

A meeting of the **Planning and Economic Development Standing Committee** is held this day commencing at 4:30 o'clock p.m. in Council Chambers there being present the following members:

Councillor Dilkens  
Councillor Hatfield  
Councillor Marra (Chair)  
Councillor Payne  
Councillor Sleiman

**Citizens**

Cheryl Cross-Leal  
Barb Bjarneson

**Regrets**

Merrill Baker

**Delegations**

Jeffrey Slopen, Solicitor (Item 1)  
Kate Dunlop, Solicitor (Item 2)

***Also present are the following from Administration:***

Don Wilson, Manager of Development Applications  
Jim Abbs, Planner III, Subdivision  
Neil Robertson, Manager of Urban Design  
Wira Vendrasco, Deputy City Solicitor  
Tony Ruffolo, Office Technologist  
Justina Nwaesei, Planner II  
Kathy Ye, Co-Op Student  
Marianne Sladic, Steno Clerk Senior  
Agatha Armstrong, Deputy City Clerk

1. **CALL TO ORDER**

The Chair calls the meeting to order at 4:30 o'clock p.m.

2. **DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

3. **ADOPTION OF MINUTES**

Moved by Councillor Payne, seconded by Councillor Sleiman,  
**THAT** the minutes of the meeting of the Planning and Economic Development Standing Committee (Planning Act Matters) held Friday March 8, 2013 **BE ADOPTED** as presented.

Carried.

Moved by Councillor Payne , seconded by Councillor Sleiman,  
**THAT** the minutes of the meeting of the Planning and Economic Development Standing Committee held March 19, 2013 **BE ADOPTED** as presented.

Carried.

Moved by Councillor Payne, seconded by Councillor Sleiman  
**THAT** the minutes of the meeting of the Planning and Economic Development Standing Committee (Planning Act Matters) held March 19, 2013 **BE ADOPTED** as presented.

Carried.

Ms. Bjarneson abstains from voting on the March 19 meeting minutes.

4. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

Item 3 **Repeal of By-law 5263 exempting lands within Registered Plan 12M-77 from Part-Lot Control**

Moved by Councillor Hatfield, seconded by Councillor Sleiman,  
**THAT** the matter of repealing By-law 6263 exempting lands within Registered Plan 12M-77 from Part-Lot Control **BE REFERRED** to Windsor City Council for decision.

Carried.

5. **COMMUNICATIONS**

None.

6. **PRESENTATIONS AND DELEGATIONS**

**Kate Dunlop, Solicitor representing Society of St. Vincent de Paul Windsor Essex Central Council**

Kate Dunlop, Solicitor representing Society of St. Vincent de Paul Windsor Essex Central Council appears before the committee to speak in support of the administrative recommendation to close east/west alley west of King Street, south of Prince.

Item 2 **Request to close east/west alley west of King Street, south of Prince abutting the northerly limit of Lot 105, Plan 953, being all of PIN 01258-0150**

Moved by Councillor Dilkens, seconded by Councillor Hatfield

I. That the 3.66 metre (12.0 feet) wide east/west alley west of King Street, south of Prince abutting the northerly limit of Lot 105, Plan 953, being all of PIN 01258-0150 as shown on Drawing No. CC-1637 ***attached*** hereto as Appendix "A", **BE ASSUMED** for subsequent closure and conveyance to the owner(s) of the property known as 3714 King Street; and

II. That the 3.66 metre (12.0 feet) wide east/west alley west of King Street, south of Prince abutting the northerly limit of Lot 105, Plan 953, being all of PIN 01258-0150 as shown on Drawing No. CC-1637 ***attached*** hereto as Appendix "A", **BE CLOSED AND CONVEYED** entirely to the owner(s) of the property known as 3714 King Street for lot consolidation purposes, subject to the following:

- i. Conveyance cost
  - Abutting properties zoned ID1.1:
    - \$2.00 per square foot (\$21.53 per square metre) no easements and \$1.00 per square foot (\$10.76 per square meter) with easements. Deed preparation is included in conveyance price.
- and further:
- ii. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice
- iii. The City Solicitor **BE REQUESTED** to prepare the by-law to close
- iv. 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
- v. The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

7. **PLANNING ACT MATTERS**

Minutes for the Planning Act Matters are ***attached*** as Appendix "A".

Jeffrey Slopen, Solicitor, representing 2135652 Ontario Ltd. appears before the committee. (Refer to minutes for the Planning Act Matters ***attached*** as Appendix "A")

Item 1 **Amended – Rezoning 2135652 Ontario Ltd. (Plaza Ontario Marble & Tile Ltd.) 1701 Provincial Road, retail store as an additional permitted use on the subject land**

Moved by Councillor Sleiman, seconded by B. Bjarneson

**THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the south side of Provincial Road, east of Sixth Concession Road, municipally known as 1701 Provincial Road, and legally described as Part Lots 14 and 15, concession 6, being Part 1 of Registered Plan 12R-23177, by adding a site specific provision allowing a "retail store" as an additional permitted use on the subject land.

Carried.

The Committee recesses at 4:45 o'clock p.m. to allow the citizens to leave the meeting as the Planning Act Matters are complete.

The Committee reconvenes at 4:46 o'clock p.m. to deal with the remaining items on the agenda.

8. **Committee Matters**

**Minutes of the Windsor BIA Advisory Committee meeting held February 27, 2013**

Moved by Councillor Hatfield, seconded by Councillor Dilkens  
**THAT** the minutes of the Windsor BIA Advisory Committee meeting held February 27, 2013 **BE RECEIVED** for information.

Carried.

9. **ADMINISTRATIVE ITEMS**

Item 4 **Amendments to the Sidewalk Cafe Handbook**

Moved by Councillor Sleiman, seconded by Councillor Dilkens  
**THAT** the "Sidewalk Cafe Handbook" that was adopted on February 21, 2005 **BE AMENDED** to include the changes described by this report.

Carried.

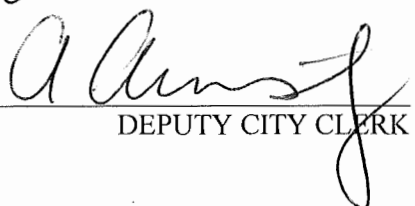
10. **DATE OF NEXT MEETING**

The next meeting of the Planning and Economic Development Standing Committee will be held on Monday May 13, 2013 at 4:30 o'clock p.m. in Council Chambers.

11. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:10 o'clock p.m.

  
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CHAIR

  
\_\_\_\_\_  
DEPUTY CITY CLERK

**MINUTES OF THE CITY OF WINDSOR PLANNING & ECONOMIC DEVELOPMENT  
STANDING COMMITTEE  
(Planning Act Matters)**

**April 15, 2013**

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A meeting of the Windsor Planning & Economic Development Standing Committee was held this day at 4:30 p.m. in the Council Chambers, Third Floor, City Hall, there being present:

Chair – Councillor B. Marra, Councillor E. Sleiman, Councillor H. Payne, Councillor Hatfield, Ms. C. Cross-Leal, Ms. B. Bjarneson and Councillor D. Dilkens.

Regrets: M. Baker

Also present are:

Mr. Don Wilson – Manager of Development Applications, Mr. Jim Abbs – Planner III, Ms. Justina Nwaesei – Planner II, Miss Kathy Ye (Co-Op Student) Ms. Noushy Tavassoli – Planner III and Ms. Marianne Sladic – Senior Clerk, Planning Department; Ms. Agatha Armstrong – Supervisor of Council Services/Deputy City Clerk; Mr. Tony Ruffolo - Engineering & Corporate Projects Department; and Ms. Wira Vendrasco – Deputy City Solicitor, Legal Department.

**GENERAL BUSINESS:**

The Chair calls the meeting to order, explains the rules of procedure of the Planning & Economic Development Standing Committee and that this is the required public meeting in accordance with the Planning Act. He asks if there are any disclosures of pecuniary interest. Hearing none, he asks members and the public present if there are any requests for deferral, referral or withdrawal. Hearing none, he proceeds with the meeting. The Chair indicates those interested in making submissions to Council must list to speak as a delegation with Council Services.

**ADOPTION OF THE MINUTES (MARCH 8 & 19 MEETINGS)**

Moved by Councillor Payne, seconded by Councillor Sleiman. Ms. Bjarneson abstains from voting for the March 19 meeting.

That the minutes of the Planning & Economic Development Standing Committee (Planning Act Matters) meeting of March 8, 2013 and March 19, 2013 **BE ADOPTED.**

Motion **CARRIED, UNANIMOUSLY.**

The Chair introduces the item on the agenda.

Item 3 has been deferred by request. The Chair calls on Caroline Baker, regarding authored letter of April 11<sup>th</sup>. Ms. Baker is not in attendance. Councillor Hatfield advises he was going to request deferral until the item went up for re-zoning. Would like to hear more from the Development team. The Chair advises the item can also be deferred to Council. Mr. Wilson adds it is not a Planning Act Matter. There is no appeal on the matter. It is considered more of a housekeeping matter. Planning has had contact with the applicants. The Applicant's agent was informed of the repeal over a month ago and no rezoning application has been submitted. Councillor Hatfield advises he's had conversation with one of the applicants. Mr. Wilson advises they are trying to clean the slate. Councillor Hatfield would like to defer the item either to the next meeting or to Council. Mr. Wilson suggests deferring to Council would be the best avenue.

Motion to refer the matter to City Council by Councillor Hatfield, seconded by Councillor Sleiman.

Motion **CARRIED, UNANIMOUSLY.**

**Item 1 – 2135652 ONTARIO LTD. (ONTARIO MARBLE & TILE LTD.) – 1701 PROVINCIAL RD.**

The applicant is requesting an amendment to Zoning By-law 8600 for the land located on the south side of Provincial Road, east of Sixth Concession Road, municipally known as 1701 Provincial Road, and legally described as Part Lots 14 and 15, Concession 6, being Part 1 on Registered Plan 12R-23177.

The land is zoned Commercial District 4.1 (CD4.1) by By-law 8600 and is currently the site of a vacant building. The previous use of the land was a "retail store for the sale of motorcycles and motor cycle accessories; motorcycle repair garage". The applicant is requesting to amend Zoning By-law 8600 to permit a "retail store" as an additional permitted use on the subject land. There is a Site Plan Control Agreement [File # SPC-014/02] on the subject property.

The subject land is designated Commercial Corridor on Schedule 'D' of the Official Plan, Volume I. The proposed Zoning Amendment does not require an accompanying Official Plan Amendment. No study information is requested of the applicant for the proposed Zoning By-law Amendment Application. [Kathy Ye – Co-Op Student]

Recommendation is for Approval.

Jeffrey Slopen (agent) – Miller, Canfield – Advises they are in support of the recommendations and have no further comments.

Councillor Payne seeks clarification why, if retail is permitted, the need for re-zoning for a retail store? Ms. Ye advises the zoning Section 17, Subsection 1-a-i does not specify a retail store in general. Councillor Payne inquires what retail store will be located on site? Mr. Slopen advises

he is unable to disclose that information at this time because the applicant's current landlord is not yet aware they will be relocating.

Councillor Payne to Administration, if actual items being sold are not disclosed, is it still permitted to re-zone? Ms. Ye advises it is permitted. The proposed uses will conform to general characteristics.

Ms. Cross-Leal inquires why the entire area isn't simply re-zoned to allow for retail? Ms. Ye advises Planning is currently undergoing an in-house zoning amendment, however, until the changes are made, any individual applicants requesting this currently will have to apply individually.

Ms. Cross-Leal inquires about Transportation's comments regarding access and easement. Has this been addressed? Ms. Ye advises all matters have been addressed and are in compliance. The Chair advises the abutting property owner is in the audience and confirms the matter has been taken care of.

Mr. Wilson reconfirms Ms. Ye's statement that the zoning by-law amendment is under review and must comply with the Official Plan. Currently in the final stages in regards to land designations. Once that is completed, it will be reviewed to ensure zoning compliance and changes if required.

Ms. Bjarneson seeks confirmation that there are no concerns from Planning or Transportation regarding the shared driveway? Ms. Ye advises all issues have been resolved.

Councillor Sleiman notes that in the report it states there is a Site Plan Approval Agreement in place. Things have changed since its implementation. Does the agreement comply with today's standards? Ms. Ye advises all issues and concerns have been discussed with the Site Plan Approval Officer and there were no objections to the request for re-zoning. Any issues that may have been outstanding were resolved by Mr. Slopen and the applicant.

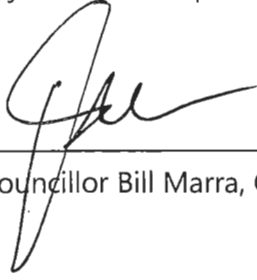
Ms. Bjarneson inquires whether there will be one tenant or more? Ms. Slopen advises there will be only one tenant.

Moved by Councillor Sleiman, seconded by B. Bjarneson.

I That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the south side of Provincial Road, east of Sixth Concession Road, municipally known as 1701 Provincial Road, and legally described as Part Lots 14 and 15, Concession 6, being Part 1 on Registered Plan 12R-23177, by adding a site specific provision allowing a "retail store" as an additional permitted use on the subject land.

Motion **CARRIED, UNANIMOUSLY AS AMENDED.**

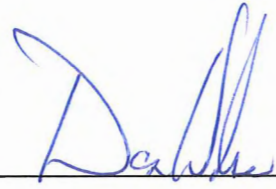
Meeting adjourned: 4:55 pm



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Councillor Bill Marra, Chair

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Mr. Don Wilson, Secretary