

AA/
Windsor, Ontario, July 16, 2012

A meeting of the **Planning Standing Committee** is held this day commencing at 4:30 o'clock p.m. in Council Chambers there being present the following members:

Councillor Sleiman(Vice Chair)
Councillor Hatfield
Councillor Gignac
Councillor Halberstadt

Citizens

Merrill Baker

Regrets:

Councillor Marra
Cheryl Cross-Leal
Barb Bjarneson

Delegations

Jeffrey Slopen, Solicitor (Item 3)
Kathy Hengl, Solicitor (Item 1)
Dave Locke (Item 2)
Keith Jones (Item 6)
Terry Kennedy (Item 8)
Bob Nagy (Item 8)
Shahid Raza (Item 8)
Alan Richardson (Item 8)
Gary Langill (Item 8)
Kevin Flood (Item 8)
Christopher Huxley (Item 8)

Also present are the following from Administration:

Thom Hunt, City Planner
Don Wilson, Manager of Development Applications
Jim Abbs, Planner III
Lee Anne Doyle, Chief Building Official
Wira Vendrasco, Senior Legal Counsel
Justina Nwaesei, Planner II
Kevin Alexander, Planner III
Stacey Shyshak, Engineering & Corporate Projects
Marianne Sladic, Steno Clerk Senior (A)
Agatha Armstrong, Deputy City Clerk

1. **CALL TO ORDER**

The meeting is called to order at 4:30 o'clock p.m.

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

None.

3. **ADOPTION OF MINUTES**

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,
That the minutes of the meeting of the Planning Standing Committee (Planning Act Matters) held June 11, 2012 **BE ADOPTED** as presented.
Carried.

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,
That the minutes of the meeting of the Planning Standing Committee held June 11, 2012 **BE ADOPTED** as presented.
Carried.

4. **REQUEST FOR DEFERRALS, REFERRALS, OR WITHDRAWALS**

None requested.

5. **COMMUNICATIONS**

None.

6. **COMMITTEE MATTERS**

None.

7. **PRESENTATIONS AND DELEGATIONS**

Item 3 Part of alley, south of Tecumseh Road East Amend By-law Number 3-2009 (as amended)

Jeffrey Slopen, Solicitor

Jeffrey Slopen, Solicitor for Applicant appears before the committee and is available for questions regarding the granting of an easement to Managed Network Systems, Inc.

Moved by Councillor Hatfield, seconded by Councillor Halberstadt
D) **THAT** By-law Number 3-2009 as amended by By-law 74-2010 **BE FURTHER AMENDED** by granting an easement to **MANAGED NETWORK SYSTEM, INC.** over the unconveyed portion of closed alley described as Parts 1 and 10, 12R24605 to enter upon the said lands so conveyed for installation, repairs and maintenance of their facilities therein.

II) That the City Solicitor **BE DIRECTED** to prepare an amending by-law for Council's consideration; and further, 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 any subsequent transactions **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 4 Request to close part of Menard Street and Wyandotte Street East between Lauzon Road and Frank Avenue abutting 7934-7938 Menard Street

Ivan Kireta, Applicant

Ivan Kireta, Applicant appears before the committee to speak in support of the administrative recommendation to close part of Menard Street and Wyandotte Street East between Lauzon Road and Frank Avenue abutting 7934-7938 Menard Street, stating that he purchased the building at 7934-7938 Menard Street which has very tight parking. Since the construction of the Shoppers Drug Mart he has been having issues with parking. Applicant would like to close the subject portion of the right-of-way to have existing parking for his clients' use.

Moved by Councillor Gignac, seconded by Councillor Hatfield

I. **THAT** the part of Menard Street between Lauzon Road and Frank Avenue directly in front of 7934-7938 Menard Street shown as Part 1 on Drawing No. CC-1611 attached hereto as **Appendix "A"** **BE ASSUMED** for subsequent closure and conveyance to the abutting property owner and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law;

II. **THAT** the part of Menard Street between Lauzon Road and Frank Avenue directly in front of 7934-7938 Menard shown as Part 1 on Drawing No. CC-1611 attached hereto as **Appendix "A"** **BE CLOSED AND CONVEYED** to the abutting property owner subject to the following:

- i. Easements are required in favour of:
 - EnWin Utilities Ltd.
 - Bell Canada
 - Cogeco Cable Systems
- ii. Conveyance cost to adjacent property owner
 - Abutting properties zoned CD2.1: \$8.50 per square foot (\$91.50 per square metre) no easements and \$4.25 per square foot (\$45.75 per square metre) with easementsand further:
- iii. The City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1611, attached hereto as **Appendix "A"**
- iv. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- v. The City Solicitor **BE REQUESTED** to prepare the by-law to close
- vi. 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. The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Item 6 Request to close a one-foot wide portion of Seymour Boulevard between Walker Road and Turner Road for municipal purposes

Keith Jones, resident of 3299 Turner Road

Keith Jones, resident of 3299 Turner Road, appears before the committee to request that the committee reject the administrative recommendation to close a one-foot wide portion of Seymour Boulevard between Walker Road and Turner Road, suggesting that this would increase traffic on Turner Road increasing the danger of the intersection at Turner Road and Seymour, and concludes by suggesting that the closure would adversely affect the property values in the area.

Item 8 Planning Department's response to Council's Directive regarding Lodging Houses CR152/2010

Terry Kennedy, Ward 2 resident

Terry Kennedy, Ward 2 resident appears before the committee to speak in support of the administrative recommendation to continue consultation with the public in order to provide appropriate options for consideration as it relates to lodging homes, and concludes by suggesting a complete moratorium on lodging houses in the Olde Sandwich Town District.

Bob Nagy, Ward 2 resident

Bob Nagy, Ward 2 resident appears before the committee to express concern that there has been no mention of the need for an interim control by-law, and concludes by stating that properties that come up for sale should be inspected to ensure no illegal uses.

Shahid Raza, Ward 2 resident

Shahid Raza, Ward 2 resident appears before the committee stating that by-law needs to be amended in order to properly deal with the issues that are occurring with lodging houses, and concludes by stating that the current by-law has no teeth.

Alan Richardson, Ward 2 resident

Alan Richardson, Ward 2 resident appears before the committee to express his concerns regarding the numerous rental units in the area with absentee landlords which causes numerous issues, and concludes by stating that there many illegal lodging homes in Ward 2 as many single family dwellings are being converted to rental units.

Gary Langill, Ward 2 resident

Gary Langill, Ward 2 resident appears before the committee to express his concerns as he has just received the survey and has not had sufficient time to review, stating that the City of

Windsor has not addressed the issues surrounding housing around the University of Windsor, suggesting that homes are being converted without proper permits being obtained, and concludes by stating 73% of the residential buildings in the area are rental properties.

Kevin Flood, Ward 2 resident and landlord

Kevin Flood, Ward 2 resident and landlord appears before the committee stating that the demographics have changed in the area, families will not move into the area due to the lack of schools for young children, and concludes by expressing concerns regarding the financial matters and the cost associated with the review of lodging homes, suggesting the cost outlined are not a true reflection of the actual costs.

Christopher Huxley, Ward 2 resident

Christopher Huxley, Ward 2 resident appears before the committee to speak in support of the administrative recommendation regarding land use issues related to lodging houses and providing appropriate options to Council for consideration, and concludes by urging the committee and administration to emphasize the concept of neighbourhood.

Salient points of discussion regarding lodging houses are as follows:

- Concerns expressed over the high percentage of rental units in the area
- The conversion of single dwelling homes to multiple rental units causes safety concerns
- It is noted that other wards in the city have no schools for young children and the issue of families moving into the area is non-existent
- Concern expressed regarding the lodging house issue and the University of Windsor role in providing solutions
- Concerns expressed regarding the area and how the Planning Department can assist with the conversion of the area into a community neighborhood.
- Further public consultation should occur in the other Wards across the city, stressing the importance of engaging the other wards
- Additional information will be attached to the committee report outlining timelines and cost.

Moved by Councillor Hatfield, seconded by Councillor Halberstadt

THAT the City Planner **BE DIRECTED** to prepare a report to the Planning Standing Committee addressing land use issues related to lodging houses, and to provide appropriate options for consideration.

Carried.

8. **PLANNING ACT MATTERS**

Minutes for the Planning Act Matters are attached as Appendix "A".

Item 1 Rezoning 2025 Pool Avenue & 2139 Huron Church Road, 1352017 Ontario Inc., to permit a motor vehicle Dealership

Moved by Councillor Halberstadt, seconded by Councillor Gignac

THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of

Lots 5 & 6, and Part of Block B, Plan 1575 (2025 Pool Avenue & 2139 Huron Church Road) from Manufacturing District 1.4 (MD1.4) to Manufacturing District 1.4 (MD1.4) with a Special Provision to permit a Motor Vehicle Dealership, with site specific regulations as follows:

For Part of Lots 5 & 6, and Part of Block B, Plan 1575, (PIN012611212) (known municipally as 2025 Pool Avenue) the following regulations shall apply:

- (i) Minimum Exterior Side Yard – 4.3 m
- (ii) Landscape separation of parking space from collector aisle – 0 m
- (iii) Section 18(4) (b)(vi) shall not apply. Parking Area separation of 3m shall continue to apply.

Carried.

Item 2 Rezoning, Andrew McKelvie, 405 Victoria Avenue, to allow public parking as an additional use

Moved by Councillor Gignac, seconded by Mr. Baker

THAT That Zoning By-law 8600 **BE AMENDED** by changing the zoning of N Part Lot 1 (WS Victoria), Lots 1 to 8 and N Part Lot 9 (ES Dougall), & Part Closed Alley, Registered Plan 83; Parts 1, 2, 3 and 5, Plan 12R-5751; Parts 2 and 3, Plan 12R-7322 (south side of Park Street West between Dougall Avenue and Victoria Avenue; Roll No. 040-060-07800) by adding a site-specific provision to allow a public parking area as an additional permitted use.

Carried.

9. **ADMINISTRATIVE ITEMS**

Item 5 Part of closed Coronation Avenue for Sale to Abutting Owner at 1906 Balfour

Moved by Councillor Halberstadt, seconded by Councillor Hatfield

THAT By-law 67-1998 **BE AMENDED** concerning the closure of Coronation Avenue (formerly Bertha Avenue) to change the conveyance price of the subject Part 1, 12R24406 to \$500.00 plus deed preparation and registration costs and that the City Solicitor **BE DIRECTED** to prepare the amending by-law for Council's consideration.

Carried.

Item 7 Request for Interim and Demolition Control By-law Exemption – 3446 Harris Street

Moved by Councillor Gignac, seconded by Councillor Halberstadt

That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition Control By-law 20-2007 **BE GRANTED** to the owner of the single detached house located at 3446 Harris Street, to allow for the construction of a roofed porch (22' x 6' x 13' high) along the south east elevation of the front of the house on the condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and that any exterior renovations/changes will be

required to be shown on elevation drawings and be subject to approval of the City Planner prior to issuance of a building permit.

Carried.

10. **DATE OF NEXT MEETING**

The next meeting of the Planning Standing Committee will be held on August 13, 2012 at 4:30 o'clock p.m. in Council Chambers.

11. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 6:55 o'clock p.m.


VICE-CHAIR


DEPUTY CITY CLERK

**MINUTES OF THE CITY OF WINDSOR PLANNING STANDING COMMITTEE
(Planning Act Matters)**

July 16, 2012

A meeting of the Windsor Planning Standing Committee was held this day at 4:30 p.m. in the Council Chambers, Third Floor, City Hall, there being present:

Vice-Chair E. Sleiman, Councillor J. Gignac, Councillor A. Halberstadt, Councillor P. Hatfield and Mr. M. Baker.

Regrets: Councillor B. Marra, Ms. C. Cross-Leal and Ms. B. Bjarneson

Also present are:

Mr. Don Wilson – Manager of Development Applications, Mr. Thom Hunt – City Planner, Mr. Jim Abbs – Planner III, Mr. Kevin Alexander – Planner III, Ms. Justina Nwaesei – Planner II, Ms. Kristina Tang – Co-Op Student and Ms. Marianne Sladic – Senior Clerk, Planning Department; Ms. Agatha Armstrong – Supervisor of Council Services/Deputy City Clerk; Ms. Stacy Shyshak - Engineering & Corporate Projects Department; Ms. Lee Anne Doyle –Executive Director/Chief Building Official, Building Department; and Ms. Wira Vendrasco – Senior Legal Counsel, Legal Department.

GENERAL BUSINESS:

The Vice-Chair explains the rules of procedure of the Planning Standing Committee and that this is the required public meeting in accordance with the Planning Act. He asks if there are any disclosures of pecuniary interest. Hearing none, he asks members and the public present if there are any requests for deferral, referral or withdrawal. Hearing none, he proceeds with the meeting. The Chair indicates those interested in making submissions to Council must list to speak as a delegation with Council Services.

ADOPTION OF THE MINUTES

Moved by Councillor Hatfield, seconded by Councillor Halberstadt.

That the minutes of the Planning Standing Committee (Planning Act Matters) meeting of June 11, 2012 **BE ADOPTED.**

Motion **CARRIED UNANIMOUSLY.**

The Chair introduces the first item on the agenda.

Item 1 – 1352017 ONTARIO INC. (Thunder Road HARLEY DAVIDSON) – 2025 POOL AVE. & 2139 HURON CHURCH RD.

Application to change the zoning of Part of Lots 5 & 6, and Part of Block B, Plan 1575 (2025 Pool Avenue & 2139 Huron Church Road) from Manufacturing District 1.4 (MD1.4) to Manufacturing District 1.4 (MD1.4) with a Special Provision to permit a Motor Vehicle Dealership.

The subject parcel is located on the west side of Huron Church Road, north of EC Row Expressway. The applicant intends to move the existing motor vehicle dealership to the Pool Ave. Site and redevelop the Huron Church Road Property at a later date. [Jim Abbs – Planner III]

Recommendation is for approval.

Kathryn Hengl (Rosati Construction Inc.) – Agent – 6555 Malden Rd., Windsor, ON N9H 1T5 – Ms. Hengl points out that the Principal of the numbered company that owns the properties is Chris O’Neil. In the documentation, it’s identified as Robert Reid. Mr. Reid has signing authority and had signed the initial application on behalf of the corporation, however, the Owner is Mr. O’Neil. Ms. Hengl is in full agreement with Administration’s recommendations.

Councillor Hatfield reconfirms whether “Thunder Road Harley Davidson” will continue in its current capacity. Ms. Hengl confirms it will remain a motorcycle dealership/repair service.

Mr. Baker asks Ms. Hengl if the two properties have merged in title? Ms. Hengl advises they have not. Mr. Baker asks the reason for seeking re-zoning of both parcels if the intent is to move to the Pool Ave. property for the motor vehicle dealership? Ms. Hengl advises the building on the Pool Ave. abuts the property line so they need to overhang the parking into the Huron Church property. They own both properties but want the dealership at the Pool building to be a permitted use. The current zoning allows a motor vehicle dealership as an existing use only. Once the showroom moves from the front building (Huron Church) to the back (Pool Avenue site), the concern is a motor vehicle dealership would no longer be an existing use on the Huron Church Road site.

Mr. Baker inquires of Administration if the current use of the Pool site as a repair shop permitted under the current zoning? Mr. Abbs advises it is.

Councillor Halberstadt inquires about the Pool Ave. dead-ending at Huron Church Rd. and is curious whether it is advisable to have a dealership at a road that dead ends? Ms. Hengl advises that the properties are connected and have access from Huron Church and Ambassador Dr. The main building will still face Huron Church Rd. Councillor Halberstadt inquires whether additional signage will be required to advise of the new dealership? Ms. Hengl advises it is not new, it is existing, therefore additional signage will not be required. Currently the dealership/showroom exists on the Huron Church and the repair shop is on Pool. Councillor Halberstadt inquires about the vehicles eventually in the dealership. Ms. Hengl advises there will be motorcycles.

Councillor Halberstadt notes confusion over the 3m setback. Is it a recommendation or a request? Mr. Abbs advises the applicant had requested a reduction in the amount of open space from the street to 2m. Review of the site indicated that there 3m landscape could be provided and still maintain sufficient parking. Ms. Hengl confirms a loss of only one (1) parking space and that the Owner will comply with the 3m setback.

The Vice-Chair inquires whether there is any member of the audience with questions/comments.

Moved by Councillor Halberstadt, seconded by Councillor Gignac as Amended, provided in the memo as Additional Information.

- I That Zoning By-law 8600 **BE AMENDED** by changing the zoning of Part of Lots 5 & 6, and Part of Block B, Plan 1575 (2025 Pool Avenue & 2139 Huron Church Road) from Manufacturing District 1.4 (MD1.4) to Manufacturing District 1.4 (MD1.4) with a Special Provision to permit a Motor Vehicle Dealership, with site specific regulations as follows:

For Part of Lots 5 & 6, and Part of Block B, Plan 1575, (PIN012611212) (known municipally as 2025 Pool Avenue) the following regulations shall apply:

- (i) Minimum Exterior Side Yard – 4.3 m
- (ii) Landscape separation of parking space from collector aisle – 0 m
- (iii) Section 18(4) (b) (vi) shall not apply. Parking Area separation of 3m shall continue to apply.

Councillor Hatfield supports the motion, however, advises his confusion in thinking that the motorcycle dealership was also going to be providing automobiles. Councillor Halberstadt notes a similar confusion.

Motion **CARRIED, UNANIMOUSLY.**

Item 2 – ANDREW MCKELVIE (ST. ANDREW’S PRESBYTERIAN CHURCH) – 405 VICTORIA AVE.

The applicant on behalf of the Presbyterian Church of Canada, is requesting an amendment to Zoning By-law 8600 by adding a site specific provision to allow a public parking area as an additional permitted use.

The parcel is designated Mixed Use (Medium Profile) on Schedule D: Land Use in the Official Plan zoned Institutional District 1.1 (ID1.1) in Zoning By-law 8600 and is occupied by a church with approximately 60 parking spaces.

It is the intention of the church to sell monthly parking passes for weekday parking. There will be no on-site advertising and no changes to the existing building or grounds. Revenue from the parking passes will be used to fund the operation of the church. [Adam Szymczak – Planner III], presented by Jim Abbs.

Recommendation is for approval.

Dave Locke (St. Andrew's Finance & Facilities) – speaking on behalf of Andrew McKelvie – Advises the proposal and recommendations are fully agreed upon.

Councillor Halberstadt reconfirms the church intends to charge the public for parking and not its parishioners and asks how the church intends to carry this out, ie. daily/monthly, monitoring, etc. Mr. Locke advises the church would provide a monthly or yearly pass to those wishing to park on the premises. This would be monitored by a church staff member between 9am and 4pm who would randomly check the lot.

Councillor Halberstadt asks whether there is currently a problem with parking on the premises? Mr. Locke informs it's a minor inconvenience. There are currently tow away signs, however, the church has been lenient. Councillor Halberstadt asks about parking after hours and on weekends. Mr. Locke advises there would be no attendant at those times. This is more for during the work day/week.

The Vice-Chair asks whether the church would be providing a monthly pass? Mr. Locke advises the church would offer either a monthly or yearly permit.

Mr. Locke adds that on high profile evenings, such as the Fireworks, they would like to be able to charge for parking on those "special event" evenings.

The Vice-Chair inquires whether there is any member of the audience with questions/comments.

Moved by Councillor Gignac, seconded by Mr. M. Baker.

That Zoning By-law 8600 **BE AMENDED** by changing the zoning of N Part Lot 1 (WS Victoria), Lots 1 to 8 and N Part Lot 9 (ES Dougall), & Part Closed Alley, Registered Plan 83; Parts 1, 2, 3 and 5, Plan 12R-5751; Parts 2 and 3, Plan 12R-7322 (south side of Park Street West between Dougall Avenue and Victoria Avenue; Roll No. 040-060-07800) by adding a site-specific provision to allow a public parking area as an additional permitted use.

Motion **CARRIED, UNANIMOUSLY.**

Meeting adjourned: 6:53 pm

Councillor Ed Sleiman, Vice-Chair

Mr. Don Wilson, Secretary

/ms