Development & Heritage Standing Committee Meeting

Date: Monday, October 03, 2022
Time: 4:30 o'clock p.m.

Members Present:

Councillors
Ward 3 - Councillor Bortolin (Chairperson)
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 7 - Councillor Gill
Ward 10 - Councillor Morrison

Members
Member Baker
Member Foot
Member Miller
Member Rondot

Member Regrets
Member Fratangeli
Member Gyemi
Member Moore

Clerk's Note: Several members of Administration and the public participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Michael Cooke, Manager of Planning Policy / Deputy City Planner
Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner – Economic Development & Innovation

Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Thom Hunt, City Planner
Neil Robertson, Manager of Urban Design / Deputy City Planner
John Revell, Chief Building Official
Patrick Winters, Development Engineer
Shannon Deehan, Transportation Planner I
Brian Nagata, Planner II – Development Review
Jim Abbs, Planner III – Subdivisions
Kevin Alexander, Planner III – Special Projects
Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Kristina Tang, Planner III – Heritage
Marianne Sladic, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

Delegations—participating via video conference

Item 7.2 Daryl McDonald, Area Resident
Item 10.1 Igor and Marina Karasev
Item 11.3 Ibram Sobhy, Area Resident
Item 11.6 Chris Pare, Hydrogeologist, Dragun Corporation / Hiatus House

Delegations—participating in person

Item 7.1 Maureen Rudowicz, Area Resident
Item 7.1 Adriano Bertolissio, Area Resident
Item 7.2 Barbara Macedonski, Area Resident
Item 7.2 Alain DaGuerre, Area Resident
Item 7.2 Zoe Sotirakos, Dillon Consulting Limited
Item 7.2 Spiros Govas, Owner of 147 Janette
Item 7.2 Anastasia Timakis, Area Resident
Item 7.3 Karl Tanner, Partner, Dillon Consulting Limited
Item 7.3 Heather Nash, Area Resident
Item 7.3 Florry Foster, Area Resident
Item 7.3 Sinisa Simic, Area Resident
Item 11.3 Azmi Qaqish, Area Resident
Item 11.5 Terrance Kennedy, Ward 2 Resident

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

See Item 7.1.

4. COMMUNICATIONS

None presented.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 6, 2022

Moved by: Member Foot
Seconded by: Member Baker

THAT the minutes of the Development & Heritage Standing Committee meeting held June 6, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 159/2022

8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held July 4, 2022

Moved by: Member Foot
Seconded by: Member Baker

THAT the minutes of the Development & Heritage Standing Committee meeting held July 4, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 186/2022

8.3. Adoption of the Development & Heritage Standing Committee minutes of its meeting held August 2, 2022

Moved by: Member Foot
Seconded by: Member Baker

THAT the minutes of the Development & Heritage Standing Committee meeting held August 2, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 226/2022

8.4. Adoption of the Development & Heritage Standing Committee minutes of its meeting held September 12, 2022

Moved by: Member Foot
Seconded by: Member Baker

THAT the minutes of the Development & Heritage Standing Committee meeting held September 12, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 265/2022

10. *HERITAGE ACT* MATTERS

10.1. 719 Victoria Ave, Treble-Large House - Heritage Permit & Community Heritage Fund Request (Ward 3)

Igor and Marina Karasev

Igor and Marina Karasev appear via video conference before the Development & Heritage Standing Committee regarding the administrative report entitled “719 Victoria Ave, Treble-Large House - Heritage Permit & Community Heritage Fund Request (Ward 3)” and are available for questions.

Moved by: Councillor Gill
Seconded by: Member Foot

Decision Number: **DHSC 432**

I. THAT a Heritage Permit for the designated heritage property located at 719 Victoria Ave, known as the Treble-Large House, **BE GRANTED** for restoration of the front porch and steps.

II. THAT the City Planner or designate **BE DELEGATED** the authority to approve any further proposed changes associated with the porch restoration.

III. THAT a total grant of 35% of the cost of the porch restoration, to an upset amount of $17,006 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of 719 Victoria Avenue.

IV. THAT a total grant of 35% of the cost of conservation work for the turret and chimney repairs amounting to $9,257 from the Community Heritage Fund (Reserve Fund 157) **BE GRANTED** to the Owners of 719 Victoria Avenue.

V. THAT the grant funding identified under recommendations III and IV **BE SUBJECT** to the following:

a. Submission of professional drawings, conservation details, technical details and samples, to the satisfaction of the City Planner or designate prior to work start;

b. Obtaining a Building Permit;

c. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance (if required);

d. Owner's submission of paid receipts for work completed;

e. That the Community Heritage Fund (Reserve Fund 157), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 112/2022
Clerk's File: MBA2022

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act* Matters) portion is adjourned at 4:34 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 4:35 o'clock p.m.

7. *PLANNING ACT* MATTERS

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

Moved by: Councillor Morrison
Seconded by: Councillor Gill

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" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for additional information related to the traffic study and Byng Road to be provided.
Carried.

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

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Development & Heritage Standing Committee Minutes (*Planning Act* Matters) from the meeting held September 12, 2022

Moved by: Councillor Sleiman
Seconded by: Councillor Gill

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held September 12, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 266/2022

7. *PLANNING ACT* MATTERS

7.2. Zoning Bylaw Amendment Site specific regulations for Multiple Dwelling – Farhi Holding Corporation -Z 017-22 [ZNG6760] 0 Riverside Dr W, S/W corner of Riverside Dr W & Janette Ave- Ward 3

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 430**
THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 1, Block A, Plan 76 & Part of Lot 77 Concession 1 & Part of Closed Alley, Parts 1, 2 and 3 12R-9686 in the City of Windsor,

known municipally as 0 Riverside Drive (Roll # 040-110-01200) by adding a site specific exception to Section 20(1) as follows:

Southwest corner of Riverside Drive West and Janette Avenue

For the lands comprising of Lot 1, Block A, Plan 76 & Part of Lot 77 Concession 1 & Part of Closed Alley in the City of Windsor, a Multiple Dwelling shall be an additional permitted use and shall be subject to the applicable provisions in Section 16.1.5, except for the following site specific regulations:

Building Height: Maximum - 85.5 metres
Amenity Area: Minimum - 1.59 m^2 per unit

[ZDM 3; ZNG/6760]; and further,

THAT the developer/proponent **BE REQUESTED** to meet with area residents informally to discuss their concerns prior to this application moving forward to City Council.
Carried.
Councillor Gill voting nay.

Report Number: S 114/2022
Clerk's File: Z/14427

7.3. Zoning By-law Amendment Application for property known as 1247 -1271 Riverside Dr. E., at the S/W corner of Hall and Riverside Dr. E; Applicant: St. Clair Rhodes Development Corporation; File No. Z-044/21, ZNG/6633; Ward 4.

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 431**

I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], by amending the existing site specific provision s.20(1)310 to include a "*Multiple Dwelling* with five or more *dwelling units*" as an additional permitted use, subject to the provisions noted in Recommendation II below;

II. THAT special provision **S.20(1)310** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], **BE DELETED** and **BE REPLACED** with the following:

"310. SOUTHWEST CORNER OF RIVERSIDE DRIVE EAST AND HALL AVENUE

For the lands comprising part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], the following shall apply:

ADDITIONAL PERMITTED USES:

Multiple Dwelling with five or more *dwelling units* (New use)
Business Office

Business Office in a *Combined Use Building* with any of the uses permitted in Section 11.2.1, provided that all dwelling units, not including entrances thereto, are located entirely above a *business office*;

ADDITIONAL PROVISIONS FOR *BUSINESS OFFICE* & *BUSINESS OFFICE* IN A *COMBINED USE BUILDING*:

.3 Lot Coverage – Total – maximum - 30.0%
.4 Building Height – maximum - 14.0 m
.8 Landscape Open Space Yard – minimum - 15% of *lot* area
.20 Building Setback – minimum:
a) From the *exterior lot line* along Hall Avenue – 1.20 m; and 3.20 m for any part of the *building* above 8.0 m in height;
b) From the *exterior lot line* along Riverside Drive - 6.0 m; and 8.0 m for any part of the *building* above 8.0 m in height;
c) From an *interior lot line* – 15.0 m, for the area within 30.0 m from the Riverside Drive right-of-way; and 1.50 m for the remainder of the area;
d) From the *rear lot line* – 50.0 m;
.50 *Parking spaces* shall be setback a minimum of 12.0 m from the south limit of Riverside Drive East right-of-way, and shall be screened from Riverside Drive East and adjacent dwellings.
.55 The minimum parking area separation from the abutting north-south alley shall be 1.10 m.
.90 A *parking space* is prohibited in any required *front* yard.
.95 Vehicular access is prohibited along the Riverside Drive frontage and along the east-west alley abutting Hall Avenue situated at the most southerly limit of the subject land.

ADDITIONAL PROVISIONS FOR *MULTIPLE DWELLING* WITH FIVE OR MORE *DWELLING UNITS*: (New provisions)

1. The provisions in Section 20(1)310 that apply to a *Business Office* and a *Combined Use Building* shall also apply to a *multiple dwelling* with five or more *dwelling units*, save and except for s.20(1)310.3, s.20(1)310.4, s.20(1)310.8 and 20(1)310.20(d); and

2. The following additional provisions shall apply to a *multiple dwelling* with five or more *dwelling units*:

.2	Lot Area – minimum	- 93.0 m^2 per unit
.3	Lot Coverage – maximum	- 35%
.4	Main Building Height – maximum	- 18.0 m
.8	Landscape Open Space Yard – minimum	- 35% of *lot* area
.20	Building setback from rear lot line - minimum	- 30.0 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; 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.

   [ZDM 6; ZNG/4153; ZNG/5270; ZNG/6633]"

III. THAT the applicant's request for site-specific provision to allow for a reduction in the required minimum building setback from 1.5m to 0.2m from an interior lot line **BE DENIED** for reasons noted in this report;

III. THAT the parcel described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], located on the southwest corner of Riverside Drive East and Hall Avenue **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act,* provided the subject exemption excludes minor variance application(s) with the intent to achieve any of the following:
   a. Reduction in the required minimum building setbacks; and,

IV. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following requirements and other requirements found in Appendix B of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:
   1) 4.6m x 4.6m corner cut-off at the corner of Hall Avenue and Riverside Dr. E.
   2) Storm Detention
   3) Sanitary Sampling Manhole
   4) Oil & Grit Separator
   5) Encroachment of existing concrete retaining wall (and footings) fronting Riverside Dr. E.
   6) Parkland dedication;
   7) A Record of Site Condition registered on file with the Ministry; and
   8) Canada Post requirements and guidelines for the proposed multi-unit development.

V. THAT the developer/proponent **BE REQUESTED** to meet with area residents informally to discuss their concerns prior to this application moving forward to City Council.

VI. THAT Administration **BE REQUESTED** to report back to City Council on the appropriateness of the installation of a pedestrian crossing on Riverside Drive, connecting Hall and the riverfront multi-use path.

Carried.

Report Number: S 116/2022
Clerk's File: Z/14294

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:49 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 6:49 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.3. Closure of part of the easterly half of the east/west alley between Campbell Avenue and Mark Avenue, Ward 10

Giovanni (John) Miceli, Applicant

Giovanni (John) Miceli, applicant, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Closure of part of the easterly half of the east/west alley between Campbell Avenue and Mark Avenue, Ward 10" and is available for questions.

Azmi Qaqish, Area Resident

Azmi Qaqish, area resident, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Closure of part of the easterly half of the east/west alley between Campbell Avenue and Mark Avenue, Ward 10" and expresses concern with the closure application for the alley, specifically related to his tenants parking in the back alley as the alley closure would eliminate this parking; and concludes by citing concerns related to limited on-street parking, garbage, and rodent control problems in the area, as well as his property value being reduced should the alley closure move forward.

Ibram Sobhy, Area Resident

Ibram Sobhy, area resident, appears via video conference before the Development & Heritage Standing Committee regarding the administrative report entitled "Closure of part of the easterly half of the east/west alley between Campbell Avenue and Mark Avenue, Ward 10" and indicates that he has no concerns with closure application; and concludes by suggesting that the closure may eliminate problems they are currently experiencing specifically garbage dumping; criminal activities; safety concerns; rodent issues and suggests that the alley closure be extended to the vacant lot also.

Councillor Bortolin requests clarification as to which portion of the alley is being closed. Brian Nagata, Planner II – Development Review, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Closure of part of the easterly half of the east/west alley between Campbell Avenue and Mark Avenue, Ward 10" and provides details related to which part of the alley will be closed specifically the portion abutting the vacant property at Tecumseh Road West and Mark Avenue with the other portions remaining open.

Councillor Bortolin explains to the delegate that the alley behind his property will remain open. Mr. Qaqish indicates that his property will still be negatively impacted as he will have no access from Campbell and it will be difficult for his tenants to enter and exit the parking area behind his property.

Councillor Morrison requests clarification related to the area and administration provides the clarification.

Moved by: Councillor Morrison
Seconded by: Councillor Holt

Decision Number: **DHSC 435**

I. THAT the 24.38 metre portion of the 4.27 metre wide east/west alley located immediately west of Mark Avenue and south of the property known municipally as 0 Tecumseh Road West (Roll No. 080-600-17600), and shown on Drawing No. CC-1814 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. THAT the 24.38 metre portion of the 4.27 metre wide east/west alley located immediately west of Mark Avenue and south of the property known municipally as 0 Tecumseh Road West (Roll No. 080-600-17600), and shown on Drawing No. CC-1814 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owner at 0 Tecumseh Road West (Roll No. 080-600-17600) 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, be granted to:
      i. Bell Canada to accommodate existing infrastructure;
      ii. EnWin to accommodate existing overhead 16kV and 120/240 volt distribution, poles and down guy wires;
      iii. MNSi. to accommodate aerial plant on existing pole line; and
      iv. The Corporation of the City of Windsor to accommodate existing circa 1955, 600.0 millimetre reinforced concrete storm sewer, to the satisfaction of the City Engineer.

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

   a. For alley conveyed to abutting lands zoned CD2.1, $20 per square foot without easements and $10 per square foot with easements

IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1814, *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 111/2022
Clerk's File: SAA2022

11.5. Sandwich CIP/Demolition Control By-law Exemption Report-3135 Peter Street; Owner: 1147011 Ontario LTD (C/O: Mamun Chowdury)

Terrance Kennedy, Ward 2 Resident

Terrance Kennedy, ward 2 resident, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich CIP/Demolition Control By-law Exemption Report-3135 Peter Street; Owner: 1147011 Ontario LTD (C/O: Mamun Chowdury)" and expresses concern with the administrative recommendation and suggests that the landlords be held accountable for concerns related to the condition of the property, including weeds, garbage, rodents and should be cleaning this property up; and concludes by suggesting that Council not approve the demolition request.

Councillor Bortolin requests clarification from the legal department as to whether the use or activity on a property is legilslated for example if the property is vacant for a period of time can enforcement address this. Wira Vendrasco, Deputy City Solicitor, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Sandwich CIP/Demolition Control By-law Exemption Report-3135 Peter Street; Owner: 1147011 Ontario LTD (C/O: Mamun Chowdury)" and indicates those type of issues would be landlord/tenant court types of issues, the City cannot regulate the behaviour of the landlord related to what they choose to do with their property. i.e. leave it vacant or rent it out. Other contravenions to City of Windsor By-laws would be investigated accordingly as per complaints received.

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: **DHSC 437**

I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner 1147011 Ontario LTD (C/O: Mamun Chowdury), to demolish a three (3) unit dwelling located at 3135 Peter Street (see Appendix 'A'), to construct a two (2) story three (3) unit dwelling when an executed Site Plan Control Agreement has been registered

on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement;

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:

i. The redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;

ii. 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 Sixty Thousand Dollars ($60,000) on the collectors roll of the property and prepare a certificate for registration;

IV. THAT the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property;

V. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner 1147011 Ontario LTD (C/O: Mamun Chowdury) of the property located at 3135 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 (+/- $24,090.34);

ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-$3,226 per year);

VI. 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 CFO/City Treasurer as to financial implication;

VII. THAT funds in the amount of +/-$24,090.34 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;

VIII. THAT grants **BE PAID** to 1147011 Ontario LTD (C/O: Mamun Chowdury) upon completion of the two (2) story three (3)-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,

IX. 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 109/2022
Clerk's File: SPL2022

11.6. Brownfield Community Improvement Plan (CIP) application submitted by Haerko Inc. on behalf of the Hiatus House of Windsor for 0 Louis Avenue (Ward 4)

Chris Pare, Hydrogeologist, Dragun Corporation / Hiatus House

Chris Pare, Hydrogeologist, Dragun Corporation / Hiatus House, appears via video conference before the Development & Heritage Standing Committee regarding the administrative report entitled "Brownfield Community Improvement Plan (CIP) application submitted by Haerko Inc. on behalf of the Hiatus House of Windsor for 0 Louis Avenue (Ward 4)" and is available for questions.

Councillor Bortolin requests clarification related to the subject land. Mr. Pare confirms that the subject land is on the west side of the street.

Moved by: Councillor Gill
Seconded by: Councillor Holt

Decision Number: **DHSC 438**

I. THAT the request made by Haerko Inc. on behalf of the property owner (Hiatus House of Windsor) to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study and Remedial Work Plan for property located at 0 Louis Avenue (Roll No. 030-070-03200) 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 $25,000 based upon the completion and submission an eligible study Phase II Environmental Site Assessment Study and Remedial Work Plan completed in a form acceptable to the City Planner and City Solicitor; and,

III. THAT the grant funds in the amount of $25,000 **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 and/or Remedial Work Plan 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; and,

V. THAT Council **RECOGNIZE** the City of Windsor as a municipal partner of the Hiatus House of Windsor for the purpose of making an application to the Federation of Canadian Municipalities Green Municipal Fund related to brownfield work at 0 Louis Avenue, located at the southwest corner of Louis Avenue at Chatham Street East; and further,

VI. THAT the City Planner **BE AUTHORIZED** to sign and execute any documents required to submit the application to the Green Municipal Fund noted above, subject to all documentation being satisfactory in legal form to the Commissioner of Legal & Legislative Services, in financial content to the Commissioner of Corporate Services, Chief Financial Officer/City Treasurer; and in technical content to the Commissioner of Economic Development and Innovation, or designates.

Carried.

Report Number: S 113/2022
Clerk's File: SPL2022

11.1. Closure of remainder of Pall Mall Street right-of-way, east of Virginia Park Avenue, Ward 10

Moved by: Councillor Holt
Seconded by: Councillor Gill

Decision Number: **DHSC 433**

I. THAT the 45.87 metre portion of the 20.12 metre wide Pall Mall Street right-of-way located east of Virginia Park Avenue, north of 2510 Virginia Park Avenue, south of 939 Northwood Street, and west of 0 Rockwell Boulevard (Roll No. 080-570-04700), and shown on Drawing No. CC-1805 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. THAT the 45.87 metre portion of the 20.12 metre wide Pall Mall Street right-of-way located east of Virginia Park Avenue, north of 2510 Virginia Park Avenue, south of 939 Northwood Street, and west of 0 Rockwell Boulevard (Roll No. 080-570-04700), and shown on Drawing No. CC-1805 *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. Easements, 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 accommodate existing aerial facilities; and

ii. EnWin Utilities Ltd. to accommodate existing overhead plant and pole-line.

1. 120/240V overhead secondary conductor running north/south along the existing pole-line at the east side of the property.

2. 16kV overhead primary conductor running north/south along the existing pole-line at the east side of the property.

III. THAT Conveyance Cost **BE SET** as follows:
   a. For right-of-way conveyed to abutting lands zoned RD1.1, $1,500 per front foot without easements and $750 per front foot with easements IF less than 40 feet is purchased; OR $4,000 per front foot without easements and $2,000 per front foot with easements IF 40 or more feet is purchased.
   b. For right-of-way conveyed to abutting lands zoned ID1.1, $8 per square foot without easements, $4 per square foot with easements.

IV. THAT **PRIOR TO** the conveyance of the closed portion of the Pall Mall Street right-of-way, legally described as Part 2, Reference Plan 12R-18955, in accordance with Recommendation 2 of By-law 13024:
   a. Easements, 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 accommodate existing aerial facilities; and
      ii. EnWin Utilities Ltd. to accommodate existing overhead plant and pole-line.
         1. 120/240V overhead secondary conductor running north/south along the existing pole-line at the east side of the property.

V. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1805, attached hereto as Appendix "A".

VI. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

VII. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.

VIII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 107/2022
Clerk's File: SPL2022

11.2. Amendment to CR178/2022 for closure of east/west alley segments between Rankin Avenue and Glenwood Avenue, together with south part of north/south alley between Roxborough Boulevard and Glenwood Avenue, all north of E.C. Row Expressway, Ward 10

Moved by: Councillor Sleiman
Seconded by: Councillor Morrison

Decision Number: **DHSC 434**
THAT CR178/2022, adopted on April 25, 2022, **BE AMENDED** as follows:

By **DELETING** the following wording under sections I, II & III to the council resolution:

I. That the segments of the 4.27m wide east/west alley segments located at the south end of Partington Ave. Roxborough Blvd. and Glenwood Ave. north of EC Row Expressway together with the north/south alley segment measuring approximately 32m between Roxborough Boulevard and Glenwood Avenue, all as shown on Drawing No. CC-1783 attached as Appendix "A", **BE ASSUMED** for subsequent closure;

II. That the portions of the 4.27m wide east/west alley segments located at the south end of Partington Ave. Roxborough Blvd. and Glenwood Ave. and north of EC Row Expressway and shown on Drawing No. CC-1783 attached as Appendix "A", **BE CLOSED AND CONVEYED** in full width, to the abutting property owners on the north side of the alley, subject to the following:
    a. Easement, subject to their 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, Enbridge Gas Inc., and ENWIN Utilities Ltd.

III. That the north/south alley segment measuring approximately 32m in length and located at the south end of Roxborough Boulevard and Glenwood Avenue, as shown on Drawing No. CC-1783 attached as Appendix "A", **BE CLOSED AND CONVEYED** in full width, to the abutting property owners on the east and west sides of the alley, subject to the following:
    a. Easement, subject to their 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, Enbridge Gas Inc., and ENWIN Utilities Ltd.

And **INSERTING:**

I. That the three 4.27 metre wide east/west alleys located between Rankin Avenue and Partington Avenue, Partington Avenue and Roxborough Boulevard, and Roxborough Boulevard and Glenwood Avenue respectively, north of the E. C. Row Expressway, and shown on Drawing No. CC-1783, *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. That the 32.0 metre portion of the 3.65 metre wide north/south alley located between the south limit of the property known municipally as 2485 Glenwood Avenue and the aforesaid 4.27 metre wide alley located between Roxborough Boulevard and Glenwood Avenue, and shown on Drawing No. CC-1783, *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

III. That the three 4.27 metre wide east/west alleys located between Rankin Avenue and Partington Avenue, Partington Avenue and Roxborough Boulevard, and Roxborough Boulevard and Glenwood Avenue respectively, north of the E. C. Row Expressway,

and shown on Drawing No. CC-1783, *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners to the north 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, be granted to:
   i. The Corporation of the City of Windsor to accommodate existing 250 millimetre PVC sanitary sewer located in the east/west alleys located between Rankin Avenue and Partington Avenue, and Partington Avenue and Roxborough Boulevard; and
   ii. Enbridge Gas Inc. to accommodate existing natural gas line.

IV. That the 32.0 metre portion of the 3.65 metre wide north/south alley located between the south limit of the property known municipally as 2485 Glenwood Avenue and the aforesaid 4.27 metre wide alley located between Roxborough Boulevard and Glenwood Avenue, and shown on Drawing No. CC-1783, *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.

Carried.

Report Number: S 108/2022
Clerk's File: SAA2022

11.4. Proposed redevelopment of the former Concord School Site at 6700 Raymond Ave. - City Wide

Councillor Holt requests clarification related to how this type of recommendation based on a survey of the residents related to the redevelopment plans was developed. Neil Robertson, Manager of Urban Design / Deputy City Planner, appears before the Development & Heritage Standing Committee regarding the administrative report entitled "Proposed redevelopment of the former Concord School Site at 6700 Raymond Ave. - City Wide" and provides a brief background and history related to this property and the plans for the whole property which were scaled back from the original concept following Council direction.

Councillor Holt inquires as to the Planning Department's opinion of the best use for this property. Mr. Robertson indicates they are keeping it close to what Council wanted in the original recommendation. Mr. Robertons provides information related to the zoning, higher density housing and the plan presented.

Councillor Holt questions the current proposal, and that it is not higher density. Mr. Robertson provides information related to the original concept plan where higher density would have been more appropriate closer to Wyandotte Street and how this portion is being suggested for a lower type of density.

Councillor Holt expresses concern with setting a precedent in relation to other proposed developments where surrounding occupants would get to select the type of developments that are

being propsed for neighbouring properties. Mr. Robertson indicates that surrounding residents were polled, suggestions were provided and Council makes the decision.

Councillor Bortolin expresses concern with Council's decision to not recommend higher density housing, and administration's survey questions which contained selection options that were mostly lower density options. Mr. Robertson provides details related to the survey questions and indicates that the property has not been vetted for affordable housing.

Moved by: Councillor Holt
Seconded by: Councillor Morrison

Decision Number: **DHSC 436**
That the report of the (Acting) Landscape Architect / Senior Urban Designer dated August 11, 2022 entitled "Proposed Redevelopment of the Former Concord School Site at 6700 Raymond Ave. – Ward 7**" BE RECEIVED** for information.
Carried.
Councillor Gill voting nay.

Report Number: S 7/2022
Clerk's File: SPL2022

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 7:34 o'clock p.m.
Carried.

_____	_____
Ward 3 - Councillor Bortolin (Chairperson)	Deputy City Clerk / Supervisor of Council Services

Development & Heritage Standing Committee
(Planning Act Matters)

Date: Monday, October 3, 2022
Time: 4:30 pm

MEMBERS PRESENT:

Councillors:

Ward 3 - Councillor Bortolin (Chair)
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 7 - Councillor Gill
Ward 10 - Councillor Morrison

Members:

Member Rondot

Members Absent:

Member Gyemi
Member Moore

Clerk's Note: Several members of Administration and the public participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Michael Cooke, Manager of Planning Policy / Deputy City Planner
Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Jelena Payne, Commissioner – Economic Development & Innovation
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate
Thom Hunt, City Planner
Neil Robertson, Manager of Urban Design / Deputy City Planner
John Revell, Chief Building Official
Patrick Winters, Development Engineer
Shannon Deehan, Transportation Planner I

Brian Nagata, Planner II – Development Review
Jim Abbs, Planner III – Subdivisions
Kevin Alexander, Planner III – Special Projects
Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Kristina Tang, Planner III – Heritage
Marianne Sladic, Clerk Steno Senior
Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:30 pm.

2. DISCLOURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

Item 7.1 Councillor Morrison requests DEFERRAL

4. COMMUNICATIONS

None

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1 Minutes of the Development & Heritage Standing Committee (*Planning Act Matters*) minutes held September 12, 2022.

Moved by: Councillor Sleiman
Seconded by: Councillor Gill

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held September 12, 2022 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

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

Delegations—participating in person

Item 7.1 Maureen Rudowicz, Area Resident
Item 7.1 Adriano Bertolissio, Area Resident
Item 7.2 Barbara Macedonski, Area Resident
Item 7.2 Alain DaGuerre, Area Resident
Item 7.2 Zoe Sotirakos, Dillon Consulting Limited
Item 7.2 Spiros Govas, Owner of 147 Janette
Item 7.2 Anastasia Timakis, Area Resident
Item 7.3 Karl Tanner, Partner, Dillon Consulting Limited
Item 7.3 Heather Nash, Area Resident
Item 7.3 Florry Foster, Area Resident
Item 7.3 Sinisa Simic, Area Resident

7. PLANNING ACT MATTERS

7.1 Z-021/22 [ZNG/6784] – HD Development Group 1850 North Service Road – Rezoning Ward 10

Moved by: Councillor Morrison
Seconded by: Councillor Gill

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" **BE DEFERRED** to a future meeting of the Development & Heritage Standing Committee to allow for additional information related to the traffic study and Byng Road to be provided.

Carried UNANIMOUSLY

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

7.2 Z-017/22 [ZNG/6760] – Farhi Holdings Corporation Riverside Dr W at Janette Ave – Rezoning Ward 3

Jim Abbs (author) – Planner III – Subdivisions

Mr Abbs gave a presentation of the proposed application.

Zoe Sotirakos (agent) – Dillon Consulting Ltd – is in support of Administration's recommendations.

Area residents are opposed to the proposed development citing the following concerns:

- Scale of the building – proposed as 12 stories more than Dieppe Towers – gross overreach. Request building to be more proportionate to lot and in line with surrounding structures
- Eventual closure of Janette Ave during the 2nd phase – essential for tenants access from Riverside Drive as Janette is one-way driving southbound. Bruce Avenue runs northbound one-way
- Obstruction of views
- Loss of historical neighbourhood, creating a concrete wall along riverfront
- Additional traffic, noise, pollution and poorer air quality
- Cleanliness
- Parking availability

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 430**

RECOMMENDATIONS

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lot 1, Block A, Plan 76 & Part of Lot 77 Concession 1 & Part of Closed Alley, Parts 1, 2 and 3 12R-9686 in the City of Windsor, known municipally as 0 Riverside Drive (Roll # 040-110-01200) by adding a site specific exception to Section 20(1) as follows:

Southwest corner of Riverside Drive West and Janette Avenue

For the lands comprising of Lot 1, Block A, Plan 76 & Part of Lot 77 Concession 1 & Part of Closed Alley in the City of Windsor, a Multiple Dwelling shall be an additional permitted use and shall be subject to the applicable provisions in Section 16.1.5, except for the following site specific regulations:

Building Height: Maximum - 85.5 metres
Amenity Area: Minimum - 1.59 m^2 per unit

[ZDM 3; ZNG/6760]

THAT the developer/proponent **BE REQUESTED** to meet with area residents informally to discuss their concerns prior to this application moving forward to City Council.

Motion CARRIED.
Councillor Gill voting nay.

Report Number: S 114/2022
Clerk's File: Z/14427

7.3 Z-044/21 [ZNG/6633] – St Clair Rhodes Development Corp 1247 Riverside Dr E – Rezoning Ward 4

Justina Nwaesei (author) – Planner III – Subdivisions

Ms Nwaesei provides a presentation of the proposed development. Notes the Site Plan is a Concept Plan only and is not to be taken as the final proposed building plan.

Karl Tanner (agent) – Dillon Consulting – in agreement with Administration's recommendation with the exception of item III (a). Mr Tanner advises they will meet with area residents to address their concerns prior to the report going to Council.

Area residents are in support of the residential development but note the following concerns:

- Footprint of the proposed building – don't like the angle or the proximity to the neighbouring property immediately west
- Concerned over fence separating the development from the neighbour – it may provide a hiding place for homeless to rest in overnight – already has issues with homeless trying to enter the property
- Request the developer consider a 4-storey building to keep in line with the history and heritage of the neighbourhood – also concern over shade if building is larger
- Concern if the development will impact any possible ADU's in the neighbourhood
- Interest in more public engagement

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 431**

RECOMMENDATIONS

I. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], by amending the existing site specific provision s.20(1)310 to include a "*Multiple Dwelling* with five or more *dwelling units*" as an additional permitted use, subject to the provisions noted in Recommendation II below;

II. That special provision **S.20(1)310** for the lands located on the southwest corner of Riverside Drive East and Hall Avenue, described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], **BE DELETED** and **BE REPLACED** with the following:

"310. SOUTHWEST CORNER OF RIVERSIDE DRIVE EAST AND HALL AVENUE

For the lands comprising part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], the following shall apply:

ADDITIONAL PERMITTED USES:

Multiple Dwelling with five or more *dwelling units* (New use)
Business Office

Business Office in a *Combined Use Building* with any of the uses permitted in Section 11.2.1, provided that all dwelling units, not including entrances thereto, are located entirely above a *business office*;

ADDITIONAL PROVISIONS FOR *BUSINESS OFFICE* & *BUSINESS OFFICE* IN A *COMBINED USE BUILDING*:

.3 Lot Coverage - Total - maximum - 30.0%

.4 Building Height – maximum - 14.0 m

.8 Landscape Open Space Yard – minimum - 15% of *lot* area

.20 Building Setback – minimum:

a) From the *exterior lot line* along Hall Avenue – 1.20 m; and 3.20 m for any part of the *building* above 8.0 m in height;

b) From the *exterior lot line* along Riverside Drive - 6.0 m; and 8.0 m for any part of the *building* above 8.0 m in height;

c) From an *interior lot line* – 15.0 m, for the area within 30.0 m from the Riverside Drive right-of-way; and 1.50 m for the remainder of the area;

d) From the *rear lot line* – 50.0 m;

.50 *Parking spaces* shall be setback a minimum of 12.0 m from the south limit of Riverside Drive East right-of-way, and shall be screened from Riverside Drive East and adjacent dwellings.

.55 The minimum parking area separation from the abutting north-south alley shall be 1.10 m.

.90 A *parking space* is prohibited in any required *front* yard.

.95 Vehicular access is prohibited along the Riverside Drive frontage and along the east-west alley abutting Hall Avenue situated at the most southerly limit of the subject land.

ADDITIONAL PROVISIONS FOR *MULTIPLE DWELLING* WITH FIVE OR MORE *DWELLING UNITS*:
(New provisions)

1. The provisions in Section 20(1)310 that apply to a *Business Office* and a *Combined Use Building* shall also apply to a *multiple dwelling* with five or more

dwelling units, save and except for s.20(1)310.3, s.20(1)310.4, s.20(1)310.8 and 20(1)310.20(d); and

2. The following additional provisions shall apply to a *multiple dwelling* with five or more *dwelling units*:

.2	Lot Area – minimum	- 93.0 m^2 per unit
.3	Lot Coverage – maximum	- 35%
.4	Main Building Height – maximum	- 18.0 m
.8	Landscape Open Space Yard – minimum	- 35% of *lot* area
.20	Building setback from rear lot line - minimum	- 30.0 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; 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.

[ZDM 6; ZNG/4153; ZNG/5270; ZNG/6633]"

III. That the applicant's request for site-specific provision to allow for a reduction in the required minimum building setback from 1.5m to 0.2m from an interior lot line, **BE DENIED,** for reasons noted in this report;

IV. THAT the parcel described as part of Lot 92, Concession 1, [PIN 01150-0313 LT] and Lot 6, Registered Plan 433 [PIN 01150-0110 LT], located on the southwest corner of Riverside Drive East and Hall Avenue, **BE EXEMPT** from the provisions of section 45(1.3) of the Planning Act, provided the subject exemption excludes minor variance application(s) with the intent to achieve any of the following:
   a. Reduction in the required minimum building setbacks; and,

V. THAT the Site Plan Approval Officer **BE DIRECTED** to incorporate the following requirements and other requirements found in Appendix B of this Report, in the Site Plan Approval process and the Site Plan Agreement for the proposed development on the subject land:
1) 4.6m x 4.6m corner cut-off at the corner of Hall Avenue and Riverside Dr. E.
2) Storm Detention
3) Sanitary Sampling Manhole
4) Oil & Grit Separator
5) Encroachment of existing concrete retaining wall (and footings) fronting Riverside Dr. E.
6) Parkland dedication;
7) A Record of Site Condition registered on file with the Ministry; and
8) Canada Post requirements and guidelines for the proposed multi-unit development.

VI. THAT the developer/proponent **BE REQUESTED** to meet with area residents informally to discuss their concerns prior to this application moving forward to City Council.

VII. THAT Administration **BE REQUESTED** to report back to City Council on the appropriateness of the installation of a pedestrian crossing on Riverside Drive, connecting Hall and the riverfront multi-use path.

Motion CARRIED UNANIMOUSLY.

Report Number: S 116/2022
Clerk's File: Z/14294

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 6:49 pm.

Ward 3 – Councillor Bortolin (Chairperson)	Thom Hunt (Secretary)