CITY OF WINDSOR MINUTES 12/05/2022

Development & Heritage Standing Committee Meeting

Date: Monday, December 5, 2022
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 Kieren McKenzie – Acting Chair

Councillor Regrets
Ward 10 – Councillor Jim Morrison

Members
Member Dorian Moore
Member Jake Rondot

Members Absent
Member Anthony Gyemi

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner – Economic Development & Innovation
Thom Hunt, City Planner / Executive Director of Planning & Development
Neil Robertson, Manager of Urban Design / Deputy City Planner
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Rob Perissinotti, Development Engineer
Jim Abbs, Planner III – Subdivisions

Greg Atkinson, Planner III – Economic Development
Kristina Tang, Planner III – Heritage
Adam Szymczak, Senior Planner
Laura Strahl, Planner III, Special Projects
Shannon Deehan, Transportation Planning Coordinator
Samuel Switzer, Planning Assistant
Ashley Porter, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating via video conference

Item 7.1 Jack Ramieri, Solicitior
Item 7.1 Nick Sauro, Applicant
Item 7.2 Quoc Tran, area resident
Item 7.2 Dan Soleski, Architect
Item 7.3 Robert Brown, Principal Planner
Item 7.4 Steve Berrill, Principal Architech
Item 11.3 Hensey Khan & Hitesh Jhaveri, applicants

Delegations—participating in person

Item 7.4 Jackie Lassaline, Principal Planner
Item 7.4 Haidar Habib & Steve Habib, HD Development Group
Item 7.4 Adriano Bertolissio, area resident
Item 7.4 Kerry Shaw, area resident
Item 7.4 Amy Grady, area resident

1. CALL TO ORDER

The Deputy Clerk calls the meeting of the Development & Heritage Standing Committee to order and calls for nominations from the floor for the position of Acting Chairperson.

Councillor Angelo Marignani nominates Councillor Kieran McKenzie for the position of Acting Chairperson. Councillor Kieran McKenzie accepts the nomination.

The Deputy Clerk calls for further nominations from the floor for the position of Acting Chairperson. Councillor Mark McKenzie nominates Councillor Fred Francis. Councillor Fred Francis accepts the nomination.

The Deputy Clerk calls for further nominations from the floor for the position of Acting Chairperson. There being no further nominations, the Deputy Clerk calls for a vote for Councillor Kieren McKenzie.

Aye Votes: Councillors Marignani and Kieren McKenzie and Members Moore and Rondot.
Nay Votes: Councillors Fred Francis and Mark McKenzie.
Councillor Kieren McKenzie assumes the Acting Chair.

The Acting Chair reads the Land Acknowledgement Statement.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

11.4. Downtown CIP Grant Application made by 304830 Ontario Limited for 176 University Avenue West, Ward 3

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani
That the report from the Planner III – Special Projects dated November 17, 2022 **BE DEFERRED** to a future meeting to allow the applicant more time to define the scope of their project.
Carried.

Report Number: C 198/2022
Clerk's File:SPL2022

4. COMMUNICATIONS

None.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the Development and Heritage Standing Committee Meeting (*Planning Act* Matters) held November 1, 2022

Moved by: Councillor Fred Francis
Seconded by: Member Jake Rondot

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held November 1, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 311/2022

6. PRESENTATION DELEGATIONS (PLANNING ACT MATTERS)

See Items 7.1, 7.2, 7.3 & 7.4.

7. PLANNING ACT MATTERS

7.1. Zoning Bylaw Amendment Z 028-22 [ZNG-6846] WinValco Ltd, 1235 St Luke Rd to add "outdoor storage yard" as an additional permitted use - Ward 5

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

Decision Number: **DHSC 446**
THAT Section 20(1) of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Lot 97, Concession 1, as shown on Map 3 of this report, (known municipally as 1235 St Luke Rd) by adding site specific regulation to permit an outdoor storage yard as an additional permitted use as follows:

457. WEST SIDE OF ST. LUKE ROAD, NORTH OF ESSEX TERMINAL RAILWAY

For the lands comprising of Part of Lot 97, Concession 1; as shown on Map 3 of this report, situated on the west side of St. Luke Road, immediately north and abutting the Essex Terminal Railway, the following provisions shall apply:

a. Notwithstanding Section 3.10, an "outdoor storage yard: shall be defined to mean:

"an open space which has a minimum area of 10.0 m2 and is used for storage. A loading compound, parking area, transport storage area, or transport terminal is not an outdoor storage yard."

b. an “outdoor storage yard” shall be an additional permitted use.
(ZDM 7, ZNG-6846).
Carried.

Report Number: S 134/2022
Clerk’s File:Z/14474

7.2. Rezoning – Gansil Inc. - 0 Campbell Avenue - Z-031/22 ZNG/6866 - Ward 2

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

Decision Number: **DHSC 447**
THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 9, Registered Plan 1148 (known municipally as 0 Campbell Avenue; Roll No. 050-300-03100) situated on the west side of Campbell Avenue, south of Wyandotte Street West, by adding a site specific exception to Section 20(1) as follows:

455. WEST SIDE OF CAMPBELL AVENUE, SOUTH OF WYANDOTTE STREET WEST

For the lands comprising of Lot 9, Registered Plan 1148, for a *double duplex dwelling* or a *multiple dwelling* with a maximum of four *dwelling units* the following additional provisions shall apply:

a) Lot Width – minimum 12.0 m

b) Lot Area – minimum 520.0 m^2

c) Notwithstanding Section 24.26.5, a *parking space*, visitor parking space or accessible parking space shall be permitted in a *required front yard*.

d) Notwithstanding Section 24.28.1.3, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area* or a *parking space* or any combination thereof cannot exceed 50% of the *required front yard* area and any driveway, *access area*, and *parking space*, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete, or any combination thereof.

[ZDM 3; ZNG/6866]

Carried.
Councillor Angelo Marignani and Member Moore voting nay.

Report Number: S 130/2022
Clerk’s File: Z/14486

7.3. Rezoning - Stoyshin Enterprises (Windsor) Ltd. - 849 Walker Road - Z-034/22 ZNG/6870 - Ward 4

Moved by: Member Jake Rondot
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 448**
1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490 (849 Walker Road; Roll No.: 020-090-09500), located on the west side of Walker Road between Cataraqui Street and Niagara Street by adding a site specific provision to Section 20(1) as follows:

456. **WEST SIDE OF WALKER ROAD BETWEEN CATARAQUI STREET AND NIAGARA STREET**

For the lands comprising Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490, the following shall be permitted as additional permitted uses:

Automobile Detailing Service
Automobile Repair Garage
Contractor's Office
Hotel
Medical Appliance Facility
Print Shop
Warehouse
Workshop

and Section 20(1)53 and Section 20(1)147(ii) and (iii) shall apply to the additional permitted uses.

[ZDM 6; ZNG/6870]

Carried.
Councillor Mark McKenzie voting nay.

Report Number: S 133/2022
Clerk's File: Z/14475

7.4. Rezoning – HD Development Group – 1850 North Service Road – Z-021/22 ZNG/6784 - Ward 10

Moved by: Councillor Fred Francis
Seconded by: Member Dorian Moore

THAT the report of the Senior Planner dated August 25, 2022 entitled "Rezoning – HD Development Group – 1850 North Service Road – Z-021/22 ZNG/6784 - Ward 10" and the

Additional Information Memo AI 15-2022 **BE DEFERRED** to allow the Applicant, in discussion with Administration, to determine if the proposed buildings can be moved further west on the subject parcel, and to determine what options are available to the Applicant that will allow vehicular access at the north end of the subject parcel; and,

That this information **BE BROUGHT FORWARD** to the January 9, 2023 Development & Heritage Standing Committee meeting if possible.
Carried.

Report Number: S 105/2022
Clerk's File:Z/14429

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Item 11.3.

10. HERITAGE ACT MATTERS

N/A

11. ADMINISTRATIVE ITEMS

11.1. Closure of east/west alley between Aubin Road and north/south alley between Seminole Street and Reginald Street, Ward 5, SAA-6751

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

Decision Number: **DHSC 449**

I. THAT the 4.27 metre wide east/west alley located between Aubin Road and the north/south alley located between Seminole Street and Reginald Street, and shown on Drawing No. CC-1812 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure.

II. THAT the 4.27 metre wide east/west alley located between Aubin Road and the north/south alley located between Seminole Street and Reginald Street, and shown on Drawing No. CC-1812 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the owner of the property known municipally as 1590 Aubin Road (legally described as Part of Lots 38 to 41, Plan 1340), in a manner deemed appropriate by the City Planner;

III. THAT Conveyance Cost **BE SET** as follows:

a. For alley conveyed to abutting lands zoned RD1.2: $1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1812, *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 129/2022
Clerk's File: SAA2022

11.2. Closure of north/south alley between Alice Street & Milloy Street, Ward 5, SAA-6652

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

Decision Number: **DHSC 450**

I. THAT the 3.66 metre wide north/south alley located between Alice Street and Milloy Street and shown on Drawing No. CC-1806 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure.

II. THAT the 3.66 metre wide north/south alley located between Alice Street and Milloy Street and shown on Drawing No. CC-1806 *attached* hereto as Appendix "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. Easement, subject to there being accepted in the City's standard form and in accordance with the City's standard practice and EnWin Utilities Ltd. Aboveground Hydro Easement Diagram ***attached*** hereto as **Appendix "F"**, be granted to:

i. Bell Canada to protect existing aerial facilities;
ii. EnWin Utilities Ltd to accommodate existing 16kV primary and 120/240v secondary overhead hydro distribution pole line; and
iii. MNSi for access to service and maintain existing aerial infrastructure;

III. Type THAT Conveyance Cost **BE SET** as follows:

b. For alley conveyed to abutting lands zoned RD1.3, $1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.

IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1806, *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.

Carried.

Report Number: S 131/2022
Clerk's File: SAA2022

11.3. Downtown CIP Grant Application made by Bay 20 Inc. for 880 Ouellette Avenue Ward 3

Hensey Khan and Hitesh Jhaveri, applicants

Hensey Khan and Hitesh Jhaveri, applicants, appear before the Development & Heritage Standing Committee regarding the administrative report ''Downtown CIP Grant Application made by Bay 20 Inc. for 880 Ouellette'' and are available for questions.

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

Decision Number: **DHSC 451**

I. THAT the request made by Bay 20 Inc. (Owner) for the proposed development at 880 Ouellette 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 five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan; and,
   b. the Upper Storey Residential Conversion Grant Program **BE APPROVED** for $5,000 for every new residential unit, up to a maximum of $50,000 per property in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan.

II. THAT Administration **BE DIRECTED** to prepare the agreement between the City and Bay 20 Inc. (Owner) to implement the Building/Property Improvement Tax Increment Grant Program at 880 Ouellette Avenue in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and Community Improvement Plan.

III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Program Agreement at 880 Ouellette Avenue to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.

IV. THAT the grants under the Upper Storey Residential Conversion Grant Program for 880 Ouellette Avenue **BE PAID** to Bay 20 Inc. upon completion of the upper storey residential units as described in Report S128/2022 within two (2) years of Council approval subject to the satisfaction of the City Planner and Chief Building Official.

V. Grant funds in the amount of $50,000 under the Upper Storey Residential Conversion Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to the City Centre Community Development Planning Fund (Project #7011022) when the work is completed.

VI. THAT should the project not be completed in two (2) years, City Council **AUTHORIZE** that the funds under the Upper Storey Residential Conversion Grant Program be uncommitted and made available for other applications.

VII. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 128/2022
Clerk's File:SPL2022

11.5. Brownfield Community Improvement Plan (CIP) application submitted by Agri-Box Inc Inc. for 3324 Marentette Avenue and 3350 Devon Drive (Ward 9)

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

Decision Number: **DHSC 452**

I. THAT the request made by Agri-Box Inc. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 3324 Marentette Avenue and 3350 Devon Drive pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of $15,000 based upon the completion and submission an eligible Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor; and,

III. THAT the grant funds in the amount of $15,000 **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003) when the eligible work is completed to the satisfaction of the City Planner; and,

IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval(s) **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 132/2022
Clerk's File:

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 6:06 o'clock p.m.
Carried.

Mayor

City Clerk

Development & Heritage Standing Committee
(Planning Act Matters)

Date: Monday, December 5, 2022
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 Kieren McKenzie – Acting Chair

Councillor Regrets
Ward 10 – Councillor Jim Morrison

Members
Member Dorian Moore
Member Jake Rondot

Members Absent
Member Anthony Gyemi

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner – Economic Development & Innovation
Thom Hunt, City Planner / Executive Director of Planning & Development
Neil Robertson, Manager of Urban Design / Deputy City Planner
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Rob Perissinotti, Development Engineer
Jim Abbs, Planner III – Subdivisions

Greg Atkinson, Planner III – Economic Development
Kristina Tang, Planner III – Heritage
Adam Szymczak, Senior Planner
Laura Strahl, Planner III, Special Projects
Shannon Deehan, Transportation Planning Coordinator
Samuel Switzer, Planning Assistant
Ashley Porter, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating via video conference

Item 7.1 Jack Ramieri, Solicitior
Item 7.1 Nick Sauro, Applicant
Item 7.2 Quoc Tran, area resident
Item 7.2 Dan Soleski, Architect
Item 7.3 Robert Brown, Principal Planner
Item 7.4 Steve Berrill, Principal Architech
Item 11.3 Hensey Khan & Hitesh Jhaveri, applicants

Delegations—participating in person

Item 7.4 Jackie Lassaline, Principal Planner
Item 7.4 Haidar Habib & Steve Habib, HD Development Group
Item 7.4 Adriano Bertolissio, area resident
Item 7.4 Kerry Shaw, area resident
Item 7.4 Amy Grady, area resident

1. CALL TO ORDER

The Deputy Clerk calls the meeting of the Development & Heritage Standing Committee to order and calls for nominations from the floor for the position of Acting Chairperson.

Councillor Angelo Marignani nominates Councillor Kieran McKenzie for the position of Acting Chairperson. Councillor Kieran McKenzie accepts the nomination.

The Deputy Clerk calls for further nominations from the floor for the position of Acting Chairperson. Councillor Mark McKenzie nominates Councillor Fred Francis. Councillor Fred Francis accepts the nomination.

The Deputy Clerk calls for further nominations from the floor for the position of Acting Chairperson. There being no further nominations, the Deputy Clerk calls for a vote for Councillor Kieren McKenzie.

Aye Votes: Councillors Marignani and Kieren McKenzie and Members Moore and Rondot.
Nay Votes: Councillors Fred Francis and Mark McKenzie.
Councillor Kieren McKenzie assumes the Acting Chair.

The Acting Chair reads the Land Acknowledgement Statement.

2. DISCLOURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

11.4. Downtown CIP Grant Application made by 304830 Ontario Limited for 176 University Avenue West, Ward 3

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani
That the report from the Planner III – Special Projects dated November 17, 2022 **BE DEFERRED** to a future meeting to allow the applicant more time to define the scope of their project.
Carried.

Report Number: C 198/2022
Clerk's File:SPL2022

4. COMMUNICATIONS

None

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1 Minutes of the Development & Heritage Standing Committee (*Planning Act Matters*) minutes held November 1, 2022.

Moved by: Councillor Fred Francis
Seconded by: Member Jake Rondot

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held November 1, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 311/2022

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

Delegations—participating via video conference

See Items 7.1, 7.2, 7.3 & 7.4.

Delegations—participating in Council Chambers

See Items 7.1, 7.2, 7.3 & 7.4.

7. PLANNING ACT MATTERS

7.1 Z-028/22 [ZNG/6846] – WinValco Ltd. 1235 Luke Rd. – Rezoning Ward 5

Jim Abbs (author), Planner III –Subdivision

Mr. Abbs (author) gives presentation.
Via Zoom Nick Sauro, Applicant (WinValco Ltd.) and Mr. Giacomo Ramieri, Agent (Miller Canfield LLP) are available from questions.

Mr. Ramieri states that the property will continue to be used as storage.

Councillor Francis asks applicant what is being stored on the property. Mr. Sauro states lumber is being stored on site.

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

Decision Number: **DHSC 446**
THAT Section 20(1) of the City of Windsor Zoning By-law 8600 **BE AMENDED** for the lands described as Part of Lot 97, Concession 1, as shown on Map 3 of this report, (known municipally as 1235 St Luke Rd) by adding site specific regulation to permit an outdoor storage yard as an additional permitted use as follows:

457. WEST SIDE OF ST. LUKE ROAD, NORTH OF ESSEX TERMINAL RAILWAY

For the lands comprising of Part of Lot 97, Concession 1; as shown on Map 3 of this report, situated on the west side of St. Luke Road, immediately north and abutting the Essex Terminal Railway, the following provisions shall apply:

a. Notwithstanding Section 3.10, an "outdoor storage yard: shall be defined to mean:
"an open space which has a minimum area of 10.0 m2 and is used for storage. A loading compound, parking area, transport storage area, or transport terminal is not an outdoor storage yard."

b. an "outdoor storage yard" shall be an additional permitted use.

(ZDM 7, ZNG-6846).
Carried.

Report Number: S 134/2022
Clerk's File:Z/14474

7.2 Z-031/22 [ZNG/6866] – Gansil Inc. 0 Campbell Ave. – Rezoning Ward 2

Adam Szymczak (author) – Planner III – Zoning

Mr. Szymczak (author) presents item.
Daniel Soleski, Agent (Architecttura Inc.) is available for questions.

Via Zoom Quoc Tran, Resident (627 Campbell Ave.) states concerns with the item becoming a rental for students.
Councillor Francis asks Mr. Tran if he is aware of new rental licensing By-Law that will take effect early next year in Wards 1 and 2.
Member Moore asks various questions regarding parking and set back.

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

Decision Number: **DHSC 447**
THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 9, Registered Plan 1148 (known municipally as 0 Campbell Avenue; Roll No. 050-300-03100) situated on the west side of Campbell Avenue, south of Wyandotte Street West, by adding a site specific exception to Section 20(1) as follows:

455. WEST SIDE OF CAMPBELL AVENUE, SOUTH OF WYANDOTTE STREET WEST

For the lands comprising of Lot 9, Registered Plan 1148, for a *double duplex dwelling* or a *multiple dwelling* with a maximum of four *dwelling units* the following additional provisions shall apply:

a) Lot Width – minimum 12.0 m

b) Lot Area – minimum 520.0 m^2

c) Notwithstanding Section 24.26.5, a *parking space*, visitor parking space or accessible parking space shall be permitted in a *required front yard*.

d) Notwithstanding Section 24.28.1.3, the total area of the *required front yard* occupied by a hard surface for the purpose of a walkway, driveway, *access area* or a *parking space* or any combination thereof cannot exceed 50% of the *required front yard* area and any driveway, *access area*, and *parking space*, shall be paved and maintained with a hard surface consisting of paving brick or block, asphalt, concrete, or any combination thereof.

[ZDM 3; ZNG/6866]

Carried.
Councillor Angelo Marignani and Member Moore voting nay.

Report Number: S 130/2022
Clerk's File: Z/14486

7.3 Z-034/22 [ZNG/6870] – Stoyshin Enterprises 849 Walker Rd. – Rezoning Ward 4

Adam Szymczak (author), Planner III –Zoning

Mr. Szymczak (author) gives presentation.
Robert Brown, Agent (Oakview Land Use Planning) is available for questions.

Moved by: Member Jake Rondot
Seconded by: Councillor Fred Francis

Decision Number: **DHSC 448**
1. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490 (849 Walker Road; Roll No.: 020-090-09500), located on the west side of Walker Road between Cataraqui Street and Niagara Street by adding a site specific provision to Section 20(1) as follows:

456. **WEST SIDE OF WALKER ROAD BETWEEN CATARAQUI STREET AND NIAGARA STREET**

For the lands comprising Part Lot 5, and Lots 7, 9, 11 & 13, Registered Plan 490, the following shall be permitted as additional permitted uses:

Automobile Detailing Service
Automobile Repair Garage
Contractor's Office
Hotel
Medical Appliance Facility
Print Shop
Warehouse
Workshop

and Section 20(1)53 and Section 20(1)147(ii) and (iii) shall apply to the additional permitted uses.

[ZDM 6; ZNG/6870]

Carried.
Councillor Mark McKenzie voting nay.

Report Number: S 133/2022
Clerk's File: Z/14475

7.4 Z-021/22 [ZNG/6870] – HD Development Group 1850 North Service Rd. – Rezoning Ward 10

Adam Szymczak (author), Planner III –Zoning

Mr. Szymczak (author) gives presentation.
Jackie Lassaline, Agent (Lassaline Planners) presents item and is available for questions.

Hadair Habib & Steve Habib, Applicants (HD Development Group) are available for questions.

Steve Berrill, Architect (Architectural Design Associates) is available for questions.

Adriano Bertolissio, Resident (2952 Byng Rd.) has various concerns regarding parking, environmental changes, traffic, privacy, noise and pollution.

Kerry Shaw, Resident (2947 Byng Rd.) has various concerns including; traffic, parking and privacy.

Amy Grady, Resident (2911 Byng Rd.) has various concerns including; privacy, quality of life, de-valuation of homes and light pollution.

Councillor Francis asks Ms. Lassaline how many stories would be considered a high rise residential building. Ms. Lassaline answers it is measured by the number of metres in height. Councillor

Francis asks what is planned for remaining 78% if just 21% is lot coverage. Ms. Lassaline states that landscaping, a pickle ball court, water management swale, open space, driveway and parking will cover the rest of the property. Mr. Szymczak notes that the RD3.3 zoning has a maximum building height of 24 metres.

Councillor Francis asks if it was taken into consideration to reposition the buildings so they will not be backing onto Byng Rd. Mr. Hadair Habib answers that the buildings needed to be positioned as far away from the residents as possible, to the west side of the site. The balcony's have been repositioned to the north and south side to avoid overlooking the existing homes. Staircases at the ends of the buildings are on the sides of the building to help with privacy. Ms. Lasslaline states the orientation does take into account the shadow study.

Councillor Francis asks if moving the buildings westerly towards the Fogolar Furlan was considered. Mr. Haidair Habib states the buildings being on the west would be more favorable for the existing homes.

Member Moore asks if a secondary access for vehicles was considered. Ms. Lassaline answers that there is a separate pedestrian access. No plans for a secondary vehicle access. Member Moore asks if buildings A,B,D & E could be moved westerly. Mr. Berrill states it could be considered.

Councillor Francis asks Mr. Hadair Habib if they would consider altering the development to move the buildings westerly. Mr. Habib states they are not interested in altering the location of the buildings.

Councillor Francis asks various questions to Administration including; the Provincial Policy Statement, repositioning the buildings, set backs and capacity. Mr. Thom Hunt notes that the Provincial Policy Statement is a high-level planning document which outlines the land-use priorities of the Province.

Councillor Mark Mackenzie asks if the entrance into Parkdale Pl. could be considered for vehicle access. Mr. Perissinotti states the initial development concept proposed an access on land that is owned by the City of Windsor and this access was denied.

Councillor Francis suggests a deferral.

Moved by: Councillor Fred Francis
Seconded by: Member Dorian Moore

THAT the report of the Senior Planner dated August 25, 2022 entitled "Rezoning – HD Development Group – 1850 North Service Road – Z-021/22 ZNG/6784 - Ward 10" and the Additional Information Memo AI 15-2022 **BE DEFERRED** to allow the Applicant, in discussion with Administration, to determine if the proposed buildings can be moved further west on the

subject parcel, and to determine what options are available to the Applicant that will allow vehicular access at the north end of the subject parcel; and,

That this information **BE BROUGHT FORWARD** to the January 9, 2023 Development & Heritage Standing Committee meeting if possible.
Carried.

Report Number: S 105/2022
Clerk's File:Z/14429

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 5:55pm.

Ward 10 – Councillor Kieren McKenzie (Acting Chairperson)	Thom Hunt (Secretary)