

Development & Heritage Standing Committee Meeting

Date: Monday, August 10, 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 7 - Vacant

Ward 10 - Councillor Morrison

Members

Member Moore

Member Rondot

Members Regrets

Member Gyemi

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

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Shelby Askin Hager, City Solicitor

Thom Hunt, City Planner

John Revell, Chief Building Official

Wira Vendrasco, Deputy City Solicitor

Patrick Winters, Development Engineer

Kevin Alexander, Planner III – Special Projects

Christopher Aspila, Planner III – Policy & Special Studies

Greg Atkinson, Planner III – Economic Development

Laura Diotte, Planner III – Special Projects

Justina Nwaesei, Planner III – Subdivisions

Adam Szymczak, Planner III – Zoning

Petrina Cheung, Student Co-op – Community Development

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Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

Delegations—participating via video conference

Item 7.1	Johnnie Nantais, area resident
Item 7.2	Tracey Pillon Abbs, Planner; Hilary Payne, Agent; and Zeshan Choudhry, Applicant
Item 7.3	Tracey Pillon Abbs, Planner and Andi Shallvari, Applicant
Item 11.3	Dante Gatti, Solicitor representing Lisa Baggio and Phillip & Giuliana Hinchliffe, Applicants
Item 11.5	Jean Paul Baillargeon, Dillon Consulting

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

None requested.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the Development and Heritage Standing Committee Meeting (*Planning Act* Matters) held July 13, 2020

Moved by: Councillor Holt
Seconded by: Councillor Morrison

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THAT the *Planning Act* Minutes of the Development & Heritage Standing Committee meeting held July 13, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 230/2020

Clerk's File: MB2020

6. PRESENTATION DELEGATIONS (*PLANNING ACT MATTERS*)

See Items 7.1, 7.2, and 7.3.

7. *PLANNING ACT MATTERS*

7.1. Zoning By-law Amendment Application for north part of 1847 Meldrum Road and south part of 3121 Milloy Street; Applicant: The Corporation of the City of Windsor; File No. Z-005/20, ZNG/6052; Ward 5.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 187**

- I. THAT an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the south side of Milloy Street, between Meldrum Road and Chandler Road as follows:
 - a) Lots 99 to 109; Lots 142 to 152 & Pt closed Alley, RP 1098, designated as PARTS 1 to 3 12R25458, and Lots 16 to 18, 220 to 222, Pt lot 219 and Pt closed Alley, RP 1098, from Residential District 1.1 (RD1.1) to Residential District 1.2 (RD1.2) with holding prefix, for the purpose of developing 28 single unit dwelling lots; and
 - b) Lots 19, 20, 223 & 224 and Part closed Alley on RP 1098, from Residential District 1.1 (RD1.1) to Green District 1.5 (GD1.5), to accommodate required storm water management facility.
- II. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding symbol and the following conditions are satisfied:
 1. **General Provisions** – The applicant shall conform to the General Provisions of Council Resolutions 233/98 and any other specific requirements. Applicant shall submit proof of the said conformity, to the satisfaction of the City Engineer.
 2. **Servicing Study** – Prior to the issuance of a Street opening permit, the applicant shall review the existing and proposed sewer system for this development to determine its effect on the municipal sewer system. The study shall be done to the satisfaction of the City Engineer and the Chief Building Official. The applicant is required to demonstrate that no negative impacts will be realized by the existing surrounding community, before the proposed development will be allowed to proceed.

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3. **Stormwater Management Analysis** – The applicant shall complete storm water management analysis to the satisfaction of the City Engineer. Stormwater quality and stormwater quantity shall be addressed up to and including 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, 2003) and the “Windsor-Essex Region Stormwater Management Standards Manual”.
 4. **Street Opening Permit** – The applicant shall obtain street opening permits for sewer taps, drain taps, road construction, sidewalks, street lights, etc. from the City Engineer, prior to commencement of any construction on the public highway.
 5. **Sidewalks** – The applicant shall construct, at its entire expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer, a concrete sidewalk along the east side of Meighen Road from Milloy Street to the southerly limit of the Meighen Road extension.
 6. **Meighen Road Cul-De-Sac** – The applicant shall construct a cul-de-sac with a minimum radius of 9.5m at the southerly limit of the Meighen Road extension.
 7. **Reserve** – The applicant shall ensure that dead-ended highways terminate in 0.3 metre reserve block.
 8. **Street Lighting** – The applicant shall construct and install street lighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should decorative poles be requested, the applicant shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.
 9. **Traffic and On-street Parking Restrictions** – The applicant shall ensure that “No Parking” sign is installed on one side of Meighen Road including the cul-de-sac, and a “Stop” sign is installed at Milloy Street.
 10. **Municipal Address Plan** – The applicant shall, prior to issuance of a Building Permit, submit a Municipal address plan for the subject lands.
- III. THAT part of the closed Meighen Road on the south side of Milloy Street be established as a public highway.
Carried.

Report Number: S 96/2020

Clerk's File: ZB/13789

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7.2. Zoning By-Law and Official Plan Amendment ,Z-008-20 [ZNG-6087] and OPA 32 [OPA-6059] for 5787, 5791, and 5795 Tecumseh Road East, 2705285 Ontario Inc., Ward 8

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 188**

THAT an amendment to the City of Windsor Official Plan **BE APPROVED**, by applying a Special Policy Area to Part Lot 4, Plan 867 Sandwich East as in R1238383; (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard to permit a Commercial/Multi-unit dwelling; and,

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on Part Lot 4, Plan 867 Sandwich East as in R1238383; known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard, from Commercial District 2.1 (CD2.1) to Commercial District 2.2 (CD2.2) and by adding the following site specific provision to Section 20(1):

394. **SOUTH SIDE OF TECUMSEH ROAD EAST BETWEEN JOS ST. LOUIS AVE. AND CLEMENCEAU BOULEVARD**

For the lands comprising Part Lot 4, Plan 867 Sandwich East as in R1238383; Windsor (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East:

- a) A *multiple dwelling* shall be an additional permitted use.
- b) Section 15.2.5.15 shall not apply.
- c) The maximum number of *dwelling units* shall be 7.
- d) Section 15.2.5; Provisions .9, Amenity Area shall not apply [ZDM 11; ZNG/6058]

and,

THAT the owner of the property located at 5787, 5791, and 5795 Tecumseh Road East **BE REQUIRED** to provide elevation drawings as part of the Site Plan Review process to ensure that alterations will not be irreversible to the commercial storefront facing Tecumseh Road East when converting the existing commercial units to residential.

Carried.

Report Number: S 89/2020

Clerk's File: ZO/13836

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7.3. Rezoning - Green Smart Apartments Inc. - 1198 California - Z-013/20 ZNG/6084 - Ward 2

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 189**

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West (known municipally as 1198 California Avenue; Roll No. 050-370-05100; PIN 01215-0533), situated on the east side of California Avenue, south of Girardot Street, from Residential District 1.3 (RD1.3) to Residential District 2.1 (RD2.1) and by adding a site specific exception to Section 20(1) as follows:

393. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF GIRARDOT STREET

For the lands comprising of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West, for a *Semi-Detached Dwelling*, the following additional provisions shall apply:

- | | |
|---------------------------|-------------|
| a) Lot Width – minimum | As Existing |
| b) Lot Area – minimum | As Existing |
| c) Lot Coverage – maximum | 47.0 % |
- [ZDM 4; ZNG/6084]

Carried.

Member Moore voting nay.

Report Number: S 94/2020
Clerk's File: ZB/13864

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 5:35 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held July 13, 2020

Moved by: Councillor Holt
Seconded by: Councillor Morrison

THAT the minutes of the Development & Heritage Standing Committee meeting held July 13, 2020 **BE DEFERRED** to the September 21, 2020 meeting of the Development & Heritage Standing

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Committee to allow for members of the *Heritage Act* matters portion of the meeting to be in attendance.

Carried.

Report Number: SCM 214/2020

Clerk's File: MB2020

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Items 11.3 and 11.5.

11. ADMINISTRATIVE ITEMS

11.3. To Close and Convey a Portion of the East/West Alley, South of Fazio Dr, East of Emilia Rd, Abutting 3180 Fazio Dr and 3156 Fazio Dr, To Close and Convey a Portion of the Emilia Rd Right-of-Way, Abutting 3180 Fazio Dr and To Convey a Portion of the 0.3m Reserve across Emilia Rd – Applicants: L. Baggio and G. Hinchliffe – SAA/5679 – Ward 1

Dante Gatti, Solicitor representing Lisa Baggio and Phillip & Giuliana Hinchliffe, Applicants

Dante Gatti, Solicitor representing Lisa Baggio and Phillip & Giuliana Hinchliffe, Applicants, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “To Close and Convey a Portion of the East/West Alley, South of Fazio Dr, East of Emilia Rd, Abutting 3180 Fazio Dr and 3156 Fazio Dr, To Close and Convey a Portion of the Emilia Rd Right-of-Way, Abutting 3180 Fazio Dr and To Convey a Portion of the 0.3m Reserve across Emilia Rd – Applicants: L. Baggio and G. Hinchliffe – SAA/5679 – Ward 1” and provides a brief overview of the application for the closure of the alleys and is available for questions.

Councillor Morrison inquires about the natural areas in close proximity. Christopher Aspila, Senior Planner – Policy & Special Studies appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “To Close and Convey a Portion of the East/West Alley, South of Fazio Dr, East of Emilia Rd, Abutting 3180 Fazio Dr and 3156 Fazio Dr, To Close and Convey a Portion of the Emilia Rd Right-of-Way, Abutting 3180 Fazio Dr and To Convey a Portion of the 0.3m Reserve across Emilia Rd – Applicants: L. Baggio and G. Hinchliffe – SAA/5679 – Ward 1” and indicates that he has consulted with members of Parks administration and has confirmed that they don't require the alley at this time.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

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Decision Number: **DHSC 192**

- I. THAT the 5.64m wide portion of the Emilia Road Right-of-Way, abutting 3180 Fazio Drive, as shown as "Part 1" on Drawing No. CC-1741 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting owner, 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:
 - a. Windsor Utilities;
- II. THAT Conveyance Cost for "Part 1" as shown on Drawing No. CC-1741 *attached* **BE SET** as follows:
 - a) For land within the Emilia Road Right-of-Way, \$129 per m² without easements and \$64 per m² with easements;
- III. THAT the 4.57m wide east-west alley located south of Fazio Drive, east of Emilia Road, as shown as "Part 2" on Drawing No. CC-1741 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- IV. THAT the 4.57m wide east-west alley located south of Fazio Drive, east of Emilia Road, as shown as "Part 2" on Drawing No. CC-1741 *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:
 - b) Easement subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - a. Bell Canada;
- V. THAT Conveyance Cost for "Part 2" as shown on Drawing No. CC-1741 *attached* **BE SET** as follows:
 - a) For land abutting properties zoned Residential RD1.1, \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor;
- VI. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1741, *attached* as Appendix "A";
- VII. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VIII. THAT, upon the registration of the necessary by-laws, the easterly portion of the 0.3m by 29.62m wide reserve shown as "Block 104" on Drawing No. CC-1741 *attached* as Appendix "A", **BE DECLARED** surplus;
- IX. 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;
- X. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003; and

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- XI. THAT the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcel land legally described as the easterly portion of Block 104, Plan 12M-254 shown as "Block 104" on Drawing No. CC-1741 *attached* as Appendix "A", all to be further described on a new reference plan of survey, for sale to the owner of 3180 Fazio Drive at a price of \$129 per m² without easements and \$64 per m² with easements, 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:
 - a. Windsor Utilities.

Carried.

Report Number: S 98/2020

Clerk's File: SAA2020

11.5. Brownfield Redevelopment Community Improvement Plan application submitted by 1762643 Ontario Inc. for 1534 Howard Avenue (Ward 4)

Jean Paul Baillargeon, Dillon Consulting

Jean Paul Baillargeon, Dillon Consulting appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Brownfield Redevelopment CIP Application submitted by 1762643 Ontario Inc. for 1534 Howard Avenue (Ward 4)" and is available for questions.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 194**

- I. THAT the request made by 1762643 Ontario Inc. (Dior Investments) 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 1534 Howard Avenue 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 \$13,750 based upon the completion and submission of a Phase II Environmental Site Assessment completed in a form acceptable to the City Planner and City Solicitor.

Carried.

Report Number: S 97/2020

Clerk's File: Z/8955

11.1. University Avenue West and Wyandotte Street West Community Improvement Plan – Background Report, Ward 2 and Ward 3

Councillor Morrison inquires about the areas along the subject lands and that it includes a number of new developments. Laura Diotte, Planner III – Special Projects appears via video conference

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before the Development and Heritage Standing Committee regarding the administrative report "University Avenue West and Wyandotte Street West Community Improvement Plan – Background Report, Ward 2 and Ward 3" and indicates that the CIP was requested by Council and that this background report looks at all of the properties that front along those corridors, and lays out the current conditions and existing characteristics of that area. Ms. Diotte adds that the next steps will be evaluating the properties and what will be included in the CIP.

Councillor Morrison requests clarification related to the parkland in that area. Ms. Diotte indicates that the area is referring to the Official plan designation for the entire area which is a broad designation that encompasses that entire area according to the Official Plan.

Councillor Morrison inquires about the zoning in that area. Ms. Diotte confirms that the current designation is shown and if it was to be changed an application would have to come forward.

Councillor Bortolin inquires about timing related to the Environmental Assessment for that area and the Community Improvement Plan. Ms. Diotte confirms that the Environmental Assessment is scheduled to be in line with the CIP with the reports are due back to Council/Standing Committee in November.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 190**

THAT the University Avenue West and Wyandotte Street West Community Improvement Plan – Background Report attached as Appendix A **BE RECEIVED** for information; and,

THAT City Council **REFER** the matter of funding for financial incentives for the University Avenue West and Wyandotte Street West Community Improvement Plan to the 2021 Budget process.

Carried.

Report Number: S 101/2020

Clerk's File: SPL/10759

11.2. Downtown CIP Grant Application under the Building/Property Improvement Tax Increment Grant Program made by Sarah Cipkar for 524 Bruce Avenue, Ward 3

Councillor Morrison requests clarification related to taxation and deferring for 5 or 10 years. Ms. Diotte, confirms it is for 5 years, which is the base timeline for the CIP and provides criteria for the 10 years including being a catalyst project which have many criteria before being considered for the 10 year timeline and adds that this application would not meet the criteria for being a catalyst and would therefore be subject to the 5 year timeline.

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Councillor Sleiman requests clarification whether this application is for a new development or a refurbishment of existing. Councillor Bortolin indicates that this application is for an additional dwelling unit and would fall under the second unit application stream.

Councillor Bortolin inquires about the MPAC assessment process and if the value is below the \$500 threshold when reassessed is the application void. Ms. Diotte indicates that the criteria is required to be met; there is no way of knowing what the MPAC assessment is now, although when the project is completed and MPAC decides on the assessment and if it doesn't meet the threshold, then the application wouldn't qualify.

Councillor Bortolin inquires about the timeline of MPAC assessments. Ms. Diotte indicates that the building permit application triggers the assessment.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: **DHSC 191**

- I. THAT the request made by Sarah Cipkar (Owner) for the proposed development at 524 Bruce Avenue to participate in the Building/Property Improvement Tax Increment Grant Program **BE APPROVED** for 100% of the municipal portion of the tax increment resulting from the proposed development of a second residential unit in an accessory structure for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City and Sarah Cipkar (Owner) to implement the Building/Property Improvement Tax Increment Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Downtown Windsor Enhancement Strategy and 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.
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreements.
- IV. THAT should the proposed development not be completed in one (1) year, City Council **AUTHORIZE** that the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 93/2020
Clerk's File: SPL/13877

11.4. Close and Convey the East/West Alley Between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and Close and Convey a portion of the Sixth Street Right-of-Way, North of Amy Lynn Park

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Drive and South of Lambton Street - SAA/5928 - Applicant: Gregory Zimmer - 2158 Amy Lynn Park Drive – Ward 1

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 193**

- I. THAT the portion of the 4.57 metre wide east/west alley located between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 1” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- II. THAT the portion of the 4.57 metre wide east/west alley located between Fifth Street and Sixth Street, North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 1” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the owners of 2158 Amy Lynn Park Drive, 2164 Amy Lynn Park Drive and 2170 Amy Lynn Park Drive, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Residential RD1.1 and Green District GD1.4: \$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 5.82 metre wide by 4.50 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 2” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE ASSUMED** for subsequent closure.
- V. THAT the 5.82 metre wide by 4.50 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 2” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND CONVEYED** to the owner of 2158 Amy Lynn Park Drive, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- VI. THAT Conveyance Cost **BE SET** at \$1.00 plus deed preparation fee and proportionate share of survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- VII. THAT the 4.24 metre wide by 2.25 metre long portion of the Sixth Street right-of-way North of Amy Lynn Park Drive and South of Lambton Street, and shown as “Part 3” on Drawing No. CC-1766 *attached* as Appendix “A”, **BE CLOSED AND RETAINED** and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- VIII. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1766, *attached* as Appendix “A”.

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- IX. THAT the owners of 2158, 2164 and 2170 Amy Lynn Park Drive **BE REQUIRED** to install non-permeable fences where no fence exists between their properties and the Spring Garden Natural Area.
- X. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- XI. 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.
- XII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 99/2020
Clerk's File: SAA2020

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 5:53 o'clock p.m.
Carried.

Ward 3 - Councillor Bortolin
(Chairperson)

Supervisor of Council Services

**Development & Heritage Standing Committee
(Planning Act Matters)**

**Date: Monday, August 10, 2020
Time: 4:38 pm**

Members Present:

Councillors

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

Members

Member Moore
Member Rondot

Members Regrets

Member Gyemi

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

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Shelby Askin Hager, City Solicitor
Thom Hunt, City Planner
John Revell, Chief Building Official
Wira Vendrasco, Deputy City Solicitor
Patrick Winters, Development Engineer
Kevin Alexander, Planner III – Special Projects
Christopher Aspila, Planner III – Policy & Special Studies
Greg Atkinson, Planner III – Economic Development
Laura Diotte, Planner III – Special Projects
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Petrina Cheung, Student Co-op – Community Development
Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

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Delegations—participating via video conference

- Item 7.1 Johnnie Nantais, area resident
- Item 7.2 Tracey Pillon Abbs, Planner; Hilary Payne, Agent; and Zeshan Choudhry,
 Applicant
- Item 7.3 Tracey Pillon Abbs, Planner and Andi Shallvari, Applicant

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:33 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None

4. COMMUNICATIONS

None

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1 Minutes of the Development & Heritage Standing Committee (*Planning Act Matters*) minutes held July 13,2020.

Moved by: Councillor Holt
Seconded by: Councillor Morrison

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held July 13, 2020 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

Report Number: SCM 230/2020
Clerk's File: MB 2020

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6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

See Items 7.1, 7.2, and 7.3.

7. PLANNING ACT MATTERS

7.1 Z-005/20 [ZNG/6052] – Corporation of the City of Windsor 1847 Meldrum & 3121 Milloy – Rezoning Ward 5

Planner Justina Nwaesei, Planner III – Subdivisions

Ms Nwaesei provides summary and background information of the report presented.

Johnnie Nantais notes concerns over parking for the area and lot sizes. Gives suggestion to provide for 5 houses on either side with parking lot in centre. Suggestion can be given during SPC stage.

Councillor Sleiman addresses concerns of area residents regarding on-street parking availability, the reduction of on-street parking due to the proposed development, radius size of cul-de-sac and green space. Ms. Nwaesei addresses the questions regarding Zoning By-law requirements (ie. On-site parking requirements). Patrick Winters confirms radius of cul-de-sac is 9.5m as standard and sufficient for Fire and Waste collection. Other inquiries to be addressed through Site Plan Control.

Councillor Sleiman inquires about current zoning of site and lot width. Ms. Nwaesei advises the current zoning is RD1.1, residential which allows for 50ft lots. The rezoning application is for RD1.2, allowing 40ft lots which matches the existing residential area.

Member Moore has concern over dead end at cul-de-sac and suggests the street head eastward for greater access and manoeuverability. Mr. Winters advises the preference is to leave as proposed. Had the street been longer, then an alternate access would be deemed appropriate.

Member Moore also inquires whether the Storm Water Management is included with the proposed development. Mr. Winters confirms is it necessary in order to address the recent updates/changes to standards given the increased rainfall the area has been exposed to.

Moved by: Councillor Sleiman
Seconded by: Councillor Holt

Decision Number: **DHSC 187**

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RECOMMENDATIONS

- I. THAT an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the south side of Milloy Street, between Meldrum Road and Chandler Road as follows:
 - a) Lots 99 to 109; Lots 142 to 152 & Pt closed Alley, RP 1098, designated as PARTS 1 to 3 12R25458, and Lots 16 to 18, 220 to 222, Pt lot 219 and Pt closed Alley, RP 1098, from Residential District 1.1 (RD1.1) to Residential District 1.2 (RD1.2) with holding prefix, for the purpose of developing 28 single unit dwelling lots; and
 - b) Lots 19, 20, 223 & 224 and Part closed Alley on RP 1098, from Residential District 1.1 (RD1.1) to Green District 1.5 (GD1.5), to accommodate required storm water management facility.

- II. THAT the holding (H) symbol **BE REMOVED** when the applicant/owner submits an application to remove the holding symbol and the following conditions are satisfied:
 1. **General Provisions** – The applicant shall conform to the General Provisions of Council Resolutions 233/98 and any other specific requirements. Applicant shall submit proof of the said conformity, to the satisfaction of the City Engineer.
 2. **Servicing Study** – Prior to the issuance of a Street opening permit, the applicant shall review the existing and proposed sewer system for this development to determine its effect on the municipal sewer system. The study shall be done to the satisfaction of the City Engineer and the Chief Building Official. The applicant is required to demonstrate that no negative impacts will be realized by the existing surrounding community, before the proposed development will be allowed to proceed.
 3. **Stormwater Management Analysis** – The applicant shall complete storm water management analysis to the satisfaction of the City Engineer. Stormwater quality and stormwater quantity shall be addressed up to and including 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, 2003) and the “Windsor-Essex Region Stormwater Management Standards Manual”.
 4. **Street Opening Permit** – The applicant shall obtain street opening permits for sewer taps, drain taps, road construction, sidewalks, street lights, etc. from the City Engineer, prior to commencement of any construction on the public highway.
 5. **Sidewalks** – The applicant shall construct, at its entire expense, according to City of Windsor Standard Specifications and in a manner satisfactory to the City Engineer, a concrete sidewalk along the east side of Meighen Road from Milloy Street to the southerly limit of the Meighen Road extension.
 6. **Meighen Road Cul-De-Sac** – The applicant shall construct a cul-de-sac with a minimum radius of 9.5m at the southerly limit of the Meighen Road extension.

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7. **Reserve** – The applicant shall ensure that dead-ended highways terminate in 0.3 metre reserve block.
 8. **Street Lighting** – The applicant shall construct and install street lighting including all poles, wiring, fixtures, and conduits with design, location and specifications satisfactory to the City Engineer and EnWin Utilities Ltd. Should decorative poles be requested, the applicant shall provide extra poles and/or funds in accordance with Council Resolution 743/2000.
 9. **Traffic and On-street Parking Restrictions** – The applicant shall ensure that “No Parking” sign is installed on one side of Meighen Road including the cul-de-sac, and a “Stop” sign is installed at Milloy Street.
 10. **Municipal Address Plan** – The applicant shall, prior to issuance of a Building Permit, submit a Municipal address plan for the subject lands.
- III. That part of the closed Meighen Road on the south side of Milloy Street be established as a public highway.

Motion CARRIED, UNANIMOUSLY.

Report Number: S 96/2020
Clerk's File: ZB/13789

7.2 Z-008/20 [ZNG/6087] OPA 132 [OPA/6059] – 2705285 Ontario Inc 5787, 5791 & 5795 Tecumseh Rd E – Rezoning and OPA Ward 8

Planner Kevin Alexander, Planner III – Special Projects

Mr. Alexander provides summary explaining the proposed site specific development.

Ms. Tracey Pillon-Abbs (agent) and Zeshan Choudhry (applicant) – available for questions/comments. Ms. Pillon-Abbs gives a brief confirmation of the proposed development as an appropriate use of the site, given residences are present on either side of the site. The owner/applicant is willing to retain the large front window should it be possible to return to the space be able to return as a commercial area.

Councillor Sleiman seeks clarification of provision regarding requirement that reversal of change non-permissible. Mr. Alexander explains, due to current economic climate, the Corporation wanted to provide flexibility in the possibility that, in future, reversal to a commercial portion would be permitted.

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Moved by: Councillor Holt
Seconded by: Councillor Morrison

Decision Number: **DHSC 188**

RECOMMENDATIONS

THAT an amendment to the City of Windsor Official Plan **BE APPROVED**, by applying a Special Policy Area to Part Lot 4, Plan 867 Sandwich East as in R1238383; (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard to permit a Commercial/Multi-unit dwelling; and,

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning on Part Lot 4, Plan 867 Sandwich East as in R1238383; known municipally as 5787, 5791, and 5795 Tecumseh Road East situated on the south side of Tecumseh Road East on the block between Jos St. Louis Avenue and Clemenceau Boulevard, from Commercial District 2.1 (CD2.1) to Commercial District 2.2 (CD2.2) and by adding the following site specific provision to Section 20(1):

394. **SOUTH SIDE OF TECUMSEH ROAD EAST BETWEEN JOS ST. LOUIS AVE. AND CLEMENCEAU BOULEVARD**

For the lands comprising Part Lot 4, Plan 867 Sandwich East as in R1238383; Windsor (PIN 01367-0237), known municipally as 5787, 5791, and 5795 Tecumseh Road East:

- a) A *multiple dwelling* shall be an additional permitted use.
 - b) Section 15.2.5.15 shall not apply.
 - c) The maximum number of *dwelling units* shall be 7.
 - d) Section 15.2.5; Provisions .9, Amenity Area shall not apply
- [ZDM 11; ZNG/6058]

and,

THAT the owner of the property located at 5787, 5791, and 5795 Tecumseh Road East **BE REQUIRED** to provide elevation drawings as part of the Site Plan Review process to ensure that alterations will not be irreversible to the commercial storefront facing Tecumseh Road East when converting the existing commercial units to residential.

Motion CARRIED, UNANIMOUSLY.

Report Number: S 89/2020
Clerk's File: ZO/13836

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7.3 Z-013/20 [CDM/6084] – Green Smart Apartments Inc 1198 California Ave – Zoning Ward 2

Planner Adam Szymczak, Planner III – Zoning

Mr. Szymczak provides a detailed summary of the application.

Ms. Tracey Pillon-Abbs (agent) and Mr. Andi Shallvari (applicant) are available for questions and are in support of the recommendations, noting it is a semi-detached and does not impact requirements for the area.

Councillor Holt inquires to location of parking. Ms. Pillon-Abbs advises location is on-site, in front.

Councillor Morrison inquires whether there were any comments from Windsor Fire or Windsor Police. Mr. Szymczak informs there were no comments from either Fire or Police.

Member Moore notes concern over what may be becoming an undesirable condition of California Ave prompting comments from Thom Hunt (City Planner) explaining the Interim Control By-law, proximity to Institutional properties and taking area conditions into account.

Member Rondot inquires of any caps to applications in the area. Mr. Hunt, Mr. Szymczak and Mr. Bortolin all comment advising maximum permitted units of four (4). Mr. Bortolin adds that any single unit could maximize its space to 3 units without amending the current by-law prompting Mr. Rondot to comment that a renter could rent out each bedroom per unit to which each renter may have a vehicle.

Councillor Holt inquires whether the City is being consistent pertaining to parking in the area. Mr. Szymczak notes that he believes the zoning allows for 50% of front yard can be paved to allow for front on-site parking. Applications that were denied front on-site parking had alternative parking available in the rear via the alley. That is not the case with this application. The alley in the rear is closed.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 189**

RECOMMENDATIONS

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West (known municipally as 1198 California Avenue; Roll No. 050-370-05100; PIN 01215-0533), situated on the east side of California Avenue, south of Girardot Street, from Residential District 1.3 (RD1.3) to Residential District 2.1 (RD2.1) and by adding a site specific exception to Section 20(1) as follows:

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393. EAST SIDE OF CALIFORNIA AVENUE, SOUTH OF GIRARDOT STREET

For the lands comprising of Part of Lots 11 & 12 & Part of Alley, Registered Plan 1120, and Part of Lot 66, Concession 1, Sandwich West, for a *Semi-Detached Dwelling*, the following additional provisions shall apply:

- | | |
|---------------------------|-------------|
| a) Lot Width – minimum | As Existing |
| b) Lot Area – minimum | As Existing |
| c) Lot Coverage – maximum | 47.0 % |
- [ZDM 4; ZNG/6084]

Motion CARRIED.

Member Moore voting nay.

Report Number: S 94/2020
Clerk's File: ZB/13864

8. ADJOURNMENT

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

Ward 3 – Councillor Bortolin
(Chairperson)

Thom Hunt
(Secretary)