

CITY OF WINDSOR MINUTES 01/08/2024

Development & Heritage Standing Committee Meeting

Date: Monday, January 08, 2024 Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 1 - Councillor Fred Francis

Ward 4 - Councillor Mark McKenzie

Ward 7 - Councillor Angelo Marignani

Ward 9 - Councillor Kieran McKenzie

Ward 10 - Councillor Jim Morrison (Chairperson)

Members

Member Anthony Arbour Member Daniel Grenier

Member Regrets

Member Robert Polewski

Clerk's Note: Member Daniel Grenier participated via video conference, in accordance with Procedure By-law 98-2011 as amended.

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant Brian Nagata, Planner II – Development Review

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner, Economic Development
Neil Robertson, Acting City Planner
Greg Atkinson, Deputy City Planner
Wira Vendrasco, Acting City Solicitor
Shawna Boakes, Executive Director Operations/Deputy City Engineer
Patrick Winters, Manager Development
Laura Strahl, Planner III – Special Projects

Development & Heritage Standing Committee Monday, January 08, 2024

Page 2 of 8

Kevin Alexander, Planner III – Special Projects Tracey Tang, Planner II – Revitalization & Policy Initiatives Anna Ciacelli, Deputy City Clerk

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

3.1. Application for Approval of the Conversion of an existing Non-Residential Building at 1500 Ouellette Avenue to a Residential and Commercial Plan of Condominium; Applicant - Ryan Michael Solcz Prof. Corp; File No. CDM-004/22 [CDM/6939]; Ward 3

Moved by: Councillor Fred Francis

Seconded by: Councillor Mark McKenzie

Decision Number: DHSC 582

THAT the report of the Senior Planner – Subdivisions dated May 12, 2023 entitled "Application for Approval of the Conversion of an existing Non-Residential Building at 1500 Ouellette Avenue to a Residential and Commercial Plan of Condominium; Applicant - Ryan Michael Solcz Prof. Corp; File No. CDM-004/22 [CDM/6939]; Ward 3" **BE WITHDRAWN**.

Carried.

Report Number: S 62/2023 Clerk's File: Z/14543

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

None presented.

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

Development & Heritage Standing Committee Monday, January 08, 2024

None presented.

7. PLANNING ACT MATTERS

None presented.

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:31 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:32 o'clock p.m.

8. ADOPTION OF THE MINUTES

None presented.

10. HERITAGE ACT MATTERS

None presented.

11. ADMINISTRATIVE ITEMS

11.1. Downtown CIP/Demolition Control By-law Exemption Report-527 Marentette Ave; Owner: Fouad Badour

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

Decision Number: DHSC 583

- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner Fouad Badour for the single unit dwelling located at 527 Marentette Avenue to facilitate the construction of a two (2) story eight (8) unit dwelling.
- II. THAT any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit.
- III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
 - a. The redevelopment identified in Appendix 'B' be substantially complete within two (2) years following the issuance of the demolition permit;

Page 3 of 8

Development & Heritage Standing Committee Monday, January 08, 2024

Page **4** of **8**

- b. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Twenty Thousand Dollars (\$20,000) on the collectors roll of the property;
- IV. THAT the City Solicitor **BE DIRECTED** to register a notice of Condition #2 in the land registry office against the property in the event that the redevelopment is not substantially complete within two (2) years following the commencement of the demolition.
- V. THAT the request made by Fouad Badour for the proposed development at 0, 507, 527 Marentette Avenue, to participate in:
 - a. the Building/Property Improvement Tax Increment Grant Program BE APPROVED for 100% of the municipal portion of the tax increment resulting from the proposed development for up to five (5) years or until 100% of the eligible costs are repaid pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
 - b. the New Residential Development Grant Program **BE APPROVED** for \$20,000 towards eligible costs of eight (8) new residential units (\$2,500 per new residential units) pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- VI. THAT Administration **BE DIRECTED** to prepare the agreements between the City and Fouad Badour to implement the Building/Property Improvement Tax Increment Grant Programs at 0, 507, 527 Marentette Avenue in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- VII. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program agreements at 0, 507, 527 Marentette Avenue to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implications.
- VIII. THAT the City Treasurer **BE AUTHORIZED** to issue payment of \$20,000 for grants under the New Residential Development Grant Program for 0, 507, 527 Marentette Avenue to Fouad Badour upon completion of the eight (8) new residential units subject to the satisfaction of the City Planner and Chief Building Official.
- IX. THAT Grant funds in the amount of \$20,000 under the New Residential Development Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when work is completed.
- X. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following

Development & Heritage Standing Committee Monday, January 08, 2024

Page **5** of **8**

Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

XI. THAT should the new residential units not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the New Residential Development Grant Program be uncommitted and made available for other applications.

Carried.

Report Number: S 165/2023 Clerk's File: SPL2023

11.2. Closure of part of east/west alley located between Leonard Road and George Avenue, Ward 5, SAA-7136

Councillor Kieran McKenzie requests clarification related to the discrepancy between the recommendation and the comments from transportation planning who are opposing closure of the alley from a traffic operation and security standpoint. Brian Nagata, Planner II Development Review, appears via video conference before the Development & Heritage Standing Committee regarding the administrative report "Closure of part of east/west alley located between Leonard Road and George Avenue, Ward 5, SAA-7136" and indicates that the comments were included as a measure of transparency. Mr. Nagata adds that notice was issued to all abutting properties and no objections were raised. Mr. Nagata indicates that the alleys are not to be used as cut-through, but only by the property owners and abutting property owners.

Councillor Kieran McKenzie inquires whether Administration will consider potentially allowing a left hand turn at that intersection as a result of the alley closure. Administration indicates that the removal of the restricted left turn would not be recommended due to traffic safety.

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

Decision Number: DHSC 584

- I. THAT the 34.42 metre portion of the 5.49-metre-wide east/west alley located between Leonard Road and George Avenue, abutting the property known municipally as 2321 George Avenue (legally described as Lot 89 & Part of Block B, Plan 1088; Part of Block A, Plan 1238), and shown on Drawing No. CC-1841 (attached hereto as Appendix "A"), and hereinafter referred to as the "subject alley", BE ASSUMED for subsequent closure;
- II. THAT the subject alley **BE CLOSED AND CONVEYED** to the owner of the abutting property known municipally 3995 Tecumseh Road East (legally described as Lots 92 to 93 and Part of Lot 90 & Block B, Plan 1088; Part of Block A, Plan 1238) and as necessary, in a manner deemed appropriate by the City Planner, subject to the following:

Development & Heritage Standing Committee Monday, January 08, 2024

Page **6** of **8**

- 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 buried facilities;
 - **ii.** ENWIN Utilities Ltd. to accommodate existing 16kV primary, 120/240V and 347/600V overhead secondary hydro distribution pole line; and
 - iii. MNSi. to accommodate existing overhead infrastructure.
- b. 6.0-metre-wide easement, measured 3.00 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. The Corporation of the City of Windsor to accommodate existing 250.0 millimetre PVC sanitary sewer.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley conveyed to abutting lands zoned CD2.1, \$20.00 per square foot without easements 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, and \$10.00 per square foot with easements 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.
 - b. For alley conveyed to abutting lands zoned RD1.2 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.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1841, *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. Carried.

Report Number: S 167/2023 Clerk's File: SAA2023

11.3. Sandwich CIP Application Report, 3549 Peter Street; Owners: Roseland Homes LTD (c/o Evanz Minas)

Development & Heritage Standing Committee Monday, January 08, 2024

Page **7** of **8**

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

Decision Number: DHSC 585

- I. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner Roseland Homes LTD (C/O: Evanz Minas) of the property located at 3549 Peter Street, BE APPROVED for the following programs:
 - i. Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
 - ii. Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (+/- \$4,034.8 per year);
- II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the City Treasurer as to financial implication;
- III. THAT funds to a maximum amount of \$20,000 under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed;
- IV. THAT grants BE PAID to Roseland Homes LTD upon completion of the one (1) story four (4)-unit single family dwelling from the Sandwich Community Development Plan Fund (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and,
- V. THAT grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date. Extensions **SHALL BE** given at the discretion of the City Planner.

Carried.

Report Number: S 164/2023

Clerk's File: SPL2023

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

Development & Heritage Standing Committee Monday, January 08, 2024

Page **8** of **8**

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items) is adjourned at 4:38 o'clock p.m. The next meeting of the Development & Heritage Standing Committee will be held on February 5, 2024. Carried.

Ward 10 – Councillor Jim Morrison (Chairperson)

Deputy City Clerk / Supervisor of Council Services



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Development & Heritage Standing Committee Monday, January 08, 2024

Page 2 of 8

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1. CALL TO ORDER

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Carried.

Report Number: S 62/2023 Clerk's File: Z/14543

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

None presented.

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

Development & Heritage Standing Committee Monday, January 08, 2024

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7. PLANNING ACT MATTERS

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Page 3 of 8

Development & Heritage Standing Committee Monday, January 08, 2024

Page **4** of **8**

- b. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Twenty Thousand Dollars (\$20,000) on the collectors roll of the property;
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Development & Heritage Standing Committee Monday, January 08, 2024

Page **5** of **8**

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XI. THAT should the new residential units not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the New Residential Development Grant Program be uncommitted and made available for other applications.

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Development & Heritage Standing Committee Monday, January 08, 2024

Page **6** of **8**

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- 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. Carried.

Report Number: S 167/2023 Clerk's File: SAA2023

11.3. Sandwich CIP Application Report, 3549 Peter Street; Owners: Roseland Homes LTD (c/o Evanz Minas)

Development & Heritage Standing Committee Monday, January 08, 2024

Page **7** of **8**

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

Decision Number: DHSC 585

- I. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner Roseland Homes LTD (C/O: Evanz Minas) of the property located at 3549 Peter Street, **BE APPROVED** for the following programs:
 - i. Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP to a maximum amount of \$20,000;
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Carried.

Report Number: S 164/2023

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12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

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Page **8** of **8**

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Ward 10 – Councillor Jim Morrison (Chairperson)

Deputy City Clerk / Supervisor of Council Services