

## Development & Heritage Standing Committee Meeting

Date: Monday, November 8, 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 Gyemi

Member Moore

Member Rondot

Clerk's Note: Councillors Holt, Sleiman, Gill, and Morrison and Members Gyemi, Moore, and Rondot participated via video conference (Zoom), 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:**

Jason Reynar, Chief Administrative Officer

John Revell, Chief Building Official

Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate

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

Kevin Alexander, Planner III – Special Projects

Greg Atkinson, Planner III – Economic Development

Justina Nwaesei, Planner III – Subdivisions

Rania Toufeili, Policy Analyst

Marianne Sladic, Clerk Steno Senior

Sandra Gebauer, Council Assistant

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**ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:**

Thom Hunt, City Planner

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

### **Delegations—participating via video conference**

Item 7.1	Brian Chillman, Agent
Item 7.1	Christian LeFave, Applicant
Item 11.1	Tom Buchta, Spirol Industries Ltd.
Item 11.2	Dev Singh, Director of AIPL Canada

## **1. CALL TO ORDER**

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:34 o'clock p.m.

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

None disclosed.

## **3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

None requested.

## **4. COMMUNICATIONS**

None presented.

## **5. ADOPTION OF THE *PLANNING ACT* MINUTES**

### **5.1. Minutes of the Development & Heritage Standing Committee meeting (*Planning Act* Minutes) held October 12, 2021**

Moved by: Councillor Gill

Seconded by: Member Gyemi

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THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held October 12, 2021 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 351/2021

Clerk's File: MB2021

Thom Hunt, City Planner, appears before the Development & Heritage Standing Committee and provides a brief outline related to World Town Planning Day, including events that are taking place; provides website information referring to the statement; and provides brief historical information related to festivals and other events associated with the World Town Planning Day.

### 7. PLANNING ACT MATTERS

#### 7.1. Approval of a Plan of Condominium with Exemption under Section 9(3) of *The Condominium Act*, 7887 Edgar Street; Applicant: Suburban Construction and Management Ltd.; File # CDM 004-21 [CDM-6563]; Ward 6

Moved by: Councillor Holt

Seconded by: Member Gyemi

Decision Number: **DHSC 343**

THAT the application of Suburban Construction & Management Ltd. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of 36 dwelling units, as shown on the attached Map No. CDM-004/21-1, within a newly constructed Multiple Dwelling structure on a parcel legally described as Lots 21 & 22, Part of Lots 20, 23 & 24, Part of Alley (closed by CE349312), Registered Plan 980 and Part of Lot 127 Concession 1; designated as Part 1 Plan 12R28717; located at the southwest corner of Edgar Street and Lauzon Road, **BE APPROVED** for a period of three (3) years.

Carried.

Report Number: S 139/2021

Clerk's File: ZP/14242

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:39 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:40 o'clock p.m.

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

See Items 11.1 and 11.2.

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## 10. HERITAGE ACT MATTERS

None presented.

## 11. ADMINISTRATIVE ITEMS

### 11.1. Economic Revitalization Community Improvement Plan (CIP) application submitted by SPIROL Industries Ltd. for 3103 St. Etienne Blvd (Ward 9)

**Tom Buchta, Spirol Industries Ltd.**

Tom Buchta, Spirol Industries Ltd., appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Economic Revitalization Community Improvement Plan (CIP) application submitted by SPIROL Industries Ltd. for 3103 St. Etienne Blvd (Ward 9)” and is available for questions.

Councillor Sleiman inquires about the business retention portion of the application and what process that administration has in place to ensure businesses that receive a grant stay in the area. Greg Atkinson, Senior Planner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report “Economic Revitalization Community Improvement Plan (CIP) application submitted by SPIROL Industries Ltd. for 3103 St. Etienne Blvd (Ward 9)” and provides details related to the application, highlighting the financial information, and provides details related to job retention.

Councillor Morrison inquires about the type of Community Improvement Plan (CIP) and inquires about the grants related to whether the business carries out with the stipulations of the application. Mr. Atkinson indicates that the request is an estimate and administration tracks the numbers of jobs before the grant is paid out; and the minimum threshold is reviewed by administration prior to paying out the grant. Administration provides details related to pro-rating the grant and information related to freezing taxes.

Councillor Gill inquires as to the number of these types of applications that would be received each year. Mr. Atkinson indicates the number of applications fluctuate from year to year and eligibility related to CIP grants is determined by set criteria.

Councillor Gill inquires about after the 10 years when the grant is paid off. Mr. Atkinson provides details related to the timelines.

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 344**

I. THAT the request made by SPIROL Industries Ltd. to participate in the Business Retention and

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Expansion Grant Program **BE APPROVED** for the property located at 3103 St. Etienne Blvd for up to 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan;

- II. THAT Administration **BE DIRECTED** to prepare an agreement between the City, SPIROL Industries Ltd., and/or persons or companies that have legally been assigned the right to receive grant payments, to implement the Business Retention and Expansion Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner for content, the Commissioner of Legal Services 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 Business Retention and Expansion Grant Agreement; and,
- IV. THAT the approval to participate in the Business Retention and Expansion Grant Program **EXPIRE** if the grant agreement is not signed by applicant and owner 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 137/2021

Clerk's File: SPL/10759

### **11.2. University Avenue and Wyandotte Street Community Improvement Plan (CIP) Application submitted by 2605835 Ontario Inc. on behalf of AIPL Holdings Inc for 1100 University Avenue West**

#### **Dev Singh, Director of AIPL Canada**

Dev Singh, Director of AIPL Canada, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "University Avenue and Wyandotte Street Community Improvement Plan (CIP) Application submitted by 2605835 Ontario Inc. on behalf of AIPL Holdings Inc for 1100 University Avenue West" and is available for questions.

Moved by: Councillor Sleiman

Seconded by: Councillor Gill

Decision Number: **DHSC 345**

- I. THAT the request made by 2605385 Ontario Inc. on behalf of AIPL Holdings Inc for the redevelopment of 1100 University Avenue West Street to participate in the:

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- a. Commercial/Mixed Use Building Facade Improvement Program **BE APPROVED** in the amount of \$30,000 for eligible costs incurred after September 10, 2021 pursuant to the University Avenue and Wyandotte Street Community Improvement Plan;
  - b. 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 University Avenue and Wyandotte Street Community Improvement Plan;
  - c. Municipal Development Fees Grant Program **BE DENIED** as municipal fees have been paid prior to the grant application being submitted on September 10, 2021 pursuant to the University Avenue and Wyandotte Street Community Improvement Plan;
- II. THAT one complete window system sample (including profile, finish, glazing) **BE SUBMITTED** to the City for review and approval to the satisfaction of the City Planner prior to installation; and,
  - III. THAT the means, methods, and materials for cleaning of the limestone and any limestone/historic masonry restoration/repair **BE COMMUNICATED** to the City for approval to the satisfaction of the City Planner prior to the work being undertaken; and,
  - IV. THAT Grant funds in the amount of \$30,000 under the Commercial/Mixed Use Building Facade Improvement Program **BE TRANSFERRED** from the CIP Reserve Fund to a new Project for the University Avenue and Wyandotte Street Planning Fund when the work is completed; and,
  - V. THAT the Commercial/Mixed Use Building Facade Improvement grant **BE PAID** to 2605385 Ontario Inc. upon satisfying recommendations II and III as well as completion of the facade improvements as shown in Appendix B to Report S 140/2021 to the satisfaction of the City Planner and Chief Building Official; and,
  - VI. THAT should the eligible work not be completed within one (1) year, City Council **AUTHORIZE** that the funds under the Commercial/Mixed Use Building Facade Improvement Program be uncommitted and made available for other applications; and,
  - VII. THAT Administration **BE DIRECTED** to prepare a Building/Property Improvement Tax Increment Grant agreement between the City, AIPL Holdings Inc, 2605385 Ontario Inc. or any person or corporation that has been legally assigned the right to receive grant payments to implement the grant program in accordance with all applicable policies, requirements, and provisions contained within the University Avenue and Wyandotte Street Community Improvement Plan to the satisfaction of the City Planner as to content, the Commissioner of Legal and Legislative Services as to legal form, and the CFO/City Treasurer as to financial implications; and,
  - VIII. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Building/Property Improvement Tax Increment Grant Agreement; and further,

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IX. 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 140/2021

Clerk's File: Z/14007

### 11.3. Sandwich Demolition Control Exemption and CIP-3388 Baby St., Gurbax Wahid, Ward 2

Moved by: Councillor Gill

Seconded by: Councillor Morrison

Decision Number: **DHSC 346**

- I. THAT the Chief Building Official **BE AUTHORIZED** to issue a demolition permit to the registered owner Gurbax Wahid, to demolish a one (1) storey single unit dwelling located at 3388 Baby Street (see Appendix 'A'), to construct a two (2) storey two (2)-unit duplex dwelling when an executed Site Plan Control Agreement has been registered on title with the appropriate securities to ensure the redevelopment occurs within a specified time period to fulfill the conditions of the Site Plan Control Agreement; and,
- II. THAT any minor changes **BE SUBJECT** to the approval of the City Planner and Chief Building Official at the time of issuance of the Building Permit; and,
- III. THAT the Chief Building Official **BE DIRECTED** to require, as a condition of the demolition permit:
  - i. The redevelopment identified in Appendix 'B' and Site Plan be substantially complete within two (2) years following the issuance of the demolition permit;
  - ii. If the redevelopment, including construction of a new building, is not substantially complete within two (2) years of the commencement of the demolition the Clerk enter the sum of Twenty Thousand Dollars (\$20,000) on the collectors roll of the property and prepare a certificate for registration; and,
- IV. THAT the City Solicitor **BE DIRECTED** to register the certificate in the land registry office against the property; and,
- V. THAT the request for incentives under the Sandwich Incentive Program made by the registered owner Gurbax Wahid of the property located at 3388 Baby Street, **BE APPROVED** for the following programs:
  - i. *Development and Building Fees Grant* for 100% of the Development and Building Fees identified in the Sandwich CIP to a Maximum amount of (+/- **\$15,930.50**);

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- ii. *Revitalization Grant Program* for 70% of the municipal portion of the tax increment for up to 10 years (+/-**\$2,914.80** per year); and,
- VI. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program Agreement for the *Revitalization Grant* in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne 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 implication; and,
- VII. THAT funds in the amount of +/-**\$15,930.50** under the *Development Building Fees Grant Program* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Sandwich Community Development Plan Fund* (Project 7076176) once the work is completed; and,
- VIII. THAT grants **BE PAID** to Gurbax Wahid upon completion of the two (2) storey two (2)-unit duplex dwelling from the *Sandwich Community Development Plan Fund* (Account 7076176) to the satisfaction of the City Planner and Chief Building Official; and further,
- IX. THAT grants approved **SHALL LAPSE** if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 138/2021  
Clerk's File: SPL/10759

### 11.4. Main Street/Building Facade Improvement CIP Application for 1378 Ottawa Street, Owner: Takhar Sherghin Holdings Inc. Ward 4

Moved by: Councillor Holt  
Seconded by: Councillor Sleiman

Decision Number: **DHSC 347**

- I. THAT the request made by Takhar Sherghin Holdings Inc. (c/o Jaskaran Takhar), the owner of the property located at 1378 Ottawa St., for *Building Facade Improvement grants* totalling a maximum of +/-**\$29,763.45** and *Building and Development Fees* grants totaling a maximum of +/-**\$236.55** **BE APPROVED IN PRINCIPLE** under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets* Community Improvement Plan; and,
- II. THAT funds in the maximum amount of +/-**\$29,763.45** (*Building Facade Improvement grants*) and +/-**\$236.55** (*Building and Development Fees* grants) under the *Building Facade Improvement Program and Urban Design Guidelines for Main Streets CIP* **BE TRANSFERRED** from the CIP Reserve Fund 226 to the *Building Facade Improvement Program – Main Streets CIP* Project Fund (Project #7219018) when the grant funds are ready to be paid out; and,
- III. THAT grants **BE PAID** to Takhar Sherghin Holdings Inc. (Jaskaran Takhar), upon completion of improvements to the exterior of the property located at 1378 Ottawa St. from the *Building*



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*Facade Improvement Program – Main Streets CIP Project Fund (Project #7219018) to the satisfaction of the City Planner and Chief Building Official; and further,*

- IV. THAT grants approved **SHALL LAPSE** and the funds **BE UNCOMMITTED** if the applicant has not completed the work and fulfilled the conditions within 2 years of the council approval date.

Carried.

Report Number: S 141/2021

Clerk's File: Z/13002

## 12. COMMITTEE MATTERS

### 12.1. Minutes of the International Relations Committee of its meeting held October 20, 2021

Moved by: Councillor Morrison

Seconded by: Councillor Gill

Decision Number: **DHSC 348**

THAT the minutes of the International Relations Committee (IRC) of its meeting held October 20, 2021 **BE RECEIVED**.

Carried.

Report Number: SCM 352/2021

Clerk's File: MB2021

## 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 4:53 o'clock p.m.

Carried.

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Ward 3 - Councillor Bortolin  
(Chairperson)

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Deputy City Clerk / Supervisor  
of Council Services

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

Date: Monday, November 8, 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  
Member Rondot

Clerk's NOTE: Councillors Holt, Sleiman, Gill, and Morrison and Members Gyemi, Moore, and Rondot participated via video conference (Zoom), 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:**

Jason Reynar, Chief Administrative Officer  
John Revell, Chief Building Official  
Wira Vendrasco, Deputy City Solicitor – Legal & Real Estate  
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  
Kevin Alexander, Planner III – Special Projects  
Greg Atkinson, Planner III – Economic Development  
Justina Nwaesei, Planner III – Subdivisions  
Rania Toufeili, Policy Analyst  
Marianne Sladic, Clerk Steno Senior  
Sandra Gebauer, Council Assistant

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### ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, City Planner

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

#### 1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:33 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 October 12, 2021.

Moved by: Councillor Gill

Seconded by: Member Gyemi

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held October 12, 2021 **BE ADOPTED** as presented.

CARRIED, UNANIMOUSLY.

Report Number: SCM 351/2021  
Clerk's File: MB2021

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Thom Hunt, City Planner, appears before the Development & Heritage Standing Committee and provides a brief outline related to World Town Planning Day, including events that are taking place; provides website information referring to the statement; and provides brief historical information related to festivals and other events associated with the World Town Planning Day.

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

Item 7.1 Brian Chillman, Agent  
Item 7.1 Christian LeFave, Applicant

### 7. PLANNING ACT MATTERS

#### 7.1 CDM-004/21 [CDM/6563] – Suburban Construction & Management Ltd 7887 Edgar St – Plan of Condominium Ward 6

Justina Nwaei – Planner III-Subdivisions (author)

Brian Chillman – McTague Law Firm (agent) is available for questions. The application is for exemption under section 9, subsection 3 of the Condominium Act. This is not a conversion, this is a new condominium. He notes that they have been through the Site Plan Control process already and the building is under construction.

Christian LeFave (applicant) available for questions.

Moved by: Councillor Holt  
Seconded by: Member Gyemi

Decision Number: **DHSC 343**

#### RECOMMENDATIONS

THAT the application of Suburban Construction & Management Ltd. for an exemption under Section 9(3) of *The Condominium Act* for approval of a plan of condominium (Standard Condominium), comprised of 36 dwelling units, as shown on the attached Map No. CDM-004/21-1, within a newly constructed Multiple Dwelling structure on a parcel legally described as Lots 21 & 22, Part of Lots 20, 23 & 24, Part of Alley (closed by CE349312), Registered Plan 980 and Part of Lot 127 Concession 1; designated as Part 1 Plan 12R28717; located at the southwest corner of Edgar Street and Lauzon Road, **BE APPROVED** for a period of three (3) years.

Motion CARRIED UNANIMOUSLY.

Report Number: S 139/2021  
Clerk's File: ZP/14242

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## 8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 4:39 p.m.

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Ward 3 – Councillor Bortolin  
(Chairperson)

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Thom Hunt  
(Secretary)