



Development & Heritage Standing Committee Meeting

Date: Tuesday, April 14, 2020

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

Members Present:

Councillors

Ward 3 - Councillor Bortolin (Chairperson)

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 10 - Councillor Morrison

Members

Member Baker

Member Bulmer

Member Foot

Member Fratangeli

Member Gyemi

Member Miller

Member Moore

Member Rondot

Clerk's Note: Members participated via teleconference call, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PARTICIPATING VIA TELECONFERENCE CALL ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, City Planner

John Revell, Chief Building Official

Wira Vendrasco, Deputy City Solicitor

Michael Cooke, Manager of Planning Policy & Deputy City Planner

Neil Robertson, Manager of Urban Design & Deputy City Planner

Patrick Winters, Development Engineer

Christopher Aspila, Planner III – Policy & Special Studies

Greg Atkinson, Planner III – Economic Development

Justina Nwaesei, Planner III - Subdivisions

Adam Szymczak, Planner III – Zoning

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Kristina Tang, Planner III – Heritage
Ashley D'Alessandro, Clerk Steno Senior
Anna Ciacelli, Supervisor of Council Services

Delegations—participating via teleconference call

Item 7.2 Jared Dykstra, Senior Planner, Zelinka Priamo Ltd.
Item 11.2 Kevin McNorton, resident of Ward 5
Item 11.4 Damian Kacprzak, Architectural Design Associates Inc., Architect

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:33 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 March 9, 2020

Moved by: Member Foot
Seconded by: Councillor Holt

THAT the minutes of the Development & Heritage Standing Committee meeting held March 9, 2020 **BE ADOPTED** as presented.
Carried.

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Report Number: SCM 101/2020
Clerk's File: MB2020

10. HERITAGE ACT MATTERS

10.1. William T. Wesgate House, 225 Giles Boulevard West – Heritage Alteration Permit and Community Heritage Fund Request (Ward 3)

Kristina Tang, Heritage Planner appears before the Development & Heritage Standing Committee regarding the administrative report “William T. Wesgate House, 225 Giles Boulevard West – Heritage Alteration Permit and Community Heritage Fund Request (Ward 3) and indicates that Kathleen Pistor, property owner submitted her position regarding the recommendations in the administrative report, and provides additional information from her preferred contractor – Dayus Roofing. Ms. Tang indicates that the main option for the Committee’s consideration is related to changes to the eavestrough system. The existing eavestrough integrated system from a conservation vantage perspective is preferable if retained. The owner has requested an increase in funding from \$25,000 to \$30,000 from the Community Heritage Fund to allow for retaining the clay tile roof.

Councillor Holt inquires as to the balance of the Community Heritage Fund account. Ms. Tang responds as of March 30, 2020 the balance of the Community Heritage Fund is \$66,020. She adds that the fund is typically topped up annually in May in the amount of \$36,800, so the total as of May 2020 would be approximately \$100,000.

Councillor Holt requests administration provide the property owners preferences in this matter. Ms. Tang advises that the homeowner prefers Recommendation 1(A) which approves a grant in the upset amount of \$30,000 from the Community Heritage Fund for the clay tile roof and dormer repairs and Recommendation III A which grants the alteration of the existing integral eavestrough system to the new RainPRO eavestrough systems.

Councillor Holt requests clarification regarding administration’s preference on the eavestrough system. Ms. Tang indicates that that the integral eavestrough system is unique and is part of the heritage features, however, she is aware the homeowner has concerns with this system which precipitates the request for an increase from \$25,000 to \$30,000 from the Community Heritage Fund.

Moved by: Councillor Holt

Seconded by: Member Fratangeli

Decision Number: **DHSC 152**

- I. THAT the request by Kathleen Pistor, the owner of William T. Wesgate House, for a grant of an upset amount of \$30,000 from the Community Heritage Fund (Reserve Fund 157), for the clay tile roof and dormer repairs at 225 Giles Boulevard West, **BE APPROVED**, subject to:

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- i. Determination by the Chief Building Official and the City Planner that the work is completed to applicable codes and heritage conservation standards;
 - ii. Owner's submission of paid receipts for work completed;
 - iii. 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;
 - iv. Any further minor changes to the scope of work **BE DELEGATED** to the City Planner; and,
- II. THAT the removal/further alteration of the chimney at the detached garage structure **BE GRANTED**; and further,
- III. THAT the existing integral eavestrough system **BE MAINTAINED** and the new RainPRO eavestrough system **BE PERMITTED** at the back of the house only, if desired by the homeowner.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Holt and Sleiman, and Members Foot, Fratangeli, and Miller.

Nay votes: Councillors Bortolin and Morrison, and Members Baker and Bulmer.

Absent: None.

Abstain: None.

Report Number: S 54/2020

Clerk's File: MBA/6111

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 5:07 o'clock p.m.

The Chairperson calls the *Planning Act Matters* portion of the Development & Heritage Standing Committee meeting to order at 5:08 o'clock p.m.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

None presented.

6. PRESENTATION DELEGATIONS (*PLANNING ACT MATTERS*)

See Item 7.2.

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7. PLANNING ACT MATTERS

7.1. Zoning By-law Amendment Application for 4100 7th Con. Rd.; Applicant: MAA AshaPuri Enterprises Inc.; File No. Z-020/19, ZNG/5980; Ward 9.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

THAT the report of the Senior Planner – Subdivisions dated February 28, 2020, entitled “Zoning By-law Amendment Application for 4100 7th Con. Rd.; Applicant: MAA AshaPuri Enterprises Inc.; File No. Z-020/19, ZNG/5980; Ward 9” **BE DEFERRED** to a future meeting of the Development and Heritage Standing Committee to allow for the public’s concerns to be addressed with Administration and the applicant.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman, and Members Gyemi, Moore, and Rondot.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 42/2020

Clerk’s File: ZB/13675

7.2. Interim Control By-law Exemption 2020-9 - SBDRE (Windsor) Holdings Company Ltd. - 1790 Provincial Road - Ward 9

Jared Dykstra, Senior Planner, Zelinka Priamo Ltd.

Jared Dykstra, Senior Planner, Zelinka Priamo Ltd. is available for questions via teleconference for the Development and Heritage Standing Committee regarding the administrative report “Interim Control By-law Exemption 2020-9 - SBDRE (Windsor) Holdings Company Ltd. - 1790 Provincial Road - Ward 9”.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 150**

- 1) That the request of SBDRE (Windsor) Holdings Company Ltd. for an exemption from the provisions of Interim Control By-law By-law 78-2019 for the property at 1790 Provincial Road Street **BE APPROVED**.

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2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

“i) 1790 Provincial Road - East side of Provincial Road, northwest of Legacy Park Drive

Part of Lots 14 and 15, Concession 6, described as Parts 1, 4, 5 & 13, Plan 12R-21875. PIN 01560-2590; Roll No. 070-160-02000”

3) That the proposed Transport Terminal **SHALL BE** setback a minimum of 100.0m from the westerly lot line, save and except the use of the existing western driveway along Provincial Road for the purpose of access.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman, and Members Gyemi, Moore, and Rondot.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 52/2020

Clerk's File: Z/13528

7.3. Interim Control By-law Exemption 2020-4 - 2513821 Ontario Inc. - 3490 Marentette Avenue - Ward 9

Moved by: Councillor Holt

Seconded by: Member Moore

Decision Number: **DHSC 151**

1) THAT the request by McTague Law Firm on behalf of 2513821 Ontario Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for property at 3490 Marentette Avenue **BE APPROVED**; and,

2) That Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

“d) 3490 Marentette Avenue – Northeast corner of Marentette Avenue and Kamloops Street

Part Lots 89 and 90, Concession 3, Sandwich East, described as Part 1, Plan 12R-19349; PIN 01561-4884; Roll No. 070-170-00900; and further,

3) THAT during the Site Plan Control (SPC) process, a five metre buffer on the easterly portion of the property **BE CONSIDERED**.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

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Aye votes: Councillors Bortolin, Holt, and Morrison, and Members Gyemi, Moore, and Rondot.

Nay votes: Councillor Sleiman.

Absent: None.

Abstain: None.

Report Number: S 16/2020

Clerk's File: Z/13528

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 5:35 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:36 o'clock p.m.

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Item 11.2 and 11.4.

11. ADMINISTRATIVE ITEMS

11.1. Close and Convey the North/South Alley Between 722 Brant Street and 736 Brant Street - SAA/5838 - Applicant: Victoria Yen-Shin Lin – 722 Brant Street – Ward 4

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 153**

- I. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as "Part 1" on Drawing No. CC-1757 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure.
- II. That the portion of the 6.1 metre wide north/south alley located between 722 Brant Street and 736 Brant Street, and shown as "Part 1" on Drawing No. CC-1757 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- III. THAT Conveyance Cost **BE SET** as follows:

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- a. For alley abutting lands zoned Residential RD2.2: \$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 Number. CC-1757, *attached* 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.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 22/2020

Clerk's File: SAA2020

11.2. Close and Convey the North/South Alley Between Hickory Road and Albert Road, North of Miloy Street and South of Alice Street - Applicant R. Pouget - SAA/5858 - Ward 5

Kevin McNorton, Resident of Ward 5

Kevin McNorton, resident of Ward 5 is available for questions via teleconference for the Development and Heritage Standing Committee regarding the administrative report "Close and Convey the North/South Alley Between Hickory Road and Albert Road, North of Milloy Street and South of Alice Street - Applicant R. Pouget - SAA/5858 - Ward 5" and is available for questions and is in favour of the alley closure.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 154**

- I. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as "Part 1" and shown on Drawing No. CC-1758 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure; and,

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- II. THAT the portion of the 3.66 metre wide north/south alley located between Hickory Road and Albert Road north of Milloy Street and south of Alice Street, labelled as “Part 1” and shown on Drawing No. CC-1758 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the abutting property owners, and adjusted as necessary, in a manner deemed appropriate by the City Planner, 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:
 - Bell Canada, MNSi, and Enwin Utilities; and,
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alleys abutting lands zoned Residential 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; and,
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1758 , *attached* as Appendix “A”; and,
- V. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s); and,
- 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; and,
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003; and further,
- VIII. THAT Windsor Police Services **BE REQUESTED** to provide additional comments related to the partial alley closure, and that this information **BE PROVIDED** when this committee report moves forward to a future meeting of Council.

Carried.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 35/2020

Clerk’s File: SAA2020

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11.3. Close and Convey Part of the North/South Alley Between Windsor Avenue and McDougall Street, South of Wyandotte Street East, Abutting 241 Wyandotte Street East - Applicant: Abraham Bazzi - SAA/5910 - Ward 4

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 155**

- I. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
 - II. That the portion of the 4.27 metre wide north/south alley located between Windsor Avenue and McDougall Street, south of Wyandotte Street East and abutting 241 Wyandotte Street East and shown on Drawing No. CC-1762 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner, 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:
 - Bell Canada, Cogeco Cable Systems Inc., MNSi, and Enwin Utilities.
 - III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Commercial CD3.6: \$12.00 per square foot without easements and \$6.00 per square foot with easements.
 - IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1762, *attached* 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.

At the request of Chairperson Bortolin, a recorded vote is taken.

Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

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Report Number: S 37/2020

Clerk's File: SAA2020

11.4. Economic Revitalization Community Improvement Plan (CIP) application submitted by 2520034 Ontario Limited for 1785 Walker Road (Ward 4)

Damian Kacprzak, Architectural Design Associates Inc., Architect

Damian Kacprzak, Architectural Design Associates Inc., Architect is available for questions via teleconference for the Development and Heritage Standing Committee regarding the administrative report "Economic Revitalization Community Improvement Plan (CIP) application submitted by 2520034 Ontario Limited for 1785 Walker Road (Ward 4).

Members request clarification related to the number of jobs that will be created as a result of this application. Administration provides the information.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 156**

- I. THAT the request made by 2520034 Ontario Limited to participate in the Business Retention and Expansion Grant Program **BE APPROVED** for 100% of the municipal tax increment resulting from the proposed development located at 1785 Walker Road for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City and 2520034 Ontario Limited and/or persons or companies that have legally been assigned the right to receive grant payments to implement the Business Retention and Expansion Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization 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 implications; and,
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and,
- IV. THAT the approval to participate in the Business Retention and Expansion 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.

At the request of Chairperson Bortolin, a recorded vote is taken.

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Aye votes: Councillors Bortolin, Holt, Morrison, and Sleiman.

Nay votes: None.

Absent: None.

Abstain: None.

Report Number: S 55/2020

Clerk's File: SPL/13775

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 6:14 o'clock p.m.

Ward 3 - Councillor Bortolin
(Chairperson)

Supervisor of Council Services