



# **FINAL CONSOLIDATED CITY COUNCIL AGENDA**

*(available also at [www.citywindsor.ca](http://www.citywindsor.ca))*

## **Monday, December 12, 2016**

**6:00 o'clock p.m.**

**Council Chambers, 3rd Floor, Windsor City Hall  
(UPDATED: December 12, 2016 at 3:00 p.m.)**

### **Members:**

Mayor Drew Dilkens

Ward 1 - Councillor Fred Francis

Ward 2 - Councillor John Elliott

Ward 3 - Councillor Rino Bortolin

Ward 4 - Councillor Chris Holt

Ward 5 - Councillor Ed Sleiman

Ward 6 - Councillor Jo-Anne Gignac

Ward 7 - Councillor Irek Kusmierczyk

Ward 8 - Councillor Bill Marra

Ward 9 - Councillor Hilary Payne

Ward 10 - Councillor Paul Borrelli

1. **ORDER OF BUSINESS**

- 1.1. In the event of the absence of the Mayor, Councillor Marra has been Appointed Acting Mayor for the month of December, 2016 in accordance with By-law 189-2014

2. **CALL TO ORDER** - Playing of the National Anthem & Moment of Silent Reflection

3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

4. **ADOPTION OF THE MINUTES**

- 4.1 Adoption of the minutes of the Windsor City Council meeting held on November 21, 2016 (**SCM 213/2016**)
- 4.2 Adoption of the minutes of the special meeting of Windsor City Council held on November 28, 2016 (**SCM 214/2016**)

5. **NOTICE OF PROCLAMATIONS**

"Nil"

6. **COMMITTEE OF THE WHOLE**

7. **COMMUNICATIONS INFORMATION PACKAGE**

7.1. **CORRESPONDENCE**

Correspondence items 7.1.1 through 7.1.20 (**CMC 26/2016**)

**COMMUNICATION REPORTS**

- 7.2. New City Hall Project - Construction Update for December 2016 - City Wide (**CM 66/2016**)

7.3. Results of the 2016 Tax Sale proceedings and proposed 2017 Tax Sale process  
(C 210/2016)

8. **CONSENT AGENDA**

8.1. Semi-annual Capital Project Variance Report - as of September 30, 2016  
(C 221/2016)

8.2. 2017 Interim Property Tax Billing By-law (C 207/2016)

**Clerk's Note:** Administration submitting the memo dated December 12, 2016 providing supplemental information regarding Pre-Authorized Payment Plans (previously distributed)

8.3. City Wide - Recreation System Software Replacement (C 228/2016)

8.4. Rail Safety Improvement Program: Infrastructure, Technology and Research Grant and Education and Awareness Component Grant - City Wide (C 224/2016)

8.5. Approval of Annual Temporary Borrowing By-law for 2017 (C 209/2016)

8.6. Application for Tax Reduction under Section 357 of the *Municipal Act* - Ward 5  
(C 212/2016)

8.8. Award of Tender 155-16 | McNorton Street and Meadowbrook Lane | Base Asphalt Repairs, Sidewalk Installation and Surface Asphalt Placement - Wards 7 & 8  
(C 200/2016)

8.9. Great Lakes Sustainability Fund - City Wide (C 208/2016)

8.10. Dieppe Park Riverfront Walkway Restoration - Ward 3 (C 229/2016)

8.11. Declaration of the Vacant Parcel of Land Municipally Known as 0 Randolph Avenue (on the east side of Randolph at Rankin Avenue) Surplus and Authority to Offer the Land for Sale, Ward 10 (C 226/2016)

8.14. Response to CQ31-2016 – Official Plan & Provincial Policy Statement (CM 64/2016)

8.16. Amendment of By-law 9023 (A By-law to Regulate Vehicular Parking Within the Limits of the City of Windsor, on Municipal Streets, Municipal Parking Lots and Private Properties) pursuant to CR675/2016, City Wide (C 231/2016)

### **Consent Committee Reports**

- 8.15 Application for Approval of the Conversion of a Rental Property to Plan of Condominium – 2057458 Ontario Incorporated, 1400-1410 Ouellette Avenue - CDM-004/16 [CDM/4653]; Ward 3 **(S 171/2016)**
- 8.17. Rezoning - 0 & 0 Northway Ave. (2 lots next north of 3118 Northway Ave.) - Ward 1 **(S 190/2016)**
- 8.18. Proposed closure of a one-foot section of Kathleen St. and Harcourt St. along the south limit of Cabana Road E.; File No. SAS/4704; Ward No. 9; Applicant - The Corporation of The City of Windsor **(S 154/2016)**
- 8.19. Cost Sharing for Sixth Concession Development Ltd - Phase 3D - Ward 9 **(S 188/2016)**
- 8.21. Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held August 24, 2016 **(SCM 179/2016)**
- 8.22. Minutes of the Windsor Licensing Commission of its meeting held September 28, 2016 **(SCM 173/2016)**
- 8.23. Minutes of the Windsor Essex County Environment Committee of its meeting held September 29, 2016 **(SCM 183/2016)**
- 8.24. Preferred Sustainable Parking Funding Model **(S 152/2016)**  
**Clerk's Note:** Debi Croucher, Executive Director of the Downtown Windsor BIA submitting the **attached** letter dated December 12, 2016 as additional information.
- 8.25. CQ 42-2016 Tecumseh Road West Railway Crossings **(S 192/2016)**
- 8.26. Response to CQ10-2016 - Metered On-Street Accessible Parking **(S 198/2016)**
- 8.27. Transit Windsor - Non Union Job Evaluation Update **(S 186/2016)**
- 8.28. Transit Windsor 2017 OPERATING BUDGET – Citywide **(S 197/2016)**
- 9. **REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

10. **PRESENTATIONS AND DELEGATIONS**

**DELEGATIONS:** (5 minute maximum)

- 8.12 Application for Approval of a Plan of Condominium with Exemption under Section 9(3) of the *Condominium Act* – Ojibway Lakes (Windsor) Inc.; Northwest corner of Morton Drive & Matchette Road. - CDM-008/16 [CDM/4999]; Ward 1 (**C 211/2016**)
- a) Karl Tanner, Dillon Consulting; and Mary-Ann Keefner, Solicitor (available for questions)
- Clerk's Note:** This meeting serves as the statutory public meeting for this *Planning Act* Application.
- 8.13 Rezoning - Add the use of a Day Nursery to 2 properties located at 3966 Walker Road & Vacant Property Next North (0 Walker Rd - formerly having municipal address of 3940 Walker Road) - Ward 9 (**C 223/2016**)
- a) Analee J. M. Ferreira, Solicitor representing 1635626 Ontario Ltd.
- Clerk's Note:** A. Ferreira, Solicitor submitting the **attached** letter dated December 12, 2016 in the event she is unable to attend this meeting due to weather conditions.
- Clerk's Note:** This meeting serves as the statutory public meeting for this *Planning Act* Application.
- 8.20 Prairie Court Sight Lines - Ward 1 (**S 153/2016**)
- a) Verna Whelan, representing the St. Clair Townhouse Association
- Clerk's Note:** Windsor Police Service submitting the **attached** letter dated December 9, 2016 as additional information.
- 11.1 St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Windsor Municipal Heritage Register, Ward 4 (**S 19/2015**)
- a) Dave Woodall, representing Woodall Construction Co. Ltd.
  - b) Elaine Weeks, resident of Ward 4, representing "Save St. George's Church Old Walkerville"
  - c) Melanie Paul Tanovich, non-resident
- LATE:**
- d) Charlotte Colautti, resident of Ward 4
  - e) Paula &/or Rod Rankin, resident of Ward 4
- Clerk's Note:** i) Suzanne Friemann, resident of Ward 4 submitting the e-mail dated December 9, 2016 as additional information (previously distributed).  
ii) Valerie Tillman, resident of Ward 4 submitting the **attached** e-mail dated December 9, 2016 as additional information.  
iii) Hiram Walker Smith, resident of Pennsylvania submitting the **attached** letter dated November 7, 2016 as additional information.  
iv) Administration submitting the **attached** memo dated December 12, 2016 as additional information.

**The following person(s) contacted the Clerk's Office to register as a delegation after the Friday 12:00 o'clock noon deadline. In accordance with Section 10.9 of the Procedure By-law, a simple majority vote of Council is required to hear the delegation(s):**

- 8.7 Capitol Theatre - Update on Capital Work and Seat Installation RFP - Ward 3  
**(C 227/2016)**  
a) Sheila Wisdom, Executive Director, Windsor Symphony Orchestra

11. **REGULAR BUSINESS ITEMS (Non-Consent Items)**

Nil.

12. **CONSIDERATION OF COMMITTEE REPORTS**

- 12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)

13. **BY-LAWS (First and Second Reading)**

- 13.1 **182-2016** A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR, ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES (See Item 8.16)
- 13.2 **183-2016** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR, authorized by CR645/2016, approved October 17, 2016
- 13.3 **184-2016** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR563/2005, approved September 12, 2005
- 13.4 **185-2016** A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 3.87 METRE (12.7 FOOT) WIDE NORTH/SOUTH ALLEY SOUTH OF WYANDOTTE STREET EAST, WITH THREE SIDES ABUTTING 3255 WYANDOTTE STREET EAST, CITY OF WINDSOR, authorized by CR371/2016, approved June 7, 2016

- 13.5      **186-2016**    A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 15.29 METRE (50.16 FOOT) WIDE PORTION OF THE BELLEVIEW AVENUE RIGHT-OF-WAY SOUTH OF WYANDOTTE STREET EAST, ABUTTING 825 BELLEVIEW AVENUE, 3191 WYANDOTTE STREET EAST AND 3255 WYANDOTTE STREET EAST, CITY OF WINDSOR, AND THE 3.87 METRE (12.7 FOOT) WIDE NORTH/SOUTH ALLEY SOUTH OF WYANDOTTE STREET EAST WITH THREE SIDES ABUTTING 3255 WYANDOTTE STREET EAST, CITY OF WINDSOR, authorized by CR371/2016, approved June 7, 2016
- 13.6      **187-2016**    A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 4.27 METRE (14 FOOT) WIDE EAST/WEST ALLEY LOCATED SOUTH OF LENS AVENUE AND NORTH OF VIMY AVENUE, BETWEEN LOUIS AVENUE AND MARENTETTE AVENUE AND THE 4.27 METRE (14 FOOT) WIDE NORTH/SOUTH ALLEY LOCATED WEST OF LOUIS AVENUE AND EAST OF MARENTETTE AVENUE, BETWEEN LENS AVENUE AND VIMY AVENUE, CITY OF WINDSOR, authorized by CR619/2016, adopted October 3, 2016
- 13.7      **188-2016**    A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.27 METRE (14 FOOT) WIDE EAST/WEST ALLEY LOCATED SOUTH OF LENS AVENUE AND NORTH OF VIMY AVENUE, BETWEEN LOUIS AVENUE AND MARENTETTE AVENUE AND THE 4.27 METRE (14 FOOT) WIDE NORTH/SOUTH ALLEY LOCATED WEST OF LOUIS AVENUE AND EAST OF MARENTETTE AVENUE, BETWEEN LENS AVENUE AND VIMY AVENUE, CITY OF WINDSOR, authorized by CR619/2016, adopted October 3, 2016
- 13.8      **189-2016**    A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES, authorized by CAO3702
- 13.9      **190-2016**    A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWELFTH DAY OF DECEMBER, 2016
14.      **MOVE BACK INTO FORMAL SESSION**
15.      **NOTICES OF MOTION**
16.      **THIRD AND FINAL READING OF THE BY-LAWS**  
By-laws 182-2016 through 190-2016 inclusive

17. **PETITIONS**

18. **QUESTION PERIOD**

19. **STATEMENTS BY MEMBERS**

20. **UPCOMING MEETINGS**

Planning, Heritage & Economic Development Standing Committee  
Monday December 12, 2016  
3:00 o'clock p.m.  
Council Chambers, 3rd floor, Windsor City Hall

Regular City Council Meeting (**CANCELLED**)  
Monday December 19, 2016  
6:00 o'clock p.m.  
Council Chambers, 3rd floor, Windsor City Hall

Environment, Transportation & Public Safety Standing Committee (**CANCELLED**)  
Wednesday, December 21, 2016  
4:30 o'clock p.m.  
Council Chambers, 3rd floor, Windsor City Hall

Windsor Licensing Commission (**CANCELLED**)  
Wednesday, December 28, 2016  
9:30 o'clock a.m.  
Council Chambers, 3rd floor, Windsor City Hall

Regular City Council Meeting  
Monday January 9, 2017  
6:00 o'clock p.m.  
Council Chambers, 3<sup>rd</sup> floor, Windsor City Hall

Social Development, Health & Culture Standing Committee Meeting  
Wednesday January 11, 2017  
9:00 o'clock a.m.  
Council Chambers, 3rd floor, Windsor City Hall



Planning, Heritage & Economic Development Standing Committee  
Monday January 16, 2017  
4:30 o'clock p.m.  
Council Chambers, 3<sup>rd</sup> Floor, Windsor City Hall

21. **ADJOURNMENT**



**DEC 12 2016**

**ADDITIONAL  
INFORMATION**

**ITEM NO. 8.24**

December 12, 2016

Mayor Drew Dilkens & Members of City Council  
Corporation of the City of Windsor  
300 City Hall Square  
Windsor, ON N9A 6S1

Dear Mayor Dilkens & Members of City Council:

**Re: Report on Sustainable Parking Funding Model**

The purpose of this letter is to voice our concerns regarding the Report on the Sustainable Parking Funding Model before Council this evening.

While the Downtown Windsor BIA is fully supportive of the technological advances proposed in the report, we believe that the proposed Sustainable Parking Funding Model is flawed because the largest underlying objective in this model is sustainable parking rather than a business-friendly parking model. We believe that further consideration should be given to generating a business-friendly model that supports small businesses and local jobs in preference to one that is strictly revenue generating. Further, we believe that:

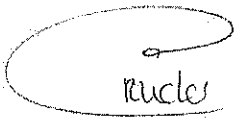
- Consideration should be given to conducting market research into the actual parking needs for downtown Windsor
- Consideration should be given to the effect of various pricing structures on the demand and supply of parking in the city centre
- Consideration should be given to the potential impact of changes on the demand for parking and other modes of transportation.
- Consideration should be given to principal areas and peak demands, and that rates should vary accordingly throughout the city
- Consideration should be given to engaging and involving key stakeholders in the development of a parking funding model, such as the 9 area BIAs, the University, the College and any other area where there is a significant concentration of parking
- Consideration should be given to Downtown Windsor as a unique area that may experience parking rate changes differently from other commercial areas in the city

- The "User Pay" option could have detrimental economic impact on the downtown business community with destinations, such as Devonshire Mall, that offer free parking to lure patrons.; and that
- Parking rates should be determined by the market demand and supply of parking, not how much is needed to cover costs of maintaining parking lots, garages and meters.

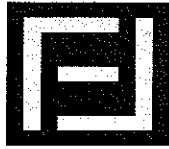
While municipal administration is not proposing that Council consider the "Cash-in-Lieu of Parking" option, the DWBIA would like to reiterate that it believes that this option unfairly punishes small businesses for not providing what the municipality deems as "adequate parking". Further, the structure of most of the city's business improvement areas does not allow for the provision of parking at their place of business, thus making it impossible to provide "adequate parking". The "Cash-in-Lieu of Parking" option would, therefore, unfairly target small businesses located in the area BIAs.

We thank you for considering our concerns

Sincerely,

A handwritten signature in cursive script, enclosed within a hand-drawn oval. The signature appears to read "Debi Croucher".

Debi Croucher  
Executive Director



FERREIRA  
LAW

December 12, 2016

Mayor and Council  
The Corporation of the City of Windsor  
350 City Hall Square West  
Windsor ON N9A 6S1

**DEC 12 2016**

**ADDITIONAL  
INFORMATION**

**ITEM NO. 8.13**

Attention: Beth Toldo, Council Services Department, Office of the City Clerk

Via email toldob@citywindsor.ca

**Re: 3990 and 3940 Walker Road – Zoning Amendment Application**

I am the lawyer for the Applicant in the above-noted Application for a Zoning By-law Amendment. I plan to attend tonight's Council meeting as a delegation, however, I am sending this letter in the event that the weather prevents my attendance. \*

I have reviewed the Staff report. My Client concurs with the recommendation set out therein. My Client is also in agreement that the comments expressed by some of the agencies/departments, as set out in the Report, can be addressed through the site plan control process.

City staff has been exceptional in working with my Client through this process and we are confident that the proposed development will be a positive addition to the community. We request that Council accept the recommendation of staff and approve the Amendment.

Yours Truly,

Analee J.M. Ferreira

P.O. Box 21007, London ON N6K 0C7  
Tel: (519)200-3776  
analee@ferreiralaw.ca



**WINDSOR POLICE SERVICE**  
EXECUTIVE OFFICES

P.O. BOX 60  
WINDSOR, ON. N9A 6J5  
PH. (519) 255-6700  
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AL FREDERICK  
CHIEF OF POLICE

RICK DERUS  
DEPUTY CHIEF, OPERATIONAL SUPPORT

VINCE POWER  
DEPUTY CHIEF, OPERATIONS

E-Mail: [chief@police.windsor.on.ca](mailto:chief@police.windsor.on.ca)  
Website: [www.police.windsor.on.ca](http://www.police.windsor.on.ca)

**DEC 12 2016**

December 9<sup>th</sup>, 2016

Members of City Council  
City of Windsor

**ADDITIONAL  
INFORMATION ITEM NO. 8.20**

**RE: Windsor Police Service Position – Proposed 20km/hr Posted  
Speed Limit for Prairie Court**

In response to the motion passed by the City's Environment, Transportation, & Public Safety Standing Committee meeting of 23 November 2016 to lower the posted speed limit on Prairie Court down to 20 km/hr, the position of the Windsor Police Service is as follows: It is recognized that municipalities, via provisions set out in the Ontario Highway Traffic Act, have the authority to set whatever speed limits they desire within their jurisdictions, provided proper signage is erected to alert and inform drivers accordingly. While not common, circumstances where this typically occurs are in locations having pronounced safety concerns present due to unique prevailing circumstances (such as school zones and near hospitals for example where many vulnerable pedestrians may also be present).

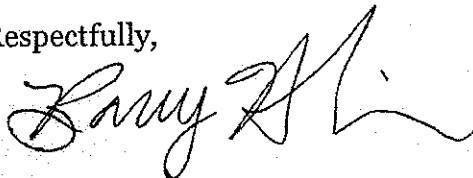
It should be pointed out the area in question (Prairie Court) does not exhibit the typical physical circumstances whereby a reduction in the posted speed limit would normally be considered necessary. The lone factor that seems to be driving the consideration for the reduced speed limit here is an awkward configuration of the roadway (an "S" curve in the middle of the road section between Ora Street and Cabana Road) that resulted from the approval of the original development plan when this area was initially built. This "S" curve creates more challenging conditions for road safety that would not normally exist in most low density residential neighbourhoods. To assess the road design's impact, a speed study conducted by City Transportation Planning in May 2016 revealed the average speed of vehicles to be 27.5 km/hr, with an 85<sup>th</sup> percentile speed of 39 km/hr. This followed a reduction in speed already implemented on Prairie Court in April 2016 from the standard 50 km/hr down to 40 km/hr based on residents' concerns. The data clearly illustrates good compliance with the reduced speeds that make the roadway safer.

The recommendation to implement a 20 km/hr speed limit over the entire section of Prairie Court between Ora Street and Cabana Road is difficult to substantiate. In addition to the aforementioned speed data, a review of our incident records indicates there has been just a single motor vehicle accident on this street since 2007, a reflection that road safety is at an acceptable level. Notwithstanding this, it is the position of the Windsor Police Service to support the changes proposed by the Transportation Planning section of the City Engineer's office to further enhance the safety of the Prairie Court roadway environment; most notably:

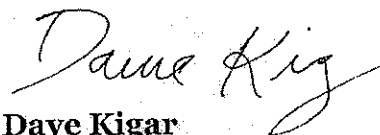
- **On-street parking restrictions:** A no stopping zone on both sides of Prairie Court within 30 m of the "S" curve is recommended.
- **Relocation of the Canada Post mailbox:** Administration recommends the Canada Post mailbox located between the two "S" curves should be relocated to a location on Prairie Court with better sight lines, and where vehicles parked at the mailbox will not obstruct sight lines.
- **Reduced speed limit:** Administration recommends a 20 km/h speed limit through the "S" curve, in keeping with an appropriate advisory speed of the curve; therefore, no additional traffic calming measures (e.g. speed humps) are recommended to reduce vehicle speeds.
- **Centre line pavement marking:** a yellow centre line pavement marking through the "S" curve is recommended (to help encourage drivers to stay in their assigned lanes).

The Windsor Police Service is committed to ensuring roadway safety is optimized in all neighbourhoods but in saying this, our priority for resource deployment in the form of enforcement activities is to target areas where there is a higher incidence of motor vehicle accidents and therefore increased risk to public safety. This is not the case on Prairie Court but the measures proposed by City Transportation Planning will still offer improved safety for this neighbourhood.

Respectfully,



**Barry Horrobin, B.A., M.A., CLEP, CMM-III**  
**Director of Planning & Physical Resources**  
**WINDSOR POLICE SERVICE**



**Dave Kigar**  
**Staff Sergeant – Traffic Branch**  
**WINDSOR POLICE SERVICE**

# DEC 12 2016

**From:** Valerie Tillman  
**Sent:** Friday, December 09, 2016 1:55 PM  
**To:** Toldo, Beth  
**Subject:** Please don't demolish our heritage!

## ADDITIONAL INFORMATION ITEM NO. 11.1

These are the following reasons St. George's Parish And Parish Hall in Walkerville should be saved:

- The property has design and physical value because it is rare and unique to have church buildings from such different eras linked together.
- The newer building displays artistic merit with its mid-20th century stained glass and stone and wood interior.
- The property has historical value or associative value because it has a direct association with an event that is significant to our community, (the 1921 building was constructed with funds from Edward Walker's estate and donations from St Mary's congregation as a memorial hall for the parish soldiers lost in World War I).
  - demonstrates or reflects the work or ideas of an architect who is significant to a community. (The firm that designed 1955 addition also designed city hall and the Cenotaph among other local landmarks).
- The property supports the character of Olde Walkerville and is visually and historically linked to its surroundings and has been a landmark since 1921.
- The property is NOT a threat but an enhancement to the immediate community, and will add to the creative ambiance of the collective mindset of Windsor!

Valerie Tillman

1 Corinthians 10:31, "...Whatsoever ye do, do unto the glory of God."

Sent from my iPad

**DEC 12 2016**

**ADDITIONAL  
INFORMATION**

**ITEM NO. //1**

November 7, 2016

Mr. Chris Holt  
Ward Councillor, City of Windsor, Ca.

Dear Mr. Holt,

As a direct descendant of Hiram Walker, I am always deeply touched to read the many stories from Walkerville/Windsor's unique and industrious history. Visiting there a few years ago only confirmed what the stories I read conveyed to me: There are few places that can claim the same deep love of community, history and tradition that made a small town the icon of the pride, prosperity and identity that are possible when people care about where they live, work, and worship. Buildings from the past that still stand are symbols of what Walkerville/Windsor stood for when other towns struggled. They are more than just old structures; they are testaments to and foundations for community, models for new generations of what a strong bond of identity and friendship accomplish – something sorely needed today.

When such models disappear, we lose more than just a building or location; we lose our own identity and history. I respectfully hope that you and the council help the community save one of those special pieces of history: St. George's Church. I was saddened to read that the diocese voted to demolish the church that my ancestors helped build and fund. It is both a symbol of the importance of faith to a community of the past, but more importantly of the sacrifices your own hometown soldiers made in World War I. We become rooted in our own community and identity when we honor the sacrifices of people who came before us. Walkerville and Windsor share a rich tradition of honoring those that invested time, treasure, and life in their towns in the past—a tradition I greatly admire. I hope you and the council will vote to make this building another testament to that history.

Respectfully,

Hiram Walker Smith  
420 Little Washington Rd.  
Downingtown, Pa. 19335  
E: [birchknollsmiths@verizon.net](mailto:birchknollsmiths@verizon.net)  
H: 610-269-1756  
C: 484-402-3197

**CITY OF WINDSOR  
COUNCIL SERVICES**

**DEC 12 2016**

**RECEIVED**





# THE CORPORATION OF THE CITY OF WINDSOR

## PLANNING & BUILDING SERVICES

### Memo

# DEC 12 2016

To: Mayor and City Council  
From: John R. Calhoun, Heritage Planner  
Date: December 12, 2016

## ADDITIONAL INFORMATION ITEM NO. 11.1

Subject: Item 11.1 - St. George's Church and Hall, 1949 Devonshire Court – Demolition of Property on Municipal Heritage Register – Additional Information about Planning, Heritage & Economic Development Standing Committee Report No. 335

Item 11.1 on tonight's agenda concerns the demolition request of the applicant (Anglican Diocese of Huron). Re-use and rezoning have been dealt with by Council previously on November 7, 2016 (per CR 686/2016).

The following is a brief chronology of the timeline and process for considering the demolition / reuse of St. George's Church and Hall, 1949 Devonshire Court, and is being provided for informational purposes only.

- The Anglican Diocese of Huron submitted an application on September 11, 2015 for the demolition of the church and hall. Following the submission of additional information, Administration deemed the application complete on October 23, 2015. Subsequently report S 19/2015 was generated, which led to the following resolution at the Planning, Heritage & Economic Development Standing Committee:

Report No. 335, November 9, 2015:

That the report of the City Planner dated October 23, 2015 entitled "St. George's Church & Hall, 1949 Devonshire Court–Demolition of Property on Windsor Municipal Heritage Register Ward 4" **BE REFERRED** to Council, and during this time that **A REQUEST BE MADE** to the Diocese for them to consider standing down on the demolition request; and further

That the Diocese **BE REQUESTED** to facilitate contact with the proposed interested purchaser; and

That Administration **BE REQUESTED** to send a building inspector to the site to facilitate the agreement to enter permit application process for the temporary fence to be installed before December 15, 2015.

- During this period, the Diocese agreed to defer the demolition request and to seek reuse opportunities. There were three subsequent Council decisions to defer per the following:

M503-2015, December 7, 2015:

That the request by the applicant to **DEFER** to the March 7, 2016 Council Meeting **Report No. 335 of the Planning, Heritage & Economic Development Standing Committee** regarding St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Municipal Heritage Register **BE GRANTED**, and that the 60 day statutory period required to issue a demolition permit **BE SUSPENDED** during the period of time the church is being offered for sale, and that the statutory period of time resume when such sale period ends, and the city is advised in writing by the Diocese, and has acknowledged such notice, as to ensure that a demolition permit is not eligible to be granted during the time the church being offered for sale.

CR123/2016, March 7, 2016:

THAT further to Council motion M503-2015 on December 7, 2015, the request by the applicant to further **DEFER** to the September 19, 2016 Council Meeting Report No. 335 of the Planning, Heritage & Economic Development Standing Committee regarding St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Municipal Heritage Register **BE GRANTED**, and that the 60 day statutory period required to

issue a demolition permit **BE SUSPENDED** during the period of time that rezoning is under consideration, and the city is advised in writing by the Diocese, and has acknowledged such notice, as to ensure that a demolition permit is not eligible to be granted during the time the property is under consideration for rezoning; and that the Clerk and the owner may by mutual consent determine an earlier date for the Council consideration.

CR587/2016, September 19, 2016:

THAT further to Council motion CR123/2016 on March 7, 2016, the request by the applicant to further **DEFER** to a regular Council Meeting in December 2016, Report No. 335 of the Planning, Heritage & Economic Development Standing Committee regarding St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Municipal Heritage Register **BE GRANTED**, and that the 60 day statutory period required to issue a demolition permit **BE SUSPENDED** during the period of time that rezoning is under consideration, and the city is advised in writing by the Diocese, and has acknowledged such notice, as to ensure that a demolition permit is not eligible to be granted during the time the property is under consideration for rezoning; and that the Clerk and the owner may by mutual consent determine an earlier date for the Council consideration.

- On November 7, 2016 Council considered the rezoning report prepared by Administration which included reuse of the church and hall adding additional permitted uses to the institutional zoning as well as new residential zoning (new building lots).
- Council's decision on the rezoning did not include any additional uses to the existing buildings and only provided for residential zoning for new buildings:

CR686/2016, November 7, 2016

THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Lots 84-87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, from Institutional District 1.1 (ID1.1) to Residential District 1.1 (RD1.) and by adding a new site specific provision to Section 20(1) as follows:

“332. For the lands comprising Lots 84 to 87, Registered Plan 684, situated at the southeast corner of Devonshire Court & Kildare Road, a Single Unit Dwelling shall be subject to the following additional provisions:

1. Main Building Height – minimum 7.00 m
2. Front Yard Depth – minimum 7.50 m
3. An Access area or driveway is prohibited in any front yard or exterior side yard. Access to a parking space shall be from an alley.
4. Exposed flat concrete block, untextured concrete whether painted or unpainted and vinyl siding on any exterior wall is prohibited. A minimum of fifty percent of the area of an exterior wall shall be covered in brick, textured concrete block, stucco, stone or any combination thereof.”

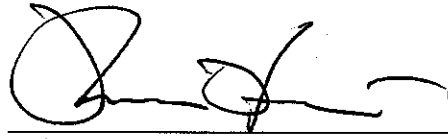
- This decision (CR686/2016) to rezone the property to new residential lots certainly implied demolition. However, this matter was not formally dealt with that same night because the demolition request had been stood down and was not before Council on that night's agenda.

Council's agenda item 11.1 for December 12, 2016 is necessary as to have a formal decision on the original request/report for demolition.



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John R. Calhoun  
Heritage Planner



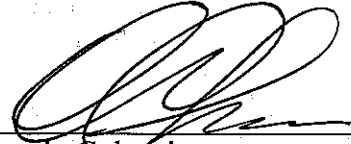
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Thom Hunt  
City Planner / Executive Director  
Planning & Building



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Shelby Askin Hager  
City Solicitor and Corporate Leader  
Economic Development and Public Safety



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Onorio Colucci  
Chief Administrative Officer

**CITY OF WINDSOR  
COUNCIL SERVICES**

DEC 12 2016

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