

Development & Heritage Standing Committee Meeting

Date: Monday, July 12, 2021

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

Members Present:

Councillors

Ward 3 - Councillor Bortolin (Chairperson)

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 7 - Councillor Gill

Ward 10 - Councillor Morrison

Members

Member Baker

Member Foot

Member Fratangeli

Member Moore

Member Rondot

Members Regrets

Member Bulmer

Member Gyemi

Member Miller

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:

Thom Hunt, City Planner

Wira Vendrasco, Deputy City Solicitor

Michael Cooke, Manager of Planning Policy / Deputy City Planner

Neil Robertson, Manager of Urban Design / Deputy City Planner

Rob Vani, Manager of Inspections / Deputy Chief Building Official

Barbara Rusan, Manager of Policy & Regulatory Services

Patrick Winters, Development Engineer

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Laura Strahl, Executive Initiatives Coordinator (A)
Rania Toufeili, Transportation Planner I
Melissa Gasic, Planner II – Development Review
Simona Simion, Planner II – Research & Policy Support
Tracy Tang, Planner II – Revitalization & Policy Initiatives
Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Marianne Sladic, Clerk Steno Senior
Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

Delegations—participating via video conference

Item 7.1 Paul Bezaire, Bezaire Partners
Item 7.2 & 7.9 Jackie Lassaline, Planning Consultant, representing Owner
Item 7.2 Atiq Nakrawala, Treasurer, Windsor Islamic Association Foundation, representing applicant
Item 7.2 Catherine Stewart, Area Resident
Item 7.6 & 7.7 Tracey Pillon-Abbs, Principal Planner, representing Applicant
Item 7.6 Mark Swierszcz, Applicant
Item 7.8 Jeffrey W. Nanson, Mousseau DeLuca McPherson Prince LLP, representing Applicant
Item 7.8 Vito Maggio, Applicant
Item 7.8 Lynn Pearlman, Area Resident
Item 7.9 Hitesh Jhaveri, Owner, Bay 20 Inc.
Item 7.9 Hensey (Ahmed Khan), Owner, Bay 20 Inc.
Item 10.3 Anthony Gyemi, Archon Architect Incorporated, representing Kevin Flood & Anne-Marie Laniak
Item 10.3 Kevin Flood, Co-Property Owner
Item 11.1 Chintan Virani, Chintan Virani Architect Inc.; Art Ussoletti, President, TCI Titan Contracting Inc.; and Alain Khoury, Managing Director, GreenCo Nature's Choice

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:32 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

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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 held June 14, 2021 (*Planning Act* Minutes)

Moved by: Member Rondot

Seconded by: Councillor Sleiman

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held June 14, 2021 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 213/2021

Clerk's File: MB2021

7. *PLANNING ACT* MATTERS

7.1. Rezoning - Duo Fratres Inc. - 1370 Argyle Road - Z-017/21 [ZNG/6435] - Ward 4

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 300**

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Concession 1, Part Lots 95 and 95 (known municipally as 1370 Argyle Road; Roll No. 020-230-04200-0000; designated as Parts 1 and 2 on 12R-28456) situated on the east side of Argyle Road between Iroquois Street and Argyle Court by changing the district from Manufacturing District 1.1 (MD 1.1) to Commercial District 2.2 (CD 2.2) and adding the following site specific provision to Section 20(1):

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“406 EAST SIDE OF ARGYLE ROAD, BETWEEN IROQUOIS STREET AND ARGYLE COURT

1. For lands comprising Part Lots 95 and 96, Concession 1 (Roll No. 020-230-04200, designated as Parts 1 and 2 on 12R-28456) a *multiple dwelling* shall be an additional permitted use and the following additional provision shall apply:
 - a) Notwithstanding Section 24.26.1 required parking spaces, visitor parking spaces, and accessible parking spaces may be located on a lot that abuts the multiple dwelling they are intended to serve.

[ZDM 7; ZNG/6435]”

II. THAT the following matters **BE ADDRESSED** through Site Plan Control:

- a. The Site Plan Control agreement shall provide for access and use of the parking area to be located on the abutting property at 2109 Ottawa Street;
- b. The multiple dwelling shall be designed with central air conditioning in each dwelling unit or with a provision for the installation of central air conditioning in each dwelling unit in the future, at the occupant’s discretion; and
- c. That the following clauses be implemented in all development agreements, offers to purchase, and agreements of purchase and sale or lease of each dwelling unit:
 - i. “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”
 - ii. “Essex Terminal Railway (ETR) or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

Carried.

Report Number: S 68/2021
Clerk’s File: ZB/14119

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7.2. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS for the lands located at the northeast corner of Dominion Blvd and Northwood Street; Applicant: Windsor Islamic Association Foundation; File Nos. OPA147 (OPA/6392) and Z-020/20 [ZNG/6164]; Ward 10.

Moved by: Councillor Morrison
Seconded by: Councillor Holt

Decision Number: **DHSC 301**

- I. THAT the City of Windsor Official Plan, Volume II, Schedule SC-1: Development Concept Plan, South Cameron Planning Area **BE AMENDED** by changing the land use designation of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, from 'Low Profile Residential' to 'Medium/High Profile Residential';

- II. THAT an amendment to the Zoning By-law 8600 **BE APPROVED**, to change the zoning of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) with the following additional site specific regulation(s):

"418. Northeast Corner of Dominion and Northwood

For the lands comprising Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, the following additional regulations shall apply to a multiple dwelling:
 - i. Lot Area – minimum – 5,300 m²
 - ii. Main Building Height – maximum – 10 m
 - iii. Dwelling Units – maximum – 30
 - iv. Side Yard Width – minimum – 5.5m, where a habitable room window of any dwelling unit faces Dominion Blvd.
[ZDM 8; ZNG-6164]"

- III. THAT the following requirements noted in this report **BE INCLUDED** in the Site Plan Agreement for the proposed development on the subject land:
 - (i) Parkland Dedication;
 - (ii) Alley Acquisition;
 - (iii) 6.1m Corner Cut-off at Dominion & Northwood intersection;
 - (iv) Quality and Quantity of run-off in the downstream watercourse; and
 - (v) South Cameron Planning Area Noise Abatement - *Noise Control Area "E"* [4.7.1.9 (d)]

- IV. THAT the parcel described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, located at the northeast corner of Dominion Blvd and Northwood Street, **BE EXEMPT** from the provisions of

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section 45(1.3) of the *Planning Act*, provided the subject exemption excludes minor variance application(s) that have the effect of

- Reducing the minimum Lot Area of 5300m²;
- Increasing the maximum main building height of 10m; and/or
- Increasing the maximum number of dwelling units on the overall site.

Carried.

Report Number: S 78/2021

Clerk's File: ZO/14146

7.3. Zoning By-Law Amendment - 391 BRUCE AVE Z 015-21 [ZNG-6408], Ward 3

Moved by: Councillor Sleiman

Seconded by: Member Moore

Decision Number: **DHSC 302**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for the property legally described as Lot 20, on Plan 77, Corner, municipally known as 391 Bruce Ave, as follows:

412. NORTHWEST CORNER OF PARK STREET WEST AND BRUCE AVENUE

For the lands comprising Lot 20, Plan 77, Corner, for a *multiple dwelling* with a maximum of three *dwelling units*, the following additional provisions shall apply (with as existing provisions being the date of this report, June 3, 2021):

- a) Lot Width – minimum – as existing
 - b) Lot Area – minimum – as existing
 - c) Lot Coverage – maximum – as existing
 - d) Front Yard Depth – minimum – as existing
 - e) Rear Yard Depth – minimum - 7.50 m
 - f) Side Yard Width – minimum – as existing
- [ZDM3; ZNG/6408]

- II. THAT the lands affected **BE SUBJECT** to an H symbol and that the H symbol be removed when the following conditions have been satisfied:

1. Holding Symbol Removal Application/Fee

The owner/agent submits an application and fee (\$1,536.00 – 2021 rate) to remove the H symbol. The submission to include proof that the conditions are completed to the satisfaction of the City Engineer.

2. Storm Detention

Prior to the issuance of a construction permit, the owner/agent shall agree to retain a Consulting Engineer for the design and preparation of drawings, satisfactory to the City Engineer and Chief Building Official, for an internal stormwater detention scheme to

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service the subject lands. The purposes of the said scheme will be to ensure that storm drainage being directed to the Corporation's storm, combined sewer or ditch as the case may be, from the subject lands in their improved state, be restricted to no greater than the present flow from the subject lands.

Upon approval of the drawings by the City Engineer and the Chief Building Official, the owner further agrees to construct at its entire expense the said storm detention scheme, in accordance with the approved drawings and to the satisfaction of the Chief Building Official.

3. Parking

Construct two paved parking spaces on site as per Zoning Bylaw 8600 provisions to the satisfaction of the City Planner.

Carried.

Report Number: S 84/2021

Clerk's File: ZB/14115

7.4. Zoning By-Law Amendment - 717 St Antoine St Z 018-21 [ZNG-6442], Ward 2

Moved by: Councillor Gill

Seconded by: Member Rondot

Decision Number: **DHSC 303**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for Lots 2 to 4, Plan 1316, municipally known as 717 St Antoine St, as follows:

405. SOUTH SIDE OF ST ANTOINE STREET, EAST OF BLOOMFIELD ROAD

For the lands comprising Lots 2 to 4, Plan 1316, a Multiple Dwelling with a maximum of six dwelling units shall be an additional permitted use and shall comply with the provisions of Section 11.2.5.4 with the exception of:

- a) Front Yard Depth – minimum – as existing on June 3, 2021
[ZDM 4; ZNG/6442]

- II. THAT for the subject lands, Section 2(1) in Interim Control By-law 103-2020 **SHALL APPLY** when the amending by-law to Zoning By-law 8600 comes into force.

Carried.

Report Number: S 83/2021

Clerk's File: ZB/14137

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7.5. Rezoning - City of Windsor - Housekeeping Amendment 2021-1 - Z-001/21 ZNG/6276 - City Wide

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 304**

THAT Zoning By-law 8600 **BE AMENDED** as follows:

1. That Section 3.10 be amended by deleting and substituting the defined term “Self-Storage Facility” with the following:

SELF-STORAGE FACILITY means a *building* divided into individual self-contained storage units, which are available to the public exclusively for the storage of their equipment or goods, and may include in combination with the lease or rental of a motor vehicle or trailer for the purpose of moving equipment or goods, the lease, rental, or sale of accessories, equipment, materials, or supplies for the purpose of packing, moving, storage, or towing, faxing, mailbox, packing, and the provision of mailbox, packing, shipping, or shredding services.

A transport terminal or warehouse is not a self-storage facility.

[ZNG/6276]

- 2A. That Section 3.10 be amended by deleting and substituting the defined term “Motor Vehicle” with the following:

MOTOR VEHICLE means a vehicle propelled, driven, or pulled by other than muscular power and includes an *automobile, commercial motor vehicle, recreational vehicle, transport trailer, or transport truck*. It does not include a power-assisted bicycle as defined in the *Highway Traffic Act, R.S.O. 1990, c. H.8.* or a train.

[ZNG/6276]

- 2B. That Section 3.10 be amended by adding the following defined term under “Motor Vehicle” between “Automobile” and “Recreational Vehicle”:

COMMERCIAL MOTOR VEHICLE means a vehicle defined as a commercial motor vehicle in the *Highway Traffic Act, R.S.O. 1990, c. H.8.*

[ZNG/6276]

- 2C. That Section 5.2.30.20 be deleted and substituted with the following:

.20 The parking of a *commercial motor vehicle* or a *motor vehicle* used for a commercial purpose on a *lot* for a period longer than is necessary for the loading or unloading of said

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vehicle or for a period longer than said vehicle is required in connection with the performance of a service on the same *lot*.

[ZNG/6276]

3A. That Section 5.10.3 be deleted and substituted with the following:

5.10.3 For any *dwelling*:

- .1 For one *accessory building* having a *gross floor area* of equal to or less than 10.0 m², no minimum separation between the closest wall of that one *accessory building* and the closest wall of the *dwelling* located on the same *lot* is required.

More than one *accessory building* having a minimum separation of less than 1.20 m from the closest wall of the *dwelling* located on the same *lot* is prohibited.

Attaching the *accessory building* to the *dwelling* is prohibited.

- .3 For any other *accessory building*, the minimum separation between the closest wall of that *accessory building* and the closest wall of a *dwelling* located on the same *lot* shall be 1.20 m. Where the closest wall of an *accessory building* is less than 1.20 m from a *dwelling* located on the same *lot*, the minimum separation between the closest wall of that *accessory building* and the closest wall of any other *accessory building* located on the same *lot* shall be 1.20 m.
- .5 Any encroachment into a *yard* permitted by Section 5.30 shall be excluded when calculating the minimum separation.

[ZNG/6276]

3B. That Section 10.5.5.50 be deleted.

4A. That Section 3.10 be amended by deleting and substituting the defined term “Home Occupation” as follows:

HOME OCCUPATION means an occupation for profit or gain conducted entirely within an *accessory building*, *dwelling unit*, or *garage* which occupation is incidental and secondary to the use of the *dwelling unit* for residential purposes and does not change the character thereof.

[ZNG/6276]

4B. That Section 5.99.40 be deleted and substituted as follows:

5.99.40 **HOME OCCUPATION**

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[ZNG/6276]

- .1 One *home occupation* within an *accessory building*, *dwelling unit*, or *garage* located on the same *lot* as the *dwelling unit* is an additional permitted use.
 - .3 The *home occupation* shall be carried out by a resident of the *dwelling unit*.
 - .5 The maximum *gross floor area* of the *home occupation* shall be 25% of the *dwelling unit*.
 - .90 A *home occupation* within a *carport*, or a *home occupation* that generates dust, fumes, noise, odour, or vibration that is evident outside the *accessory building*, *dwelling unit*, or *garage* is prohibited.
 - .92 Except for those goods produced by the *home occupation*, the direct sale of goods is prohibited.
 - .93 Except for a sign permitted by the Windsor Sign By-law, any visible indication from the exterior of the *accessory building*, *dwelling*, *dwelling unit*, or *garage* that a *home occupation* is being carried on is prohibited.
 - .95 Except those items customarily used for housekeeping or personal recreational purposes, the external or outdoor storage of materials, goods, or equipment related to, or used by, the *home occupation* is prohibited.
- 5A. That Appendix C attached to Report S 60/2021 be added to By-law 8600 as Schedule 'C' – Central Business District, and that Section 1.20.3 be deleted and substituted with the following:

1.20.3 SCHEDULES

[ZNG/6276]

The following schedules form part of this by-law:

- Schedule 'A' – Zoning District Maps
- Schedule 'C' – Central Business District
- Schedule 'P' – Off-Street Parking Overlay

- 5B. That Section 3.10 be amended by deleting and substituting the defined term "Central Business District" with the following:

CENTRAL BUSINESS DISTRICT means the area delineated on Schedule 'C'.

[ZNG/6276]

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5C. That Section 24.5 be deleted.

5D. That Section 24.10.15.5 be deleted and substituted with the following:

- .5 Despite Section 24.10.15.1, for an existing *building* located on a lot within the *Central Business District, Business Improvement Area*, or any area listed in Section 24.20.3.1, a change of use from the existing use to any use listed under Section 24.20.1 or Section 24.20.3, whichever is applicable, except for “All other uses not listed above”, no additional *parking spaces*, visitor parking spaces, accessible parking spaces, bicycle parking spaces, or *loading spaces* are required.

5E. That Section 24.20.1 be deleted and substituted with the following:

24.20.1 REQUIRED PARKING SPACES – CENTRAL BUSINESS DISTRICT

[ZNG/6276]

- .1 In the *Central Business District*, the required minimum number of parking spaces shall be as shown opposite the respective use in Table 24.20.1.1:

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Bake Shop	0
Business Office	0
Commercial School	0
Convenience Store	0
Dwelling Unit (in any type of <i>dwelling</i> or a <i>combined use building</i>)	None for the first six dwelling units AND 1 for each additional dwelling unit
Entertainment Lounge	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Farmers' Market	0
Food Convenience Store	0
Food Outlet – Take-out	0
Games Arcade	0
Health Studio	0

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TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Hotel	1 for each of the first 60 guest rooms AND 1 for each additional 6 guest rooms
Medical Office	0
Micro-Brewery	None for the first 90 m ² GFA AND 1 for each additional 45 m ² GFA
Outdoor Market	0
Pawnshop	0
Personal Service Shop	0
Pharmacy	0
Professional Studio	0
Repair Shop – Light	0
Residential Care Facility	1 for each 8 beds
Restaurant	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Retail Store	0
Veterinary Office	0
All other uses not listed above	Section 24.20.5 shall apply
[ZNG/6276]	

6. That the defined term “Existing” in Section 3.10 be deleted and substituted with the following:

EXISTING means:

1. where a provision states a specific date, a *building, lot, premises, structure, or use* lawfully existing on the date specified;
2. where clause 1 does not apply and an amending by-law added the defined term “*existing*” after July 22, 2002, a *building, lot, premises, structure, or use* lawfully existing on the date the amending by-law came into force; or
3. where clause 1 and clause 2 do not apply, a *building, lot, premises, structure, or use* lawfully existing on July 22, 2002.

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Where the term “existing” is not italicized, the ordinary meaning shall apply to a lawfully existing *building, lot, premises, structure, or use.*

[ZNG/6276]

7A. That the zoning of the parcels known municipally as 8804 Riverside Drive East (Roll No. 060-380-001), 8820 Riverside Drive East (Roll No. 060-380-003), 8830 Riverside Drive East (Roll No. 060-380-004), and 8838 Riverside Drive East (Roll No. 060-380-005) be changed from Residential District 3.4 (RD3.4) to Residential District 1.6 (RD1.6).

7B. That Section 20(1)56 be deleted and substituted with the following:

56. SOUTH SIDE OF CABANA ROAD WEST, WEST OF PRAIRIE COURT AND SOUTH OF RANDOLPH AVENUE

For the lands comprising Part of Lot 2, Concession 4, identified as PIN 01556-1537, for a *multiple dwelling* the following provisions shall apply:

a) Lot Width – minimum	As Existing
b) Lot Area – minimum	As Existing
c) Lot Coverage – maximum	50%
d) Main Building Height – maximum	14.0 m
e) Front Yard Depth – minimum	6.0 m
f) Rear Yard Depth – minimum	7.50 m
g) Side Yard Width – minimum	2.50 m
h) Dwelling Units – maximum	11
i) Loading Space – minimum	0

[ZDM 9; ZNG/62676]

7C. That the holding symbol be removed for the lands zoned HRD1.1 on the east and west side of Virginia Park Avenue, north of North Service Road West and south of 939 Northwood Street.
Carried.

Report Number: S 60/2021
Clerk’s File: ZB/14122

7.6. Rezoning Application – 239-241 McEwan Avenue Z 008-21 [ZNG-6358] To add use to the existing zoning category with site specific regulations - Ward 2

Moved by: Councillor Holt
Seconded by: Member Moore

Decision Number: **DHSC 305**

I. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of PLAN 593 LOT 33 (known municipally as 239-241 McEwan Avenue; Roll No. 050-

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030-06000-0000), situated on the west side of McEwan Avenue; between University Avenue West and Riverside Drive West, by adding the following use to the existing zoning category (RD2.1):

ADDITIONAL PERMITTED USE:

One Multiple Dwelling containing a maximum of three dwelling units

PROVISIONS:

The 3-unit Multiple Dwelling shall conform to the Duplex-Dwelling provisions with the exception of the following:

Front Yard Depth – minimum 5.89 m (to the covered porch, existing)

Interior Side Yard Width – minimum 0.91 m (existing)

Accessory Building Side yard – minimum 0.482 m (existing)

Carried.

Report Number: S 82/2021

Clerk's File: ZB/14112

7.7. Official Plan Amendment and Rezoning Applications – 1246, 1256-1270 Erie St E Z-013_21 [ZNG6397] & OPA 148 [OPA6398] to add uses to the existing OP Designation and zoning category - Ward 4

Moved by: Councillor Holt

Seconded by: Member Rondot

Decision Number: **DHSC 306**

- I. THAT Schedule "A" of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000);
- II. THAT Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:

"1.X Northside of Erie Street East and east of Pierre Avenue

- 1.X.1 The property described as Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall

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Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;

- 1.X.2 Notwithstanding the “Mixed Use” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, and the “Traditional Commercial Street” designation on Schedule A-1: Special Policy Areas in Volume I – The Primary Plan “Public Parking Area” shall be an additional permitted use.

- III. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall Avenue, by adding the following uses to the existing zoning category (CD1.3):

ADDITIONAL PERMITTED USES:

Public Parking Area

Sports Facility with two bocce courts and seating

Carried.

Report Number: S 85/2021
Clerk's File: ZO/14117

7.8. Rezoning - Vito Maggio Holdings Inc - 642 Windermere Road - Z-021/21 ZNG/6465 - Ward 4

Moved by: Councillor Holt
Seconded by: Councillor Morrison

Decision Number: **DHSC 307**

THAT Zoning By-law 8600 **BE AMENDED** by adding the clause below to Section 20(2) for Lot 3, Registered Plan 502, (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East:

9. For the lands comprising Lot 3, Registered Plan 502 (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East, a “Restaurant or Bar Patio” as defined in Ontario Regulation 345/20, shall be a permitted temporary use until the end of October 31, 2021, that said temporary use shall be located outdoors in the rear yard of the subject parcel, and that for said temporary use no parking spaces are required. Further, no parking spaces are required for any lawfully permitted use located on the subject lands for the term of temporary use.

[ZDM 6; ZNG/6465]

Carried.

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Report Number: S 77/2021

Clerk's File: ZB/14141

7.9. Rezoning – Bay 20 Inc. – 880 Ouellette Avenue - Z-038-20 [ZNG/6249] - Ward 3

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 308**

I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000) situated on the east side of Ouellette Avenue between Elliot Street and Erie Street by adding the following site-specific provisions to Section 20(1):

“416 **EAST SIDE OF OUELLETTE AVE, BETWEEN ELLIOT STREET AND ERIE STREET**

1. For lands comprising Plan 256 Block 3 Lots 8 & 9 (Roll No. 040-320-01100-0000) the following provision shall apply:
 - a) Notwithstanding section 16.2.5.60, the maximum number of residential units permitted shall be 64;
 - b) Notwithstanding section 24.40.1.5, 0 loading spaces are required;
 - c) Notwithstanding section 16.2.5.20, the building setbacks shall be the existing setbacks of the existing building of: 3 metre front yard; 5.5 metre side yard (north); and 4.2 Side Yard;
 - d) Parking spaces required – 22 spaces.

[ZDM 7; ZNG/6249]”; and

II. THAT Council **DECLARE** Section 45(1.3) of the *Planning Act*, which restricts a person from applying for a minor variance for a period of two years following a zoning by-law amendment, does not apply to an application for lands described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000).

III. THAT the parcel described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000), located on the east side of Ouellette Avenue, between Erie Street and Elliot Street, **BE EXEMPT** from the provisions of Interim Control By-law 103-2020 and that further, Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:

- **880 Ouellette Avenue**

Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000)

Carried.

Report Number: S 86/2021

Clerk's File: ZB/14086

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There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 6:35 o'clock p.m.

The Chairperson calls the *Heritage Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 6:35 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held June 14, 2021

Moved by: Member Foot

Seconded by: Member Fratangeli

THAT the minutes of the Development & Heritage Standing Committee meeting held June 14, 2021 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 199/2021

Clerk's File: MB2021

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Items 10.3 and 11.1.

10. HERITAGE ACT MATTERS

10.3. Request for Partial Demolition of a Heritage Listed Property- 4147 Riverside Drive East, Edmund C. Poisson House (Ward 5)

Anthony Gyemi, Archon Architect Incorporated, representing Kevin Flood & Anne-Marie Laniak

Anthony Gyemi, Archon Architect Incorporated, representing Kevin Flood & Anne-Marie Laniak, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Request for Partial Demolition of a Heritage Listed Property – 4147 Riverside Drive East, Edmund C. Poisson House (Ward 5)" and provides an overview of the application and description of the proposed renovations in the application and indicates that the owners are in agreement with Administration's recommendation. Mr. Gyemi provides clarification related to the aspect of an unenclosed porch. Mr. Gyemi refers to his memorandum in the report and provides further clarification related to accessibility while maintaining the view and keeping with

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the original design. Mr. Gyemi outlines the renderings with multiple views to provide greater clarity regarding what the building will look like after renovations.

Kevin Flood, Co-Property Owner

Kevin Flood, co-property owner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Request for Partial Demolition of a Heritage Listed Property – 4147 Riverside Drive East, Edmund C. Poisson House (Ward 5)” and is available for questions.

Councillor Sleiman states that he has received several e-mails from surrounding neighbours in support of the project.

Member Baker inquires about the approximate number of these types of original cobblestone/fieldstone houses in the City and what their status is. Kristina Tang, Heritage Planner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Request for Partial Demolition of a Heritage Listed Property – 4147 Riverside Drive East, Edmund C. Poisson House (Ward 5)” and indicates that on the Municipal Register, there are about 19 houses. Ms. Baker inquires about the garage. Ms. Tang clarifies the location of the 2-car garage behind the home.

Councillor Morrison inquires about the changes to the property including a significant change to the front of the property. Ms. Tang explains the provisions of the *Ontario Heritage Act* to a non-designated, Windsor Municipal Heritage Register Listed property.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 311**

- I. THAT the request for the proposed partial removal of the front porch and second floor walls, and roof (to facilitate front addition), demolition of the rear deck and addition connecting the main house and the garage of 4147 Riverside Drive East, Edmund C. Poisson House, **BE GRANTED.**

Carried.

Report Number: S 89/2021

Clerk's File: MBA2021

10.1. Request for Heritage Alteration Permit for Willistead Manor, 1899 Niagara Street (Ward 4)

Moved by: Member Baker

Seconded by: Councillor Holt

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Decision Number: **DHSC 309**

- I. THAT the Heritage Alteration Permit at Willistead Manor, 1899 Niagara Street, **BE GRANTED**, for the renovations at the Paul Martin Terrace and if future project funding allows for the same treatment, in the Manor's north and west- courtyards; and,
- II. THAT the City Planner or his designate **BE DELEGATED** the authority to approve further changes to the approved scope for the courtyard renovations.

Carried.

Report Number: S 81/2021
Clerk's File: MBA2021

10.2. Updates to the 2021 *Ontario Heritage Act* Amendments (City-wide)

Kristina Tang, Heritage Planner, provides a brief outline related to the Updates to the 2021 *Ontario Heritage Act* Amendments including the following:

- New requirements for listing non-designated properties on the municipal register
- Changes to designation process
- New process for objection to Council Designations
- Changes to Alteration and Demolition processes
- Changes to Appeals process
- Records required for Tribunal
- Digital Documents

Ms. Tang outlines the next steps related to implementation of the plan. Ms. Tang explains the designation process and approval process to the members.

Moved by: Councillor Sleiman
Seconded by: Member Fratangeli

Decision Number: **DHSC 310**

1. THAT Report No. S 87/2021 entitled "Updates to the 2021 *Ontario Heritage Act* Amendments" **BE RECEIVED** for information; and,
2. THAT the City Planner **BE DIRECTED** to prepare amendments to City of Windsor Official Plan, Delegation By-law, and create new Heritage Procedures/By-law, or utilize other policies or tools as required, to address the legislative changes and for Council's consideration.

Carried.

Report Number: S 87/2021
Clerk's File: MBA2021

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There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 7:08 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 7:09 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.1. Close and Convey Part of the North/South Alley Between 0 Wyandotte Street East and 4620 Wyandotte Street East, North of Wyandotte Street East - Applicant: 2640285 Ontario Limited - SAA/6348 - Ward 5

Chintan Virani, Chintan Virani Architect Inc.; Art Ussoletti, President, TCI Titan Contracting Inc.; and Alain Khoury, Managing Director, GreenCo Nature's Choice

Chintan Virani, Chintan Virani Architect Inc.; Art Ussoletti, President, TCI Titan Contracting Inc.; and Alain Khoury, Managing Director, GreenCo Nature's Choice, appear via video conference before the Development and Heritage Standing Committee regarding the administrative report "Close and Convey Part of the North/South Alley Between 0 Wyandotte Street East and 4620 Wyandotte Street East, North of Wyandotte Street East - Applicant: 2640285 Ontario Limited - SAA/6348 - Ward 5" and are available for questions.

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 312**

- I. THAT the portion of the 4.33 metre wide north/south alley between 0 Wyandotte Street East and 4620 Wyandotte Street East, north of Wyandotte Street East and shown on Drawing No. CC-1789 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. THAT the portion of the 4.33 metre wide north/south alley between 0 Wyandotte Street East and 4620 Wyandotte Street East, north of Wyandotte Street East and shown on Drawing No. CC-1789 *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, Enbridge Gas, Enwin Utilities and the owner of 4620 Wyandotte Street East;
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Commercial CD2.2: \$193.75 per square metre without easements and \$96.88 per square metre with easements.

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- IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1789, *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.

Report Number: S 70/2021
Clerk's File: SAA2021

11.2. Brownfield Redevelopment Community Improvement Plan (CIP) Update and Initiation of the Review Process (City-wide)

Councillor Sleiman inquires about the second administrative recommendation related to stakeholders.

Greg Atkinson, Senior Planner, appears via video conference before the Development and Heritage Standing Committee Meeting regarding the administrative report "Brownfield Redevelopment Community Improvement Plan (CIP) Update and Initiation of the Review Process (City-wide)" and provides details related to the stakeholders, which will include the Standing Committee and Council, the CIP users, consultants working on behalf of land owners, environmental consultants, planning consultants, and commercial realtors. Input would be received and the information will be reviewed by Administration, and suggested improvements will come back to the committee.

Moved by: Councillor Sleiman
Seconded by: Councillor Morrison

Decision Number: **DHSC 313**

1. THAT Report No. S 71/2021 updating City Council on the use and implementation of the Brownfield Redevelopment Community Improvement Plan (CIP) and tabling issues to be addressed as part of the CIP update **BE RECEIVED** for information; and,
 2. THAT the City Planner **BE DIRECTED** to consult with stakeholders regarding potential changes to the Brownfield Redevelopment CIP outlined in Report No. S 71/2021 and prepare any necessary CIP amendments for Council's consideration.
- Carried.

Report Number: S 71/2021
Clerk's File: Z/8955

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11.3. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2603184 Ontario Inc. (Nufusion Partners) on behalf of WinWest Enterprises Ltd. for 1504 McDougall Street and 1537 Mercer Street (Ward 3)

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: **DHSC 314**

- I. THAT the request made by 2603184 Ontario Inc. (Nufusion Partners) on behalf of WinWest Enterprises Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 1504 McDougall Street and 1537 Mercer Street pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$12,850 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;
- III. THAT the grant funds in the amount of \$12,850 under the Environmental Site Assessment Grant Program **BE TRANSFERRED** from the CIP Reserve Fund 226 to Brownfield Strategy Remediation (project 7069003).
- IV. THAT should the proposed Phase II Environmental Site Assessment Study not be completed within two (2) years of Council approval, the approval **BE RESCINDED** and the funds be uncommitted and made available for other applications.

Carried.

Report Number: S 74/2021

Clerk's File: Z/14157

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

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14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 7:17 o'clock p.m.

Carried.

Ward 3 - Councillor Bortolin
(Chairperson)

Supervisor of Council Services

Development & Heritage Standing Committee
(Planning Act Matters)

Date: Monday, July 12, 2021
Time: 4:30 pm

MEMBERS PRESENT:

Councillors:

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

Members:

Member 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 PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, City Planner
Wira Vendrasco, Deputy City Solicitor
Michael Cooke, Manager of Planning Policy / Deputy City Planner
Neil Robertson, Manager of Urban Design / Deputy City Planner
Rob Vani, Manager of Inspections / Deputy Chief Building Official
Barbara Rusan, Manager of Policy & Regulatory Services
Patrick Winters, Development Engineer
Laura Strahl, Executive Initiatives Coordinator (A)
Rania Toufeili, Transportation Planner I
Melissa Gasic, Planner II – Development Review
Simona Simion, Planner II – Research & Policy Support
Tracy Tang, Planner II – Revitalization & Policy Initiatives
Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions

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Adam Szymczak, Planner III – Zoning
Marianne Sladic, Clerk Steno Senior
Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:32 pm.

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 June 14, 2021.

Moved by: Member Rondot
Seconded by: Councillor Sleiman

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held June 14, 2021 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

Report Number:
Clerk's File:

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

Item 7.1	Paul Bezaire, Bezaire Partners
Item 7.2 & 7.9	Jackie Lassaline, Planning Consultant, representing Owner
Item 7.2	Atiq Nakrawala, Treasurer, Windsor Islamic Association Foundation, representing applicant
Item 7.2	Catherine Stewart, Area Resident
Item 7.6 & 7.7	Tracey Pillon-Abbs, Principal Planner, representing Applicant
Item 7.6	Mark Swierszcz, Applicant
Item 7.8	Jeffrey W. Nanson, Mousseau DeLuca McPherson Prince LLP, representing Applicant
Item 7.8	Vito Maggio, Applicant
Item 7.8	Lynn Pearlman, Area Resident
Item 7.9	Hitesh Jhaveri, Owner, Bay 20 Inc.
Item 7.9	Hensey (Ahmed Khan), Owner, Bay 20 Inc.

7. PLANNING ACT MATTERS

7.1 Z-017/21 [ZNG/6435] – Duo Fratres 1370 Argyle Rd – Zoning Ward 4

Greg Atkinson (author), Planner III – Economic Development

Paul Bezaire – Bezaire & Associates is available for questions

Councillor Morrison wonders why they're not getting consultations from Windsor Police on many of these applications. Thom Hunt advises that in case of land use comments are not be required for all reports. Only comment on those items that involve design.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 300**

RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Concession 1, Part Lots 95 and 95 (known municipally as 1370 Argyle Road; Roll No. 020-230-04200-0000; designated as Parts 1 and 2 on 12R-28456) situated on the east side of Argyle Road between Iroquois Street and Argyle Court by changing the district from Manufacturing District 1.1 (MD 1.1) to Commercial District 2.2 (CD 2.2) and adding the following site specific provision to Section 20(1):

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“406 EAST SIDE OF ARGYLE ROAD, BETWEEN IROQUOIS STREET AND ARGYLE COURT

1. For lands comprising Part Lots 95 and 96, Concession 1 (Roll No. 020-230-04200, designated as Parts 1 and 2 on 12R-28456) a *multiple dwelling* shall be an additional permitted use and the following additional provision shall apply:
 - a) Notwithstanding Section 24.26.1 required parking spaces, visitor parking spaces, and accessible parking spaces may be located on a lot that abuts the multiple dwelling they are intended to serve.

[ZDM 7; ZNG/6435]”

II. THAT the following matters **BE ADDRESSED** through Site Plan Control:

- a. The Site Plan Control agreement shall provide for access and use of the parking area to be located on the abutting property at 2109 Ottawa Street;
- b. The multiple dwelling shall be designed with central air conditioning in each dwelling unit or with a provision for the installation of central air conditioning in each dwelling unit in the future, at the occupant’s discretion; and
- c. That the following clauses be implemented in all development agreements, offers to purchase, and agreements of purchase and sale or lease of each dwelling unit:
 - i. “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”
 - ii. “Essex Terminal Railway (ETR) or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). ETR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

Motion CARRIED UNANIMOUSLY

Report Number: S 68/2021
Clerk’s File: ZB/14119

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7.2 Z-020/20 [ZNG/6164] & OPA 147 [OPA/6392] – Windsor Islamic Association Foundation 0, 2344, 2348, 2350 & 2380 Dominion Blvd and 0 Northwood St – Zoning & Official Plan Amendment Ward 10

Justina Nwaesei (author), Planner III – Subdivisions

Ms Nwaesei provides a brief presentation of the report.

Jackie Lassaline – Lassaline Planners (agent) – gives a brief presentation regarding the proposed development. They're in agreement with recommendations presented by Administration, except the 6m minimum side yard width from 6m to 5.5m to enable the applicant provide more landscape separation along the east lot line abutting the Longfellow homes. Ms. Lassaline states she's available for any questions.

Atiq Nakrawala (Treasurer at WIA) – available for questions

Catherine Stewart (resident) – Concern over height of building – very satisfied with what was proposed and is satisfied with the proposed development. Following the public consultation organized by the owner and Ms. Lassaline on Saturday, July 10, 2021, with area residents, most petitioners are now satisfied. Only three petitioners did not respond.

Councillors Sleiman and Gill and Member Moore inquired about concerns of the area residents, traffic, entrances off Northwood, future Dominion Blvd expansion and how to provide more information for area residents of proposed developments in the future. Inquiries were addressed by Ms. Nwaesei and Ms. Lassaline.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: **DHSC 301**

RECOMMENDATIONS

- I. That the City of Windsor Official Plan, Volume II, Schedule SC-1: Development Concept Plan, South Cameron Planning Area **BE AMENDED** by changing the land use designation of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, from 'Low Profile Residential' to 'Medium/High Profile Residential';
- II. That an amendment to the Zoning By-law 8600 **BE APPROVED**, to change the zoning of the lands located at the northeast corner of Dominion Blvd and Northwood Street, described as Lots 271 to 284 (incl.), Part of Block 'B', Plan 558, Lots 85 to 88 (incl.), Part of closed Alley,

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Plan 1286, except Part 1 on Plan 12R-27749, from Residential District 1.1 (RD1.1) to Residential District 3.1 (RD3.1) with the following additional site specific regulation(s):

“418. Northeast Corner of Dominion and Northwood

For the lands comprising Lots 271 to 284 (incl.), Part of Block ‘B’, Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, the following additional regulations shall apply to a multiple dwelling:

- i. Lot Area – minimum – 5,300 m²
- ii. Main Building Height – maximum – 10 m
- iii. Dwelling Units – maximum – 30
- iv. Side Yard Width – minimum – 5.5m, where a habitable room window of any dwelling unit faces Dominion Blvd.

[ZDM 8; ZNG-6164]”

- III. That the following requirements noted in this report **BE INCLUDED** in the Site Plan Agreement for the proposed development on the subject land:
 - (i) Parkland Dedication;
 - (ii) Alley Acquisition;
 - (iii) 6.1m Corner Cut-off at Dominion & Northwood intersection;
 - (iv) Quality and Quantity of run-off in the downstream watercourse; and
 - (v) South Cameron Planning Area Noise Abatement - *Noise Control Area “E”* [4.7.1.9 (d)]

- IV. That the parcel described as Lots 271 to 284 (incl.), Part of Block ‘B’, Plan 558, Lots 85 to 88 (incl.), Part of closed Alley, Plan 1286, except Part 1 on Plan 12R-27749, located at the northeast corner of Dominion Blvd and Northwood Street, **BE EXEMPT** from the provisions of section 45(1.3) of the Planning Act, provided the subject exemption excludes minor variance application(s) that have the effect of
 - Reducing the minimum Lot Area of 5300m²;
 - Increasing the maximum main building height of 10m; and/or
 - Increasing the maximum number of dwelling units on the overall site.

Motion CARRIED UNANIMOUSLY

Report Number: S 78/2021
Clerk’s File: ZO/14146

7.3 Z-015/21 [ZNG/6408] – Alda & David Blades 391 Bruce Ave – Zoning Ward 3

Simona Simion (author), Planner II – Research & Policy Support

Moved by: Councillor Sleiman

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Seconded by: Member Moore

Decision Number: **DHSC 302**

RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for the property legally described as Lot 20, on Plan 77, Corner, municipally known as 391 Bruce Ave, as follows:

412. NORTHWEST CORNER OF PARK STREET WEST AND BRUCE AVENUE

For the lands comprising Lot 20, Plan 77, Corner, for a *multiple dwelling* with a maximum of three *dwelling units*, the following additional provisions shall apply (with as existing provisions being the date of this report, June 3, 2021):

- a) Lot Width – minimum – as existing
- b) Lot Area – minimum – as existing
- c) Lot Coverage – maximum – as existing
- d) Front Yard Depth – minimum – as existing
- e) Rear Yard Depth – minimum - 7.50 m
- f) Side Yard Width – minimum – as existing
[ZDM3; ZNG/6408]

- II. THAT the lands affected **BE SUBJECT** to an H symbol and that the H symbol be removed when the following conditions have been satisfied:

1. Holding Symbol Removal Application/Fee

The owner/agent submits an application and fee (\$1,536.00 – 2021 rate) to remove the H symbol. The submission to include proof that the conditions are completed to the satisfaction of the City Engineer.

2. Storm Detention

Prior to the issuance of a construction permit, the owner/agent shall agree to retain a Consulting Engineer for the design and preparation of drawings, satisfactory to the City Engineer and Chief Building Official, for an internal stormwater detention scheme to service the subject lands. The purposes of the said scheme will be to ensure that storm drainage being directed to the Corporation's storm, combined sewer or ditch as the case may be, from the subject lands in their improved state, be restricted to no greater than the present flow from the subject lands.

Upon approval of the drawings by the City Engineer and the Chief Building Official, the owner further agrees to construct at its entire expense the said storm detention scheme, in accordance with the approved drawings and to the satisfaction of the Chief Building Official.

3. Parking

Construct two paved parking spaces on site as per Zoning Bylaw 8600 provisions to the satisfaction of the City Planner.

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Motion CARRIED UNANIMOUSLY

Report Number: S 84/2021
Clerk's File: ZB/14115

7.4 Z-018/21 [ZNG/6442] – Buschante Development Group Corp 717 St Antoine – Zoning Ward 2

Simona Simion (author), Planner II – Research & Policy Support

Moved by: Councillor Gill
Seconded by: Member Rondot

Decision Number: **DHSC 303**

RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for Lots 2 to 4, Plan 1316, municipally known as 717 St Antoine St, as follows:

405. SOUTH SIDE OF ST ANTOINE STREET, EAST OF BLOOMFIELD ROAD

For the lands comprising Lots 2 to 4, Plan 1316, a Multiple Dwelling with a maximum of six dwelling units shall be an additional permitted use and shall comply with the provisions of Section 11.2.5.4 with the exception of:

- a) Front Yard Depth – minimum – as existing on June 3, 2021
[ZDM 4; ZNG/6442]

- II. THAT for the subject lands, Section 2(1) in Interim Control By-law 103-2020 **SHALL APPLY** when the amending by-law to Zoning By-law 8600 comes into force.

Motion CARRIED UNANIMOUSLY

Report Number: S 83/2021
Clerk's File: ZB/14137

7.5 Z-001/21 [ZNG/6276] – City of Windsor Housekeeping Amendments – 2021-1 – Zoning City Wide

Adam Szymczak (author), Planner III – Zoning

Mr. Szymczak provides a presentation of the recommended amendments.

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Councillors Holt and Sleiman sought clarification of minimum parking reduction in defined areas and what provisions warranted a reduction and other items. Addressed by Mr. Szymczak.

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 304**

RECOMMENDATIONS

1. That Section 3.10 be amended by deleting and substituting the defined term “Self-Storage Facility” with the following:

SELF-STORAGE FACILITY means a *building* divided into individual self-contained storage units, which are available to the public exclusively for the storage of their equipment or goods, and may include in combination with the lease or rental of a motor vehicle or trailer for the purpose of moving equipment or goods, the lease, rental, or sale of accessories, equipment, materials, or supplies for the purpose of packing, moving, storage, or towing, faxing, mailbox, packing, and the provision of mailbox, packing, shipping, or shredding services.

A transport terminal or warehouse is not a self-storage facility.

[ZNG/6276]

- 2A. That Section 3.10 be amended by deleting and substituting the defined term “Motor Vehicle” with the following:

MOTOR VEHICLE means a vehicle propelled, driven, or pulled by other than muscular power and includes an *automobile, commercial motor vehicle, recreational vehicle, transport trailer, or transport truck*. It does not include a power-assisted bicycle as defined in the *Highway Traffic Act, R.S.O. 1990, c. H.8.* or a train.

[ZNG/6276]

- 2B. That Section 3.10 be amended by adding the following defined term under “Motor Vehicle” between “Automobile” and “Recreational Vehicle”:

COMMERCIAL MOTOR VEHICLE means a vehicle defined as a commercial motor vehicle in the *Highway Traffic Act, R.S.O. 1990, c. H.8.*

[ZNG/6276]

- 2C. That Section 5.2.30.20 be deleted and substituted with the following:

.20 The parking of a *commercial motor vehicle* or a *motor vehicle* used for a commercial purpose on a *lot* for a period longer than is necessary for the loading or unloading of said

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vehicle or for a period longer than said vehicle is required in connection with the performance of a service on the same *lot*.

[ZNG/6276]

3A. That Section 5.10.3 be deleted and substituted with the following:

5.10.3 For any *dwelling*:

- .1 For one *accessory building* having a *gross floor area* of equal to or less than 10.0 m², no minimum separation between the closest wall of that one *accessory building* and the closest wall of the *dwelling* located on the same *lot* is required.

More than one *accessory building* having a minimum separation of less than 1.20 m from the closest wall of the *dwelling* located on the same *lot* is prohibited.

Attaching the *accessory building* to the *dwelling* is prohibited.

- .3 For any other *accessory building*, the minimum separation between the closest wall of that *accessory building* and the closest wall of a *dwelling* located on the same *lot* shall be 1.20 m. Where the closest wall of an *accessory building* is less than 1.20 m from a *dwelling* located on the same *lot*, the minimum separation between the closest wall of that *accessory building* and the closest wall of any other *accessory building* located on the same *lot* shall be 1.20 m.
- .5 Any encroachment into a *yard* permitted by Section 5.30 shall be excluded when calculating the minimum separation.

[ZNG/6276]

3B. That Section 10.5.5.50 be deleted.

4A. That Section 3.10 be amended by deleting and substituting the defined term “Home Occupation” as follows:

HOME OCCUPATION means an occupation for profit or gain conducted entirely within an *accessory building*, *dwelling unit*, or *garage* which occupation is incidental and secondary to the *use* of the *dwelling unit* for residential purposes and does not change the character thereof.

[ZNG/6276]

4B. That Section 5.99.40 be deleted and substituted as follows:

5.99.40 **HOME OCCUPATION**

[ZNG/6276]

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- .1 One *home occupation* within an *accessory building, dwelling unit, or garage* located on the same *lot* as the *dwelling unit* is an additional permitted use.
- .3 The *home occupation* shall be carried out by a resident of the *dwelling unit*.
- .5 The maximum *gross floor area* of the *home occupation* shall be 25% of the *dwelling unit*.
- .90 A *home occupation* within a *carport*, or a *home occupation* that generates dust, fumes, noise, odour, or vibration that is evident outside the *accessory building, dwelling unit, or garage* is prohibited.
- .92 Except for those goods produced by the *home occupation*, the direct sale of goods is prohibited.
- .93 Except for a sign permitted by the Windsor Sign By-law, any visible indication from the exterior of the *accessory building, dwelling, dwelling unit, or garage* that a *home occupation* is being carried on is prohibited.
- .95 Except those items customarily used for housekeeping or personal recreational purposes, the external or outdoor storage of materials, goods, or equipment related to, or used by, the *home occupation* is prohibited.

5A. That Appendix C attached to Report S 60/2021 be added to By-law 8600 as Schedule 'C' – Central Business District, and that Section 1.20.3 be deleted and substituted with the following:

1.20.3 SCHEDULES

[ZNG/6276]

The following schedules form part of this by-law:

- Schedule 'A' – Zoning District Maps
- Schedule 'C' – Central Business District
- Schedule 'P' – Off-Street Parking Overlay

5B. That Section 3.10 be amended by deleting and substituting the defined term "Central Business District" with the following:

CENTRAL BUSINESS DISTRICT means the area delineated on Schedule 'C'.

[ZNG/6276]

5C. That Section 24.5 be deleted.

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5D. That Section 24.10.15.5 be deleted and substituted with the following:

- .5 Despite Section 24.10.15.1, for an existing *building* located on a lot within the *Central Business District, Business Improvement Area*, or any area listed in Section 24.20.3.1, a change of use from the existing use to any use listed under Section 24.20.1 or Section 24.20.3, whichever is applicable, except for “All other uses not listed above”, no additional *parking spaces*, visitor parking spaces, accessible parking spaces, bicycle parking spaces, or *loading spaces* are required.

5E. That Section 24.20.1 be deleted and substituted with the following:

24.20.1 REQUIRED PARKING SPACES – CENTRAL BUSINESS DISTRICT

[ZNG/6276]

- .1 In the *Central Business District*, the required minimum number of parking spaces shall be as shown opposite the respective use in Table 24.20.1.1:

TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Bake Shop	0
Business Office	0
Commercial School	0
Convenience Store	0
Dwelling Unit (in any type of <i>dwelling</i> or a <i>combined use building</i>)	None for the first six dwelling units AND 1 for each additional dwelling unit
Entertainment Lounge	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Farmers' Market	0
Food Convenience Store	0
Food Outlet – Take-out	0
Games Arcade	0
Health Studio	0
Hotel	1 for each of the first 60 guest rooms AND 1 for each additional 6 guest rooms

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TABLE 24.20.1.1 – REQUIRED PARKING SPACES CENTRAL BUSINESS DISTRICT	
USE	PARKING RATE – MINIMUM
Medical Office	0
Micro-Brewery	None for the first 90 m ² GFA AND 1 for each additional 45 m ² GFA
Outdoor Market	0
Pawnshop	0
Personal Service Shop	0
Pharmacy	0
Professional Studio	0
Repair Shop – Light	0
Residential Care Facility	1 for each 8 beds
Restaurant	None for the first 90 m ² GFA AND 1 for each additional 15 m ² GFA
Retail Store	0
Veterinary Office	0
All other uses not listed above	Section 24.20.5 shall apply
[ZNG/6276]	

6. That the defined term “Existing” in Section 3.10 be deleted and substituted with the following:

EXISTING means:

1. where a provision states a specific date, a *building, lot, premises, structure, or use* lawfully existing on the date specified;
2. where clause 1 does not apply and an amending by-law added the defined term “*existing*” after July 22, 2002, a *building, lot, premises, structure, or use* lawfully existing on the date the amending by-law came into force; or
3. where clause 1 and clause 2 do not apply, a *building, lot, premises, structure, or use* lawfully existing on July 22, 2002.

Where the term “existing” is not italicized, the ordinary meaning shall apply to a lawfully existing *building, lot, premises, structure, or use*.

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[ZNG/6276]

7A. That the zoning of the parcels known municipally as 8804 Riverside Drive East (Roll No. 060-380-001), 8820 Riverside Drive East (Roll No. 060-380-003), 8830 Riverside Drive East (Roll No. 060-380-004), and 8838 Riverside Drive East (Roll No. 060-380-005) be changed from Residential District 3.4 (RD3.4) to Residential District 1.6 (RD1.6).

7B. That Section 20(1)56 be deleted and substituted with the following:

56. SOUTH SIDE OF CABANA ROAD WEST, WEST OF PRAIRIE COURT AND SOUTH OF RANDOLPH AVENUE

For the lands comprising Part of Lot 2, Concession 4, identified as PIN 01556-1537, for a *multiple dwelling* the following provisions shall apply:

a) Lot Width – minimum	As Existing
b) Lot Area – minimum	As Existing
c) Lot Coverage – maximum	50%
d) Main Building Height – maximum	14.0 m
e) Front Yard Depth – minimum	6.0 m
f) Rear Yard Depth – minimum	7.50 m
g) Side Yard Width – minimum	2.50 m
h) Dwelling Units – maximum	11
i) Loading Space – minimum	0

[ZDM 9; ZNG/62676]

7C. That the holding symbol be removed for the lands zoned HRD1.1 on the east and west side of Virginia Park Avenue, north of North Service Road West and south of 939 Northwood Street.

Motion CARRIED UNANIMOUSLY

Report Number: S 60/2021
Clerk's File: ZB/14122

**7.6 Z-008/21 [ZNG/6358] – Marc Swierszcz
239-241McEwan – Zoning
Ward 2**

Melissa Gasic (author), Planner II – Development Review
Tracey Pillon-Abbs (agent) & Marc Swierszcz (applicant) available for questions.

Moved by: Councillor Holt

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Seconded by: Member Moore

Decision Number: **DHSC 305**

RECOMMENDATIONS

- I. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of PLAN 593 LOT 33 (known municipally as 239-241 McEwan Avenue; Roll No. 050-030-06000-0000), situated on the west side of McEwan Avenue; between University Avenue West and Riverside Drive West, by adding the following use to the existing zoning category (RD2.1):

ADDITIONAL PERMITTED USE:

One Multiple Dwelling containing a maximum of three dwelling units

PROVISIONS:

The 3-unit Multiple Dwelling shall conform to the Duplex-Dwelling provisions with the exception of the following:

Front Yard Depth – minimum 5.89 m (to the covered porch, existing)

Interior Side Yard Width – minimum 0.91 m (existing)

Accessory Building Side yard – minimum 0.482 m (existing)

Motion CARRIED UNANIMOUSLY

Report Number: S 82/2021
Clerk's File: ZB/14112

7.7 Z-013/21 [ZNG/6397] & OPA 148 [OPA/6397] – 2581668 Ontario Inc 1246, 1256-1270 Erie St E – Zoning & Official Plan Amendment Ward 4

Melissa Gasic (author), Planner II – Development Review

Tracey Pillon-Abbs (agent) – available for questions.

Moved by: Councillor Holt
Seconded by: Member Rondot
Decision Number: **DHSC 306**

RECOMMENDATIONS

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- I. THAT Schedule “A” of Volume 1: The Primary Plan of the City of Windsor Official Plan **BE AMENDED** by applying a Specific Policy Area to Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000);
- II. THAT Section 1 of Volume 2: Secondary Plans & Special Policy Areas of the City of Windsor Official Plan **BE AMENDED** by adding a Special Policy Area as follows:
 - “1.X Northside of Erie Street East and east of Pierre Avenue
 - 1.X.1 The property described as Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall Avenue is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan;
 - 1.X.2 Notwithstanding the “Mixed Use” designation of the subject land on Schedule D: Land Use in Volume I – The Primary Plan, and the “Traditional Commercial Street” designation on Schedule A-1: Special Policy Areas in Volume I – The Primary Plan “Public Parking Area” shall be an additional permitted use.
- III. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of Lot 55 and PT Lot 56 Plan 545 (known municipally as 1246 Erie Street East; Roll No. 030-220-07900) and Lots 344 and 345, Plan 579 (known municipally as 1256-1270 Erie Street East; Roll No. 030-220-08000), situated on the north side of Erie Street East between Pierre Avenue and Hall Avenue, by adding the following uses to the existing zoning category (CD1.3):

ADDITIONAL PERMITTED USES:

Public Parking Area

Sports Facility with two bocce courts and seating

Motion CARRIED UNANIMOUSLY

Report Number: S 85/2021

Clerk’s File: ZO/14117

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7.8 Z-021/21 [ZNG/6465] – Vitto Maggio Holdings Inc 642 Windermere Rd – Zoning Ward 4

Adam Szymczak (author), Planner III – Zoning

Mr. Szymczak provides presentation of the report. Recommendation is to deny approval.

Jeff Nanson – Mousseau DeLuca (agent) – makes a few remarks in response to Administration comments in the report.

Vitto Maggio (applicant) – available for questions.

Lynne Pearlman (area resident) – notes concern of increased garbage and vermin, applicant has been using the outer area prior to approval, concern of decreased parking availability, commercial creep and is not in support of this application.

Councillor Holt asks the resident of the environment as of late, ie noise, parking, etc.

Councillor Holt asks the applicant about location of garbage bin and about surrounding neighbours and whether they approve of his request.

Councillors Holt, Morrison and Gill inquire about parking issues prior to the pandemic, whether a request was permitted last year, commercial creep and future stance on making these type of patios permanent?

Ms. Szymczak provides an alternative recommendation for approval for the Committee to consider.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 307**

RECOMMENDATIONS

THAT Zoning By-law 8600 **BE AMENDED** by adding the clause below to Section 20(2) for Lot 3, Registered Plan 502, (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East:

9. For the lands comprising Lot 3, Registered Plan 502 (known municipally as 642 Windermere Road; Roll No. 020-070-06600; PIN 01136-0246), situated on the east side of Windermere, south of Wyandotte Street East, a “Restaurant or Bar Patio” as defined in Ontario Regulation 345/20, shall be a permitted temporary use until the end of October 31, 2021, that said temporary use shall be located outdoors in the rear yard of the subject parcel, and that for said temporary use no parking spaces are required. Further, no parking spaces are required for any lawfully permitted use located on the subject lands for the term of temporary use.

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[ZDM 6; ZNG/6465]

Motion CARRIED UNANIMOUSLY

Report Number: S 77/2021

Clerk's File: ZB/14141

7.9 Z-038/20 [ZNG/6249] – Bay 20 Inc 880 Ouellette Ave – Zoning Ward 3

Laura Strahl (author), Planner III – Special Projects

Jackie Lassaline – Lassaline Planners (agent) – is available for questions as are the applicants Ahmed Khan and Hitesh Jhaveri.

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 308**

RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of land described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000) situated on the east side of Ouellette Avenue between Elliot Street and Erie Street by adding the following site-specific provisions to Section 20(1):

“416 EAST SIDE OF OUELLETTE AVE, BETWEEN ELLIOT STREET AND ERIE STREET

1. For lands comprising Plan 256 Block 3 Lots 8 & 9 (Roll No. 040-320-01100-0000) the following provision shall apply:
 - a) Notwithstanding section 16.2.5.60, the maximum number of residential units permitted shall be 64;
 - b) Notwithstanding section 24.40.1.5, 0 loading spaces are required;
 - c) Notwithstanding section 16.2.5.20, the building setbacks shall be the existing setbacks of the existing building of: 3 metre front yard; 5.5 metre side yard (north); and 4.2 Side Yard;
 - d) Parking spaces required – 22 spaces.

[ZDM 7; ZNG/6249]”; and

- II. THAT Council **DECLARE** Section 45(1.3) of the *Planning Act*, which restricts a person from applying for a minor variance for a period of two years following a zoning by-law amendment,

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does not apply to an application for lands described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000).

III. THAT the parcel described as Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000), located on the east side of Ouellette Avenue, between Erie Street and Elliot Street, **BE EXEMPT** from the provisions of Interim Control By-law 103-2020 and that further, Interim Control By-law 103/2020 **BE AMENDED** by adding to Section 5 the following paragraph:

- **880 Ouellette Avenue**

Plan 256 Block 3 Lots 8 & 9 (known municipally as 880 Ouellette Ave; Roll No. 040-320-01100-0000)

Motion CARRIED UNANIMOUSLY

Report Number: S 86/2021
Clerk's File: ZB/14086

8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee (Planning Act Matters) is adjourned at 6:35 p.m.

Ward 3 – Councillor Bortolin
(Chairperson)

Thom Hunt
(Secretary)