N8P 1N4
[REDACTED]	2525 Trappers Ave	N8P 1N4
[REDACTED]	2270 Chateau	N8P 1N4



10/10

Record of Attendance

East Riverside – South Neighbourhood – Mixed Use Development

Residents Meeting – April 19, 2023

NAME (PLEASE PRINT)	MAILING ADDRESS	POSTAL CODE
[REDACTED]	1808 Banwell Rd. Windsor	N8P 1X1
[REDACTED]	315 Gauthier Dr. Tecumseh	N8W 2W3.





1027458 ONTARIO INC.
BANWELL AND McHUGH -
MIXED USE DEVELOPMENTS
PUBLIC INFORMATION CENTRE

LOCATION MAP
FIGURE 1.0

BANWELL AND McHUGH -
 NORTH 'A' SITE
 (±1.43ha / 3.54ac)

BANWELL AND McHUGH -
 NORTH 'B' SITE
 (±1.66ha / 4.1 ac)

BANWELL AND McHUGH -
 SOUTH SITE
 (± 5.35ha / 13.23ac)

PROJECT:
 STATUS: DRAFT
 DATE: 12/04/2023

File Location:
 c:\users\j1\desktop\1_dillon_projects\22-5144 pic figures\addresses\22-5144 &
 22-5266 - banwell sites - addresses.dwg
 April 12, 2023 10:00 AM

SOURCE: MAPPIVCITY WINDSOR AERIAL (2021)

MAP/DRAWING INFORMATION
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL
 DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE
 VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.
 CREATED BY: RR
 CHECKED BY: TJO
 DESIGNED BY: RR



SCALE: N.T.S.

be completed by the owner including items such as the provision of landscaping, parking, parkland conveyance, levies and lighting, all required prior to the issuance of a construction permit.



AERIAL MAP - CDM-008/23



Figure 1: Location Map

Plan of Condominium:



PLAN OF CONDOMINIUM

APPLICANT: LANKOR HORIZONS DEVELOPMENT INC.
 ADDRESS: STELLA COURT

SCALE: N.T.S.
 DATE: SEPT. 2023
 FILE NO: CDM-008/23-1

CDM-008/23-1

Site Information:

OFFICIAL PLAN	ZONING	CURRENT USE	PREVIOUS USE
Residential	Residential District 3.2 (RD3.2)8	4 Multiple dwelling structures (Under Construction)	Vacant Parcel
LOT WIDTH	LOT DEPTH	AREA	SHAPE
71m	+/-257m	1.775ha	Irregular
All measurements are for the entire parcel and are approximate.			

Neighbourhood Characteristics:

The site is located between a residential neighbourhood to the east, mainly occupied by single detached residential dwelling, Municipal Park to the west, EC Row Expressway to the south, and vacant land and single detached residential to the North.

Discussion:**Planning Analysis:****Statutory Regulations:**

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

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

- (i) that all municipal requirements and conditions have been addressed (for example by an approved application for rezoning and/or site plan control); and
- (ii) that the building(s) is suitable for a condominium by virtue of design and amenities.

The proposed condominium complies with the above conditions.

Official Plan:

The subject property is designated Residential on Schedule D of the City of Windsor Official Plan. The designation permits this use. The proposed development conforms to the residential policies in the Official Plan.

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

- (a) a residential building is constructed or a building permit for its construction has been issued;

(b) the development has received site plan control approval; and

(c) the development (new proposed units) do not contain any occupied residential rental units.

The proposed condominium complies with the above conditions.

Zoning By-Law

The property is zoned Residential District (RD) 3.2. Building permits have been issued and construction of the first building is nearing completion.

Risk Analysis:

N/A

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

N/A

Consultations:

Municipal and agency requirements have been addressed and implemented through the site plan control approval process, and the registration of a site plan agreement. (File SPC-038/20) registered as instrument CE1026981, on August 18, 2021)

Public Notice:

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

Conclusion:

The application has been processed and evaluated with regard to both the Planning Act and the Condominium Act, as well as the City of Windsor Official Plan. It conforms to the City of Windsor Official Plan and complies with the zoning regulations contained in Bylaw 8600. Municipal requirements regarding this development have been addressed in the site plan control agreement. The draft plan of condominium is consistent with the approved site plan (File SPC-038/20) registered as CE1026981, on August 18, 2021)

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

Planning Act Matters:

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

Greg Atkinson Manager of Development/Deputy City Planner

Neil Robertson Acting City Planner / Manager of Growth

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

JP JM

Approvals:

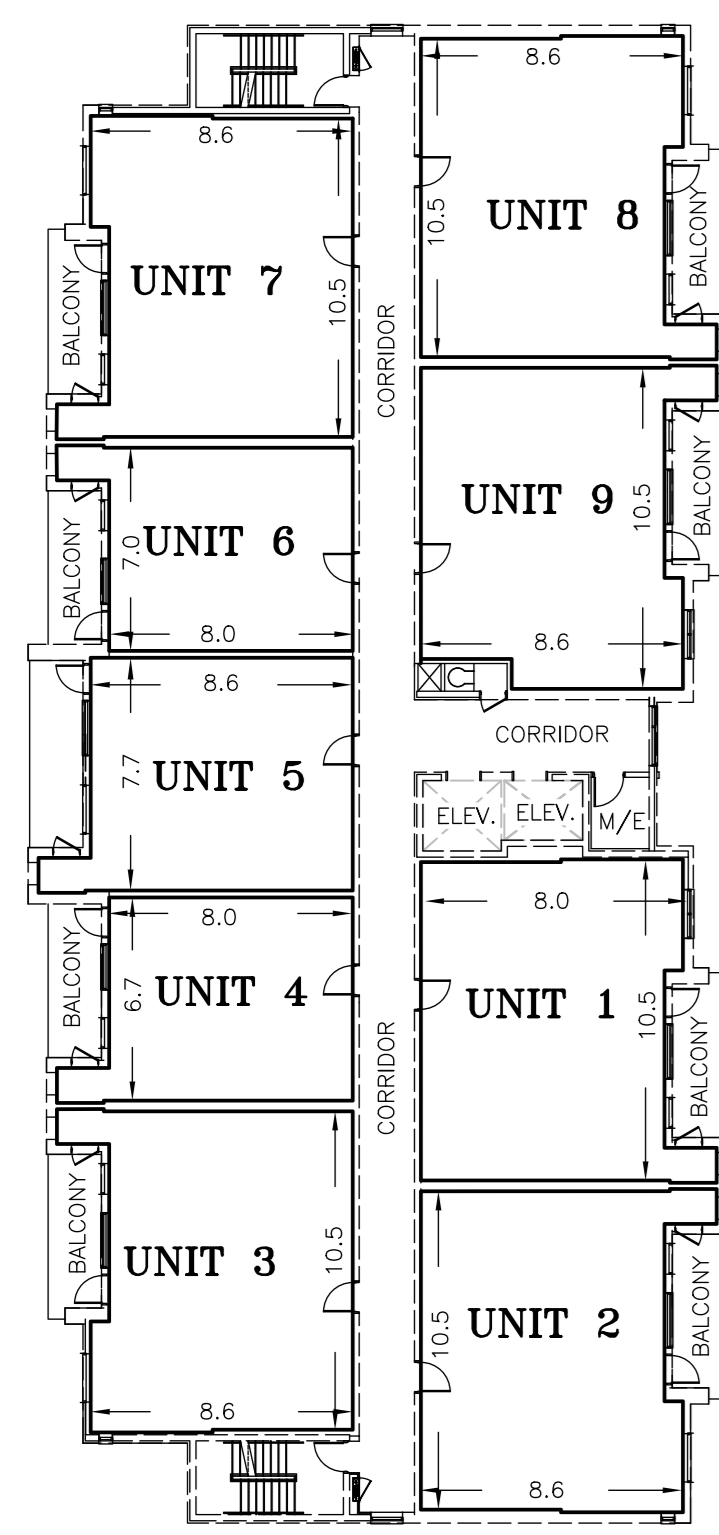
Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Manager of Growth
Wira Vendrasco	Deputy City Solicitor, Legal Services & Real Estate
Jelena Payne	Commissioner of Economic Development and Innovation
Joe Mancina	Chief Administrative Officer

Notifications:

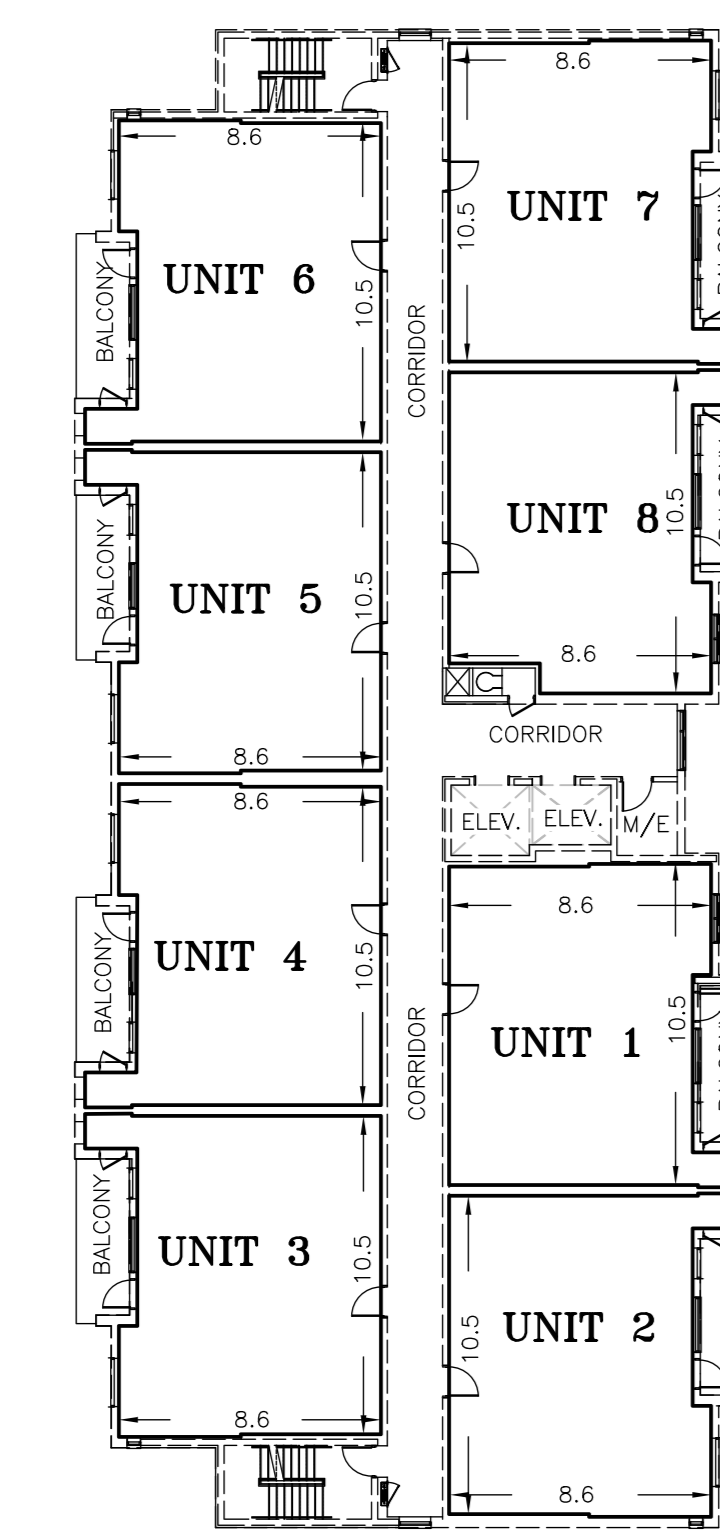
Name	Address	Email
Lankor Horizons Development Inc.	510 Rhodes Drive, Suite 520, Windsor ON	wingon.li@horizoninv.ca
Dillon Consulting Limited (Melanie Muir)	3200 Deziel Drive, Suite 608, Windsor ON	mmuir@dillon.ca

Appendices:

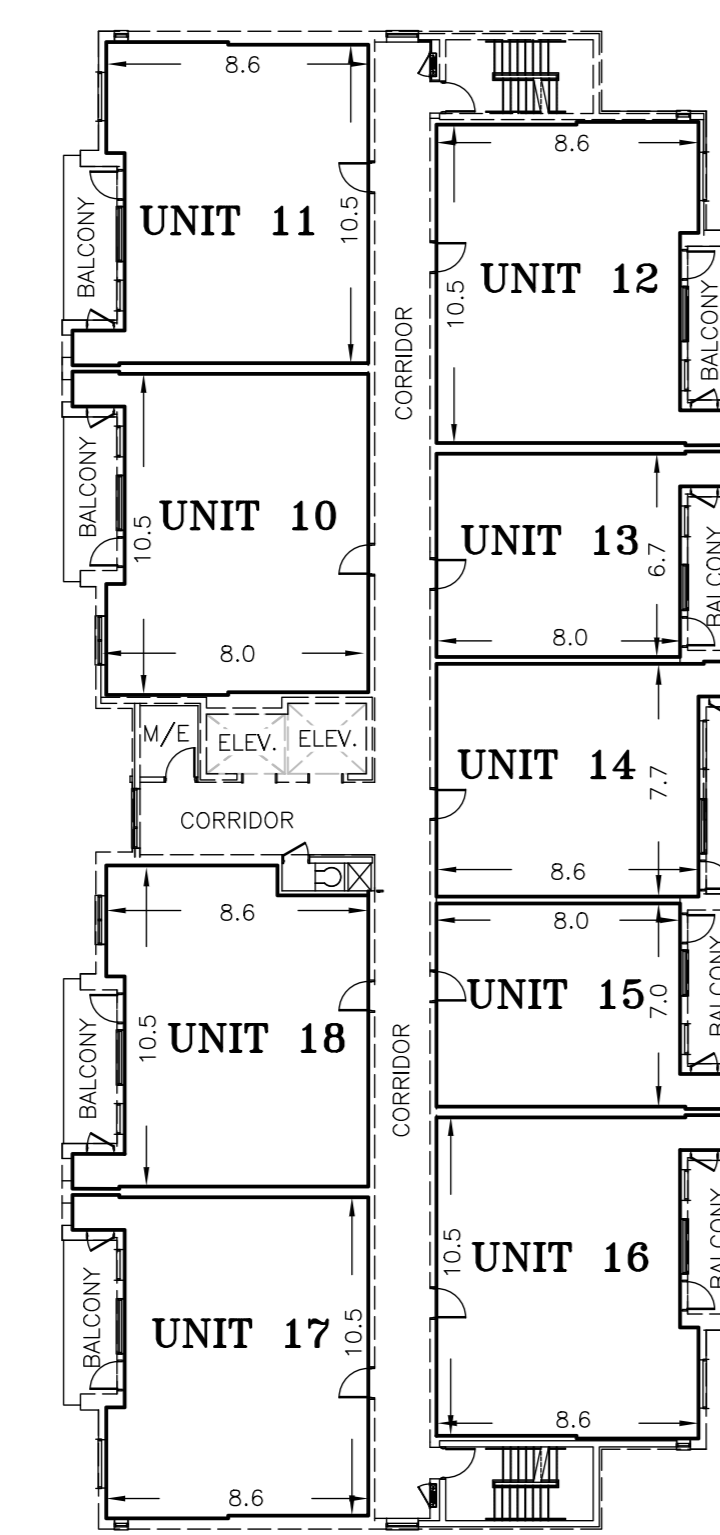
- 1 Proposed Draft Plan of Condominium



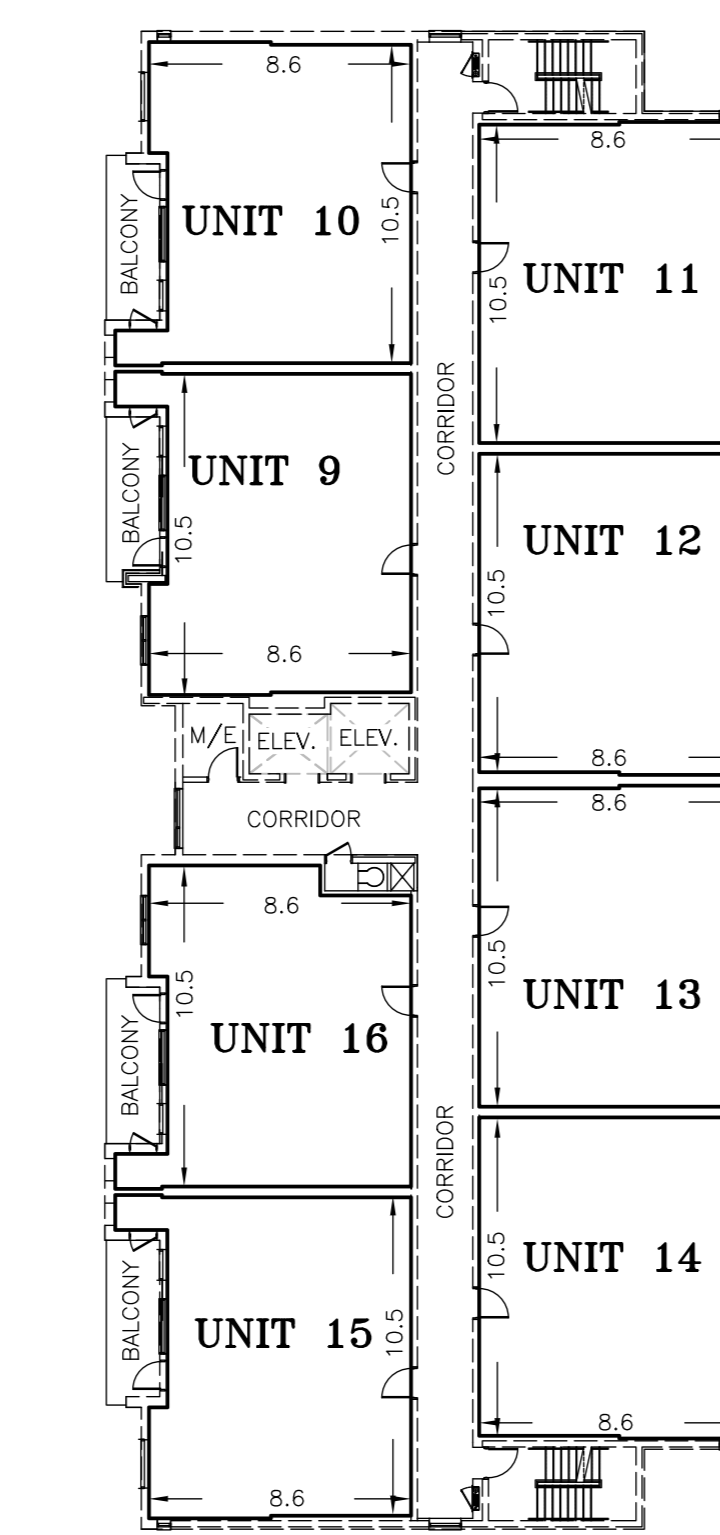
UNITS 1 to 9 (incl.)
LEVEL 2
BUILDING 1
SCALE = 1:250



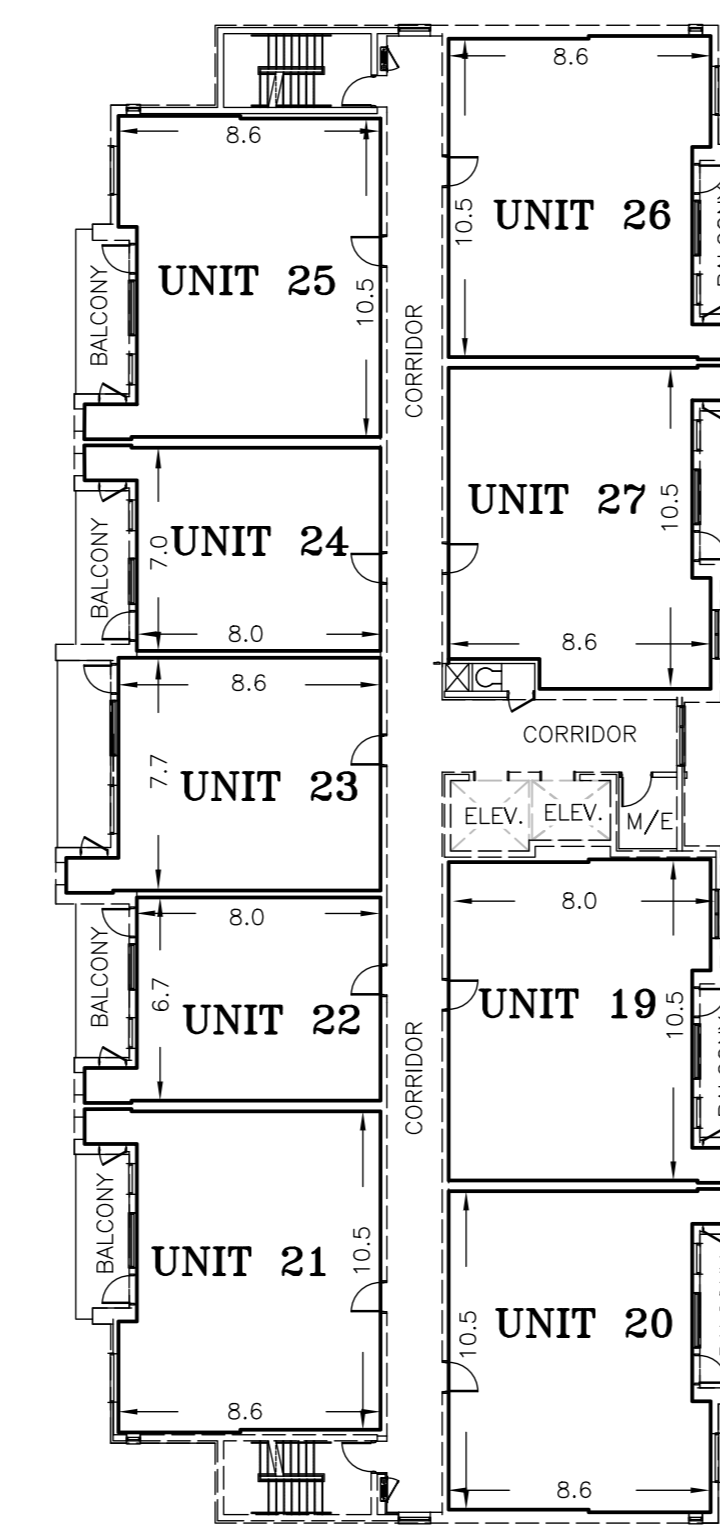
UNITS 1 to 8 (incl.)
LEVELS 3 to 6 (incl.)
BUILDING 3
SCALE = 1:250



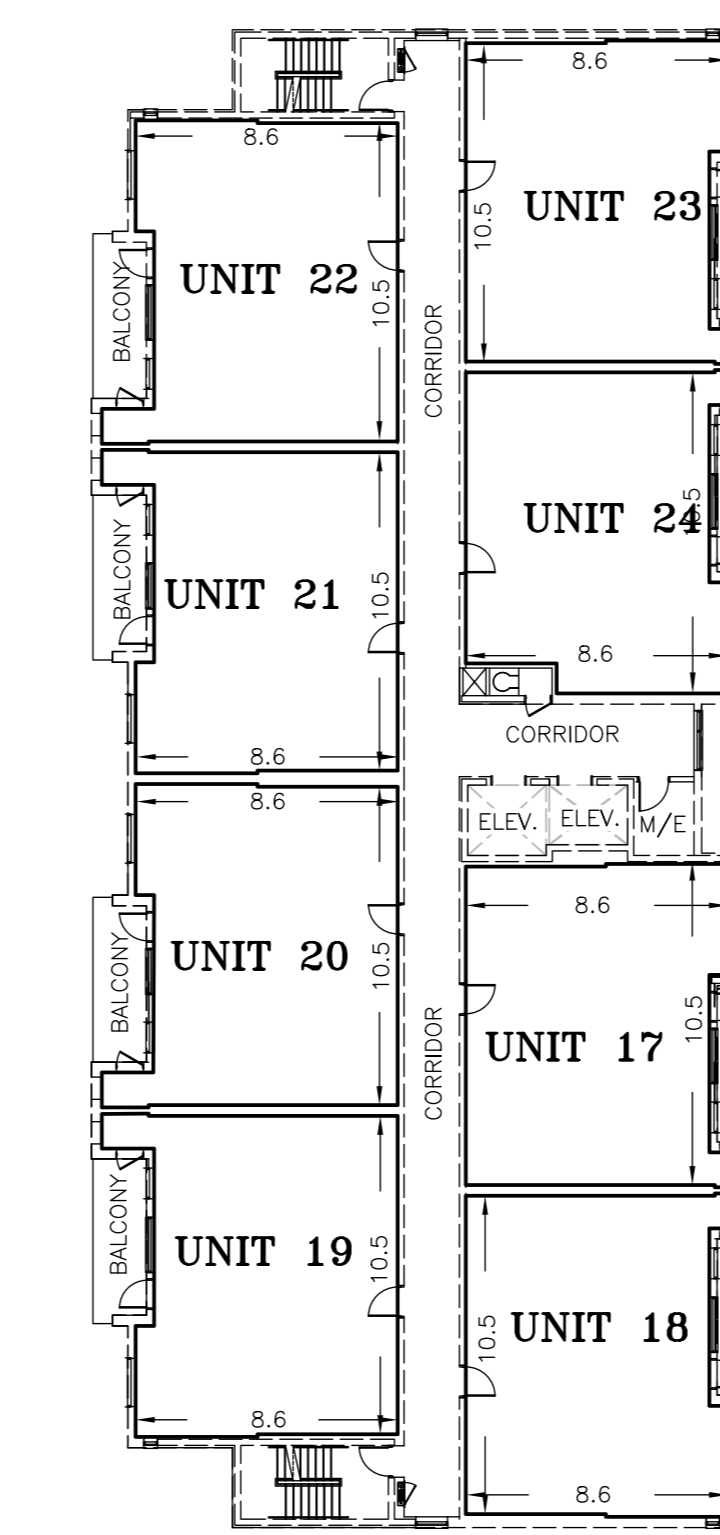
UNITS 10 to 18 (incl.)
LEVEL 2
BUILDING 2
SCALE = 1:250



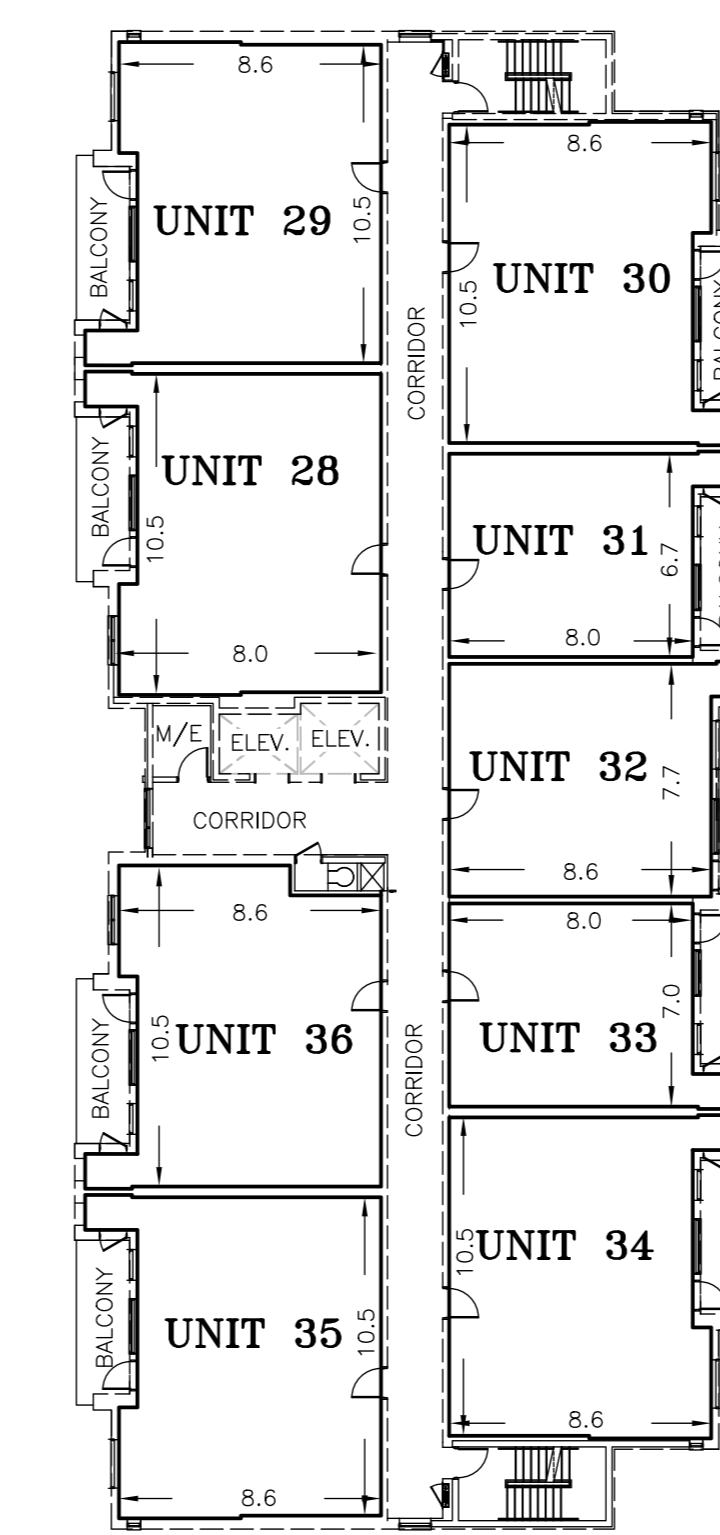
UNITS 9 to 16 (incl.)
LEVELS 3 to 6 (incl.)
BUILDING 2
SCALE = 1:250



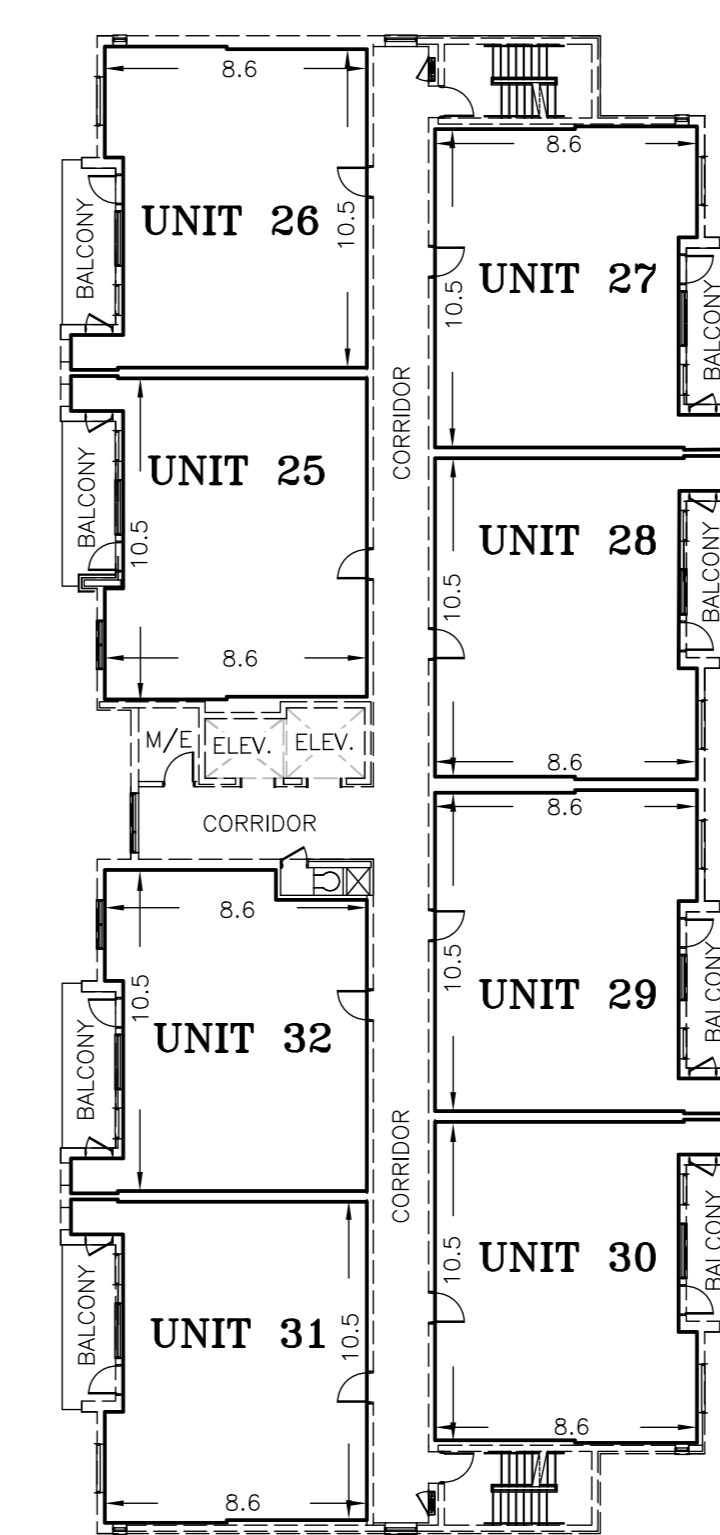
UNITS 19 to 27 (incl.)
LEVEL 2
BUILDING 3
SCALE = 1:250



UNITS 17 to 24 (incl.)
LEVELS 3 to 6 (incl.)
BUILDING 3
SCALE = 1:250



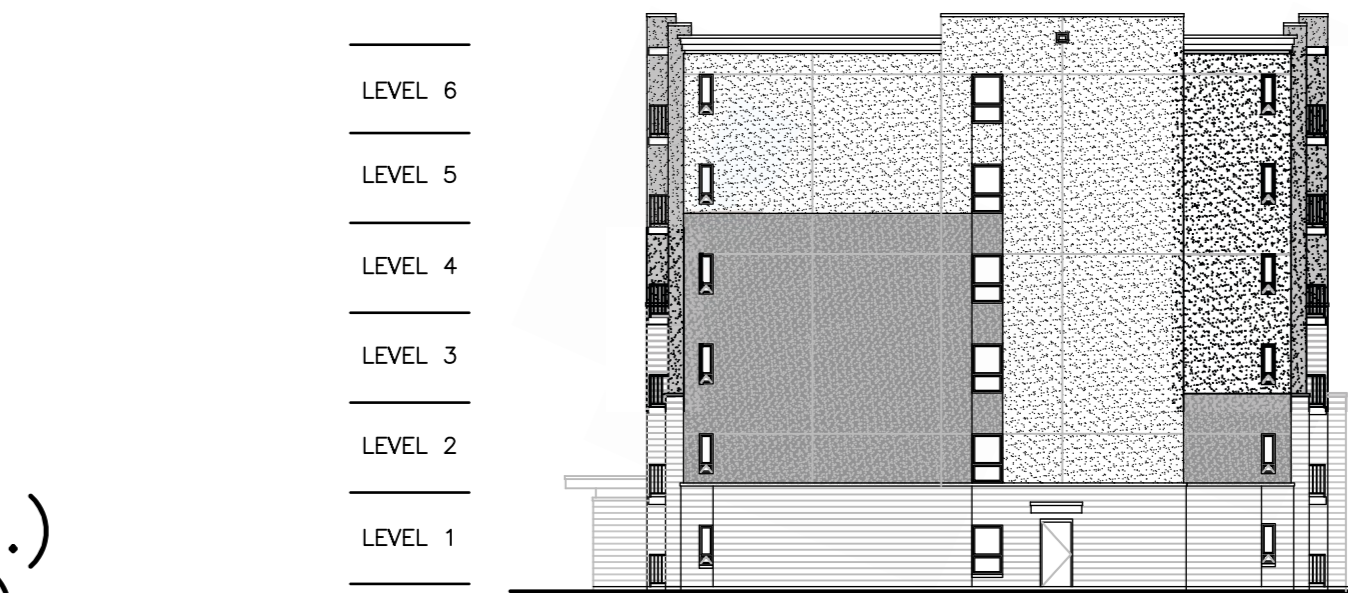
UNITS 28 to 36 (incl.)
LEVEL 2
BUILDING 4
SCALE = 1:250



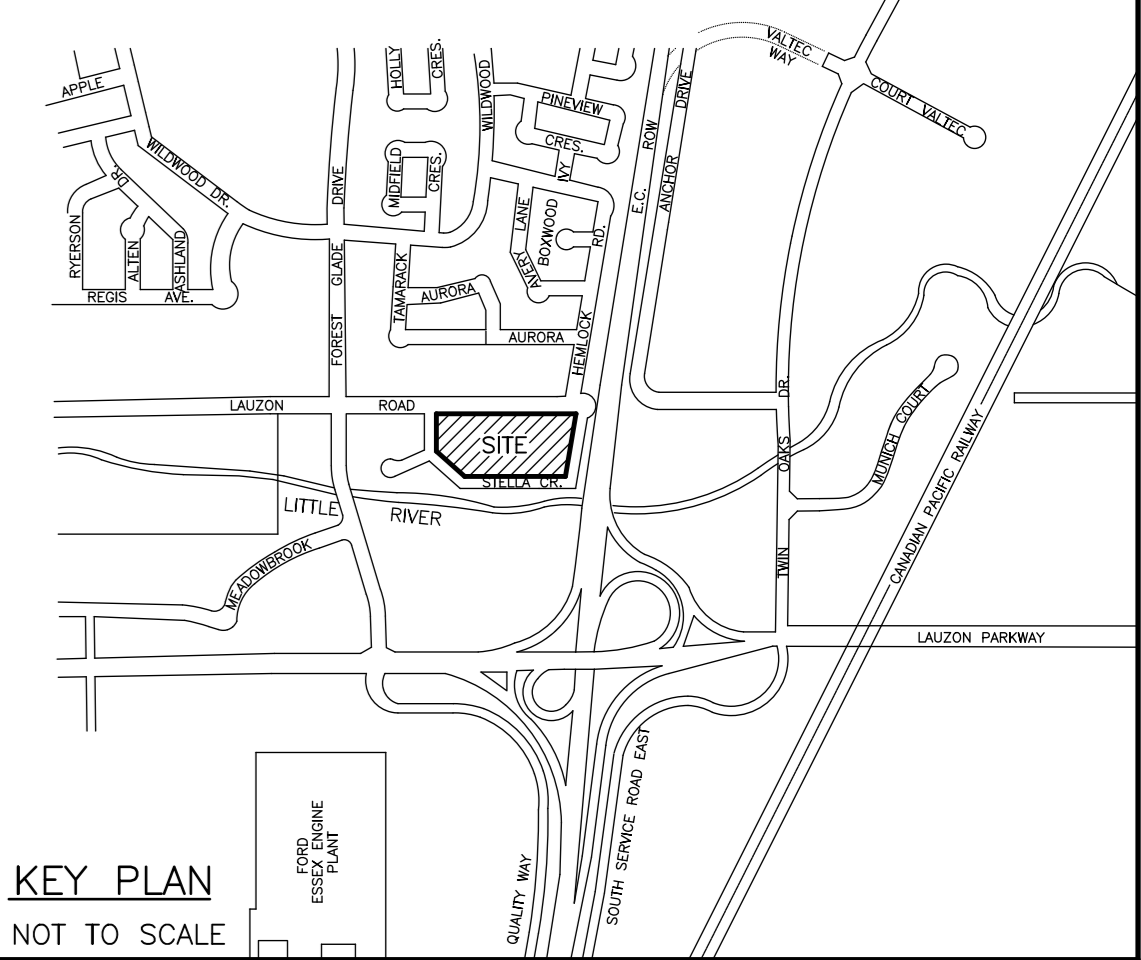
UNITS 25 to 32 (incl.)
LEVELS 3 to 6 (incl.)
BUILDING 4
SCALE = 1:250



FRONT ELEVATION
SCALE = 1:250



SIDE ELEVATION
SCALE = 1:250



DRAFT PLAN OF CONDOMINIUM
OF
PART OF LOT 127,
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF SANDWICH EAST
NOW IN THE
CITY OF WINDSOR
COUNTY OF ESSEX, ONTARIO
© VERHAEGEN LAND SURVEYORS

SCALE = 1:250
5 2.50 5.00 10.00 15.00 METERS
50.00

LEGEND AND NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS) (2015.0).
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99988603.
ALL BEARINGS AND DISTANCES SHOWN HEREON ARE IN AGREEMENT WITH PLAN 12R-28768.

■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SIB DENOTES STANDING IRON BAR
SIB DENOTES SHORT STANDING IRON BAR
B DENOTES IRON BAR
P DENOTES PLASTIC PIPE
WIT DENOTES WITNESS
M DENOTES MEASURED
L DENOTES PERPENDICULAR
S DENOTES SET
CRP DENOTES OBSERVED REFERENCE POINT
(CU) DENOTES CURB UNDERMINED
ALL SET SIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PRESENCE OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF OREG. 525/91.
--- DENOTES UNIT BOUNDARIES
--- DENOTES EXTERIOR FACE OF STRUCTURAL WALLS
V DENOTES VESTIBULAR SPACE
PT DENOTES PATIO AREA
P DENOTES HANDICAP PARKING SPACE

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

a) on draft Plan g) on draft Plan
b) on draft Plan h) municipal water
c) on draft Plan i) sewer line
d) residential condominium units j) on draft Plan
e) on draft Plan k) all municipal services available
f) on draft Plan l) on draft Plan

SITE AREA
1.775 HECTARES / 4.366 ACRES
1127 RESIDENTIAL UNITS
199 RESIDENTIAL UNITS

DENSITY
1127 RESIDENTIAL UNITS PER HECTARE
45.6 RESIDENTIAL UNITS PER ACRE

SITE INFORMATION

BUILDING 1						
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL
LEVEL 1	8	15	37	3	9	
LEVEL 2	9					
LEVEL 3	8					
LEVEL 4	8					
LEVEL 5	8					
LEVEL 6	8					
TOTAL	49	15	37	3	9	
BUILDING 2						
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL
LEVEL 1	8	15	37	2	9	
LEVEL 2	9					
LEVEL 3	8					
LEVEL 4	8					
LEVEL 5	8					
LEVEL 6	8					
TOTAL	50	15	37	2	9	
BUILDING 3						
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL
LEVEL 1	8	15	37	3	9	
LEVEL 2	9					
LEVEL 3	8					
LEVEL 4	8					
LEVEL 5	8					
LEVEL 6	8					
TOTAL	50	15	37	3	9	
BUILDING 4						
LEVEL	NUMBER OF RESIDENTIAL UNITS PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL	NUMBER OF OPEN PARKING SPACES PER LEVEL
LEVEL 1	9	15	38	2	10	
LEVEL 2	9					
LEVEL 3	8					
LEVEL 4	8					
LEVEL 5	8					
LEVEL 6	8					
TOTAL	50	15	38	2	10	
TOTAL UNITS	199	60	149	10	37	

OWNER'S AUTHORIZATION

I AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL.
FOREST GLADE HORIZONS INC.

DATE: _____ DANNY TSANG
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

SURVEYOR'S CERTIFICATE

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

DATE: NOVEMBER 8, 2021
Roy Simon
ONTOLEND SURVEYOR



DRAWN BY: D.J. CHECKED BY: R.A.S. REFERENCE NO.: 20-47-530-04
CAD FILE: 20-47-530-04.dwg E-WIND-2-127 CAD DATE: November 8, 2021 9:30 AM

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS) (2015.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG. 219/10.

POINT ID	NORTHING	EASTING
CRP-A	14684527.42	6341506.00
CRP-B	14684530.18	6341508.54

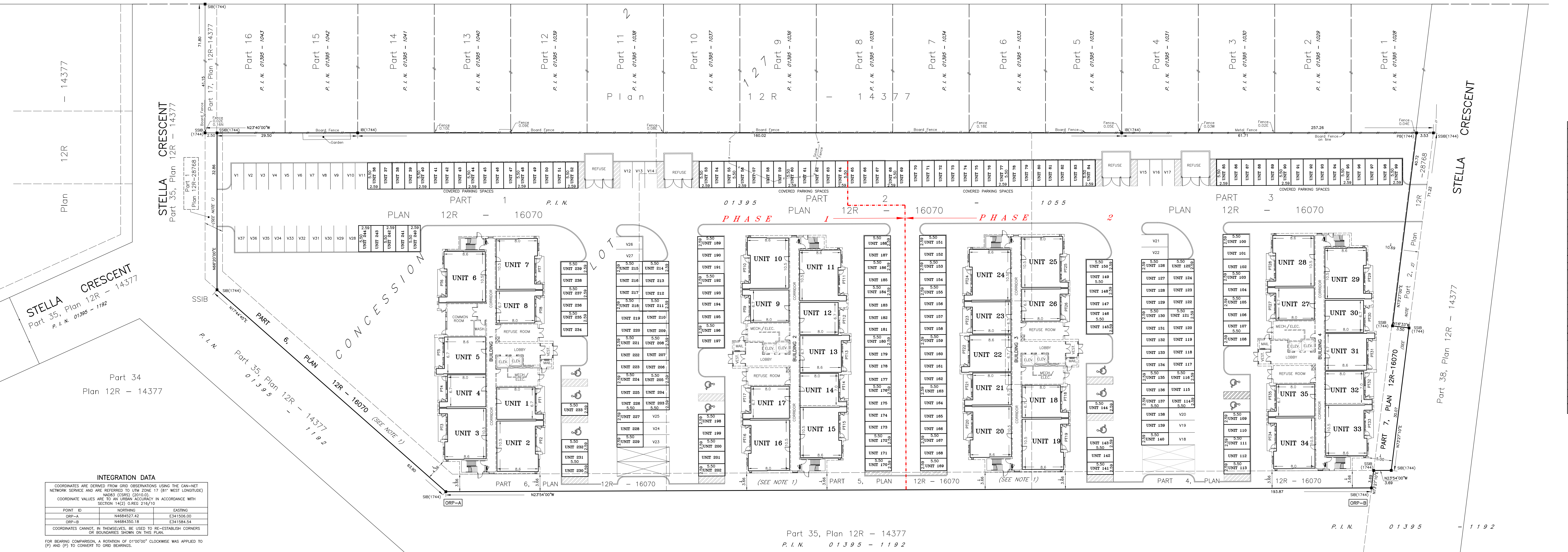
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISON, A ROTATION OF 0°10'00" CLOCKWISE WAS APPLIED TO (P) AND (P) TO CONVERT TO GRID BEARINGS.

NOTE 1: SUBJECT TO AN EASEMENT AS IN INSTRUMENT NO. R1350229
NOTE 2: SUBJECT TO AN EASEMENT AS IN INSTRUMENT NO. R1385405 AND R1385471.

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

LAUZON ROAD



UNITS 1 to 35 (incl.) - RESIDENTIAL
UNITS 36 to 244 (incl.) - PARKING
EXCLUSIVE USE PATIOS P to P35 (incl.) and



Council Report: S 102/2023

Subject: Closure of north/south alley located between Joinville Avenue and Haig Avenue, and two intersecting east/west alleys located west of north/south alley, Ward 8, SAA-6822

Reference:

Date to Council: October 3, 2023
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: August 17, 2023
 Clerk's File #: SAA2023

To: Mayor and Members of City Council

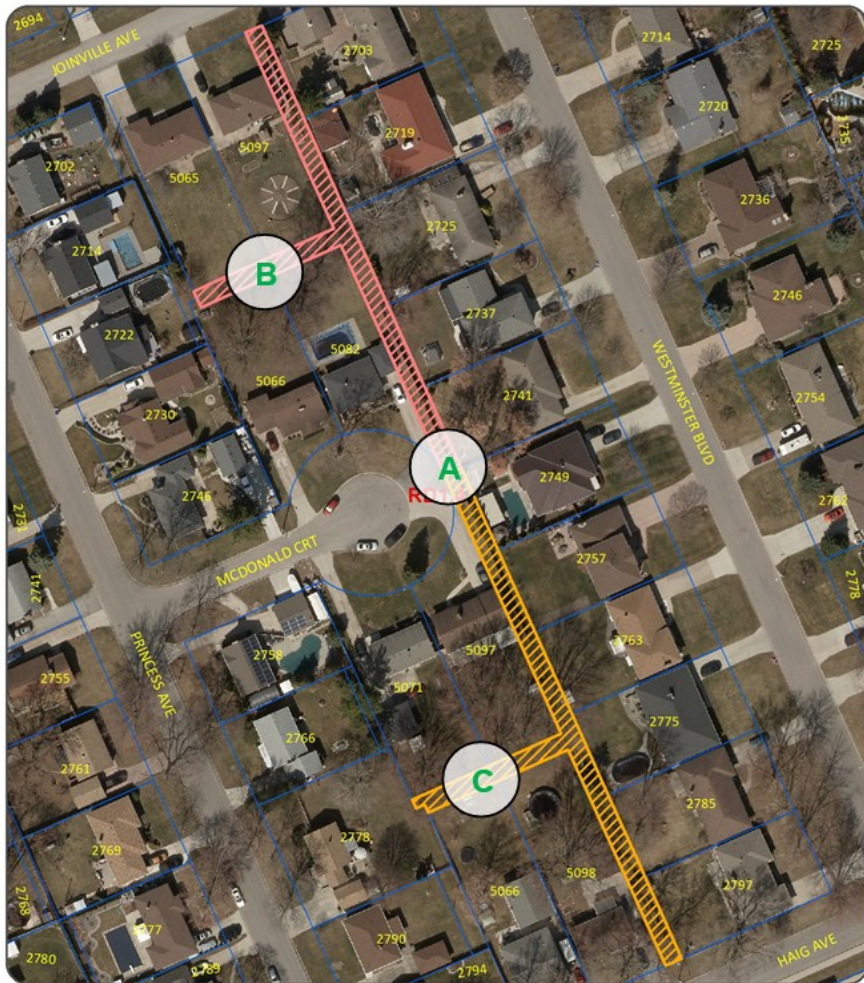
Recommendation:

- I. THAT the 4.27-metre-wide north/south alley located between Joinville Avenue and Haig Avenue, and shown on Drawing No. CC-1835 (*attached* hereto as Appendix "A"), and hereinafter referred to as "Alley A", **BE ASSUMED** for subsequent closure;
- II. THAT Alley A **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 and poles;
 - ii. ENWIN Utilities Ltd. to accommodate existing overhead and underground 120/240V hydro pole distribution, including guy wires and anchors; 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 Lots 68 to 71 on Registered Plan 1167, in which case the middle of the alley shall be used.

- III. THAT the 4.27-metre-wide east/west alley located between Alley A and the west limit of the property known municipally as 5065 Joinville Avenue (legally described as Lot 114 & Part of Lot 113, Plan 1107), and shown on Drawing No. CC-1835 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “Alley B”, **BE ASSUMED** for subsequent closure; THAT Alley B **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner;
- V. THAT the 4.27-metre-wide east/west alley located between the Alley A and the west limit of the property known municipally as 5066 Haig Avenue (legally described as Lot 142 & Part of Lot 143, Plan 1107), and shown on Drawing No. CC-1835 (*attached* hereto as Appendix “A”), and hereinafter referred to as the “Alley C”, **BE ASSUMED** for subsequent closure; THAT Alley C **BE CLOSED AND CONVEYED** to the abutting property owners and as necessary, in a manner deemed appropriate by the City Planner;
- VII. 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.
- VIII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1835, *attached* hereto as Appendix “A”;
- IX. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- X. 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;
- XI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/6822)

1:1,000

APPLICANT : SALEH YAVARI & REYHANEH YAVARI

REQUESTED & TO BE RECOMMENDED FOR CLOSURE
 TO BE RECOMMENDED FOR CLOSURE



PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2023

Figure 1 - Location Map

Background:

The applicants, Reyhaneh and Saleh Yavari, owners of the property known municipally as 5082 McDonald Court (the subject property), applied to close the portion of the north/south alley and east/west alley abutting the subject property to the east and north respectively, and shown on Drawing No. CC-1835 *attached* hereto as Appendix "A", and also shown on the aerial photo *attached* hereto as Appendix "B".

The Planning Department is recommending the full closure of the aforesaid north/south alley located between Joinville Avenue and Haig Avenue (hereinafter referred to as Alley A), aforesaid east/west alley located between Alley A and the west limit of 5065 Joinville Avenue (hereinafter referred to as Alley B), and the east/west alley located

between Alley A and the west limit of 5066 Haig Avenue (hereinafter referred to as Alley C) (refer to Figure 1 above).

Alley A was established by Registered Plan 1167 (Westminster Boulevard Subdivision), registered on May 2, 1925. Alleys B & C were established by Registered Plan 1107, registered on March 7, 1924. Alleys A, B & C were used for agricultural purposes until approximately 1955 when the abutting lands began to be developed as Single Family Dwelling lots (Refer to Figure 2 below).



Figure 2 - 1954 Aerial Photo

(Ontario Department of Lands and Forests)

City of Windsor aerial photography from 1977 to 2021 illustrates that Alleys A, B & C have been encroached on over the years by abutting properties with accessory buildings, fences, landscaping and/or structures.

The following table illustrates that the majority of properties roughly encroached into their abutting half of Alley A. This excludes 2719 Westminster Boulevard, 2725 Westminster Boulevard and the subject property which did not encroach into Alley A, as well as 5097 Joinville Avenue which encroached into 2719 Westminster Boulevard's half of Alley A. Alley A also contains utility poles with guy wires and anchors, as well as underground hydro wires. There are no Encroachment Agreements on record for the use of the alley.

Alley A	Extent of Encroachment			
	Abutting Property	Full	Half (Approx.)	None
2703 Westminster Blvd			x	
2719 Westminster Blvd				x
2725 Westminster Blvd				x
2737 Westminster Blvd			x	
2741 Westminster Blvd			x	
2749 Westminster Blvd			x	
2757 Westminster Blvd			x	
2763 Westminster Blvd			x	
2775 Westminster Blvd			x	
2785 Westminster Blvd			x	
2797 Westminster Blvd			x	
5082 McDonald Ct				x
5097 Joinville Ave	x		x	
5097 McDonald Ct			x	
5098 Haig Ave			x	

5065 Joinville Avenue and 5097 Joinville Avenue encroached into their half and 2719 Westminster Boulevard and 2725 Westminster Boulevard’s half of Alley B respectively. There are no Encroachment Agreements on record for the use of the alley.

5071 McDonald Court and 5097 McDonald Court encroached into their half and 5066 Haig Avenue and 5098 Haig Avenue’s half of Alley C respectively. There are no Encroachment Agreements on record for the use of the alley.

The applicant wishes to close the abutting alleys for the purpose of preventing vandalism, reducing litter and improving ease of access for maintenance (i.e. grass cutting, weeding, etc.).

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. Alleys A, B & C do not serve any commercial properties.

2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. Alleys A, B & C do 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. Alleys A, B & C do not contain any sewers.
4. *Does the subject alley serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. Alleys A, B & C do not serve as a means of 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. Alleys A, B & C do not contain any Fire Department connections.
6. *Does the subject alley lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. Alleys A, B & C do not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the Alleys A, B & C “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire Alleys A, B & C in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the alley to the abutting property owners, which is the standard manner of conveyance. This includes 5066 Haig Avenue, 5066 McDonald Court, 5082 McDonald Court and 5098 Haig Avenue in order to be as fair as possible in conveying Alleys B & C which no abutting property owners have permission to encroach upon.

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 R1.4 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 Alleys A, B & C 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 Alley A 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 Planning Department further recommends closure of the Alleys B & C shown on attached Appendix "A", as in Recommendations IV & VI of this report respectively.

The closed Alleys A, B & C are to be conveyed to the abutting property owners as in Recommendations II, IV & VI of this report, respectively.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP *JM*

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Counsel, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

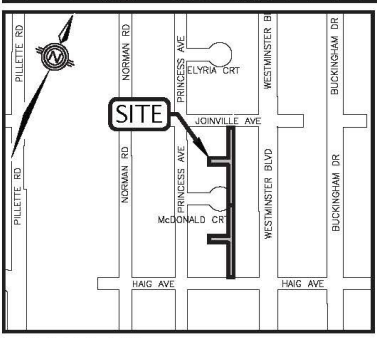
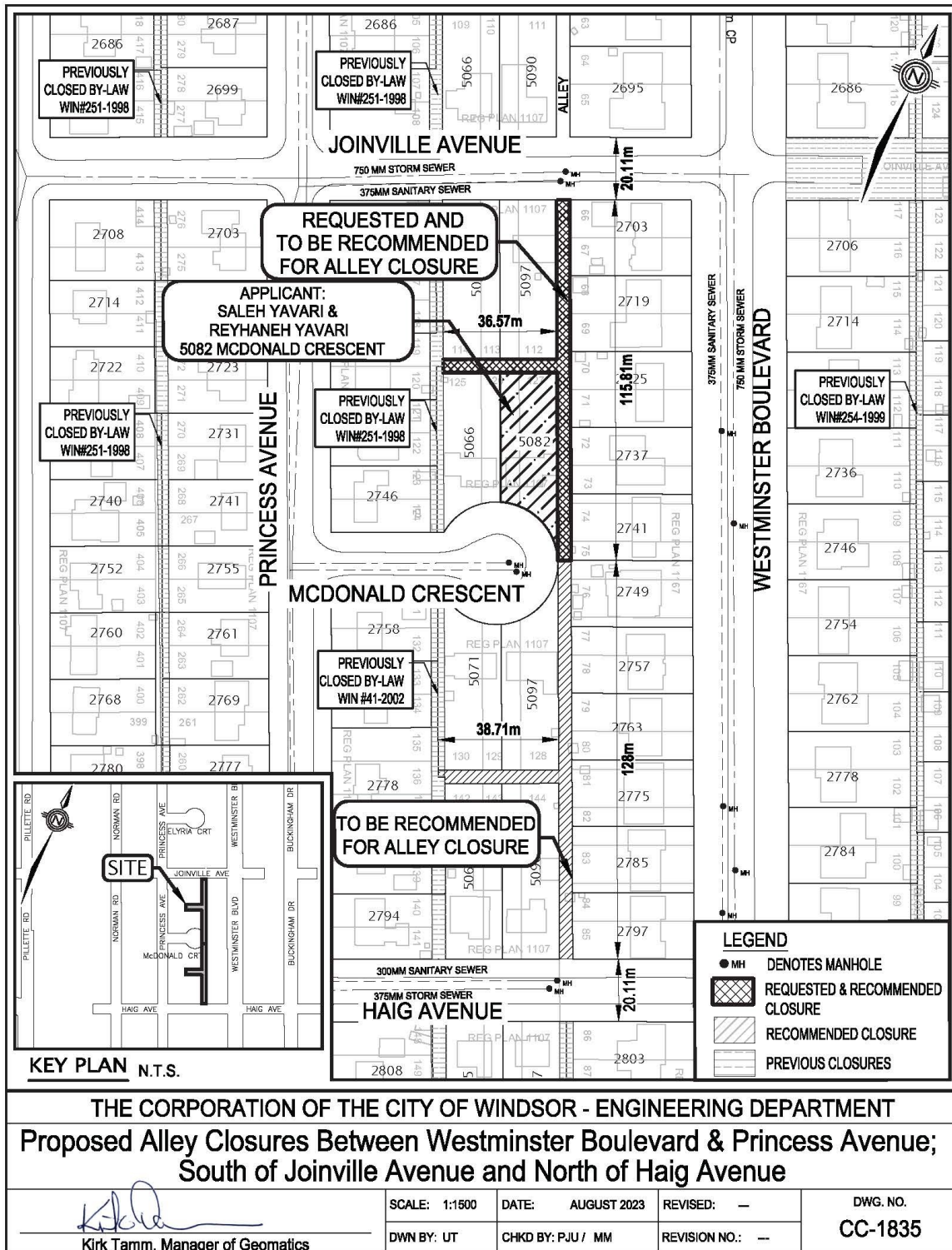
Name	Address	Email
Ward 8 Councillor Gary Kaschak	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	gkaschak@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1835
- 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-1835



LEGEND

- MH DENOTES MANHOLE
- REQUESTED & RECOMMENDED CLOSURE
- RECOMMENDED CLOSURE
- PREVIOUS CLOSURES

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

**Proposed Alley Closures Between Westminster Boulevard & Princess Avenue;
South of Joinville Avenue and North of Haig Avenue**

 Kirk Tamm, Manager of Geomatics	SCALE: 1:1500	DATE: AUGUST 2023	REVISED: —	DWG. NO. CC-1835
	DWN BY: UT	CHKD BY: PJU / MM	REVISION NO.: —	

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6822)

1:1,000

APPLICANT : SALEH YAVARI & REYHANEH YAVARI



REQUESTED & TO BE RECOMMENDED FOR CLOSURE



TO BE RECOMMENDED FOR CLOSURE



PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2023

APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada requests easement protection for the length of the N/S alley between Haig and Joinville.

Easement to be 3.0 m wide, 1.5 m on either side of existing aerial facilities, or the width of the alley for the length of the alley.

[Charleyne Hall - Bell Canada External Liaison, Right of Way & Indigenous Relation]



STREET & ALLEY CLOSING (SAA/6822)

1:1,000

APPLICANT : SALEH YAVARI & REYHANEH YAVARI

▨ REQUESTED & TO BE RECOMMENDED FOR CLOSURE ▨ TO BE RECOMMENDED FOR CLOSURE

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: MAY, 2023



COGECO CABLE SYSTEMS INC.

No comments provided

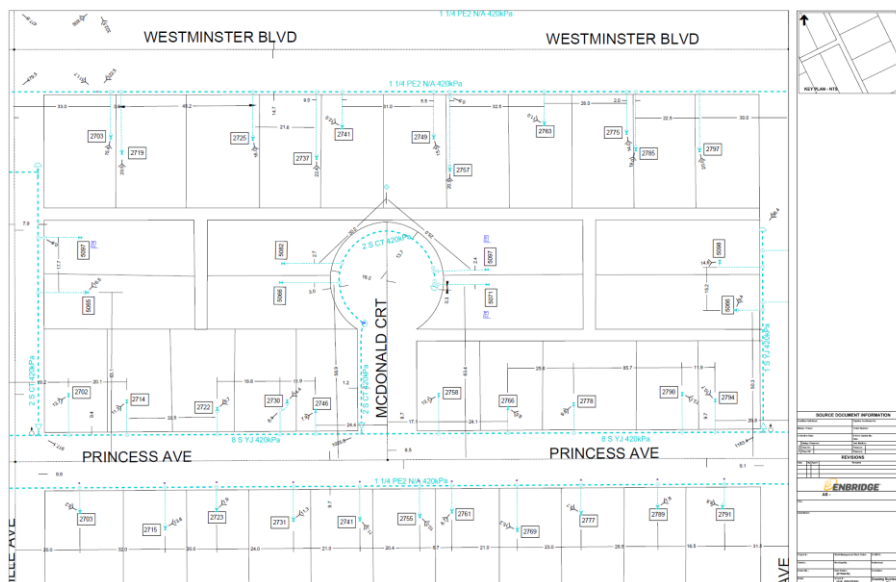
ENBRIDGE GAS

After reviewing the provided drawing of the alley between Princess Ave and Westminster Blvd (south of Joinville Ave & north of Haig Ave) and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

[Samuel Nguyen - Summer Student Engineer]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

May 30, 2023 (Remainder of north/south alley and southerly east/west alley)

No objection, however, an easement named to ENWIN Utilities Ltd may be required in the N/S alley (if closing) to accommodate existing overhead 120/240-volt hydro distribution.

November 10, 2022

No objection provided clearances are maintained from our distribution plant. However, an easement named to ENWIN Utilities Ltd., will be required for north to the south limit of the property to accommodate for the existing overhead and underground 120/240V hydro pole distribution.

Please see attached for the highlighted area of easement needed.

Please note the following distribution and services:

- Overhead 120/240V triplex secondary distribution pole line and associated down guy wires/ anchors servicing multiple residential houses along the alleyway.
- Underground 120/240V Triplex Secondary service to multiple residential houses along the alleyway.
- Pole #0012311 has the underground 120/240V Triplex secondary distribution servicing 2737 and 2741 Westminster Blvd.
- Pole #0012312 has a down guy and anchor attached in line with the pole line.

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.

ENWINs easement guidelines:

Overhead

A 3 m (10 ft.) Easement is required for a straight pole line 1.5 m (5 ft.) (on each side). This takes into consideration a 0.3 m (1 ft.) pole diameter, 0.46 m (1.5ft) primary insulator, and 0.9 m (3ft.) clearance from any nearby structure.

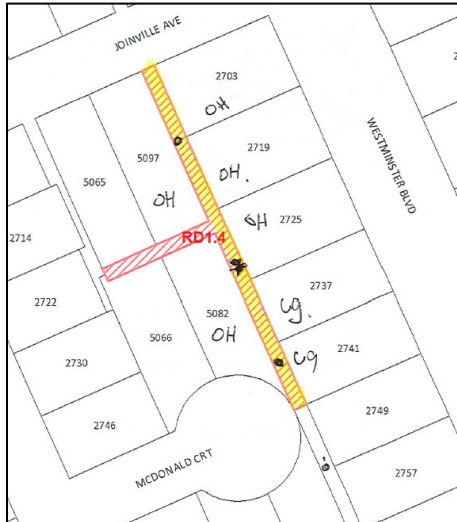
Guy and Anchor

The easement for the guy and anchor is 3.0 m (10 ft.) wide easement is required into private property. This easement should extend 1.0 m (3.3 ft.) into the property.

Underground Cable

A 0.6 m (2.0 ft.) easement on either side of a duct bank is required for underground installations.

[Tia McCloskey - Hydro Engineering Technologist]



ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting RD1.4, \$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.

[Stephanie Santos - Coordinator of Real Estate Services]

MNSi

MNSi would like an Aerial Easement through all the Alley closures.

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

No concerns from Natural Areas.

[Karen Alexander - Naturalist & Outreach Coordinator]

No objections from Parks Design & Development.

[Sherif Barsom - Landscape Architect]

No tree relevant concern here.

[Yemi Adeyeye - City Forester / Manager Forestry & Natural Areas]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objections from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The proposed alley closure is composed of grass and dirt. There are no sewers, catch basins, or manholes within the alley. There are hydro poles within the alley; an easement will be required for utilities. There are many encroachments within the alley from Joinville Avenue to Haig Avenue. Public Works requests that the entire north-south alley from Joinville Avenue to Haig A be closed as part of this application. Otherwise, the eight (8) properties with encroachments would be required to remove their objects from the alley or enter into an encroachment agreement with the City. This subject alley has no usefulness as per CR146/2005; therefore, we have no objections to the closure, subject to the utility easement.

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

PUBLIC WORKS - OPERATIONS

There are no maintenance concerns and the application is supported.

[Roberta Harrison - Coordinator Maintenance]

PUBLIC WORKS - TRAFFIC

The alley systems shown are not required for vehicular or pedestrian access. As such, there are no objections with closing both sections of alley as shown.

Consideration should be given to close the remaining sections of alley to the south to reduce the City's maintenance.

[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

The alley does not appear to be used for transportation purposes therefore we have no concerns.

[Clare Amicarelli - Transportation Planning Coordinator]

TRANSIT WINDSOR

No concerns from Transit Windsor

[Jason Scott - Supervisor Planning]

WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of these sections alley extending from Joinville Avenue to Haig Avenue, between Westminster Boulevard and Princess Avenue to prevent vandalism and illegal dumping. The alley spaces in question are grassed over and largely accessible to primarily pedestrian traffic. In this regard, its closure will not create problems for police to otherwise gain access for emergency incident response or vehicle patrol purposes within the immediate area. The closure will still leave other options available to the police for such purposes. Closure will help facilitate improved physical measures by abutting property owners to restrict/prevent discreet access that may lead to the vandalism and illegal dumping problems identified by the applicant. The end result from this closure will hopefully mitigate problems going forward.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (April 20, 2023)



Figure 1 - Looking north towards north/south alley from McDonald Court



Figure 2 - North/south alley looking south from 5082 McDonald Court



Figure 3 - North/south alley looking north from 5082 McDonald Court



Figure 4 - North/south alley looking south from east/west alley (5082 McDonald Court on right)



Figure 5 - North/south alley looking north from east/west alley (5097 Joinville Avenue on left)



Figure 6 - Looking east towards north/south alley from east/west alley (5082 McDonald Court on right)



Figure 7 - Looking south towards north/south alley from Joinville Avenue (5097 Joinville Avenue on right)



Figure 8 - Looking west towards east/west alley from north/south alley (5082 McDonald Court on left)



*Figure 9 - Looking north towards north/south alley from Haig Avenue (5098 Haig Avenue on left)
(January 2021 Google Street View)*



*Figure 10 - Looking north towards north/south alley from Haig Avenue (5098 Haig Avenue on left)
(January 2021 Google Street View)*

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 109/2023

Subject: Closure of north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue, Ward 2, SAA-6848

Reference:

Date to Council: October 3, 2023
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: August 22, 2023
 Clerk's File #: SAA2023

To: Mayor and Members of City Council

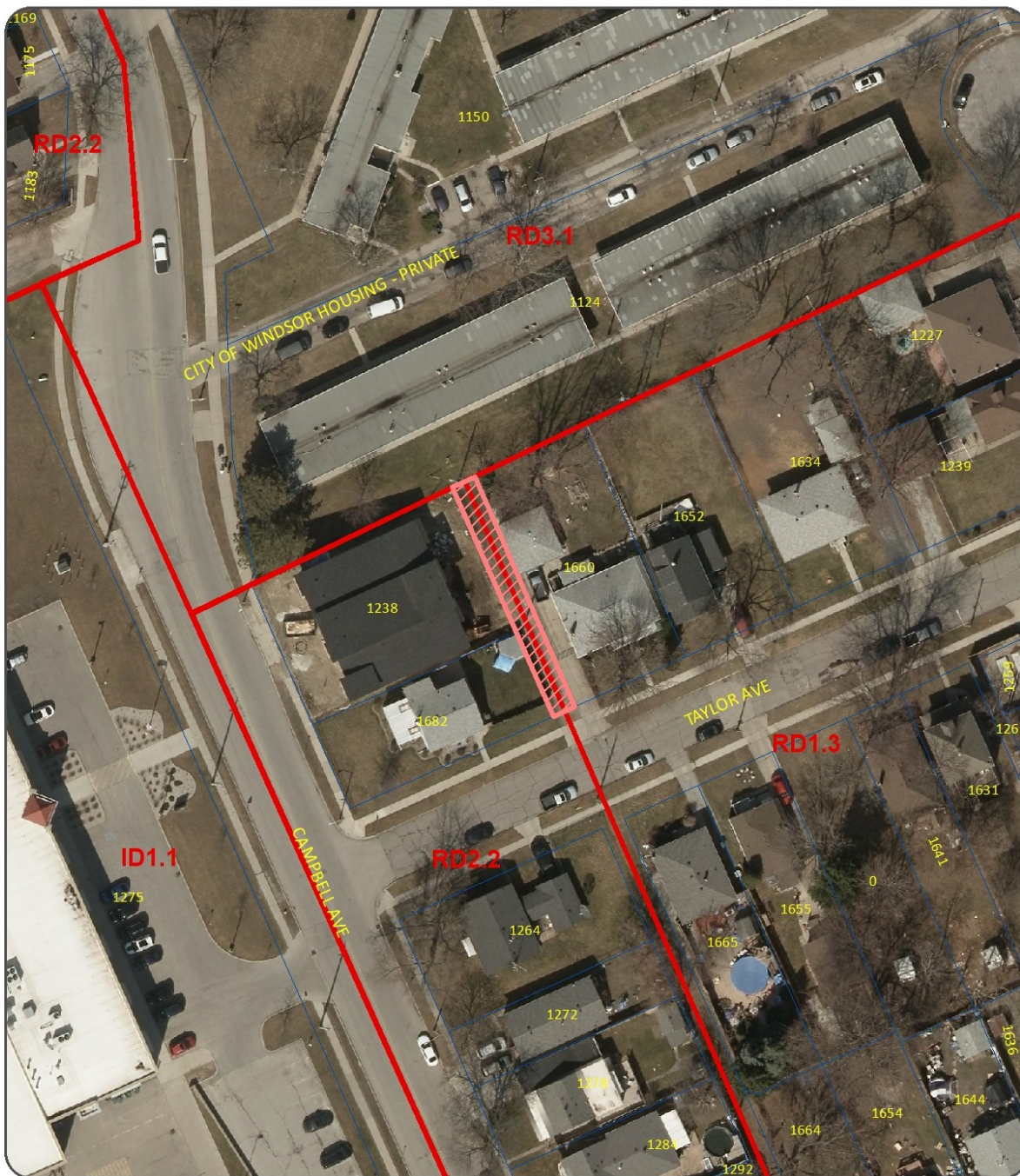
Recommendation:

- I. THAT the 3.66-metre-wide north/south alley located between Taylor Avenue and the property known municipally as 1124-1224 Campbell Avenue (legally described as Part of Lot 1, Plan 64; Lots 27, 28, 45-58, Part of Closed Alley & McEwan, Plan 1367), and shown on Drawing No. CC-1837 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject alley", **BE ASSUMED** for subsequent closure. THAT the subject alley **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 1238 Campbell Avenue (legally described as Lots 1 & 2, Part of Lot 3, Plan 669) 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 infrastructure; and
 - ii. ENWIN Utilities Ltd. to accommodate the poles and existing secondary overhead conductors.
 - b. Easement subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The owner of the property known municipally as 1660 Taylor Avenue (legally described as Lots 33 to 34 & Part of Closed Alley, Plan 669) for access to repair and maintain the west face of the existing detached garage on the said property.

- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned RD1.3 or 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-1837, *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.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/6848)

1:750

APPLICANT : DAVID TRAN & KENG FU

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: JULY, 2023



Figure 1 - Location Map

Background:

The applicant, Avant Group Inc., authorized agent for Mouy Fu and David Tran, owners of the property known municipally as 1238 Campbell Avenue (the subject property), applied to close the portion of the north/south alley located between Taylor Avenue and 1124-1224 Campbell Avenue that abuts the subject property, and shown on Drawing No. CC-1837 *attached* hereto as Appendix “A”, and also shown on the aerial photo *attached* hereto as Appendix “B”.

The applicant wishes to close the aforesaid portion of the alley for the purpose of reconfiguring the rear driveways on the subject property to improve their functionality. The applicant indicated that the existing rear yard depth in combination with the narrow alley containing utility poles and a fence along the majority of its east limit creates maneuverability issues for vehicles using the driveways.

The Planning Department is recommending that the entire north/south alley, hereinafter referred to as the alley, be closed.

The alley was established by Registered Plan 669, registered on July 9, 1913. The alley is unmaintained and composed primarily of gravel and concrete with sporadic patches of grass. The alley contains two (2) utility poles with overhead wires, serves as the only vehicular means of access to the subject property and includes a curb cut off of Taylor Avenue.

The aforesaid concrete along with additional gravel were installed in the alley around July 2023. An Order to Comply was subsequently issued against the owners of the subject property for the removal of the concrete and gravel from the alley. The Order to Comply will remain in place until the concrete and gravel is removed or the alley is closed and purchased by the owners of 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 any commercial properties.

2. *Does the subject alley serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The alley serves as the only vehicular means of access to the rear parking area on the subject property which fronts Campbell Avenue, a Class I Collector Road.
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 serves as the only vehicular means of access to the rear parking area on the subject property.
 - b. The subject property has had vehicular access off of the alley since at least 1963.
 - This assessment is based off of the following factors:
 - Completion of Building Permit 62-B-15537 in 1963 for the construction of a detached garage (demolished along with Single Family Dwelling in 2020 to accommodate the present three (3) unit Townhome Dwelling)
 - City of Windsor aerial photography ranging from 1969 to 2021
 - Building Permits for the construction of the three (3) unit Townhome Dwelling, which approve driveways off of the alley
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 areas.

Based on the above, the Planning Department deems the alley “indispensable”.

Notwithstanding the alley being deemed indispensable, the Planning Department is recommending that it be closed and conveyed to the owner of the subject property for the following reasons:

- The aforesaid factors that deem the alley indispensable stem solely from the subject property's use of the alley.
- The conveyance of the alley to either of the other two (2) abutting properties will eliminate the subject property's only means of vehicular access to Taylor Avenue.
- The subject property is not permitted to have a driveway off of Campbell Avenue that would satisfy the parking requirements for the existing three (3) unit Townhome Dwelling.
- A driveway off of an alley and a street is not permitted.

It is our recommendation that, upon closure, the owner of the subject property be given a chance to acquire the alley. Hence the recommendation is to close and convey the alley to the owner of the subject property, which is contrary to the standard manner of conveyance of offering abutting properties first right to acquire their half 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 RD1.3 or RD2.2 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.

The owner of 1660 Taylor Avenue, David Latouf, submitted a written objection to the alley closure via July 17, 2023 email, *attached* hereto as Appendix "F". The owner

stated the possibility for flooding and elimination of access for maintenance purposes as the primary reasons for his objection.

Property Standards By-law 9-2019 prohibits the release of storm water onto neighbouring properties. The elimination of access for property maintenance is not a valid reason for denying the closure of an alley. Notwithstanding, it is recommended that an easement be granted in favour of the owner of 1660 Taylor Avenue for access to repair and maintain the west face of their existing detached garage which is setback 0.39 metres from the alley. This recommendation is based on the existing setback being less than the minimum setback of 0.60 metres set forth under Zoning By-law 8600.

The owner of 1682 Taylor Avenue, Barb Brown, submitted written objections to the alley closure via June 28, 2023 and July 11, 2023 emails, *attached* hereto as Appendix "F". The owner stated the City's denial of her previous driveway request due to it being located within the Taylor Avenue right-of-way and loss of utility services are the primary reasons for her objection.

There is no record of a driveway permit application being submitted for 1682 Taylor Avenue. The Planning Department is recommending that the alley be closed on the condition that an easement is granted in favour of Bell Canada and ENWIN Utilities Ltd. to accommodate their existing infrastructure within the alley.

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 the owner of 1660 Taylor Avenue, as in Recommendation II of this report.

The closed alley is to be conveyed to the owner of the subject property as in Recommendation II report.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

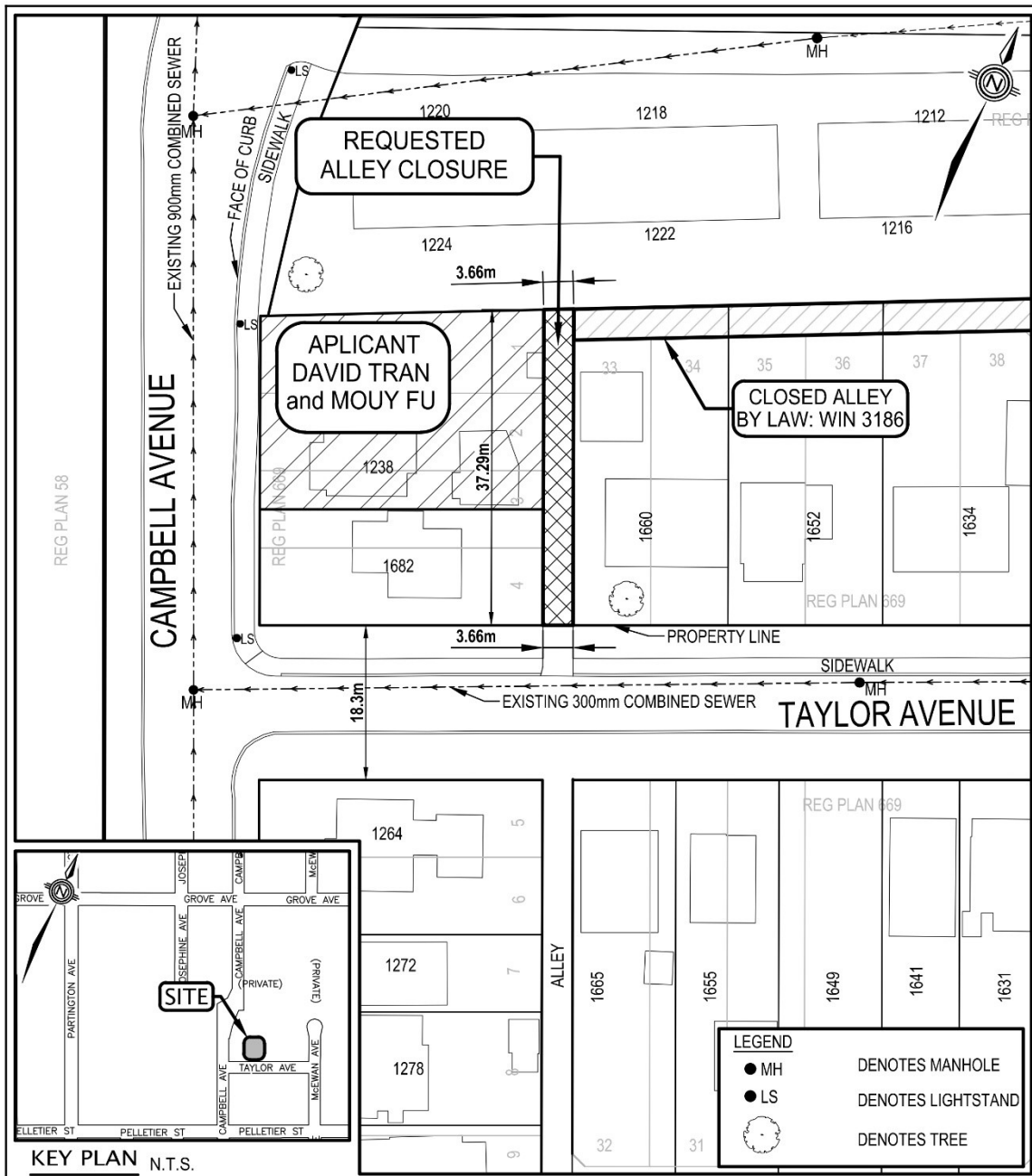
Notifications:

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-1837
- 2 Appendix B - EIS Drawing - Aerial Photo
- 3 Appendix C - Consultations with Municipal Departments and Utility Companies
- 4 Appendix D - Site Photos
- 5 Appendix E - Classification of Alleys and Suitability for Closure
- 6 Appendix F - Neighbourhood Concerns

APPENDIX "A" Drawing No. CC-1837



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT			
Proposed Closure of the North/South Alley abutting 1238 Campbell Avenue, North of Taylor Avenue			
Kirk Tamm, Manager of Geomatics	SCALE: 1:600	DATE: JULY 2023	REVISED: -
	DWN BY: A.Z.	CHKD BY: PJU / MM	REVISION NO.: -
			DWG. NO. CC-1837

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6848)

1:750

APPLICANT : DAVID TRAN & KENG FU

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: JULY, 2023



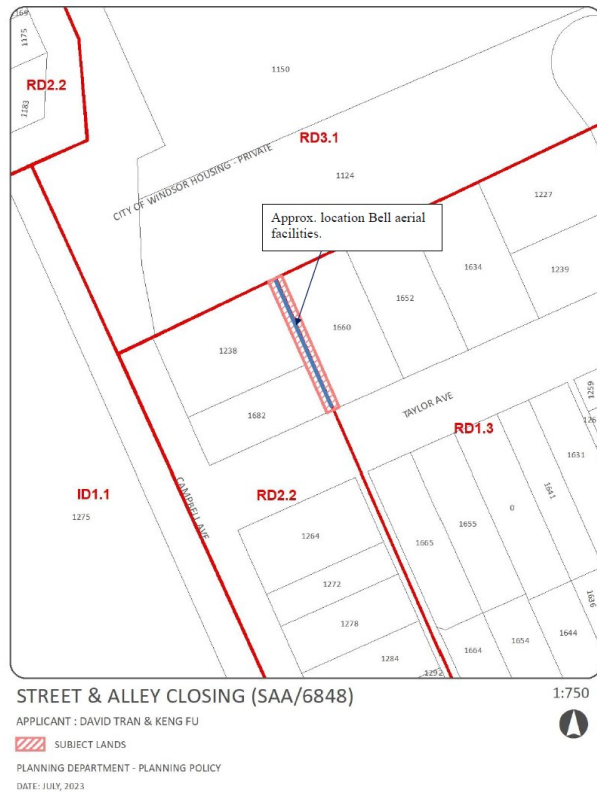
APPENDIX "C"

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, or over the entire closure area whichever is best suited.

[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 of the Alley Behind 1238 Campbell 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:

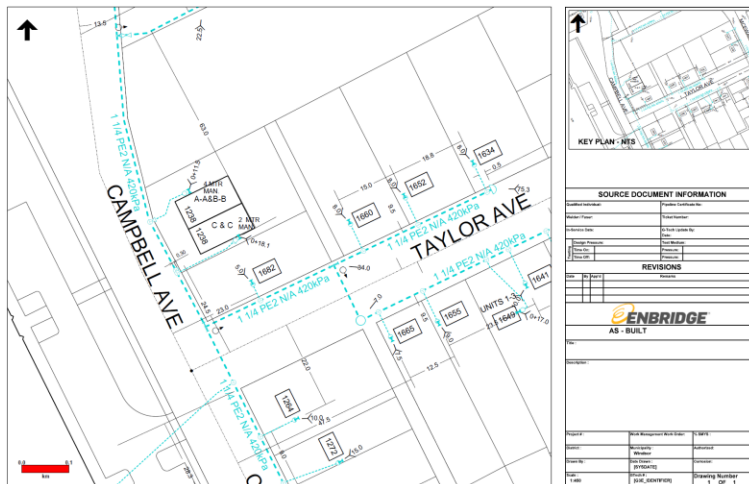
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc.

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

[Samuel Nguyen - Summer Student Engineer]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

No comments provided

ENWIN UTILITIES - WATER

No comments provided

LEGAL DEPARTMENT

No comments provided

MNSi

No comments provided

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

No comments or issues with this SAA/6848 Liaison from Parks Design & Development, Natural Areas and Forestry.

[Sherif Barsom - Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No comments provided

PUBLIC WORKS - ENGINEERING

The subject alley closure is approximately 13 ft. wide, appears to be untraveled, and is composed of grass. There are no municipal sewers or manholes located in the alley. There are hydro poles and overhead wires located in the subject alley, a utility easement would be required. If the alley is closed, the owner of the closed portion of the alley must obtain a driveway permit to complete and maintain the driveway approach to City Standard AS-221 or AS-222. If the closure application is rejected, the property owner of 1238 Campbell Avenue will be required to remove the encroaching gravel and concrete from the alley. The subject alley appears to serve no useful purpose under CR146/2005; therefore, we have no objections to the closure of this alley.

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

PUBLIC WORKS - TRAFFIC

Conveying the entire alley as shown will cut off access from 1268 Campbell to Taylor Avenue should either 1682 or 1660 Taylor purchase and close their portion of the alley and prevent 1268 Campbell from accessing their rear yard parking.

[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. However, please note, if 1682 or 1660 Taylor Ave purchase and close their portion of the alley, this will prevent 1238 Campbell Ave from accessing their rear yard parking.

[Clare Amicarelli - Transportation Planning Coordinator]

TRANSIT WINDSOR

No issues from Transit Windsor.

[Jason Scott - Supervisor, Planning]

WINDSOR FIRE

Fire has no issue

[Mike Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

No comments provided

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos from July 5, 2023 Order to Comply
(File No. VPW 23-31399)



Figure 1 - Looking north towards alley from Taylor Avenue



Figure 2 - Looking south from north end of alley (1238 Campbell Avenue on right)



Figure 3 - Looking south from north end of alley (1238 Campbell Avenue on right)



Figure 4 - Looking south from midpoint of alley (1660 Taylor Avenue 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.

APPENDIX “F” Neighbourhood Concerns

Re: Notice to Close the Alley Abutting 1238 Campbell; North of Taylor; South of Grove - Message (HTML)

File Message BLUEBEAM Tell me what you want to do...

Ignore Delete Reply Reply All Forward IM More Move OneNote Mark Unread Categorize Follow Up Translate Related Select Zoom Change Settings Select Folders

Mon 2023-07-17 6:36 PM

DAVID LATOUF <dlatouf2@cogeco.ca>

Re: Notice to Close the Alley Abutting 1238 Campbell; North of Taylor; South of Grove

To: Matthews, Meghan (She/Her)

You replied to this message on 2023-07-18 11:17 AM.

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 Meghan,

My name is David Latouf. I'm a resident at 1660 Taylor Ave., a neighbour of 1238 Campbell. Thank you for your letter detailing the proposed changes to the alley between our properties.

While I recognize the need for additional multi-family housing units in the city, the abutting properties have had continued issues with the parking situation at 1238 Campbell. I previously sent an email sharing my concerns about the congestion on an otherwise quiet street.

Aside from congestion, my primary concern with the alley closure is the possibility of flooding. The current parking paved areas of 1238 Campbell are sloped toward my property, and if the alley becomes paved as well, I fear that will have repercussions for my already flood-prone property. In addition, the closure will potentially affect access to my property if I or city workers need to do maintenance.

As per the STREET AND ALLEY CLOSING POLICY - CR 130/2006:

if at least 75% of abutting property owners agree to the closure of the alley, the City will assume responsibility for preparation of Reference Plan by an Ontario Land Surveyor showing the limits of the right-of-way to be closed and the manner in which it will be divided between the abutting owners.

Two thirds of the abutting properties (1660 Taylor and 1682 Taylor) do not agree to this alley closure and have concerns about the parking plan at 1238 Campbell.

I strongly advise you to reconsider approving the application to close the above referenced alley. I believe the alley is best left in its current state as city property.

Please feel free to call me with any questions at 519-890-4442.

All the best,
David

David Latouf
1660 Taylor ave. n9b1r6

Garry and Barb Brown
1682 Taylor ave.


RE: SAA/6848 || Alley Closure Application || 1682 Taylor Ave - Message (HTML)

File Message BLUEBEAM Tell me what you want to do...

Ignore Delete Reply Reply Forward Meeting IM More Move OneNote Mark Categorize Follow Translate Find Create PDF Change Settings Select Folders

Delete Respond All Actions Unread Tags Up Editing Zoom Select Folders Bluebeam

Tue 2023-07-11 2:15 PM

 Matthews, Meghan (She/Her)
RE: SAA/6848 || Alley Closure Application || 1682 Taylor Ave

To: 'Barb Brown'

From: Barb Brown <barb_brown578@hotmail.com>
Sent: July 11, 2023 12:47 PM
To: Matthews, Meghan (She/Her) <MMatthews@citywindsor.ca>
Subject: Re: SAA/6848 || Alley Closure Application || 1682 Taylor Ave

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.

Yes received letter today what is the difference closing an alley and him owning it he cant close it due to cable edwin etc poles ... No phone calls from no one its ok he will get what he wants Thank You for all your help my neighbour and I will attend the meeting

From: Barb Brown <barb_brown578@hotmail.com>
Sent: July 11, 2023 6:05 AM
To: Matthews, Meghan (She/Her) <MMatthews@citywindsor.ca>
Subject: Re: SAA/6848 || Alley Closure Application || 1682 Taylor Ave

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 still have heard nothing no letter came . It will pass i am sure the inspectors already c=gave this guy a thumbs up to go ahead and do this.He tore up front city sidewalks to make it decoratative to his decor i am sure the city gave him that too What bothers me is we tried to get a driveway and the city told us we were impeaching on city property and we were turned down , yet this guy can come in and do all this and the city gives him everything , i guess if i was rich i would get a lousy driveway Thanks Barb brown

From: Barb Brown <Barb_Brown578@hotmail.com>
Sent: June 28, 2023 1:08 PM
To: Costante, Fabio
Subject: 1238 Campbell

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.

Fabio anyway to find out if 1238 bought the back alley The owner going around telling people he did ... But i thought you had to have consent from all the neighbours around or in back of alley... He poured a big cement pad back there took the alley cannot fathom the city inspectors giving approval for this ...
Thanks Barb Brown



Council Report: S 41/2023

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

Reference:

Date to Council: October 3, 2023
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: August 22, 2023
 Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 12.19 metre by 30.48 metre portion of the 20.12-metre-wide Lillian Street right-of-way located between Vimy Avenue and Memorial Drive, abutting the property known municipally as 605 Vimy Avenue to the west (legally described as Lot 282 & Part of Lot 283, Plan 1229), and shown on Drawing No. CC-1804 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject property", **BE ASSUMED** for subsequent closure.
- II. THAT the subject property **BE CLOSED AND SOLD AS A BUILDABLE LOT**, 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. ENWIN Utilities Ltd. to accommodate existing 16kV overhead high voltage pole line running east/west through the subject property.
- III. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1804, *attached* hereto as Appendix "A".
- IV. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- V. 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.

VI. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Executive Summary:

N/A

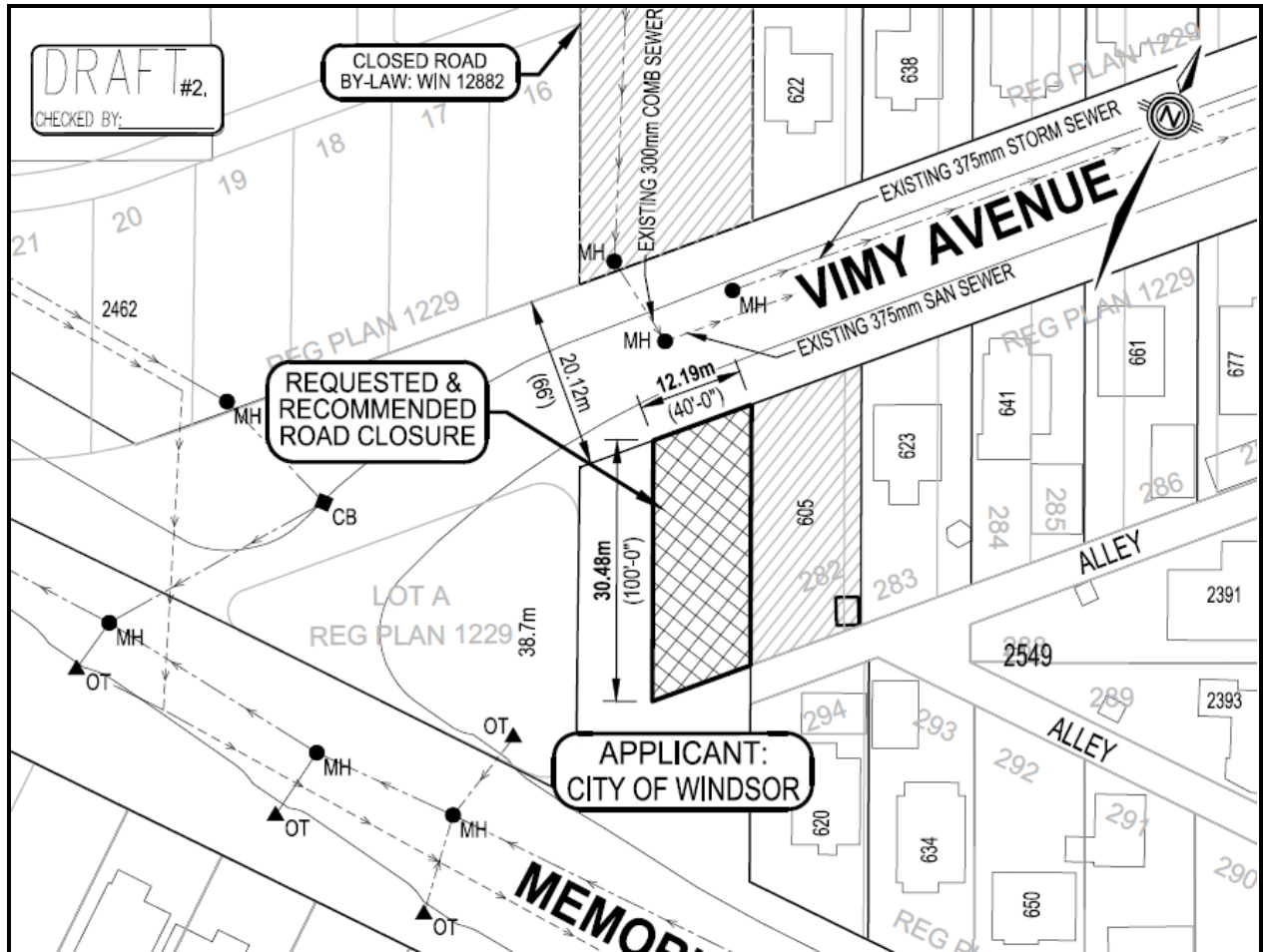


Figure 1 - Location Map

Background:

The applicant, Bruno Mantovan, owner of the property known municipally as 605 Vimy Avenue (the subject property), applied to close a 12.19 metre by 30.48 metre portion of the Lillian Street right-of-way that abuts the subject property to the west (the right-of-way), and shown on Drawing No. CC-1804 attached hereto as Appendix "A", and also shown on the aerial photo attached hereto as Appendix "B".

The right-of-way is unmaintained and composed primarily of manicured lawn cared for by the City. The right-of-way contains eight saplings (three conifers and five deciduous) and part of a wood privacy fence and hedge row belonging to the subject property. There are no Encroachment Agreements on record for the use of the right-of-way.

The remaining portion of the Lillian Street right-of-way includes an asphalt driveway serving as the only vehicular means of access to a rear parking area and garage at the subject property and 620 Memorial Drive respectively. The remaining portion of the Lillian Street right-of-way also includes a concrete sidewalk connecting those sidewalks located on Vimy Avenue and Memorial Drive.

The applicant wished to close the right-of-way for the purpose of enlarging his property to accommodate a new detached garage with driveway off of the remaining portion of the Lillian Street right-of-way.

The Planning Department, via December 5, 2022 email, advised the applicant that the conveyance price for the right-of-way would be \$176,848.00. The method for establishing the conveyance price is detailed in the table below. The applicant, via January 11, 2023 phone conversation, informed the Planning Department that he is withdrawing his application due to the high conveyance price.

Item	Price
Conveyance Rate: \$4,000.00 per front foot (based on fair market value) (40 front feet x \$4,000.00)	\$160,000.00
Tree Replacement Fee for City owned trees in the right-of-way: \$520.00 per tree, where one tree is equal to 5.0 centimetres Diameter at breast height (DBH) 162.0 centimetres (existing trees total DBH*) / 5.0 centimetres = 32.4 trees x \$520.00 *Includes three (3) trees previously removed without permission from the City	\$16,848.00
Total:	\$176,848.00

The Real Estate Services Department, via January 18, 2023 email, confirmed that they will be reviving the application for the purpose of selling the right-of-way as a buildable lot. The Real Estate Services Department submitted a formal application on March 5, 2023.

Discussion:

The decision to recommend closure of a right-of-way 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 right-of-ways based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the right-of-way is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

Right-of-Way:

1. *Does the right-of-way serve commercial properties?*
 - a. The right-of-way does not serve any commercial properties.
2. *Does the right-of-way serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The right-of-way does not serve properties that front on heavily traveled streets.
3. *Does the right-of-way contain sewers, and must the right-of-way remain accessible for servicing?*
 - a. The right-of-way does not contain any sewers.
4. *Does the right-of-way serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The right-of-way does not provide vehicular access to any rear parking areas or garages.
5. *Does the right-of-way contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The right-of-way does not contain any fire department connections.
6. *Does the right-of-way lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*
 - a. The right-of-way does not lie within a Holding zone or other similar undeveloped areas.

Based on the above, the Planning Department deems the right-of-way “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the right-of-way be sold in the manner described in the Recommendation section herein. Hence the recommendation is to close and sell the right-of-way, which is contrary to the standard manner of conveyance of offering abutting property owners first right to purchase their half of the right-of-way. In this case, the owner of the subject property confirmed that he is not interested in purchasing the right-of-way due to the high conveyance price.

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 right-of-way is to be sold at a value to be determined by Real Estate Services Department.

The tree replacement fee will be transferred to the Parks Department from the Real Estate Services Department upon the sale of the right-of-way.

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 right-of-way 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 right-of-way shown on *attached* Appendix "A", subject to the easement as in Recommendation II of this report, in favour of ENWIN Utilities Ltd.

The closed right-of-way is to be sold at a value to be determined by the Real Estate Services Department, as in Recommendation II of this report.

Planning Act Matters:

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

Greg Atkinson, MCIP, RPP
Manager of Development

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

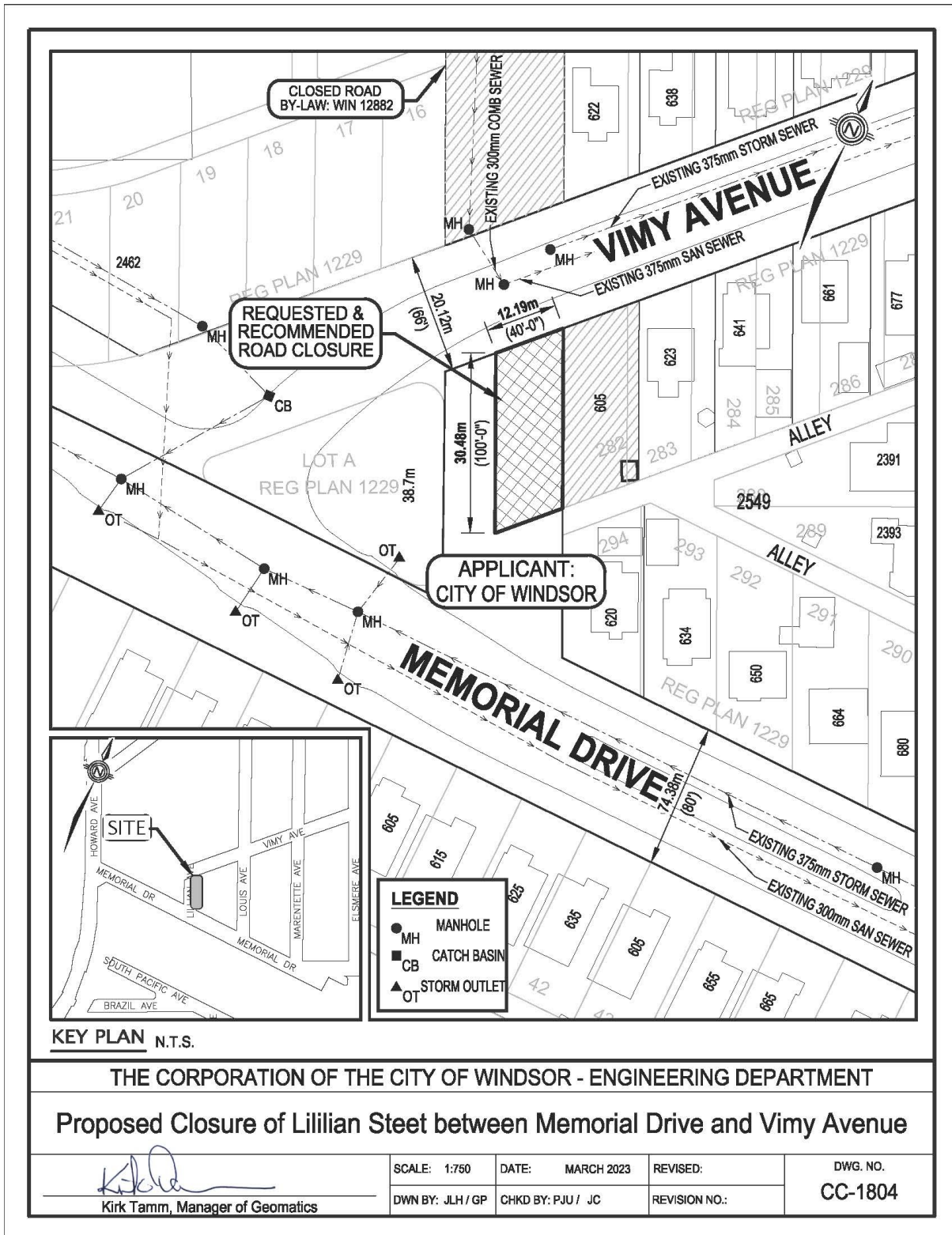
Notifications:

Name	Address	Email
Councillor Mark McKenzie	350 City Hall Square West, Suite 220 Windsor, ON N9A 6S1	MMcKenzie@citywindsor.ca
List of mailing labels for property owners abutting right-of-way issued to Clerks office		

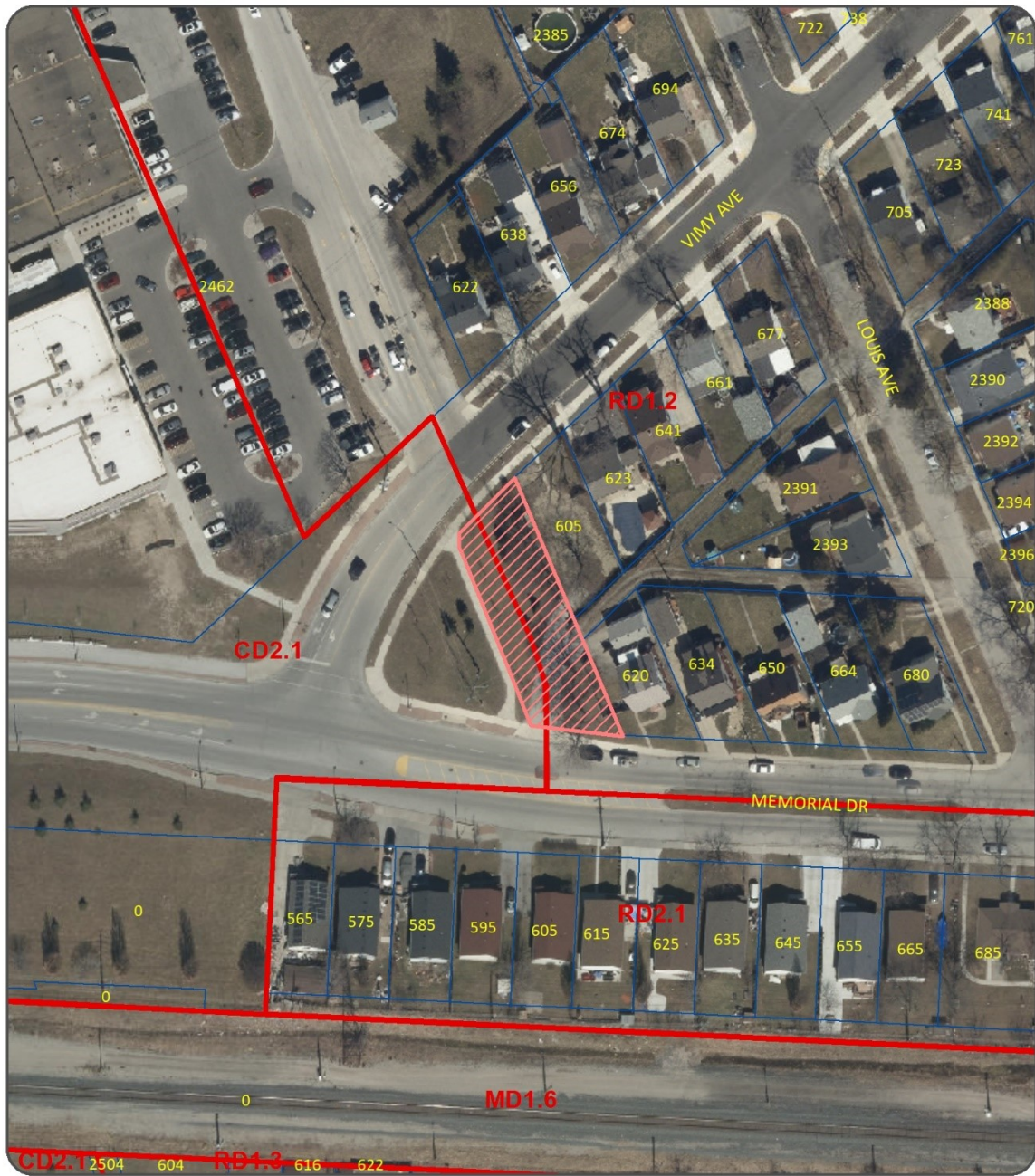
Appendices:

- 1 Appendix A - Drawing No. CC-1804
- 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-1804



APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6629)

1:1,000

APPLICANT : BRUNO MANTOVAN

 SUBJECT LANDS

PLANNING DEPARTMENT - DEVELOPMENT DIVISION

DATE: NOVEMBER, 2021



APPENDIX "C"

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

Bell Canada has no requirements for this closure.

[Charleyne Hall, Bell Canada External Liaison - Right-of-Way]

CANADA POST

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone, Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

October 27, 2022

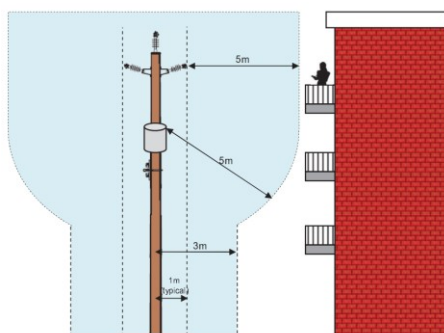
There is an existing 16kV high voltage pole line in the E/W alley right along the rear lot line.

We ask that the southern edge of the proposed pool stay at least 2.0m from the pole line.

Also, the height of the proposed garage may be an issue (what is the height)?...There is an existing three phase 27.6kV pole line along the west boundary of the site.

Certain clearances may be required depending on distance & height (see attached):

Easements named to ENWIN Utilities Ltd. may be required where applicable.



December 8, 2021

Objection, based on the subject lands identified in the Liaison sheet SAS/6629.

Please note, EnWin has existing 16kV high voltage distribution that crosses over the subject lands.

City of Windsor streetlight conductors cross over the subject lands.

In addition, EnWin has existing 27.6kV overhead hydro distribution along the west perimeter of the subject lands.

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

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

[Jerry Raniwsky, Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg, Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting CD2.1, \$18 per sq/ft without easements and \$9 per sq/ft with easements.
For lands abutting RD1.2,

\$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.

Depending on the responses from other departments we may need to review it again. As previously discussed we think it will be a building lot especially once Transportation Planning looks at setbacks from the trail. However if other departments comment about it being a building lot let me know and I'll discuss with Frank.

[Chris Carpenter, Coordinator of Real Estate Services]

MNSi

MNSi does not require an easement through these subject lands.

[Dave Hartleib, Outside Plant Manager]

PARKS & FACILITIES

Parks Design and Development has a concern pertaining this SAS/6629 LIAISON as the subject lands are seems to be public open space that contains an existing mature trees. So, this Trees shall be evaluated and priced and reported as well. May be it can be transplanted or need to be replaced with a new trees.

More details/studies are required to be provided for the work performed in the subject right-of-way described above.

[Sherif Barsom, Landscape Architect]

PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

The subject property has been maintained by City Staff including several improvements made through the Parks Department including recent tree planting. The City forester has been consulted and has identified the following:

The 2019 City tree inventory indicates there are 14 City owned trees on this lot. These trees range in size/age but are all well established in a fairly good, open green space location. Planting for the majority of smaller trees occurred about 2011/12. Their future prospects for growth and development are good. These trees are not exceptional or individually significant.

- Honey locust 16 cm*
- Norway maple 46 cm*
- Freeman maple 11 cm
- Colorado spruce 8 cm
- White spruce 9 cm
- Red maple 30 cm*
- Freeman maple 11 cm
- Honey locust 8 cm
- Norway maple 46 cm*
- White spruce 5 cm
- Freeman maple 8 cm
- White spruce 8 cm
- Freeman maple 13 cm
- Freeman maple 9 cm

A 'functional' replacement, diameter for diameter, approach should be completed on the assumption that these trees would be lost to the City if approval is granted for this request. The 14 trees listed above would require a replacement of 228 cm of diameter. Our standard tree planting operations use 50mm (5cm) stock; therefore 45 replacement trees would be required. In 2021 the City's planting/establishment cost for new trees was determined to be approximately \$600 per tree. This includes purchase, planting and tending for 2 seasons.

It may be possible to consider transplanting of the smaller trees by means of a tree spade. The City is not currently equipped to undertake this operation. Contractor quotes would be needed and subsequent transplant and tending costs covered in lieu of tree replacements. Four (4) trees identified above * are too large to be transplanted by spade with reasonable expectation of success. 28 new trees would be required just to replace the function of these four (4) larger 'lost' trees.

A pre-operation site inspection by qualified City arborists would be required to confirm inventory data and current tree conditions before proceeding with transplants and/or replacements.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

October 26, 2022

The proposed street closure is approximately 40ft and composed of grass and asphalt. There are no municipal sewers and manholes within the alley. There are guy-wires, a wooden hydro pole and overhead wires located within the alley, an easement would be required for utilities. There is a driveway approach that provides garage access for 620 Memorial Dr. and access to the rest of the alley. If the proposed street closure is approved, 620 Memorial may require a permit to construct a new driveway approach. There appears to be a fence encroachments at 620 Memorial and 605 Vimy. The property owners will be required to remove the encroaching fence if the street closure is approved. If the closure is not approved the property owners will be required to remove the fence or enter into an encroachment agreement for their fence. Public Works has no objections to the closure, subject to an easement and the removal of the fence encroachments or encroachment agreements.

[Alison (Lodge) Pound | Technologist I]

December 21, 2021

The proposed street closure is approximately 40ft and composed of grass and asphalt. There are no municipal sewers and manholes within the alley. There are guy-wires, a wooden hydro pole and overhead wires located within the alley, an easement would be required for utilities. There is a driveway approach that provides garage access for 620 Memorial Dr. and access to the rest of the alley. If the proposed street closure is approved, 620 Memorial may require a permit to construct a new driveway approach. There appears to be a fence encroachments at 620 Memorial and 605 Vimy. The property owners will be required to remove the encroaching fence if the street closure is approved. If the closure is not approved the property owners will be required to remove the fence or enter into an encroachment agreement for their fence. Public Works has no objections to the closure, subject to an easement and the removal of the fence encroachments or encroachment agreements.

[Adam Pillon - Manager Right-of-Way]

PUBLIC WORKS - TRAFFIC

The portion of alley coming from Memorial Dr is used for access to the garage of 620 Memorial Drive. Other properties are also using the alley system, however they will still have access from the south leg of the alley from Louis Street. Would recommend closing only to the south side of 605 Vimy.

Due to the size of the proposed closure, recommend that the City investigate the potential to make the lot available for purchase by the public.

[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

October 21, 2022

Sorry for any delay, I did a sight line review with the driveway location as proposed in the attachment from Brian. According to this sketch (rough estimate) there are no sight-line issues with this proposal and it appears to be at a sufficient distance from the intersection.

However, I'm not certain on how many accesses would be allowed or if they need to be limited to one per any by-laws/regulations.

The OP does have some language about limiting the accesses of properties, ideally we would not want to allow multiple driveways. OP Section 7.2.1.12 – Protect Roadways from Driveway Proliferations; To restrict driveway access based on road classification and minimize the number of driveway access points. Vimy is however a local road, and the alley does not appear to be maintained so it wouldn't be a major concern from our point of view if they were allowed the additional access.

Engineering might have restrictions based on driveway permits and requirements.

December 20, 2021

It appears that 620 Memorial Drive and 605 Vimy Ave use this alley in order to access the parking and garage for their properties. This alley portion is not recommended for closure unless the owners of both properties using it are in support of the closure. A portion of the alley to the south of 605 Vimy Avenue's driveway access may be closed.

[Rania Toufelli, Policy Analyst]

TRANSIT WINDSOR

No comments provided

UNION GAS

We may require an easement at this location as our main runs into the alley on the south end at Memorial Dr. See attached GIS as-built.

After reviewing the provided drawing at 605 Vimy 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:

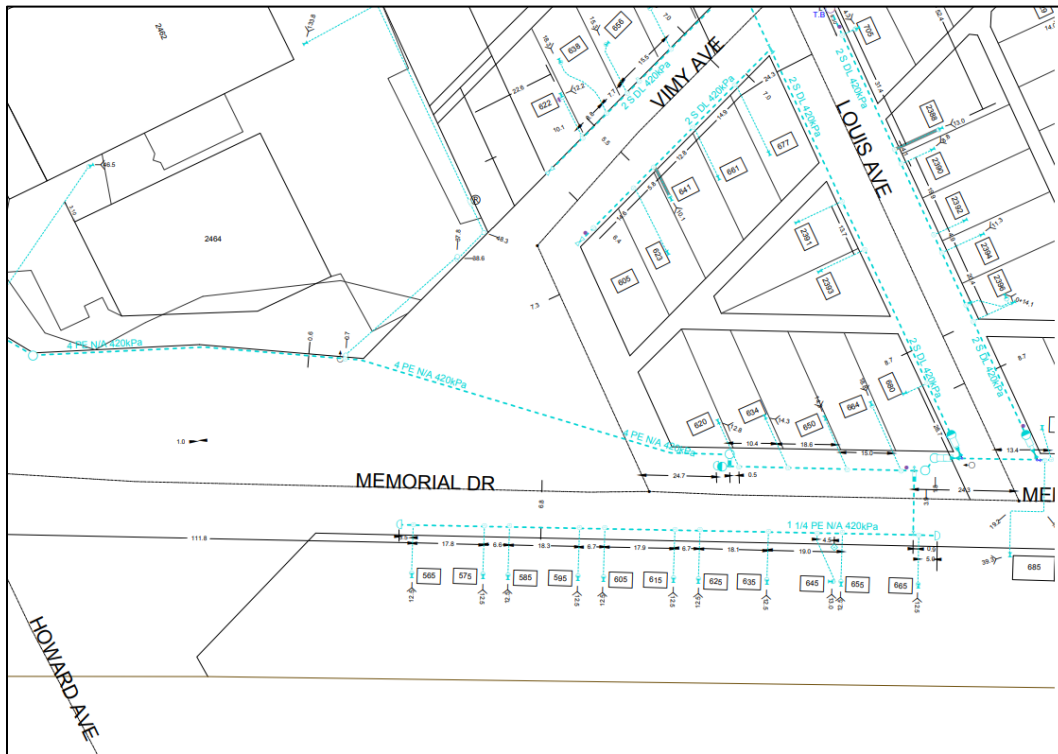
1. The shown piping locations are approximate and for information purposes only
2. The drawings are not to scale
3. This drawing does not replace field locates. Please contact Ontario One Call for onsite locates prior to excavating, digging, etc

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

[Gord Joynson, Drafter Estimator]



WINDSOR FIRE

No comments provided

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with this closure request. The outcome from this is anticipated to be very minor, with no impact (negatively speaking) on the ability of the police to carry out patrol and incident response activities for any affected/abutting properties.

[Barry Horrobin, Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (June 28, 2022)



Figure 1 - Looking south towards Lillian Street right-of-way from Vimy Avenue



Figure 2 - Looking east towards Lillian Street right-of-way from Vimy Avenue



Figure 3 - Looking north towards Lillian Street right-of-way from Memorial Drive



Figure 4 - Looking south towards Lillian Street right-of-way from north side of Vimy Avenue

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 97/2023

Subject: Closure of Third Street R.O.W. between Continental Avenue and E. C. Row Expressway, Ward 2, SAS-6924

Reference:

Date to Council: October 3, 2023
 Author: Brian Nagata, MCIP, RPP
 Planner II - Development Review
 (519) 255-6543 ext. 6181

Planning & Building Services
 Report Date: August 4, 2023
 Clerk's File #: SAA2023

To: Mayor and Members of City Council

Recommendation:

- I. THAT the 20.12-metre-wide Third Street right-of-way located between Continental Avenue and E. C. Row Expressway, and shown on Drawing No. CC-1828 (*attached* hereto as Appendix "A"), and hereinafter referred to as the "subject right-of-way", **BE ASSUMED** for subsequent closure;
- II. THAT the subject right-of-way **BE CLOSED AND CONVEYED** to the abutting property owners, in a manner deemed appropriate by the City Planner, subject to the following:
 - a. 6.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The Corporation of the City of Windsor to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the existing 1,500.0 millimetre reinforced concrete storm sewer pipe.
 - b. 6.0-metre-wide easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. The owner of the property known municipally as 4575 Fourth Street (legally described as Lots 225, 226 & 303 to 305, Plan 972; Lots 53 to 65 & 112 to 130, Part of Alley & Hudson, Plan 1154; Parts 1 to 6, Reference Plan 12R-10200) for vehicular and pedestrian access to Continental Avenue.

- c. Easement over that portion of the subject right-of-way abutting the property known municipally as 0 Continental Avenue (legally described as Lots 38 to 40 & Part of Closed Alley, Plan 1209), 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 the property known municipally as 0 Continental Avenue for access to maintain their property to City of Windsor standards, **IF** they choose not to purchase their half of the subject right-of-way.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned MD2.1, \$10.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor without easements, and \$5.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor with easements.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1828, *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.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

Executive Summary:

N/A



STREET & ALLEY CLOSING (SAA/6924)

1:2,000

APPLICANT : VITELLA PLUMBING INC.

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: DECEMBER, 2022



Figure 1 - Location Map

Background:

The applicant, Vitella Plumbing Inc., owner of the properties known municipally as 2015 Continental Avenue and 0 Third Street (Roll No. 080-670-00700) (the subject property), applied to close the Third Street right-of-way located between Continental Avenue and E. C. Row Expressway (the R.O.W.), and shown on Drawing No. CC-1828 attached hereto as Appendix “A”, and also shown on the aerial photo attached hereto as Appendix “B”.

The R.O.W is unmaintained and composed primarily of gravel and grass to the north, and natural vegetation to the south. The R.O.W contains a 1,500.0 millimetre reinforced concrete storm sewer with manhole, and provides the only vehicular means of access to the vacant property known municipally as 0 Continental Avenue (Roll No. 080-660-06402).

The applicant wishes to close and purchase the R.O.W to accommodate a proposed commercial/industrial development on the west side of the subject property. The

applicant has provided two (2) Conceptual Drawings illustrating a one storey multi-unit building with parking area (see Figures 2 & 3 below). The applicant indicated that if successful in acquiring the R.O.W or part there-of, they would be interested in remediating the lands of any contaminants and/or refuse originating from previous industrial uses.



Figure 2 - Conceptual Plan 1



Figure 3 - Conceptual Plan 2

Discussion:

The decision to recommend closure of a right-of-way 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 right-of-ways based on their usefulness, and provides corresponding criteria for determining suitability for closure.

Classification of Public Right-of-Ways

The initial step is to determine if the right-of-way is indispensable. This is achieved through the evaluation of the following criteria set forth in Section 1 of the document.

1. *Does the subject right-of-way serve commercial properties?*
 - a. The R.O.W does not serve commercial properties.
2. *Does the subject right-of-way serve properties fronting on heavily traveled streets i.e. major arterial routes?*
 - a. The R.O.W does not serve properties fronting on heavily traveled streets.
3. *Does the subject right-of-way contain sewers, and must the right-of-way remain accessible for servicing?*
 - a. The R.O.W contains a 1,500.0 millimetre reinforced concrete storm sewer.
 - b. The Public Works Department has no objection to the closure subject to the following conditions being satisfied:
 - 6.0-metre-wide easement be granted in favour of The Corporation of the City of Windsor to enter, construct, maintain, inspect, alter, repair, remove, replace, reconstruct and enlarge the storm sewer; and
 - Driveway Permit be obtained to pave and maintain the driveway approach as per Standard Engineering Drawing AS-204.
 - The Driveway Permit will be included as a condition of Site Plan Approval, when and if the development proceeds.
4. *Does the subject right-of-way serve as the only vehicular means of access to rear parking areas and garages where the property has insufficient lot width for a side drive?*
 - a. The R.O.W does not serve as the only vehicular means of access to rear parking areas or garages.
5. *Does the subject right-of-way contain Fire Department connections that are deemed to be necessary for firefighting access?*
 - a. The R.O.W does not contain Fire Department connections.

6. *Does the subject right-of-way lie within a Holding zone or other similar undeveloped areas where the right-of-way system is clearly obsolete and has never been developed, but where the City needs to keep its options open until new area plans are prepared and development is imminent?*

- a. The R.O.W does not lie within a Holding zone or similar undeveloped area.

Based on the above, the Planning Department deems the right-of-way “dispensable”, and supports the requested closure.

It is our recommendation that, upon closure, the abutting property owners be given the chance to acquire the right-of-way in the manner described in the Recommendation section herein. Hence the recommendation is to close and convey the right-of-way to the abutting property owners, which is the standard manner of conveyance.

The applicant’s request to close and purchase the R.O.W in its entirety cannot be supported for the following reasons:

- The owner of the abutting property known municipally as 1945 Continental Avenue has confirmed in writing that they wish to purchase their half of the R.O.W.
- There is no justification to convey the R.O.W in its entirety to the subject property (i.e. historical legally recognized use of the R.O.W. for a purpose such as vehicular access)

The applicant will potentially have an opportunity to purchase the entire width of the R.O.W. shared with 0 Continental Avenue, as its owner has verbally indicated that they are not interested in purchasing it. The closure and purchase of 0 Continental Avenue’s half of the R.O.W. by another property owner will require an easement to be granted in their favour for access to maintain their property to City of Windsor standards. This is due to the roadside ditch located across the entire lot frontage of 0 Continental Avenue.

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 a right-of-way conveyed to abutting lands zoned MD2.1 is assessed at \$10.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor without easements and \$5.00 per square foot plus HST (if applicable) and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor with easements.

Consultations:

Consultations were held with Municipal Departments and Utility Companies, which resulted in the information found in *attached* hereto as Appendix "C".

The Legal Department has advised that an easement is required in favour of 4575 Fourth Street for vehicular and pedestrian access as a condition of closing the R.O.W. This easement is necessary in the event that the owner creates a landlocked lot through the transfer of Lots 125 through 130, Registered Plan 1154 and Lot 305, Registered Plan 972 or any combination thereof (refer to Figure 4 below). The City cannot eliminate access to a public right-of-way from a lot(s) on a Registered Plan of Subdivision.



Figure 4 - Transferable Lots on Registered Plan of Subdivisions 972 & 1154

Notice of this application was issued to property owners abutting the R.O.W. by regular mail, with no objections being received as of the date of writing this report.

Letter was issued to property owners abutting the R.O.W. by regular mail, requesting that they confirm if they intend to purchase their half of the R.O.W. This letter was issued in response to the applicant's request to close and purchase the R.O.W. in its entirety, which is contrary to the standard manner of conveyance. The letter advised the property owners that failure to reply may result in the offer for purchase of their half of the R.O.W. being forfeited to another abutting property owner.

The owner of the property known municipally as 1945 Continental Avenue, confirmed, in writing, that they wish to purchase their half of the R.O.W. should Council approve its closure.

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 R.O.W. shown on attached Appendix "A", subject to easements in favour of The Corporation of the City of Windsor, the owner of 0 Continental Avenue and the owner of 4575 Fourth Street as in Recommendation II of this report.

The closed R.O.W. 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.

Greg Atkinson, MCIP, RPP
Manager of Development

Neil Robertson, MCIP, RPP
Acting City Planner

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

JP

JM

Approvals:

Name	Title
Greg Atkinson	Manager of Development/Deputy City Planner
Neil Robertson	Acting City Planner / Executive Director, Planning & Development Services
Stephanie Santos	Coordinator of Real Estate Services
Kate Tracey	Senior Legal Council, Legal Services & Real Estate
Jelena Payne	Commissioner, Economic Development & Innovation
Joe Mancina	Chief Administration Officer

Notifications:

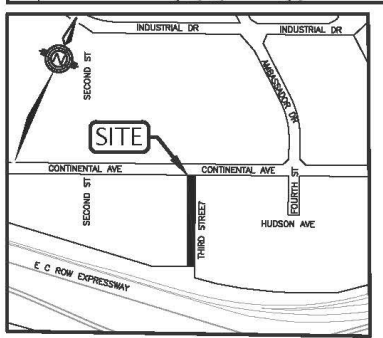
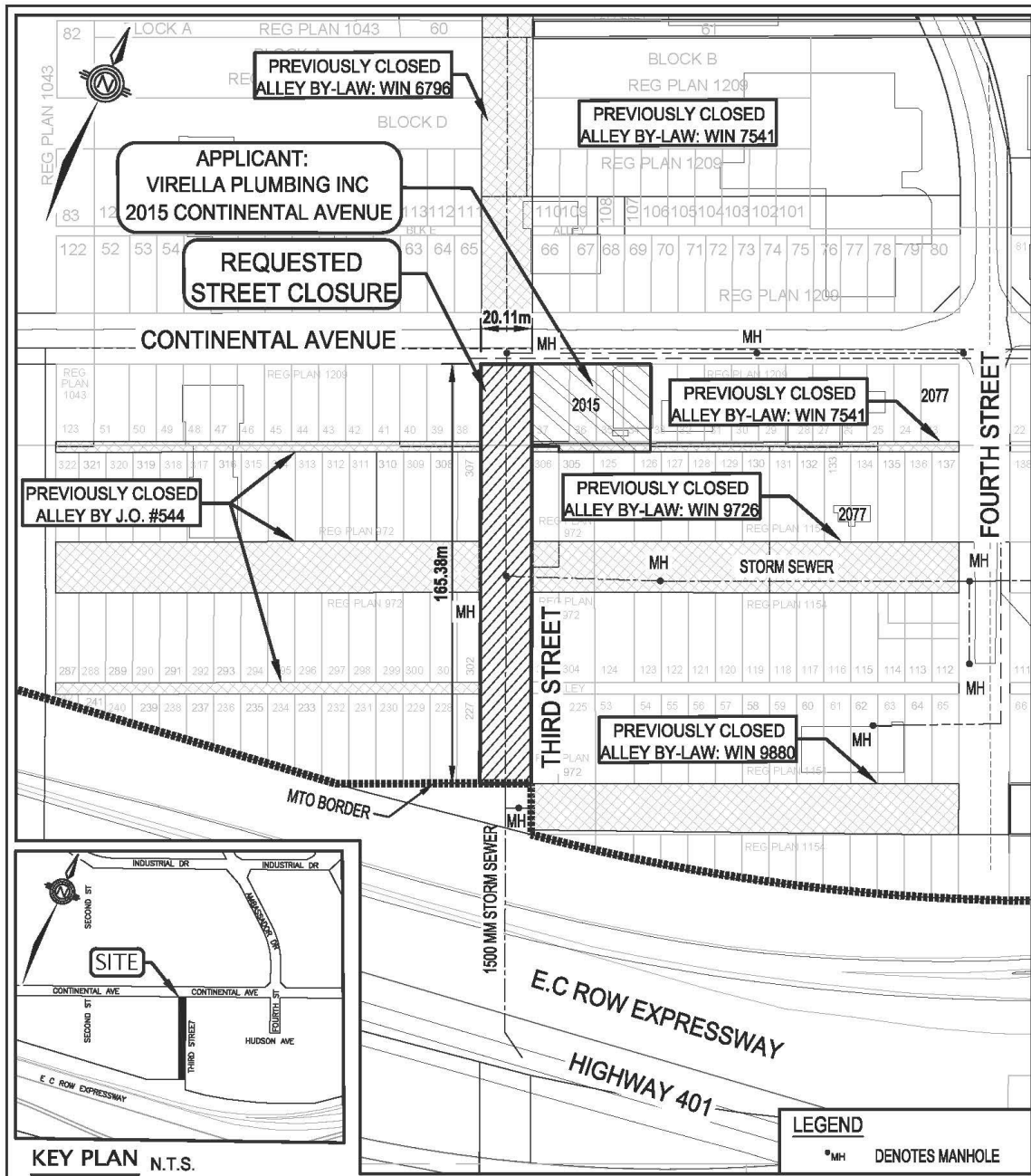
Name	Address	Email
Ward 2 Councillor Fabio Costante	350 City Hall Square West, Suite 220 Windsor, Ontario N9A 6S1	fcostante@citywindsor.ca
List of mailing labels for property owners abutting alley issued to Clerks office		

Appendices:

- 1 Appendix A - Drawing No. CC-1828
- 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-1828



LEGEND	
MH	DENOTES MANHOLE

THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT				
Proposed Closure of Third Street Between Continental Ave & E.C.Row Westbound On Ramp, West of Fourth Street				
Kirk Tamm, Manager of Geomatics	SCALE: 1:2000	DATE: DEC 2020	REVISED: —	DWG. NO. CC-1828
	DWN BY: UT	CHKD BY: PJU / MM	REVISION NO.: —	

APPENDIX "B" EIS Drawing - Aerial Photo



STREET & ALLEY CLOSING (SAA/6924)

1:2,000

APPLICANT : VITELLA PLUMBING INC.

 SUBJECT LANDS

PLANNING DEPARTMENT - PLANNING POLICY

DATE: DECEMBER, 2022



APPENDIX “C”

Consultations with Municipal Departments and Utility Companies

BELL CANADA WSP

No comments provided

COGECO CABLE SYSTEMS INC.

No comments provided

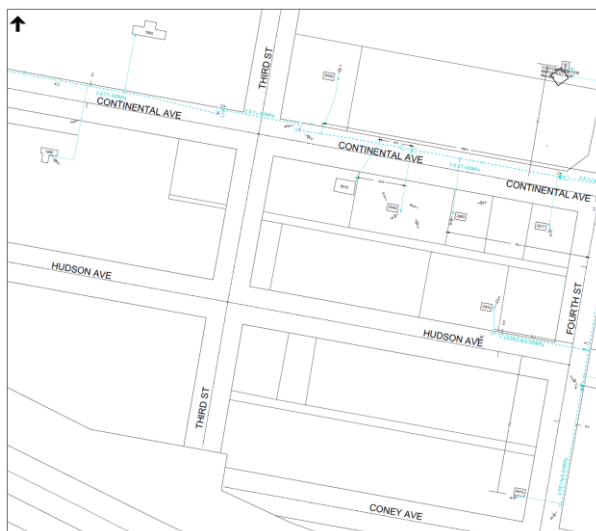
ENBRIDGE GAS

After reviewing the provided drawing at Third St. and consulting our mapping system, please note that Enbridge Gas has no active infrastructure in the proposed area. A PDF drawing has been attached for reference.

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

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

[Jose Dellosa - Drafter / Estimator]



ENVIRONMENTAL SERVICES

No concerns from Environmental Services.

[Anne-Marie Albidone - Manager, Environmental Services]

ENWIN UTILITIES - HYDRO

No objection

[Anwar Nagar - Senior Hydro Engineering Technologist]

ENWIN UTILITIES - WATER

Water Engineering has no objections.

[Bruce Ogg - Water Project Review Officer]

LEGAL DEPARTMENT

For lands abutting MD2.1, \$10/sq. ft. without easements and \$5/sq. ft. with easements.

[Chris Carpenter - Coordinator of Real Estate Services]

MNSi

MNSi does not require an easement through these subject properties.

[Dave Hartleib - Outside Plant Manager]

PARKS & FACILITIES

As from Parks D&D point of view this SAA/6924 Liaison has no issue.

But from other city planning and urban design points of view this request is not in support as for the integrity and continuity of the Third street. It has also other land parcels and an existing underground utilities/services with specially existing sewer line, see attached.

We are not in support for this Liaison.

[Sherif Barsom - Landscape Architect]



PLANNING DEPARTMENT

No comments provided

PLANNING DEPARTMENT - LANDSCAPE ARCHITECT

No objections from a landscape architectural perspective.

[Stefan Fediuk - Landscape Architect]

PUBLIC WORKS - ENGINEERING

The subject alley is composed of grass and dirt. The property at 4575 Fourth Street has placed a gravel approach and driveway without a permit in the alley. If the closure application is not approved, the property owner will be required to remove the gravel driveway and approach at their cost. If the alley is closed, the owner of the alley is required to obtain a permit to pave and maintain the driveway approach as per AS-204. There is a storm sewer running through the alley. An easement will be required for the municipal sewer. This subject alley appears to have no usefulness by CR146/2005; therefore, we have no objections to the closure subject to the easement and driveway permit.

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

PUBLIC WORKS - TRAFFIC

All adjacent properties of the Third Street ROW have alternate access from either Continental Ave or Fourth Street. Closing the ROW as shown will not restrict access to any properties. Given that the land is zones MD2.1 and subdividing land is unlikely, there are no concerns with closing the ROW as shown

[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.

[Clare Amicarelli - Transportation Planner I]

TRANSIT WINDSOR

No comments provided

WINDSOR FIRE

No issue from Fire.

[Mike Coste - Chief Fire Prevention Officer]

WINDSOR POLICE

The Windsor Police Service has no concerns or objections with the closure of this alley. The end result from this will not carry any negative impact to police incident response or service delivery capacity for the affected properties.

[Barry Horrobin - Director of Planning & Physical Resources]

APPENDIX "D"
Site Photos (December 5, 2022)



Figure 1 - Looking south towards Third Street from Continental Avenue



Figure 2 - Third Street, looking south from Vitella Plumbing Inc. property (left) (2015 Continental Avenue)



Figure 3 - Third Street, looking southeast towards First Canada ULC property (4575 Fourth Street)



Figure 4 - Third Street, looking south towards E. C. Row Expressway



Figure 5 - Third Street, looking east towards First Canada ULC west gate



Figure 6 - Third Street, looking north from First Canada ULC (right)



Figure 7 - Storm sewer manhole within Third Street right-of-way



Figure 8 - Third Street, looking north towards Continental Avenue from Vitella Plumbing Inc. (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.