

**Planning, Heritage & Economic Development Standing Committee Meeting**

**Date: Tuesday, October 09, 2018**

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

**Members Present:**

**Councillors**

Ward 5 - Councillor Sleiman

Ward 7 - Councillor Kusmierczyk

Ward 8 – Councillor Marra (Chairperson)

Ward 9 - Councillor Payne

**Councillors – Regrets**

Ward 4 - Councillor Holt

**Members**

Member Foot

Member Gyemi

Member Moore

**Member – Regrets**

Member Baker

Member Bjarneson

Member DiMaio

Member Miller

**ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:**

Wira H.D. Vendrasco, Deputy City Solicitor

Michael Cooke, Manager, Planning Policy

Dan Lunardi, Manager Inspections

Jim Abbs, Planner III - Subdivisions

Greg Atkinson, Planner III - Economic Development

Adam Szymczak, Planner III - Zoning

Laura Diotte, Planner III – Special Projects

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Kristina Tang, Heritage Planner (Acting)  
Sahar Jamshidi, Planner II – Development Review  
Adam Pillon, Right-of-Way Supervisor  
Colleen Middaugh, Project Administrator  
Ashley D'Alessandro, Clerk Steno Senior  
Anna Ciacelli, Supervisor of Council Services

### Delegations

- Item 10.1 Daniel Soleski, representing property owner
- Item 11.1 Anand Kanoria, Director of APAG, and Mariusz Olszowik, North American Operations  
Launch Manager of APAG
- Item 11.3 John Millson, property owner

### 1. CALL TO ORDER

The Chairperson calls the meeting of the Planning, Heritage and Economic Development Standing Committee to order at 4:31 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.

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### 5. ADOPTION OF THE PLANNING ACT MINUTES

#### 5.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting (Planning Act Matters) held September 10, 2018

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

THAT the Minutes of the Planning, Heritage and Economic Development Standing Committee meeting (Planning Act Matters) held September 10, 2018 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 370/2018

Clerk's File: MB2018

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

### 7. PLANNING ACT MATTERS

#### 7.1. Rezoning - Ugljesa Cenic - 319-321 Chilver Road - Z-008/18 ZNG/5569 - Ward 4

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

That the report of the Senior Planner dated September 7, 2018 entitled Rezoning Ugljesa Cenic 319-321 Chilver Road Z-008/18 ZNG/5569 Ward 4 **BE DEFERRED** to a future meeting of the Planning, Heritage and Economic Development Standing Committee to allow for administration to review a proposed change to the application as requested by the applicant.

Carried.

Report Number: S 153/2018

Clerk's File: ZB/13212

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### 7.2. SDN 002-18 (SDN-5529) 414968 Ontario Limited 3568 Howard Ave Proposed Draft Plan of Subdivision - Ward 9

Moved by: Member Gyemi

Seconded by: Councillor Sleiman

Decision Number: **PHED 608**

THAT the application of 414968 Ontario Limited. for Draft Plan of Subdivision approval for Part of Block A, Registered Plan 1259 (designated as Parts 4 and 5 on Reference Plan 12R- 27277); located North of the East/West Section of Maguire Street, East of Howard Avenue **BE APPROVED** on the following basis:

THAT this approval **APPLIES TO** the draft plan of subdivision, as shown on the attached Map No. SDN-002/018, which will facilitate the construction of 13 single unit dwellings.

- I. That the Draft Plan Approval shall lapse on \_\_\_\_\_ (3 years from the date of approval).
- II. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-002/18 prepared by VSHBB Inc. Land Surveyors.
- III. That prior to the execution and registration of a Subdivision Agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner, final draft M-Plans which shall include the names of all road allowances within the plan, as approved by the Corporation.
- IV. That the owner enter into a subdivision agreement with the Corporation of the City of Windsor, such agreement to provide for the following matters:
  - a. The owner shall agree to include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
  - b. No individual storm sewer connections shall be permitted to the existing 1200mm HPDE Storm Sewer on Maguire Street.
  - c. The Owner(s) agrees to gratuitously convey, prior to the issuance of a building permit, the following proposed to be named rights-of-way, in accordance with the approved Plan of Subdivision:
    - i. 20.0m right-of-way for "Oakridge Avenue";
    - ii 20.0m right of way for "Farrow Avenue";

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- d. The Owner(s) agree to gratuitously convey corner cut-offs on both the east and west sides of "Oakridge Avenue" and "Farrow Avenue" at the intersection with Maguire Street in accordance with City of Windsor Standard Drawing AS-230 prior to the issuance of a construction permit.
- e. The Owner(s) agree to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems to the satisfaction of the City Engineer, prior to the issuance of a construction permit.
  - i. The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system.
  - ii. The study shall be finalized to the satisfaction of the City Engineer.
- f. The Owner further agrees to pay to the Corporation, prior to the issuance of a construction permit, its share of the cost as determined by City Engineer for previously oversized services that were constructed to ensure that the subject lands could be serviced.
- g. The Owner(s) agree to pay to the Corporation, cash-in-lieu of parkland as per By-law 12780, prior to the issuance of a construction permit.
- h. The Owner agrees to provide the completed Noise Study to CN Rail for peer review prior to registration of the plan and agrees to implement any mitigation measures recommended, to the satisfaction of the City Planner; and that the Subdivision Agreement may be amended to insure implementation of the recommended mitigation measures.
- i. The Owner agrees to complete a sight line analysis for driveway access to Maguire Street, and agrees to implement mitigation to the satisfaction of the City Planner and City Engineer.

### NOTES TO DRAFT APPROVAL (File: SDN-002/18)

1. The applicant is directed to Section 51(39) of *The Planning Act 1990* regarding appeal of any imposed conditions to the Local Planning Appeal Tribunal are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.

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3. Required agreements with the Municipality will be prepared by the City Solicitor.
4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
5. If the final plan approved by the Corporation of the City of Windsor is not registered within thirty (30) days, the Corporation may withdraw its approval under Section 51(59) of *The Planning Act 1990*.
6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
7. Where agency conditions are required to be included in the City's Subdivision Agreement, the applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.

THAT the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of *The Planning Act*; and,

THAT the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision; and,

THAT prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary agreements.

Carried.

Report Number: S 151/2018

Clerk's File: ZP/13302

### **7.3. OFFICIAL PLAN AMDNEMNT AND ZONING BY-LAW AMENDMENT for 747-757 Ouellette Avenue File No. Z 017-18 [ZNG-5636] OPA 127 [OPA-5637]**

Moved by: Councillor Sleiman

Seconded by: Councillor Payne

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Decision Number: **PHED 609**

- I. That the City of Windsor Official Plan **BE AMENDED** by deleting section '1.30 747-757 Ouellette Avenue' of Volume II, Special Policy Areas.
- II. That the City of Windsor Zoning By-law 8600 **BE AMENDED** by deleting Section 20 (1)(260).
- III. That Zoning District Map Part 7 **BE AMENDED** by removing the zoning symbol S.20(1)'H'-260.

Carried.

Report Number: S 155/2018  
Clerk's File: ZB/13289 ZO/13290

There being no further business the meeting of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) portion is adjourned at 5:06 o'clock p.m.

The Chairperson calls the Heritage Act Matters portion of the Planning, Heritage & Economic Development Standing Committee meeting to order at 5:07 o'clock p.m.

## 8. ADOPTION OF THE MINUTES

### 8.1. Adoption of the Planning, Heritage & Economic Development Standing Committee meeting minutes held September 10, 2018

Moved by: Member Foot

Seconded by: Councillor Kusmierczyk

THAT the minutes of the Planning, Heritage and Economic Development Standing Committee meeting held September 10, 2018 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 339/2018  
Clerk's File: MB2018

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

See item 10.1, 11.1 and 11.3.

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### 10. HERITAGE ACT MATTERS

#### 10.1. 4150 Riverside Drive East- Demolition of Listed Building on the Windsor Municipal Heritage Register

Kristina Tang, Heritage Planner (A) appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report 4150 Riverside Drive East- Demolition of Listed Building on the Windsor Municipal Heritage Register and provides a brief description of the property and the application. Ms. Tang indicates there are some structural issues but the property has not been condemned. The property is currently vacant and should not be occupied.

Ms. Tang provides a brief overview of the Design/physical considerations as well as the contextual value. Ms. Tang concludes that the property has sufficient heritage attributes to be eligible for designation although the property would need structural repairs if it is designated. Should the demolition be approved the property owner has plans for replacement and a conceptual design is provided.

#### **Daniel Soleski, representing property owner**

Daniel Soleski, representing property owner appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report 4150 Riverside Drive East- Demolition of Listed Building on the Windsor Municipal Heritage Register and indicates there is too much to be repaired in the home and it would not be financially feasible to repair. Mr. Soleski concludes by requesting that the committee approve the application for demolition.

Councillor Sleiman inquires about the future plan for the site if the demolition is approved. Mr. Soleski indicates that the applicant would like to build a home although he would like to set it back a little further as sightlines are a major concern.

Some discussion ensues regarding the type of construction that was utilized for the current residence.

Councillor Kusmierczyk inquires as to whether some of the features of the old house can be incorporated into the new house. Mr. Soleski indicates they would love to, although it wouldn't be feasible as there is not enough to salvage and the costs would be prohibitive.



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Moved by: Councillor Payne  
Seconded by: Councillor Sleiman

Decision Number: **PHED 610**

I. THAT the request to demolish 4150 Riverside Drive East, listed on the Windsor Municipal Heritage Register, **BE APPROVED**.

Carried.

Report Number: S 134/2018

Clerk's File: MBA/13311

There being no further business the meeting of the Planning, Heritage and Economic Development Standing Committee (Heritage Act Matters) portion is adjourned at 5:24 o'clock p.m.

The Vice Chairperson calls the Administrative Matters portion of the Planning, Heritage & Economic Development Standing Committee meeting to order at 5:25 o'clock p.m.

## 11. ADMINISTRATIVE ITEMS

### 11.1. Economic Revitalization Community Improvement Plan (CIP) application submitted by APAG Elektronik Corp. (Ward 9)

Greg Atkinson, Senior Planner, appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report Economic Revitalization Community Improvement Plan (CIP) application submitted by APAG Elektronik Corp. (Ward 9) and provides a brief overview of the application and explains what is being requested as well as providing a brief history of the property and the eligibility of the application. Mr. Atkinson indicates that administration is recommending approval of this application.

#### **Anand Kanoria, Director of APAG, and Mariusz Olszowik, North American Operations Launch Manager of APAG**

Anand Kanoria, Director of APAG, and Mariusz Olszowik, North American Operations Launch Manager of APAG appear before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report Economic Revitalization Community Improvement Plan (CIP) application submitted by APAG Elektronik Corp. (Ward 9) and are in agreement with recommendations provided by administration. Mr. Kanoria provides a brief history of the company and indicates they have a long term commitment to Windsor. Mr. Kanoria looks forward to utilizing

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St. Clair College and the University of Windsor that are in close proximity to obtain many skilled trades people and other qualified candidates that the company will require in the near future.

Councillor Payne congratulates the applicant and commends him for selecting Windsor. Mr. Kanoria indicates that they will source people from around the world but it is easier to have education facilities in close proximity to attain the skilled workforce that will be required to carry out operations. He indicated that this will benefit his company and the City.

Councillor Kusmierczyk commends the company and is encouraged by the use of the University of Windsor and St. Clair for a skilled workforce.

Moved by: Councillor Sleiman

Seconded by: Councillor Kusmierczyk

Decision Number: **PHED 611**

- I. THAT the request made by APAG Elektronik Corp. on behalf of property owner Jeffrey Louis Cooper to participate in the Business Development Grant Program **BE APPROVED** for 100% of the municipal portion of any tax increment resulting from the proposed development of eligible uses at 3505 Rhodes Drive for 10 years or until 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and,
- II. THAT, Administration **BE DIRECTED** to prepare an agreement between the City, APAG Elektronik Corp., and property owner (Jeffrey Louis Cooper) to implement the Business Development 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 as to technical content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and,
- III. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement.

Carried.

Report Number: S 136/2018  
Clerk's File: SPL/10759

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### 11.2. (ACSP) N/S Alley between Sydney Ave. & Seymour Ave., West of Parkwood Ave. & East of Woodlawn Ave. (Ward 9)

Moved by: Councillor Payne

Seconded by: Councillor Sleiman

Decision Number: **PHED 612**

- I. That the north/south alley having the width of 4.27m, located between Sydney Ave. & Seymour Ave., West of Parkwood Ave. & East of Woodlawn Ave., as shown on Drawing CC-1735 attached hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the north/south alley having the width of 4.27m, located between Sydney Ave. & Seymour Ave., West of Parkwood Ave. & East of Woodlawn Ave., as shown on Drawing CC-1735 attached hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:
  - i. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - a. Bell Canada, Managed Network Systems Inc., COGECO CONNEXION Inc. and Enwin Utilities Ltd.
  - ii. Conveyance Cost **BE SET** as follows:
    - Abutting properties zoned RD1.1:
      1. \$1.00 plus alley subsidy cost of \$99.00 during the alley subsidy program;
      2. \$1.00 plus alley subsidy cost of \$99.00 after the expiration of the alley subsidy program
- III. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1735, *attached* hereto as Appendix "A"
- IV. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s)
- V. 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
- VI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003

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- VII. If there are existing alley approaches, and these approaches become obsolete after the alley closure, the City shall remove existing alley approaches in the future when budget funds exist. Alternatively should property owners that abut the approaches to the closed alley wish to retain the alley approaches as driveways, permits from Public Works shall **BE REQUIRED**

Carried.

Report Number: S 137/2018

Clerk's File: SAA2018

### **11.3. Alley Closing for the East/West alley, abutting to the north of 1932 Lansing Street (Ward 1)**

Sahar Jamshidi, Planner II Development Review appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report Alley Closing for the East/West alley, abutting to the north of 1932 Lansing Street (Ward 1) and provides a brief overview of the application. Ms. Jamshidi indicates that the City of Windsor will be erecting a fence as requested by ERCA to separate the properties to the South from the sensitive lands to the North.

#### **John Millson, property owner**

John Millson, property owner, appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report Alley Closing for the East/West alley, abutting to the north of 1932 Lansing Street (Ward 1) and acknowledges the work completed by administration regarding the application and is in favour of the closure although he requests a delay in erecting the fence.

Councillor Marra requests an explanation for the fence. Wira Vendrasco, Deputy City Solicitor, appears before the Planning, Heritage and Economic Development Standing Committee regarding the administrative report Alley Closing for the East/West alley, abutting to the north of 1932 Lansing Street (Ward 1) and indicates that ERCA has made the request to erect the fence and such requests usually prevents species migrating into residential areas.

Councillor Kusmierczyk requests that additional information be brought forward as to why the fence is being erected.

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Moved by: Councillor Kusmierczyk

Seconded by: Councillor Payne

Decision Number: **PHED 613**

- I. That the east-west alley having the width of 5.49m, located east of Malden Road., to the north of the properties municipally known as 1932 Lansing Street and 1956 Lansing Street, as shown on Drawing No. CC-1719 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the east-west alley having the width of 5.49m, located east of Malden Road., to the north of the properties municipally known as 1932 Lansing Street and 1956 Lansing Street, as shown on Drawing No. CC-1719 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** along the centre of the subject alley, to the abutting residential property owners to the south of the subject alley.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a) For alleys abutting City owned lands to the north, zoned GD1.4, retain for municipal purposes. For alleys abutting lands zoned DRD1.1, \$1.00, plus deed preparation costs, plus proportionate 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-1719, *attached* hereto 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.
- VIII. THAT the Essex Region Conservation Area (ERCA) **BE REQUESTED** to provide information regarding their request to erect a fence in the area of the alley closure and that this information **BE BROUGHT FORWARD** at the time this report proceeds to Council.
- IX. THAT the Essex Region Conservation Area (ERCA) **BE MADE AWARE** that there is some opposition by surrounding residents to the fence.

Carried.

Report Number: S 139/2018

Clerk's File: SAA2018

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### 11.4. Alley closure for the East/West alley abutting to the south of 2555 GRAND MARAIS RD W (Ward 1)

Moved by: Councillor Payne

Seconded by: Councillor Sleiman

Decision Number: **PHED 614**

- I. That the 4.26 metre (14 feet) wide east/west alley located on the south side of Grand Marais Road West, between Northway Avenue and Betts Avenue, as shown on Drawing No. CC-1723 *attached* hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the 4.26 metre (14 feet) wide east/west alley located on the south side of Grand Marais Road West, between Northway Avenue and Betts Avenue, as shown on Drawing No. CC-1723 *attached* hereto as Appendix "A", **BE CLOSED AND CONVEYED** along the centre of the subject alley, to the abutting property owners, 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 and Managed Network Systems Inc.
- III. THAT Conveyance Cost **BE SET** as follows:
  - a) For alleys abutting 2555 and 2559 Grand Marais Road West, \$1.00, plus deed preparation costs, plus proportionate survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
  - b) For alleys abutting 0 Betts Avenue, \$275 per front foot, plus deed preparation costs, plus proportionate 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-1723, *attached* hereto 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 140/2018  
Clerk's File: SAA2018

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### 11.5. Emergency Purchases - Demolition of Buildings at 673 Caron Ave and 1777, 1785 -1795 University Ave West Wards: 2 & 3

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

Decision Number: **PHED 615**

THAT the report regarding the Emergency Purchase Orders issued for the demolition of the buildings at 673 Caron Avenue AND at 1777, 1785-1795 University Ave West **BE RECEIVED** for information.

Carried.

Report Number: S 145/2018

Clerk's File: MBA/12805

### 12. COMMITTEE MATTERS


None.

### 13. QUESTION PERIOD

None requested.

### 14. ADJOURNMENT

There being no further business the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 5:47 o'clock p.m.

  
\_\_\_\_\_  
Ward 8—Councillor Marra  
(Chairperson)  
\_\_\_\_\_  
Supervisor of Council Services