

**Development & Heritage Standing Committee Meeting**

Date: Monday, March 22, 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 Bulmer

Member Foot

Member Fratangeli

Member Gyemi

Member Moore

**Members Regrets**

Member Rondot

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:**

Wira Vendrasco, Deputy City Solicitor

Michael Cooke, Manager of Planning Policy / Deputy City Planner

Neil Robertson, Manager of Urban Design / Deputy City Planner

Barbara Rusan, Manager of Policy & Regulatory Services

Rob Vani, Manager of Inspections / Deputy Chief Building Official

Patrick Winters, Development Engineer

Rania Toufeili, Transportation Planner I

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 2 of 26

---

Melissa Gasic, Planner II – Development Review  
Simona Simion, Planner II – Research & Policy Support  
Tracy Tang, Planner II – Revitalization & Policy Initiatives  
Kevin Alexander, Planner III – Special Projects  
Christopher Aspila, Planner III – Policy & Special Studies  
Justina Nwaesei, Planner III – Subdivisions  
Kristina Tang, Heritage Planner  
Marianne Sladic, Clerk Steno Senior  
Sandra Gebauer, Council Assistant  
Anna Ciacelli, Supervisor of Council Services

### Delegations—participating via video conference

- Item 7.1 Melanie Muir, Dillon Consulting representing applicant
- Item 7.1 Scott Dube, Area Resident
- Item 7.1 Jeff and Svetlana Nadalin, Area Residents
- Item 7.1 Joe Peltier, Area Resident
- Item 7.1 Yvonne Peltier, Area Resident
- Item 7.1 Oday Ahmed, Area Resident
- Item 7.1 Sahar Sulaiman, Area Resident
- Item 7.1 Jackie Pearson, Area Resident
- Item 7.1 Tosin Bello, Applicant
- Item 7.1 Chintan Virani, Architect
- Item 7.2 Settimo Vilardi, Archon Architects Inc.
- Item 7.3 Santiago Pablo and Donato DiGiovanni
- Item 7.4 Rio Aiello, Dior Homes
- Item 7.4 Steve Berrill, ADA Inc. Architect
- Item 10.1 Maria Mihai, Academie Ste-Cecile International School
- Item 10.1 John Bortolotti, Sfera Architectural Associates Inc.
- Item 10.2 Rob MacDonald, ASI Consultant Team Lead; Martin Cooper, ASI Consultant Team Project Manager; and Jacqueline Fisher, President Fisher Archaeological Consulting
- Item 10.3 Stefan Nespoli, Sr. Project Manager, Edison Engineers Inc.
- Item 11.2 Settimo Vilardi, Archon Architects Inc.
- Item 11.3 Averil Parent, Applicant
- Item 11.4 Pastor Alex Duggan and Pastor Bernadette Duggan, representing Revival Harvest Church
- Item 11.4 Wayne Patterson, representing Peace Lutheran Church
- Item 11.4 Dr. Stephanie Medoro and Dr. Marisa Serra-Albano, Complete Chiropractic North Ltd.
- Item 11.5 Joe Rafuse, representing Earl Robinson
- Item 11.5 Paul Fulton, representing applicant
- Item 11.8 Tracey Pillon-Abbs, Principal Planner representing applicant
- Item 11.8 Frank Ondracka, Area Resident
- Item 11.9 Rio Aiello, Dior Homes

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 3 of 26

---

### 1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:38 o'clock p.m.

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

Councillor Gill discloses an interest and abstains from voting on Item 7.1 being the report of the Planner III – Subdivisions regarding “Zoning By-law Amendment Application for 1090 North Talbot Rd, N/E CNR of Sixth Concession and North Talbot; Applicant: Tosin Bello; File No. Z-011/20, ZNG/6074; Ward 1,” as one of his employees' spouse is the architect for the developer.

Member Gyemi discloses an interest and abstains from voting on Item 7.2 being the report of the Planner II – Research and Policy Support regarding “ Zoning By-Law Amendment 131 Elliott St W Z-035/20 (ZNG/6221); Ward 3,” as his firm is acting on behalf of the applicant.

### 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 & Heritage Standing Committee meeting (*Planning Act* Minutes) of its meeting held January 11, 2021

Moved by: Councillor Sleiman  
Seconded by: Councillor Holt

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held January 11, 2021 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 34/2021  
Clerk's File: MB2021

# Minutes

Development & Heritage Standing Committee  
Monday, March 22, 2021

Page 4 of 26

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

See Items 7.1, 7.2, 7.3, and 7.4.

## 7. *PLANNING ACT MATTERS*

### 7.1. Zoning By-law Amendment Application for 1090 North Talbot Rd, N/E CNR of Sixth Concession and North Talbot; Applicant: Tosin Bello; File No. Z-011/20, ZNG/6074; Ward 1

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 252**

- I. THAT Report No. S 150/2020, which was considered at the November 16, 2020 Development & Heritage Standing Committee meeting and *referred back to Administration to work with the proponents and clarify the recommendation moving forward*, **BE DELETED AND REPLACED** with Report No. S 2/2021;
- II. THAT the parcel described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, located on the northeast corner of Sixth Concession Road and North Talbot Road, **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:
  - **Northeast Corner of Sixth Concession and North Talbot**  
Pt of Part 7, 12R-23594 and Pt of Block 197, 12M-355; Roll No. 070-140-03608;
- III. THAT the parcel described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, located on the northeast corner of Sixth Concession Road and North Talbot Road, **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act*, provided the subject exemption excludes minor variance application(s) with the intent to achieve any of the following:
  - Reduction in the required minimum number of parking spaces; and
  - Increase in the permitted maximum building height;
- IV. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the northeast corner of Sixth Concession Road and North Talbot Road, described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, by adding the following site-specific zoning provisions to permit a *multi-unit residential use with* on the subject lands:

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 5 of 26

### “399. Northeast Corner of Sixth Concession and North Talbot

For the lands comprising Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, the following shall be permitted

- 1) *A stand-alone multiple dwelling*, subject to the following additional regulations:
  - i. section 12.1.5 (RD3.1 regulations) of By-law 8600 shall apply to a stand-alone multiple dwelling, except 12.1.5.5, 12.1.5.6 & 12.1.5.7 (minimum front yard depth, rear yard depth, and side yard width provisions);
  - ii. section 14.12.5 (CD1.12 regulations) of By-law 8600 shall also apply to a stand-alone multiple dwelling, except 14.12.5.4 (maximum building height provision);
  - iii. building ends abutting low profile developments shall be tapered to achieve a gradual transition from low to medium profile in accordance with paragraph iv(b) below; and
  - iv. minimum building setback shall be as follows:
    - a) from the exterior lot line along 6th Concession Rd, specifically, the 60m section measured from the most northerly point on the subject lands going southerly towards North Talbot Rd - 6m
    - b) from an interior lot line, for that part of the building
      - 7.5m or less in height - 6m
      - Above 7.5m and up to 10.5m in height - 7.5m
      - Above 10.5m in height - 14m
  - v. access to rooftops shall be solely for the purpose of maintenance.
- 2) *Dwelling Units in a Combined Use Building with any one or more of the uses permitted in section 14.12.1 of By-law 8600*, subject to the following additional regulations:
  - i. all dwelling units, not including entrances thereto, shall be located above the non-residential uses; and
  - ii. the site-specific regulations, in subsection 1, applicable to a stand-alone multiple dwelling shall also apply to a combined use building; [ZDM 13; ZNG/6074]”

V. THAT the following conditions of approval, and other requirements of municipal departments and external agencies contained in Appendix D attached, **BE ADDRESSED** at the Site Plan Review and Approval stage for the proposed development on the subject site:

- Payment of \$5,000 towards future construction of curb & gutter on North Talbot;
- Sanitary Sampling manhole;
- Servicing Charges (total amount of \$17,000)
- Cash-in-lieu of parkland dedication in accordance with By-law 12780.

Carried.

Councillor Gill discloses an interest and abstains from voting on this matter.

Report Number: S 2/2021  
Clerk's File: ZB/13839

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 6 of 26

### 7.2. Zoning By-Law Amendment 131 Elliott St W Z-035/20 (ZNG/6221); Ward 3

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 253**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site specific exception to Section 20(1) for Con 1 Pt Lot 80; Known as Nursery Lot Corner; Pelissier TH W, municipally known as 131 Elliot Street West as follows:

408. SOUTH SIDE OF ELLIOTT ST W, WEST OF PELISSIER ST

For the lands comprising Con 1 Pt Lot 80; Known as Nursery Lot Corner; Pelissier TH W:

- a) A *hotel room* on the second floor shall be an additional permitted use and, that for the additional permitted use, no additional *parking space* is required.
- b) Number of Hotel rooms – maximum – 4

[ZDM7; ZNG/6221]

Carried.

Member Gyemi discloses an interest and abstains from voting on this matter.

Report Number: S 20/2021

Clerk's File: ZB/14022

### 7.3. Zoning By-Law Amendment 1631 Riverside Dr E Z-041/20 [ZNG-6260], Ward 4

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

Decision Number: **DHSC 254**

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for Lot 334, Plan 359, municipally known as 1631 Riverside Dr East, as follows:

409. SOUTH SIDE OF RIVERSIDE DR E, EAST OF LINCOLN RD

For the lands comprising Lot 334, Plan 359 the following additional provisions shall also apply:

- a) Lot Width – minimum – 12.00 m
- b) Lot Area – minimum – 445.00 m<sup>2</sup>
- c) Side Yard Width – minimum – 1.5 m for the structure existing at the time of this bylaw passing

[ZDM6; ZNG/6260]

- II. THAT the property **BE SUBJECT** to Site Plan Control (SPC) as a small-scale low profile residential development (as defined in the By-law 1-2004).

Carried.

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 7 of 26

Report Number: S 19/2021

Clerk's File: ZB/14023

### 7.4. 669 Tuscarora Street Units 101-109, 201-209, 301-309 (formerly 755 Louis Avenue) Z-027/20 [ZNG6174] To change a zoning category and permit site specific provisions; Ward 4

Moved by: Councillor Sleiman

Seconded by: Member Moore

Decision Number: **DHSC 255**

I. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of West Part Block A (ARN 030-150-05100-0000), Plan 315, Known Municipally as 669 Tuscarora Street Units 101-109, 201-209, 301-309 (formerly 755 Louis Avenue); from Residential District 3.4 Holding (HRD3.4) to Residential District 3.4 (RD3.4), with the following additional site-specific regulations:

Lot Frontage – minimum As Existing (49.83 m)

Lot Area – minimum As Existing (3,273m<sup>2</sup>)

Lot Coverage – maximum 35 %

Main Building Height – maximum 3 storeys

Front Yard Depth – minimum 5.9 m

Rear Yard Depth – minimum 3.6 m

Exterior Side Yard Width – minimum 3.7 m

Side Yard Width – minimum 24.5 m

Landscaped Open Space Yard – minimum 30 %

Dwelling Units – maximum 27 units

Parking Area Separation from a Habitable Room (for a loading space only) – 2.5m

II. THAT By-law 103-20 (Residential Interim Control By-law) **BE AMENDED TO EXEMPT** West Part Block A (ARN 030-150-05100-0000), Plan 315, Known Municipally as 669 Tuscarora Street Units 101-109, 201-209, 301-309 (formerly 755 Louis Avenue) subject to rezoning Z-027/20 ZNG/6174.

Carried.

Report Number: S 23/2021

Clerk's File: ZB/13952

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 8 of 26

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 6:40 o'clock p.m.

The Chairperson calls the *Heritage Act Matters* portion of the Development & Heritage Standing Committee meeting to order at 6:41 o'clock p.m.

### 8. ADOPTION OF THE MINUTES

#### 8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held January 11, 2021

Moved by: Member Baker  
Seconded by: Member Foot

THAT the minutes of the Development & Heritage Standing Committee meeting held January 11, 2021 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 25/2021  
Clerk's File: MB2021

### 9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Items 10.1, 10.2, 10.3, 11.2, 11.3, 11.4, 11.5, 11.8, and 11.9.

### 10. HERITAGE ACT MATTERS

#### 10.1. 3975 Riverside Dr. E. , Frank H. Joyce House- Heritage Alteration Permit Request (Ward 5)

##### **Maria Mihai, Academie Ste-Cecile International School**

Maria Mihai, Academie Ste-Cecile International School, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "3975 Riverside Dr. E. - Frank H. Joyce House- Heritage Alteration Permit Request (Ward 5)" and is available for questions.

##### **John Bortolotti, Sfera Architectural Associates Inc.**

John Bortolotti, Sfera Architectural Associates Inc., appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "3975



# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 9 of 26

Riverside Dr. E. - Frank H. Joyce House- Heritage Alteration Permit Request (Ward 5)” and is available for questions.

Councillor Gill inquires about similar fencing and whether it must be maintained. Kristina Tang, Heritage Planner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “3975 Riverside Dr. E. - Frank H. Joyce House- Heritage Alteration Permit Request (Ward 5)” and provides details related to the Ontario *Heritage Act* and states that a request for a heritage permit through the Heritage Committee and City Council would be the appropriate process. Ms. Tang indicates that the fence was constructed from wrought iron material, which is very rare, so the design that is being proposed is of a different material being cast-iron finials as proposed by the applicant.

Councillor Sleiman advises that the property owner has been diligent in his replication of the fence and inquires whether administration is pleased with the applicant’s proposal. Ms. Tang concurs and adds that administration is recommending the applicant’s proposal.

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 256**

- I. THAT a Heritage Alteration Permit for replacement of historic fencing at Frank H. Joyce House with the 9-R cast-iron finials (as identified in Appendix B), **BE GRANTED**, conditional on provision of satisfactory product mock-up.
- II. THAT the City Planner or his designate **BE DELEGATED** the authority to approve any further minor changes to the fence for this property.

Carried.

Report Number: S 17/2021

Clerk’s File: MBA/9476

## 10.2. Archaeological Management Plan Review- Appointment of Steering Committee (City-wide)

**Rob MacDonald, ASI Consultant Team Lead, Martin Cooper, ASI Consultant Team Project Manager and Jacqueline Fisher, President Fisher Archaeological Consulting**

Rob MacDonald, ASI Consultant Team Lead, Martin Cooper, ASI Consultant Team Project Manager and Jacqueline Fisher, President Fisher Archaeological Consulting appear via video conference before the Development and Heritage Standing Committee regarding the administrative report “Archaeological Management Plan Review- Appointment of Steering Committee (City-wide)” and provide an overview of the PowerPoint entitled “Revised Work Plan for the Windsor Archeological Management Plan Review” as follows:

- In 2005, the City of Windsor adopted an Archeological Master Plan (AMP).

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 10 of 26

- In the Provincial Policy Statement, – Cultural Heritage and Archaeology, Section 2.6.5 states “Planning authorities shall engage with Indigenous communities when identifying, protecting and managing cultural heritage and archaeological resources”.
- An AMP is a tool created for land use and heritage planners to facilitate the stewardship of archeological resources in the municipal planning approvals process.
- A pixelated view of the registered archaeological sites in the City of Windsor is displayed. It is pixelated because the Heritage Ministry prefers not to publicize specific site locations, as there are people who loot archaeological sites.
- Other topics discussed include the Project Objectives, Indigenous Engagement Plan, and the Community Engagement Plan.

Moved by: Councillor Morrison

Seconded by: Member Foot

Decision Number: **DHSC 257**

- I. THAT the Heritage Committee members of the Development & Heritage Standing Committee **BE APPOINTED** as the Steering Committee for the purpose of the Archaeological Management Plan Review project; and,
- II. THAT the presentation prepared by Archaeological Services Inc. **BE RECEIVED FOR INFORMATION.**

Carried.

Report Number: S 18/2021  
Clerk's File: SPL/13858

### 10.3. 5955 Ontario Street, Edith Cavell School- Heritage Alteration Permit and Heritage Property Tax Reduction Request

**Stefan Nespoli, Sr. Project Manager, Edison Engineers Inc.**

Stefan Nespoli, Sr. Project Manager, Edison Engineers Inc., appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “5955 Ontario Street, Edith Cavell School- Heritage Alteration Permit and Heritage Property Tax Reduction Request (Ward 6)” and is available for questions.

Member Baker inquires as to what the original canopy looked like and if it has been found. Kristina Tang, Heritage Planner, indicates that an extensive search was undertaken which was not as productive as expected; however, there is a historical photo in the report that they are relying on for the restoration direction.

Moved by: Councillor Sleiman

Seconded by: Member Baker

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 11 of 26

Decision Number: **DHSC 258**

- I. THAT a Heritage Alteration Permit for reconstruction of a front canopy at the former Edith Cavell School, 5955 Ontario Street, **BE GRANTED**, conditional on the following:
  - a. Submission of satisfactory product details and samples (including material and colour selections).
  
- II. THAT proportionate property tax reductions **BE GRANTED** to each of the 20 condominium unit owners in accordance with the Heritage Property Tax Reduction By-law 164-2015. The property tax reductions may be up to 30% for up to 3 years based on the upset limit of the approved cost of eligible heritage conservation works for the reconstruction of the front canopy, and entrance repairs including repairs to the tiles, stair, and concrete, subject to:
  - a. Submission of satisfactory product details and samples.
  - b. Approval of any requested mock-ups.
  - c. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance.
  - d. Provision of conservation easement agreement to the City by Essex Condominium Corporation No. 98.
  
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve minor changes associated with this scope of conservation work as described for the property.

Carried.

Report Number: S 27/2021  
Clerk's File: MBA/10341 & MB/10246

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 7:14 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 7:14 o'clock p.m.

## 11. ADMINISTRATIVE ITEMS

### 11.1. **Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2481939 Ontario Inc. for 3817 Howard Avenue (Ward 9)**

Councillor Gill indicates that the report outlines in 2009 there were 137 brownfield properties and inquires as to how many of these properties have been brought into development at this time.

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 12 of 26

Greg Atkinson, Senior Planner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Brownfield Redevelopment Community Improvement Plan (CIP) applications submitted by 2481939 Ontario Inc. for 3817 Howard Avenue (Ward 9)” and responds that the Brownfield Community Improvement Plan has seen an increase in applications in the past three years and many of these projects are long term. An example is the old GM Trim Plant on Lauzon Road, which will take many years to see the realization of that development. Mr. Atkinson adds that he will report back on the approval at the next meeting and will provide an estimate of what we see on the ground now and what we can expect to see over the coming years.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 259**

- I. THAT the request made by 2481939 Ontario Inc. 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 3817 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 \$14,700 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 1/2021

Clerk's File: SPL2021

### **11.2. Sandwich Town CIP Application, 3150-3156 Sandwich Street; Kyle McDonald (2594756 Ontario Limited)**

**Settimo Vilardi, Archon Architects Inc.**

Settimo Vilardi, Archon Architects Inc., appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Sandwich Town CIP Application, 3150-3156 Sandwich Street; Kyle McDonald (2594756 Ontario Limited)” and is available for questions.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 260**

- I. THAT, the request for incentives under the Sandwich CIP Economic Incentive Program(s) “toolkit” made by Kyle McDonald, President of 2594756 Ontario Limited, owner of the

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 13 of 26

property located at 3150 to 3156 Sandwich Street for improvements to convert the vacant building (formerly Courtesy Bike) for commercial retail and residential uses **BE APPROVED**, for the following incentive programs:

- i. *Commercial/Mixed Use Building Facade Grant in the amount of \$25,000;*
  - ii. *Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP (+/- \$7,506);*
  - iii. *Revitalization Grant Program for 70% of the municipal portion of the tax increment for up to 10 years (+/- \$11,695 per year);*
  - iv. *Commercial/Mixed Use Building Improvement Loan Program in the amount of \$30,000 to be repaid over a 5 year period at zero percent interest; and*
- II. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program(s) Agreements in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community -Solicitor as to legal form, and the CFO/City Treasurer as to financial implication; and
- III. THAT should the project not be completed within two (2) years, City Council **AUTHORIZE** that the grant funds be uncommitted and made available for other applications.

Carried.

Report Number: S 188/2020

Clerk's File: SPL2020

### **11.3. Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1**

#### **Averil Parent, Applicant**

Averil Parent, applicant, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1" and provides some background information related to the application, including that they were aware of the outbuilding on the City right-of-way when they purchased the property. Ms. Parent indicates that they were issued an Order to Comply to remove the building and were provided with the following three options:

- Enter into an encroachment agreement with the city.
- Submit an application to close and purchase half of the right-of-way.
- The building would be torn down at our expense.

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 14 of 26

Ms. Parent indicates that she met with City staff to discuss proceeding with Option 2 to close and purchase half of the right-of-way. In June 2020, a Zoom meeting was held with the Planning and Legal Departments and they were advised that the front portion of the right-of-way is now developable due to changes to the Provincial Policy Statement (PPS), which means that the cost to purchase half of the right-of-way went from \$20,000 to \$54,000.

Councillor Holt inquires about the options provided by the proponents, i.e. purchasing the back half that is not developable. Chris Aspila, Senior Planner – Policy and Special Studies, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1” and indicates that there is an existing policy, the Street and Alley Closing Policy, that sets the criteria for the conveyance for a closed right-of-way. Mr. Aspila adds that in terms of the options proposed by the proponents, they had a lengthy Zoom call and options were discussed.

Councillor Holt indicates that considering that this application was put forward prior to the changes in the Provincial Policy Statement and inquires whether this is when the problems arose. Mr. Aspila indicates that the applicants expressed concern regarding the changes with the PPS. Mr. Aspila adds that administration’s decision to deem the land developable is in keeping with the PPS.

Councillor Holt inquires as to what happened with the PPS to make the land developable. Mr. Aspila indicates that there are two components: Street and Alley closing for conveyance costs and Developable land component that also can impact the conveyance costs. Mr. Aspila indicates that the change to the PPS was in relation to land use that can now be developed under partial services; full municipal services are not required for a land to be developed.

Councillor Holt inquires whether the applicant had approached the City to acquire the alley prior to the PPS change. Mr. Aspila responds affirmatively.

Councillor Holt advises that one of the options put forward by the proponent was for the city to retain the developable property and then acquire the back where the outbuilding is built on the right-of-way and inquires whether that is something that the City can do. Mr. Aspila responds that he would have to consult with the Legal and Real Estate Services to determine that.

Councillor Holt inquires whether the proponent is in agreement if the Committee referred this report back to Administration to discuss the possibility would they agree. Ms. Parent indicates that she would be supportive of this report being referred back to Administration for further discussion.

Moved by: Councillor Holt

Seconded by: Councillor Gill

THAT the report of the Senior Planner – Policy and Special Studies dated February 27, 2021 entitled “Closure of Part of Dodsworth Street, Between Kay Street and Malden Road, Between 5168 and 5180 Malden Road - Applicant: T. Fasan - SAS/5917 - Ward 1” **BE REFERRED** back to

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 15 of 26

administration to work with the proponent on the option of splitting up the property into developable and undevelopable lands for disbursement.

Carried.

Report Number: S 41/2020

Clerk's File: SAA2021

### **11.4. Close and Convey Part of the North/South Alley Between Tourangeau Rd and Rossini Blvd, Between Tecumseh Rd E and Guy St – SAA/6114 – Applicant: Revival Harvest Church – Ward 5**

#### **Pastor Alex Duggan and Pastor Bernadette Duggan, representing Revival Harvest Church**

Pastor Alex Duggan and Pastor Bernadette Duggan, representing Revival Harvest Church, 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 Tourangeau Rd. and Rossini Blvd., between Tecumseh Rd. E. and Guy St. – SAA/6114 – Applicant: Revival Harvest Church – Ward 5" and indicate that they have applied to close the north/south alley to develop a parking lot. Pastor Duggan adds that there have been incidences in the alley, and by closing the alley, the children would use the road.

#### **Wayne Patterson, representing Peace Lutheran Church**

Wayne Patterson, representing Peace Lutheran Church, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Close and Convey part of the north/south alley between Tourangeau Rd. and Rossini Blvd., between Tecumseh Rd. E. and Guy St. – SAA/6114 – Applicant: Revival Harvest Church – Ward 5" and indicates that he thought the application was to close a portion of the north/south alley; however, Administration recommended that the east/west alley be added to this report and that it be closed as well. Mr. Patterson indicates that in terms of the north/south alley, they are supportive of the closure and its conveyance in equal halves. Mr. Patterson adds that the report indicates as it relates to the east/west alley in Recommendation IV and V that it be conveyed to Revival Harvest Church in its entirety. Mr. Patterson indicates that it is his understanding that alleys are offered to both abutting owners and if Revival Harvest Church and Complete Chiropractic are in support of closing that alley and conveying it in equal halves, then they would also support this.

#### **Dr. Stephanie Medoro and Dr. Marisa Serra-Albano, Complete Chiropractic North Ltd.**

Dr. Stephanie Medoro and Dr. Marisa Serra-Albano, Complete Chiropractic North Ltd., 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 Tourangeau Rd. and Rossini Blvd., between Tecumseh Rd. E. and Guy St. – SAA/6114 – Applicant: Revival Harvest Church – Ward 5" and are in support of the closure of the East/West portion, although they would like the conveyance to be in equal halves along the centre of the subject alley.

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 16 of 26

Mr. Aspila indicates that the main issue with respect to Part 2 of the recommendation is that the driveway access requirement for 1970 Tourangeau for the Revival Heritage Church as the alley in Part 2 currently serves as the driveway access to the Revival Harvest Church and that was the basis for the recommendation of conveying the entire portion of Part 2 to the applicant. Patrick Winters, Development Engineer, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Close and Convey part of the north/south alley between Tourangeau Rd. and Rossini Blvd., between Tecumseh Rd. E. and Guy St. – SAA/6114 – Applicant: Revival Harvest Church – Ward 5" and indicates that if one half of the alley is conveyed to Complete Chiropractor, they would have to shift their driveway approach which is going to be problematic because there are conflicts with a utility pole adjacent to the gravel driveway as well as a tree which appears to be there.

Councillor Morrison inquires as to whether Dr. Medoro would like to utilize the alley for a specific purpose. Dr. Medoro indicates that a Zoom call in March was held with both Pastors and they came to an agreement to split the alley evenly. Dr. Medoro adds that during that discussion they advised that they wanted to expand their parking lot, and it was decided that the best thing for all is to split the alley evenly. Pastor Duggan adds that there was a discussion in March and they came to the agreement that they could use the parking lot communally between the three parties. Pastor Duggan indicates that they will be developing the parking lot but will only have partial use even on Sunday.

Councillor Bortolin inquires whether the church and the business would have access to enter and exit from the alley as this is a public right-of-way. Mr. Winters indicates that the alley is similar to a right-of-way and is open for use, and right now, what is preventing this is that Complete Chiropractor has bumper blocks bordering their properties.

Councillor Bortolin inquires whether Complete Chiropractic is willing to split the alley and would that alley be kept as an access or would they expand the parking lot. Dr. Medoro indicates that they were willing to have a mutual driveway; they would have liked to be offered their portion of the alley but were never contacted about it.

Councillor Bortolin inquires about the rationale for closure. Mr. Aspila responds that the policy gives administration flexibility, and the typical process has been to offer half to each applicant unless there is a mitigating circumstance as we are seeing in this case.

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 261**

- I. THAT the portion of the 4.91 metre wide north/south alley between Tourangeau Rd and Rossini Blvd, between Tecumseh Rd E and Guy St, and shown as "Part 1" on Drawing No. CC-1779 *attached as Appendix 'A'*, **BE ASSUMED** for subsequent closure;



# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 17 of 26

- 
- II. THAT the portion of the 4.91 metre wide north/south alley between Tourangeau Rd and Rossini Blvd, between Tecumseh Rd E and Guy St, and shown as “Part 1” on Drawing No. CC-1779 *attached as Appendix ‘A’*, **BE CLOSED AND CONVEYED** in equal halves, along the centre of the subject alley, to the abutting property owners, and adjusted as necessary 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, Enwin Utilities Ltd, MNSi and Enbridge Gas;
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alleys abutting lands zoned Residential RD1.2: \$1 plus proportion of survey costs plus deed preparation fees;
- b. For alleys abutting lands zoned Commercial CD2.1: \$96.88 per square metre without easements or \$48.44 per square metre with easements, plus proportion of survey costs plus deed preparation fees;
- c. For alleys abutting lands zoned Institutional ID1.1: \$26.91 per square metre without easements or \$13.45 per square metre with easements, plus proportion of survey costs plus deed preparation fees;
- IV. THAT the portion of the 4.91 metre wide east/west alley between 1970 Tourangeau Rd and 4100 Tecumseh Rd E, and shown as “Part 2” on Drawing No. CC-1779 *attached as Appendix ‘A’* **BE ASSUMED** for subsequent closure;
- V. THAT the portion of the 4.91 metre wide east/west alley between 1970 Tourangeau Rd and 4100 Tecumseh Rd E, and shown as “Part 2” on Drawing No. CC-1779 *attached as Appendix ‘A’* **BE CLOSED AND CONVEYED** to the owner of 1970 Tourangeau Rd, and adjusted as necessary 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:
- The City of Windsor, Bell Canada, Enwin Utilities Ltd, MNSi and Enbridge Gas;
- VI. THAT Conveyance Cost **BE SET** as follows:
- a. For alleys abutting lands zoned Commercial CD2.1: \$96.88 per square metre without easements or \$48.44 per square metre with easements, plus proportion of survey costs plus deed preparation fees;
- b. For alleys abutting lands zoned Institutional ID1.1: \$26.91 per square metre without easements or \$13.45 per square metre with easements, plus proportion of survey costs plus deed preparation fees;
- VII. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1779, *attached as Appendix ‘A’*;

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 18 of 26

- VIII. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- 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; and
- X. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.  
Councillor Morrison voting nay.

Report Number: S 5/2021  
Clerk's File: SAA2021

### **11.5. Close and Convey Part of the North/South Alley Between Malden Rd and Second St, Between Kent St and Lambton St and Close and Convey the East/West Alley Between Kent St and Lambton St, Between Malden Rd and Second St – SAA/6131 – Applicant: Heather Douglas, 1830 Lambton St – Ward 1**

#### **Joe Rafuse, representing Earl Robinson**

Joe Rafuse, representing Earl Robinson, appears via video conference before the Development and Heritage Standing Committee in support of the administrative recommendation in the report "Close and Convey Part of the North/South Alley Between Malden Rd and Second St, Between Kent St and Lambton St and Close and Convey the East/West Alley Between Kent St and Lambton St, Between Malden Rd and Second St – SAA/6131 – Applicant: Heather Douglas, 1830 Lambton St – Ward 1."

#### **Paul Fulton, representing applicant**

Paul Fulton, representing applicant, appears via video conference before the Development and Heritage Standing Committee in support of the administrative recommendation in the report "Close and Convey Part of the North/South Alley Between Malden Rd and Second St, Between Kent St and Lambton St and Close and Convey the East/West Alley Between Kent St and Lambton St, Between Malden Rd and Second St – SAA/6131 – Applicant: Heather Douglas, 1830 Lambton St – Ward 1."

Moved by: Councillor Morrison  
Seconded by: Councillor Gill

Decision Number: **DHSC 262**

- I. THAT the portion of the 6.10 metre wide north/south alley between Malden Rd and Second St, between Kent St and Lambton St, and shown as "Part 1" on Drawing No. CC-1780 *attached as Appendix 'A'*, **BE ASSUMED** for subsequent closure;

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 19 of 26

- II. THAT the portion of the 6.10 metre wide north/south alley between Malden Rd and Second St, between Kent St and Lambton St, and shown as "Part 1" on Drawing No. CC-1780 *attached as Appendix 'A'*, **BE CLOSED AND CONVEYED** in equal halves along the centre line of the alley to the abutting property owners, and adjusted as necessary 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:
    - Enbridge Gas;
- III. THAT the 4.57 metre wide east/west alley between Malden Rd and Second St, between Kent St and Lambton St, and shown as "Part 2" on Drawing No. CC-1780 *attached as Appendix 'A'*, **BE ASSUMED** for subsequent closure;
- IV. THAT the portion of the 4.57 metre wide east/west alley between Malden Rd and Second St, between Kent St and Lambton St, and shown as "Part 2" on Drawing No. CC-1780 *attached as Appendix 'A'*, **BE CLOSED AND CONVEYED** in equal halves along the centre line of the alley to the abutting property owners, and adjusted as necessary 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:
    - i. Enbridge Gas;
- V. THAT Conveyance Cost **BE SET** as follows:
- d. For alleys abutting lands zoned Residential RD1.1, Residential RD1.4 or Development Reserve District DRD1.1: \$1 plus proportion of survey costs plus deed preparation fees;
- VI. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1780, *attached as Appendix 'A'*;
- VII. THAT the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s);
- VIII. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor; and,
- IX. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Report Number: S 21/2021  
Clerk's File: SAA2021

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 20 of 26

### 11.6. Close and Convey the North/South Alley Between Woodward Blvd and Bliss Rd, From Seymour Blvd to Foster Ave – SAA/6193 – Applicant: Charlene Phillips – Ward 9

Councillor Bortolin inquires whether administration is aware of the residents' preference related to this application and the administrative recommendation. Mr. Aspila indicates that he spoke with the registered delegates today and they had indicated their support for the application.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: **DHSC 263**

- I. THAT the 6.02 metre wide north/south alley located on the east side of Woodward Boulevard and west side of Bliss Road, between Seymour Boulevard and Foster Avenue, and shown on Drawing No. CC-1784 *attached* as Appendix "A", **BE ASSUMED** for subsequent closure;
  - II. THAT the 6.02 metre wide north/south alley located on the east side of Woodward Boulevard and west side of Bliss Road, between Seymour Boulevard and Foster Avenue, and shown on Drawing No. CC-1784 *attached* as Appendix "A", **BE CLOSED AND CONVEYED** in two equal halves, along the centre of the subject alley, to the abutting property owners, 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:
      - i. Bell Canada and Enwin Utilities Ltd.
  - III. THAT Conveyance Cost **BE SET** as follows:
    - e. For alley abutting lands zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1784, *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 7/2021

Clerk's File: SAA2021

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 21 of 26

### 11.7. Downtown CIP Grant Applications made by Larry Wolfe Horwitz) for 511 Pelissier Street, Ward 3

Moved by: Councillor Holt

Seconded by: Councillor Gill

Decision Number: **DHSC 264**

- I. THAT the request made by Larry Wolfe Horwitz (Owner) for the proposed development at 511 Pelissier Street to participate in:
  - a. 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 for five (5) years in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
  - b. 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 for an additional five (5) years as a LEED Bronze or higher Certified Project in accordance with the Downtown Windsor Enhancement Strategy and Community Improvement Plan;
  - c. the New Residential Development Grant Program **BE APPROVED** for \$50,000, with funding to be used towards eligible costs pursuant to the Downtown Windsor Enhancement Strategy and Community Improvement Plan.
- II. THAT Administration **BE DIRECTED** to prepare the agreements between the City and Larry Wolfe Horwitz (Owners) 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 Tax Increment Grant Program Agreements.
- IV. THAT the grants under the New Residential Development Grant for 511 Pelissier Street **BE PAID** to Larry Wolfe Horwitz upon completion of the new residential units as described in Report S 8/2021 within one (1) year of Council approval subject to the satisfaction of the City Planner and Chief Building Official.
- V. Grant funds in the amount of \$50,000 under the New Residential Development Grant Program **BE TRANSFERRED** from the CIP Reserve Fund to the City Centre Community Development Planning Fund (Project #7011022).

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 22 of 26

- VI. THAT should the project not be completed in one (1) year, City Council **AUTHORIZE** that the funds under the New Residential Development Grant Program be uncommitted and made available for other applications.
- VII. THAT the approval to participate in the Building/Property Improvement Tax Increment Grant Program **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 8/2021

Clerk's File: SPL/2021

### **11.8. To Close and Convey Portions of Aberdeen Road, Helen Avenue and the Connecting Alley System - SAS/5385 - Applicants: Mary Ann Wachna and Jean Bondy – Ward 7**

#### **Tracey Pillon-Abbs, Principal Planner representing Applicant**

Tracey Pillon-Abbs, Principal Planner representing applicant, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "To Close and Convey Portions of Aberdeen Road, Helen Avenue and the Connecting Alley System - SAS/5385 - Applicants: Mary Ann Wachna and Jean Bondy – Ward 7" and indicates that the intent is to propose a development of 17 lots on this subject property. Ms. Pillon-Abbs indicates several studies were also completed on the subject land. Ms. Pillon-Abbs indicates that the applicant does not support the recommendation to retain the lands as they do require the alleys to be closed as there is not a way to get in and around using the existing alleyways other than deregistering them completely and re-applying for a subdivision. Ms. Pillon-Abbs indicates that her client is requesting that the Committee not approve the recommendations and allow the developer to develop these lands for residential use.

#### **Frank Ondracka, Area Resident**

Frank Ondracka, area resident, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "To Close and Convey Portions of Aberdeen Road, Helen Avenue and the Connecting Alley System - SAS/5385 - Applicants: Mary Ann Wachna and Jean Bondy – Ward 7" and expresses concern relating to the removal of the canopy of urban forests in this area.

Councillor Morrison indicates that this is a large piece of property, and he inquires whether the access will be from Florence for any new development. Ms. Pillon-Abbs states that this is only a concept plan at this time and indicates that the access would be off of Florence and it would run beside the Ganatchio Trail and there would be a cul-de-sac coming into the development. Ms. Pillon-Abbs adds that the intent is to propose single family dwellings on low density and buffers would be created in order to protect any natural heritage features. Ms. Pillon-Abbs indicates that the applicant is also willing to provide tree compensation to be able to provide funds or replanting

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 23 of 26

of trees in the municipality. Ms. Pillon-Abbs expresses her client's concern should the alleyways not be closed and, that the applicant may discuss some compensation from the City because then you have deemed it undevelopable even through the Official Plan and zoning indicate that the lands are zoned residential, the City would be taking away the applicants right to develop the land.

Councillor Holt inquires as to when a developer is coming in and there is a raw piece of land, do the developers not build the roadway coming in on the existing City right-of-way to give access to the property. Mr. Aspila indicates that is correct and adds that today the application is for consideration of the right-of-way and alley closure and that there is not a *Planning Act* application before administration at this time.

Moved by: Councillor Gill

Seconded by: Councillor Holt

Decision Number: **DHSC 265**

- I. THAT the portions of Aberdeen Road, Helen Avenue and the connecting alley system as shown on Drawing No. CC-1728 *attached* as Appendix 'A', **NOT BE CLOSED** and **BE RETAINED** by the City of Windsor.

Carried.

Report Number: S 22/2021

Clerk's File: SAA2021

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

#### **Rio Aiello, Dior Homes**

Rio Aiello, Dior Homes, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Brownfield Redevelopment Community Improvement Plan (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 266**

- I. THAT the request made by 1762643 Ontario Inc. to participate in the Brownfield Tax Assistance Program **BE APPROVED** for the proposed remediation and redevelopment at 1534 Howard Avenue for up to 3 years pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,

# Minutes

## Development & Heritage Standing Committee

Monday, March 22, 2021

Page 24 of 26

- 
- II. THAT the request made by 1762643 Ontario Inc. to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** for 70% of the municipal portion of the tax increment resulting from the proposed redevelopment at Howard Avenue for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
  - III. THAT, Administration **BE DIRECTED** to prepare a tax cancellation by-law to implement the Brownfield Tax Assistance Program in accordance with the *Municipal Act* and that the appropriate information and material be sent to the Minister of Finance requesting relief from the education portion of the taxes for 1534 Howard Avenue in accordance with the Provincial Brownfield Financial Tax Incentive Program; and,
  - IV. THAT, Administration **BE DIRECTED** to prepare an agreement between 1762643 Ontario Inc. and the City to implement the Brownfield Tax Assistance and Rehabilitation Grant Programs in accordance with all applicable policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
  - V. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Brownfield Tax Assistance and Rehabilitation Grant Agreements; and,
  - VI. THAT the approval to participate in the Brownfield Tax Assistance and Rehabilitation Grant Programs **EXPIRE** if the grant agreement is not signed by applicant within one year following Council approval. The City Planner may extend the deadline for up to one year upon request from the applicant.

Carried.

Report Number: S 16/2021

Clerk's File: SPL2021

### **11.10. Ford City/Building Facade Improvement CIP Application. 1024 to 1026 Drouillard Road. Owner: Randy Diestelmann**

Councillor Bortolin clarifies the correction to the name of the applicant for the recommendation as indicated to him by the author of the report.

Councillor Morrison requests clarification related to the Development Fees Grant Program. Kevin Alexander, Senior Planner Special Projects, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Ford City/Building Facade Improvement CIP Application for 1024 and 1026 Drouillard Road – Owner Randy Diestelmann" and indicates that at this time, the applicant applied for Building Permits prior to the application and administration wanted to ensure if they required any further building permits or potentially some other municipal process, i.e. if development fees were incurred, that they were eligible for the Development Fees Program.



# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 25 of 26

Moved by: Councillor Sleiman

Seconded by: Councillor Holt

Decision Number: **DHSC 267**

- I. THAT the request for incentives under the Ford City CIP Financial Incentive Programs made by S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED**, for the following incentive programs:
  - i. *Retail Investment Grant in the amount of \$30,000 for two (2) ground floor retail units;*
  - ii. *Municipal Development Fees Grant Program (if necessary)*
  - iii. *Building/Property Improvement Tax Increment Grant Program for 100% of the municipal portion of the tax increment for up to 10 years in the amount of +/- 6,121 per year.*
- II. THAT subject to completion and review satisfactory to the City Planner, the request made by S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann), owner of the property located at 1024 to 1026 Drouillard Road **BE APPROVED** for grants totalling a maximum of \$30,000 in principle under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets* Community Improvement Plan;
- III. THAT the CAO and City Clerk **BE AUTHORIZED** to prepare the agreement between the City and S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann) to implement the *Building/Property Improvement Tax Increment Grant Program* (only) in accordance with all applicable policies, requirements 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;
- IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Grant Agreement(s) in content satisfactory to the City Planner, in financial content to the satisfaction of the City Treasurer and in form satisfactory to the City Solicitor;
- V. THAT funds in the amount of \$30,000 under the *Retail Investment Grant Program* and funds under the *Municipal Development Fees Grant Program* (If necessary) **BE TRANSFERRED** from the CIP Reserve Fund to the Ford City CIP Fund (Project #7181046);
- VI. THAT funds in the amount of \$30,000 under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund to the new Building Facade Improvement Program – Main Streets CIP project fund;
- VII. THAT grants **BE PAID** to S.I.S. 713 Property Management Inc. (Ontario #002190073), (c/o Randy Diestelmann) upon completion of improvements to the interior/exterior of the Ford City CIP Fund (Project #7181046) and facade improvements through the new Building Facade Improvement Program – Main Streets CIP project fund to the satisfaction of the City Planner and Chief Building Official; and

# Minutes

## Development & Heritage Standing Committee Monday, March 22, 2021

Page 26 of 26

VIII. THAT grants approved **SHALL LAPSE** and **BE UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 3 years of the approval date.

Carried.

Report Number: S 15/2021  
Clerk's File: SPL2021

### 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 8:35 o'clock p.m.

Carried.

---

Ward 3 - Councillor Bortolin  
(Chairperson)

---

Supervisor of Council Services

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

**Date: Monday, March 22, 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 Gyemi  
Member Moore

**Members Regrets:**

Member Rondot

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:**

Wira Vendrasco, Deputy City Solicitor  
Michael Cooke, Manager of Planning Policy / Deputy City Planner  
Neil Robertson, Manager of Urban Design / Deputy City Planner  
Barbara Rusan, Manager of Policy & Regulatory Services  
Rob Vani, Manager of Inspections / Deputy Chief Building Official  
Patrick Winters, Development Engineer  
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  
Kevin Alexander, Planner III – Special Projects  
Christopher Aspila, Planner III – Policy & Special Studies  
Justina Nwaesei, Planner III – Subdivisions  
Kristina Tang, Heritage Planner  
Marianne Sladic, Clerk Steno Senior

# MINUTES

## Development & Heritage Standing Committee Day, Month , 2021

Page 2 of 8

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 4:38 pm.

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

Councillor Gill discloses an interest and abstains from voting on Item 7.1 being the report of the Planner III – Subdivisions regarding “Zoning By-law Amendment Application for 1090 North Talbot Rd, N/E CNR of Sixth Concession and North Talbot; Applicant: Tosin Bello; File No. Z-011/20, ZNG/6074; Ward 1,” as one of his employees' spouse is the architect for the developer.

Member Gyemi discloses an interest and abstains from voting on Item 7.2 being the report of the Planner II – Research and Policy Support regarding “ Zoning By-Law Amendment 131 Elliott St W Z-035/20 (ZNG/6221); Ward 3,” as his firm is acting on behalf of the applicant.

### 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 PREVIOUS DATE.

Moved by: Councillor Sleiman  
Seconded by: Councillor Holt

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held January 11, 2021 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

Report Number: SCM 34/2021

# MINUTES

Development & Heritage Standing Committee  
Day, Month , 2021

Page 3 of 8

Clerk's File: MB2021

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

### Delegations—participating via video conference

- Item 7.1 Melanie Muir, Dillon Consulting representing applicant
- Item 7.1 Scott Dube, Area Resident
- Item 7.1 Jeff and Svetlana Nadalin, Area Residents
- Item 7.1 Joe Peltier, Area Resident
- Item 7.1 Yvonne Peltier, Area Resident
- Item 7.1 Oday Ahmed, Area Resident
- Item 7.1 Sahar Sulaiman, Area Resident
- Item 7.1 Jackie Pearson, Area Resident
- Item 7.1 Tosin Bello, Applicant
- Item 7.1 Chintan Virani, Architect
- Item 7.2 Settimo Vilardi, Archon Architects Inc.
- Item 7.3 Santiago Pablo and Donato DiGiovanni
- Item 7.4 Rio Aiello, Dior Homes
- Item 7.4 Steve Berrill, ADA Inc. Architect

## 7. PLANNING ACT MATTERS

### 7.1 Z-011/20 [ZNG/6074] – Tosin Bello 1090 North Talbot Rd – Rezoning Ward 1

Justina Nwaesei (author), Planner III – Subdivisions

Ms Nwaesei provides a brief presentation outlining changes the applicant has made to satisfy the recommendations set forth by the Planner in order for the application to be recommended for approval.

Delegates (listed under Section 6) provided brief presentations outlying their disapproval of the proposed development, noting primarily safety, traffic, privacy and reduction in property value.

Moved by: Councillor Hold  
Seconded by: Councillor Sleiman

Decision Number: **DHSC 252**

### RECOMMENDATIONS

- I. THAT Report No. S 150/2020, which was considered at the November 16, 2020 Development & Heritage Standing Committee meeting and *referred back to Administration to work with the*

# MINUTES

## Development & Heritage Standing Committee

Day, Month , 2021

Page 4 of 8

*proponents and clarify the recommendation moving forward, **BE DELETED AND REPLACED** with Report No. S 2/2021;*

- II. THAT the parcel described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, located on the northeast corner of Sixth Concession Road and North Talbot Road, **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:

- **Northeast Corner of Sixth Concession and North Talbot**

Pt of Part 7, 12R-23594 and Pt of Block 197, 12M-355; Roll No. 070-140-03608;

- III. THAT the parcel described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, located on the northeast corner of Sixth Concession Road and North Talbot Road, **BE EXEMPT** from the provisions of section 45(1.3) of the *Planning Act*, provided the subject exemption excludes minor variance application(s) with the intent to achieve any of the following:

- Reduction in the required minimum number of parking spaces; and
- Increase in the permitted maximum building height;

- IV. THAT Zoning By-law 8600 **BE AMENDED** for the lands located on the northeast corner of Sixth Concession Road and North Talbot Road, described as Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, by adding the following site-specific zoning provisions to permit a *multi-unit residential use with* on the subject lands:

**“399. Northeast Corner of Sixth Concession and North Talbot**

For the lands comprising Pt Lot 12, Concession 5, designated as Pt of PART 7, 12R-23594 and Pt of Block 197, 12M-355, the following shall be permitted

- 1) *A stand-alone multiple dwelling*, subject to the following additional regulations:
  - i. section 12.1.5 (RD3.1 regulations) of By-law 8600 shall apply to a stand-alone multiple dwelling, except 12.1.5.5, 12.1.5.6 & 12.1.5.7 (minimum front yard depth, rear yard depth, and side yard width provisions);
  - ii. section 14.12.5 (CD1.12 regulations) of By-law 8600 shall also apply to a stand-alone multiple dwelling, except 14.12.5.4 (maximum building height provision);
  - iii. building ends abutting low profile developments shall be tapered to achieve a gradual transition from low to medium profile in accordance with paragraph iv(b) below; and
  - iv. minimum building setback shall be as follows:
    - a) from the exterior lot line along 6th Concession Rd, specifically, the 60m section measured from the most northerly point on the subject lands going southerly towards North Talbot Rd - 6m
    - b) from an interior lot line, for that part of the building  
7.5m or less in height - 6m

# MINUTES

## Development & Heritage Standing Committee Day, Month , 2021

Page 5 of 8

Above 7.5m and up to 10.5m in height - 7.5m  
Above 10.5m in height - 14m

v. access to rooftops shall be solely for the purpose of maintenance.

2) *Dwelling Units in a Combined Use Building with any one or more of the uses permitted in section 14.12.1 of By-law 8600*, subject to the following additional regulations:

- i. all dwelling units, not including entrances thereto, shall be located above the non-residential uses; and
- ii. the site-specific regulations, in subsection 1, applicable to a stand-alone multiple dwelling shall also apply to a combined use building; [ZDM 13; ZNG/6074]"

V. THAT the following conditions of approval, and other requirements of municipal departments and external agencies contained in Appendix D attached, **BE ADDRESSED** at the Site Plan Review and Approval stage for the proposed development on the subject site:

- Payment of \$5,000 towards future construction of curb & gutter on North Talbot;
- Sanitary Sampling manhole;
- Servicing Charges (total amount of \$17,000)
- Cash-in-lieu of parkland dedication in accordance with By-law 12780.

Motion CARRIED

Councillor Gill discloses an interest and abstains from voting on this matter.

Report Number: S 2/2021  
Clerk's File: ZB/13839

### **7.2 Z-035/20 [ZNG/6221] – 2593885 Ontario Ltd (Kyle McDonald) 131 Elliott St W – Rezoning Ward 3**

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

Due to time constraints, the Chair advises the application is straightforward and to proceed without a presentation by the author.

Moved by: Councillor Holt

Seconded by: Councillor Morrison

Decision Number: **DHSC 253**

# MINUTES

## Development & Heritage Standing Committee Day, Month , 2021

Page 6 of 8

### RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site specific exception to Section 20(1) for Con 1 Pt Lot 80; Known as Nursery Lot Corner; Pelissier TH W, municipally known as 131 Elliot Street West as follows:

408. SOUTH SIDE OF ELLIOTT ST W, WEST OF PELISSIER ST

For the lands comprising Con 1 Pt Lot 80; Known as Nursery Lot Corner; Pelissier TH W:

- a) A *hotel room* on the second floor shall be an additional permitted use and, that for the additional permitted use, no additional *parking space* is required.
- b) Number of Hotel rooms – maximum – 4  
[ZDM7; ZNG/6221]

Motion CARRIED

Member Gyemi discloses an interest and abstains from voting on this matter.

Report Number: S 20/2021  
Clerk's File: ZB/14022

### 7.3 Z-041/20 [ZNG/6260] – Donato DiGiovanni 1631 Riverside Dr E – Rezoning Ward 4

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

Due to time constraints, the Chair advises the application is straightforward and to proceed without a presentation by the author.

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

Decision Number: **DHSC 254**

### RECOMMENDATIONS

- I. THAT Zoning By-law 8600 **BE AMENDED** by adding a site-specific exception to Section 20(1) for Lot 334, Plan 359, municipally known as 1631 Riverside Dr East, as follows:

409. SOUTH SIDE OF RIVERSIDE DR E, EAST OF LINCOLN RD

For the lands comprising Lot 334, Plan 359 the following additional provisions shall also apply:

- a) Lot Width – minimum – 12.00 m
- b) Lot Area – minimum – 445.00 m<sup>2</sup>



# MINUTES

## Development & Heritage Standing Committee Day, Month , 2021

Page 7 of 8

- c) Side Yard Width – minimum – 1.5 m for the structure existing at the time of this bylaw passing  
[ZDM6; ZNG/6260]

- II. THAT the property **BE SUBJECT** to Site Plan Control (SPC) as a small-scale low profile residential development (as defined in the By-law 1-2004).

Motion CARRIED

Report Number: S 19/2021  
Clerk's File: ZB/14023

### **7.4 Z-027/20 [ZNG/6174] – Dior Homes (Rio Aiello) 669 Tuscarora St, Units 101-109, 201-209 & 301-309 (formerly 755 Louis Ave) – Rezoning Ward 4**

Melissa Gasic (author), Planner II – Development Review

Due to time constraints, the Chair advises the application is straightforward and to proceed without a presentation by the author.

Moved by: Councillor Sleiman  
Seconded by: Member Moore

Decision Number: **DHSC 255**

#### RECOMMENDATIONS

- I. THAT an amendment to City of Windsor Zoning By-law 8600 **BE APPROVED**, changing the zoning of West Part Block A (ARN 030-150-05100-0000), Plan 315, Known Municipally as 669 Tuscarora Street Units 101-109, 201-209, 301-309 (formerly 755 Louis Avenue); from Residential District 3.4 Holding (HRD3.4) to Residential District 3.4 (RD3.4), with the following additional site-specific regulations:

Lot Frontage – minimum As Existing (49.83 m)

Lot Area – minimum As Existing (3,273m<sup>2</sup>)

Lot Coverage – maximum 35 %

Main Building Height – maximum 3 storeys

Front Yard Depth – minimum 5.9 m

# MINUTES

## Development & Heritage Standing Committee Day, Month , 2021

Page 8 of 8

Rear Yard Depth – minimum 3.6 m

Exterior Side Yard Width – minimum 3.7 m

Side Yard Width – minimum 24.5 m

Landscaped Open Space Yard – minimum 30 %

Dwelling Units – maximum 27 units

Parking Area Separation from a Habitable Room (for a loading space only) – 2.5m

- II. THAT By-law 103-20 (Residential Interim Control By-law) **BE AMENDED TO EXEMPT** West Part Block A (ARN 030-150-05100-0000), Plan 315, Known Municipally as 669 Tuscarora Street Units 101-109, 201-209, 301-309 (formerly 755 Louis Avenue) subject to rezoning Z-027/20 ZNG/6174.

Motion CARRIED

Report Number: S 23/2021  
Clerk's File: ZB/13952

## 8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 6:40 p.m.

---

Ward 3 – Councillor Bortolin  
(Chairperson)

---

Thom Hunt  
(Secretary)