

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 Marra (Chair)
Councillor Maghnieh
Councillor Sleiman
Councillor Gignac

Absent

Councillor Hatfield

Citizens

Merrill Baker
Cheryl Cross-Leal
Barb Bjarneson

Delegations

Karl Tanner, Dillon Consulting, and Thomas Rolfe, Executive (Item 1 Planning Act Matter)
George Dimopoulos, Property Owner (Item 5)

Also present are the following from Administration:

Helga Reidel, Chief Administrative Officer
George Wilkki, City Solicitor and Corporate Leader Economic Development and Public Safety
Thom Hunt, City Planner
Don Wilson, Manager of Development
Jim Abbs, Senior Planner
Kevin Alexander, Senior Planner
Lee Anne Doyle, Chief Building Official
Justina Nwaesei, Planner
Kristina Tang, Co-Op Student
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**

Barb Bjarneson declares a conflict and abstains from voting on Item 2 "1037109 Ontario Limited – Days Inn, rezoning 675 Goyeau Street"

3. **ADOPTION OF MINUTES**

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,
That the minutes of the meeting of the Planning Standing Committee (Planning Act Matters) held December 12, 2011 **BE ADOPTED** as presented.
Carried.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,
That the minutes of the meeting of the Planning Standing Committee held December 12, 2011
BE ADOPTED as presented.

Carried.

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

None requested.

5. **COMMUNICATIONS**

Notice of Pre-Consultation on Draft Source Protection Plan Policies, provided for Mayor and Council only.

6. **PRESENTATIONS AND DELEGATIONS**

Stan Taylor, Project Manager, Source Water Protection, Essex Region Conservation Authority

Stan Taylor appears before the committee to provide an update regarding the pre-consultation on the draft source protection plan policies; What is Source Water Protection; Water Treatment Plants and Service Areas; Source Water Protection Committee; Source Protection Timeline; Intake Protection Zones; Source Water Threats – City of Windsor; Source Water Protection Plan Policies; Policies Involving City of Windsor; Policies to Implemented by ERCA; Risk Management Official Services; and Consultation Process – Draft Policies and Source Protection Plan.

Moved by Councillor Sleiman, seconded by Barbara Bjarneson,

THAT the presentation by Stan Taylor, Project Manager, Source Water Protection, Essex Region Conservation Authority regarding the pre-consultation on the draft source protection plan policies **BE RECEIVED** as information.

Carried.

7. **PLANNING ACT MATTERS**

Minutes for the Planning Act Matters are **attached** as Appendix “A”.

Item 1 Hiatus House, Official Plan & Zoning By-law Amendments for vacant lands formerly known as 237, 245-249, & 259-261 Louis Avenue, at the southwest corner of Louis Avenue and Chatham Street East intersection

Moved by Councillor Gignac, seconded by Councillor Maghnieh,

I THAT the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

- (1) The property described as Lots 10 to 12, Part Lots 7 to 9, and Part Block ‘A’, PLAN 136, on the southwest corner of Louis Avenue and Chatham Street East intersection is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan

- (2) Notwithstanding the "Residential" designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, "a business office and other facilities of a non-profit organization" may be an additional permitted use

II **THAT** an amendment to the Zoning By-law 8600 for the property located at the southwest corner of Louis Avenue and Chatham Street East, described as Lots 10 to 12, Part Lots 7 to 9, and Part Block 'A', Plan 136, (Roll No. 030-070-03200) **BE APPROVED** by deleting Section 20(1)250 of the By-law, and replacing with the following Site Specific provision:

"A lodging house, a business office and other facilities of a non-profit organization, and a combined use building shall be additional permitted uses, and the following regulations shall apply:

- (i) Minimum front yard depth and rear yard depth requirements of the RD2.2 zoning district
- (ii) Minimum side yard width 2.5 metres on each side
- (iii) Minimum lot area and lot width - as existing on the effective date of this clause
- (iv) Minimum landscape open space yard 20% of the lot area
- (v) Maximum building height-6 storeys"

Carried.

Item 2 1037109 Ontario Limited – Days Inn, rezoning 675 Goyeau Street

Moved by Councillor Gignac, seconded by Councillor Sleiman,

I **THAT** an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of 675-687 Goyeau Street; Lots 125, 128, 129, Part of Lots 124 and 132, Plan 1303, located on the northwest corner of the intersection of Goyeau Street and Tuscarora Street; from CD3.1 to CD3.1, with site specific provision as follows:

- (a) A lodging house, multiple dwelling and residential care facility as additional permitted uses;
- (b) Ground floor dwelling units in a lodging house, multiple dwelling and/or residential care facility are permitted;
- (c) A maximum of 100 beds in a lodging home or a residential care facility.

Carried.

Council Marra voting nay.

Merrill Baker voting nay.

Barb Bjarneson declares a conflict and abstains from voting on this matter.

The Committee recesses at 6:03 o'clock p.m. to allow the citizens of the committee to depart.

The Committee reconvenes at 6:10 o'clock p.m. and the regular items on the agenda are heard.

8. COMMITTEE MATTERS

Moved by Councillor Gignac, seconded by Councillor Sleiman,

THAT the minutes of the Property Standards Committee meeting held November 24, 2011 **BE RECEIVED** as information.

Carried.

9. ADMINISTRATIVE MATTERS

Item 3 Request to close the north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue

Moved by Councillor Gignac, seconded by Councillor Sleiman,

I **THAT** the 6.1 metre (20 feet) wide north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue as shown on Drawing Number CC-1621 *attached* hereto as Appendix "A" **BE ASSUMED** for subsequent closure and conveyance to the abutting property owners and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

II **THAT** the 6.1 metre (20 feet) wide north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue as shown on Drawing Number CC-1621 *attached* hereto as Appendix "A" **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:

- Easements are required for the full width and length of the subject alley in favour of:
 - EnWin Utilities Ltd.
 - Bell Canada
 - Cogeco Cable Systems
- Conveyance cost to each owner
- \$1.00 plus the deed preparation and registration fees and proportionate share of the cost of the 12R Plan as invoiced to the City of Windsor by an Ontario Land Surveyor for land abutting properties zoned RD1.2

and further:

- the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1621, *attached* hereto as Appendix "A"
- the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- the City Solicitor **BE REQUESTED** to prepare the by-law to close
- 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,
- the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 4 Request to close the east/west and north/south alleys between Edward Avenue and Isabelle Place, south of Edgar Street.

The salient points of discussion relating to the request to close the alley are as follows:

- The Office of the City Solicitor- Real Estate Division applied for the closing of the alley.
- No objection received from property owners regarding the closure of the alley.
- The Municipal Act permits Council to deal with the conveyance issue.
- There are no encroachment issues with the abutting property owners.

Moved by Councillor Gignac, seconded by Councillor Sleiman,

I **THAT** the 4.26 metre (14 feet) wide east/west alley and the 2.12 metre (7 feet) wide north/south alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1622 attached hereto as Appendix "A" **BE ASSUMED** for subsequent closure and to be consolidated into the City's own land municipally known as 1150 Edward Avenue for eventual sale and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

II **THAT** the 4.26 metre (14 feet) wide east/west alley and the 2.12 metre (7 feet) wide north/south alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1622 attached hereto as Appendix "A" **BE CLOSED AND RETAINED** by the Corporation of the City of Windsor for lot consolidation purposes subject to the following:

- Easements are required in favour of:
EnWin Utilities Ltd.
Bell Canada
Cogeco Cable Systems

and further:

- The City Engineer and City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1622, attached hereto as Appendix "A"
- The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- The City Solicitor **BE REQUESTED** to prepare the by-law to close
- 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,
- The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 5 Request to Demolish Residential Dwelling at 1155 McDougall Street

George Dimopoulos, Property owner of 115 McDougall Street

George Dimopoulos appears before the committee to request that the committee reject administrations recommendation to deny the request for the exemption from the Howard-Erie Neighborhood Improvement Programme Area Demolition Control By-law 9198 for the demolition of a one- storey residential building at 1155 McDougall Street, suggesting that building is unsafe, and concludes by stating that his intentions are to demolish the building and rebuild a duplex or a single unit dwelling on the property.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,

THAT an application made by George Dimopoulos for an exemption from the Howard-Erie Neighbourhood Improvement Programme Area Demolition Control By-law 9198 for the demolition of a one-storey residential building at 1155 McDougall Street **BE DEFERRED** to allow the planning staff to meet with the Applicant to ascertain possible solutions.

Carried.

Item 6 Exemption to Sandwich Interim Control By-law for 373 Detroit Street (Dunhill Apartments) – Minor Amendment to M191-2011 (PSC10/11)

THAT M191-2011 PSC10/11 **BE AMENDED** to include the following wording:

THAT an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 **BE GRANTED** to Randy Vadnais (Agent) representing Butterfield Holdings Limited, owner of the apartment located at 373 Detroit Street, to renovate an oversized bedroom into two smaller bedrooms in one of the residential apartment units, and construct an additional exterior window for the second bedroom *for all eight floors as per the attached drawings*, on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development.


Carried.

10. DATE OF NEXT MEETING

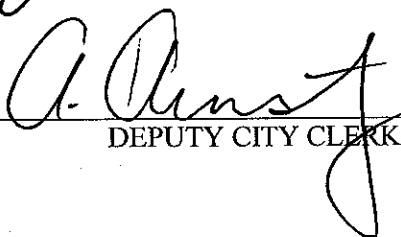
The next meeting of the Planning Standing Committee will be held on February 13, 2012 at 4:30 o'clock p.m. in Council Chambers.

11. ADJOURNMENT

There being no further business, the meeting is adjourned at 6:45 o'clock p.m.



CHAIR



DEPUTY CITY CLERK

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

JANUARY 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:

Councillor B. Marra – Chair, Councillor J. Gignac, Councillor E. Sleiman, Ms. C. Cross-Leal, Councillor A. Maghnieh, Mr. M. Baker and Ms. B. Bjarneson.

Regrets: Councillor Percy Hatfield

Also present are:

Mr. Thom Hunt – City Planner, Mr. Don Wilson - Manager of Development Applications & Secretary, Ms. Justina Nwaesei – Planner, Mr. Jim Abbs – Senior Planner, Mr. Kevin Alexander – Senior Planner, 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 Mr. George Wilkki – City Solicitor, Legal Department.

GENERAL BUSINESS:

The Chair explains the rules of procedure of the Planning Standing Committee. 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.

Ms. B. Bjarneson notes a conflict of interest on Item 2 (Days Inn).

ADOPTION OF THE MINUTES

Moved by Councillor Maghnieh, seconded by Councillor Sleiman.

That the minutes of the Planning Advisory Committee (Planning Act Matters) meeting of December 12, 2011 **BE ADOPTED.**

Motion **CARRIED UNANIMOUSLY.**

The Chair announces a presentation by ERCA's Stan Taylor – Project Manager and Tom Fuerth. Mr. Thom Hunt reviews his Memo concerning Source Water Protection and introduces the members from ERCA.

Mr. S. Taylor gives the presentation on Source Water Protection - Source Protection Plan Process to Staff and Members. See attached copy of PowerPoint presentation that was distributed to Staff and Members.

Councillor Gignac inquires regarding additional funding ERCA seeks for Risk Management Official Services for a portion of this process. What does ERCA anticipate that to be? Mr. Taylor estimates it to be three (3) or four (4) person weeks per year in the first two (2) or three (3) years, for Windsor. Could be three (3) times that because Windsor has the greatest number of threats compared to any other municipality and the urban nature of the land. Plus three (3) or four (4) person weeks of training for the certification required. Mr. Taylor recommends to split the training costs between the eight (8) municipalities that require the service, if the proposal is passed. Monitoring to be continued annually, per the requirement.

Councillor Gignac inquires regarding the emergency response with fuel tanks/inventory. Mr. Taylor advises there are size thresholds and gives examples of some. Councillor Gignac is sure the Windsor Fire Department has inventory of the location of all fuel tanks within the City. Mr. Taylor concurs it is probably so.

Councillor Gignac inquires what authority ERCA has over the Port Authority and the Railway Corridors? Mr. Taylor advises those agencies, when on federal lands, the Provincial legislation cannot address them. Can only provide them with information and encourage their participation. Councillor Gignac comments regarding the extent the Municipality and Province may go to in order to protect the source water, however, may all be for not if the Federal entity chooses to ignore the initiative.

Councillor Sleiman notes the work of the TSSA and questions whether ERCA is being redundant by doing the same thing (ie. Leaks of fuel (gas or liquid) into the ground or Detroit River)? Will they interfere with each other? Mr. Taylor advises a working group was established which included members of all municipalities as well as a representative of Sterling Fuels. The assessment was that the TSSA's existing requirements are quite good/adequate. The concern the working group and committee had, which was pointed out by Sterling Fuels, was the larger operations were regularly inspected by the TSSA. The smaller to medium size operations (3,500 gallons/15,000 litres) were not, and that was the concern that was identified as the gap.

Councillor Sleiman inquires about intake water. Since all water is processed through the Windsor Utilities Commission prior to delivery for use, doesn't the utilities commission clean the water of all impurities? Mr. Taylor advises that the benzine in fuel is not something that can be readily treated. Hence the importance of notifying the Water Commission of any fuel spills. Other measures would have to be taken in processing of the water.

Moved by Councillor Sleiman, seconded by Ms. B. Bjarneson. That the Source Water Protection – Source Protection Plan Process be received for Council's consideration.

Motion **CARRIED, UNANIMOUSLY.**

The Chair introduces the first item on the agenda.

Item 1 – HIATUS HOUSE – 246 Louis Ave.

The applicant, Hiatus House Inc., is requesting an amendment to the Official Plan and Zoning By-law 8600 for the vacant land at the southwest corner of Louis Avenue and Chatham Street

East, described as Lots 10 to 12, Part Lots 7 to 9, and Part Block 'A', Registered Plan 136, and is located in the Glengarry - Marentette Community Improvement Plan (CIP). The subject land is also within the City Centre Planning District and is designated Residential (Medium Profile) on Schedule "E" in the Official Plan.

The vacant land is zoned Residential District 2.2 (RD2.2), and was rezoned in 2009 to add a Site Specific Zoning Provision allowing a lodging house as an additional permitted use on the site. The applicant is now requesting to amend the Zoning By-law to permit a Business Office and other facilities of a non-profit or charitable organization on the subject land, while maintaining the existing special provision permitting a lodging house use on the property.

The proposed Zoning Amendment is not in conformity with the Residential designation of the land in the Official Plan. Consequently, the applicant requested an amendment to the Official Plan to permit the proposed development of an office, meeting rooms and other facilities of a non-profit organization. [Justina Nwaesei – Planner]

The recommendation is for approval.

Karl Tanner (Planner) – Dillon Consulting – 3200 Deziel Dr., Suite 608, Windsor, ON N8W 5K8. Tomas Rolfe – Executive Director (Hiatus House). Mr. Tanner gives a summary and explanation for their application. They are in full support of Administration's recommendations.

Ms. Cross-Leal asks what would stop Hiatus House from increasing their building from three (3) to six (6) storeys? Ms. Nwaesei advises the increase would be encouraged, noting the area is allowed up to a six (6) storey high buildings as stipulated in both the CIP and Official Plan. Ms. Nwaesei also stated that the subject land is being rezoned to allow up to six (6) storey buildings.

Ms. Cross-Leal requests, out of respect for the existing dwelling, that any loading or garbage area would be located away from the existing neighbouring property. Mr. Tanner advises garbage enclosures can be contained within the building. Those details would be worked out during the Site Plan process.

Ms. Bjarneson inquires of the rationale between the proposed building and the neighbourhood. Feels there is a disconnect allowing for a six (6) storey building. Ms. Nwaesei advises the current zoning allows for only two (2) storeys. Hiatus House is proposing three (3). The Official Plan requires and encourages there be up to six (6) storeys. The purpose is to update zoning in conformity with the Official Plan anticipated for the area.

Ms. Bjarneson addresses Mr. Tanner in regards to the parking area, noting the anomaly is the existing residence at the northwest corner of the property. Ms. Bjarneson asks whether the additional parking in that area is needed? Also asks for Administration's input. Mr. Tanner advises the demand of Hiatus House may not require the additional parking spaces shown, stating it's better to have more than just the standard required. Mr. Tanner advises the appropriate setbacks are required and will be met, as well as any other requirements through the Site Plan process and Landscaping requirements. Mr. Rolfe advises with their community

counselling services, they roughly receive 40-50 people per day which was another reason to ensure adequate parking.

Councillor Gignac notes a buffer between the business and residences was a concern. In terms of other care provided within the facility, what would those be? Mr. Rolfe advises at this point, until the land purchase is confirmed, the care provided is speculative. However, the goal is to relocate some of the counselling programs in order to take the pressure off the existing facility, proposed services for abused women similar to that in Kitchener.

To Administration, Councillor Gignac inquires if there are additional uses that the Committee should be aware of that could be housed in a non-profit designation, such as medical clinics, etc.? Ms. Nwaesei advises they cannot go beyond what was proposed. The applicant has advised they require meeting rooms, counselling rooms and office and storage spaces. What is allowed can only assist to service a non-profit organization of this nature.

Mr. Baker shows concern about inadequacy of parking due to the need for on-street permits by area residents. He is considering the two (2) buildings as one entity. Mr. Baker asks how many employees and/or residents are anticipated at any given time? Mr. Rolfe advises they have 38 full-time people but they're not all there at the same time, therefore, have a maximum of 20 staff at any given time, the busiest time is during the day. In the evening there are 3-4 staff. Mr. Tanner advises they have eight (8) spaces at their current facility.

Mr. Baker asks how many residents are there at one time? Mr. Rolfe advises they have beds to accommodate 42, 25 of which could be children. The majority of women that come to them do not have vehicles. They're either brought by a taxi or police cruiser. Staff do not park on site. The parking is strictly for women/residents.

Mr. Baker asks Administration, if both buildings were considered, what would be the parking requirement in that scenario? Ms. Nwaesei apologizes, she does not have the answer calculated. The focus was for the requirement of the new building which exceeds requirements.

Mr. Baker notes no comment from Windsor Police and asks if there was any follow-up? Mr. Rolfe advises Mr. Horrobin (WPD) comes by at least once a year to inspect security requirements and they have not had any issues. Believes that may be the reason there was no comment. Security checks are done on an ongoing basis. Mr. Tanner reiterates it is a secure facility. An individual has to be buzzed in through the first door. That door must close before the next door is opened. Mr. Rolfe adds all the windows are bulletproof and have 37 cameras monitoring any movement on the exterior of the building at all times.

Councillor Sleiman asks what the frequency of arrival by taxi or other means other than a personal vehicle? Mr. Rolfe advises it varies throughout the year, but roughly 50% or more arrive by means other than a personal vehicle. Hiatus House provides transportation from the County.

Councillor Sleiman asks whether the allowance for six (6) storeys is so they can add more in the future? Ms. Nwaesei advises yes, but that Hiatus House would also need to provide adequate/required parking.

The Chair asks Mr. Tanner and Mr. Rolfe if they are expanding their current facilities, residential units, staff or is it to accommodate space needs in the current facility? Mr. Rolfe advises at this point it's to accommodate existing staff space. They were just recently given funding for a new program. That would be relocated to the new facility if continued. The problem is there is no room for expansion at the current facility, so if there's additional funding from the province, they have no way to utilize it.

Nancy Allen (Church Clerk) – British Methodist Episcopal Church – 685 University Ave. E., Windsor, ON N9A 3J3. The church also owns property across the street at 294 Louis Ave. Ms. Allen is in agreement with approval noting parking problems would be somewhat alleviated by the addition of extra parking at the new facility which would free up some of the parking spots on the street. Ms. Allen notes a good relationship with Hiatus House, sending over women in need, as well as they have some of the residents who come and worship at the church.

Moved by Councillor Gignac, seconded by Councillor Maghnieh.

I That the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

- (1) The property described as Lots 10 to 12, Part Lots 7 to 9, and Part Block 'A', PLAN 136, on the southwest corner of Louis Avenue and Chatham Street East intersection is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan
- (2) Notwithstanding the "Residential" designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, "a business office and other facilities of a non-profit organization" may be an additional permitted use

II That an amendment to the Zoning By-law 8600 for the property located at the southwest corner of Louis Avenue and Chatham Street East, described as Lots 10 to 12, Part Lots 7 to 9, and Part Block 'A', Plan 136, (Roll No. 030-070-03200) **BE APPROVED** by deleting Section 20(1)250 of the By-law, and replacing with the following Site Specific provision:

"A lodging house, a business office and other facilities of a non-profit organization, and a combined use building shall be additional permitted uses, and the following regulations shall apply:

- (i) Minimum front yard depth and rear yard depth requirements of the RD2.2 zoning district
- (ii) Minimum side yard width - 2.5 metres on each side
- (iii) Minimum lot area and lot width - as existing on the effective date of this clause
- (iv) Minimum landscape open space yard - 20% of the lot area
- (v) Maximum building height - 6 storeys"

Motion **CARRIED, UNANIMOUSLY.**

Item 2 – 1037109 ONTARIO LTD. (DAYS INN) – 675 Goyeau St.

A Zoning By-law amendment has been requested for property located on the northwest corner of the intersection of Goyeau Street and Tuscarora Street. The property is more particularly described as Lots 125, 128, 129, Part of Lots 124 and 132, Plan 1303. (Municipally known as **675 GOYEAU STREET**). The site is currently used as a hotel (Days Inn).

The subject land is presently zoned "CD3.1" – in By-law 8600 and is designated 'Mixed Use – High Profile' in the City of Windsor Official Plan (City Centre Planning District).

The applicant wishes to add additional Permitted Uses that would conform to the policies of the City of Windsor Official Plan. The application contemplates adding Lodging Home, Residential Care Facility, and a multiple dwelling as site specific additional uses. [Jim Abbs – Senior Planner]

Recommendation is for approval.

Karl Tanner (Planner) – Dillon Consulting – 3200 Deziel Dr., Suite 608, Windsor, ON N8W 5K8.
Mr. Robert Tomas (Solicitor for Applicant) – 5155 Tecumseh Rd. E., Windsor, ON N8T 1C3.
Mr. Tanner gives a summary of the Applicant's intent noting the only disagreement is the recommendation for the maximum of 100 beds. They are requesting 200 maximum. The site can accommodate more than 800 beds on site. They feel their request is reasonable. There are currently 117 rooms in the hotel. If they were to put two (2) beds per room, that would make 234 beds available.

Mr. Tomas advises that having only 100 beds available would utilize only half of the facility. It also decreases their viability to any interested parties. None of their potential partners have suggested anything less than 200. Looking to position themselves for the future should the hotel use not be economically feasible.

Councillor Sleiman asks how many beds maximum can they accommodate with the existing facility? Mr. Tomas advises they could accommodate several hundred beds, as noted within the report. The actual parking (112 spaces) available can support a much larger use of that property but they only seek two (2) beds per room. The Chair advises the report states 892 beds could be accommodated based on the current parking situation. Councillor Sleiman asks how many physical beds can the property accommodate based on its current configuration. Mr. Tomas advises the total is 234 beds. Councillor Sleiman asks that it is possible to increase that to over 400 with more than two (2) beds in the room? The Chair corrects the Councillor advising that the configuration is 117 rooms based on double occupancy which equals a maximum of 234 persons based on the current physical layout.

Councillor Sleiman asks if the intent is to use the facility as a hotel/lodging house combination or as one or the other? Mr. Tomas advises if the facility were to become a lodging house/care facility, the hotel aspect would cease. It would be assisted living or retirement home or a combination of those two.

Councillor Sleiman brings up the topic of property taxes, advising the City loses on the taxes. The Councillor asks when the change in tax revenue takes effect? Mr. Tomas advises the tax change comes into effect when the use changes, not the zoning. Confirmed by the Chair who adds a License must first be obtained prior to the change.

Councillor Maghnieh reconfirms the numbered company is actually the Days Inn. Confirmed by Mr. Tomas as a licensed franchise owner of the Days Inn. Councillor Maghnieh asks if there are any other assisted living entities within the company? Mr. Tomas advises no.

Mr. Baker asks of Administration to clarify the definition of a Lodging House as well as the other possible permitted uses and why all three (3) are listed if this is site specific? Mr. Abbs advises the uses the applicant requested were a multiple dwelling unit (apartment structure), a lodging house or residential care facility. The residential care facility has a larger level of care than a lodging house. However, a residential care facility is a type of lodging house under the City's by-laws.

Mr. Baker asks, given the area (tunnel entrance/exit), if this is considered a gateway? Mr. Abbs confirms it is considered a gateway. The exit at Park St. is considered the exit, not Goyeau St. The Goyeau St. is considered the entrance.

Mr. Baker refers to condo conversions and the recommendations to increase standards on property but doesn't see any here. Why the difference? Mr. Abbs advises in this case they're not looking at a change in tenure. When looking at condo conversions, it's like looking at a subdivision where the applicant would be selling those units or lots. The intent is to make sure those units or lots are of sufficient quality prior to sale. In this case, it's a commercial zoning to commercial zoning. Mr. Baker asks if this is analogous, people living there long-term as opposed to short-term? Mr. Abbs advises that it's because it is a change in tenure with condo conversions that the City is permitted to request changes and upgrades. Mr. Abbs states he's never seen a case where upgrades were permitted to be requested in a report suggested like a structure integrity report with a zoning application.

Councillor Gignac continues along the line of Mr. Bakers questioning. Councillor Gignac brings up the issue of amenities. Are there expectations in respect to different categories on the City's part as to what would be offered within the building? Mr. Abbs advises the current by-law does not speak to amenities in this particular zone category, therefore, there wouldn't be any required amenity area for this application. However, to ensure that any lodging house or extended care was going to be rented or picked up by the market, the applicant would have to provide facilities that were appropriate for that use. Councillor Gignac asks if they would be a requirement of the License issued? The Chair advises that is correct. Ms. Doyle adds that a business license is required. As such, prior to the issuance of a license, Fire and Building (including By-Law Enforcement) do an inspection, identify (based on licensing by-law) what standards must be complied with. It is a thorough inspection to ensure public

safety. Any structural changes would only be incurred if renovations were made. If a renovation is done, drawings would have to be submitted, at which time Building Code requirements would also have to be adhered to in order to obtain the license.

Councillor Gignac inquires about height restrictions, assuming that 6-storey is the maximum height allowed for this area and category. Mr. Abbs advises the Official Plan designates this area as a very high development. If a new development was to happen on this site, it could be in the range of 14 storeys. Councillor Gignac asks if the new owner looked at converting the parking deck to another floor/storey? Mr. Abbs advises that in this area, the height is the equivalent to the longest length of the lot line. If an application came in for a new building, provided they met all the requirements that went with the construction for that zoned area, they could construct that building. This is similar to other sites in the area, particularly to the west on Ouellette and to the south of the structure on Tuscarora.

Councillor Gignac confirms with Mr. Tomas the timeframe of 5-10 years before this change could take place. Mr. Tomas confirms that is the timeframe, based on market conditions of the hospitality industry. Councillor Gignac notes no knowledge of the Days Inn operating any lodging house/extended care facility. Mr. Tomas advises it would not be the Days Inn operating said facility. Councillor Gignac seeks confirmation that the applicant is looking to maximize the use for future marketability. Mr. Tomas advises they would partner with someone with experience in the industry.

To answer Councillor Gignac's inquiry regarding the number of storeys permitted, the Chair advises the frontage on Goyeau St. is 263 feet which would allow for approximately a 20-storey building.

Mr. Wilson also clarifies under CD3.1, multiple use is already permitted on this property. It is the ground floor that is being added and there is an amenity area requirement depending on the type of unit for the residential multiple use, dependent on one bedroom, two bedroom, bachelor, etc. The application is to allow for multiple units on the ground, if they want it.

Ms. Cross-Leal reconfirms the zoning change is for possible future use, this is not going to Site Plan soon. Agreement from all parties. Ms. Cross-Leal seeks clarification on the storey limit. Is it limited to 3-storeys or can it be at 20-storeys at this time? The Chair advises it can be 20-storeys. Ms. Cross-Leal notes the recommendation for 100 maximum beds, but the Applicant seeks 200 maximum. Would the property be viable with only 100 beds? Mr. Tomas advises it would not. The applicant is looking to offer the best possible usage for the property to possible parties inquiring. If the hospitality industry continues to deteriorate, they would like to market the property in the most feasible and productive way.

Councillor Sleiman states the building has been there for many years. Any changes or modifications to the building, Councillor Sleiman believes they'd have to demolish and start from square one. He doesn't feel it's possible to add to it in its current state.

Mr. Baker to Administration, the current zoning would not allow for a lodging home even above the first floor, correct? Mr. Wilson concurs. Although dwelling units are permitted, that wouldn't include this proposed use potentially, and we'd have the ability to say how large they have to be (per the by-law). Mr. Abbs advises currently residential units are

permitted above the ground floor. What this zoning designation does is permit residential dwelling on the main floor as well so they wouldn't have to be above commercial use. Mr. Baker adds the other two uses (lodging home/extended care) are not permitted currently and that the change would affect the ground floor and all other floors according to this application. Mr. Abbs concurs.

To the Applicant, Mr. Baker asks if this application isn't premature considering they've stated they are looking at 5-10 years down the road? Mr. Tomas advises they receive proposals of interest in the property regularly as a possible lodging/extended care facility. To advise interested parties that they cannot answer these proposals at this time isn't reasonable. Therefore, applying for zoning to accommodate a retirement home, lodging or extended care rather than applying for each separately is much easier.

Councillor Gignac to Administration. If the Committee approved the application with all the recommendations, including the 100 beds maximum, if in future the applicant were to come back requesting additional beds and provided proof that it would be viable with the amenities we require, could we bump up the number then? Mr. Abbs advises they could. They wouldn't have to prove it to the Planning Department, they would have to prove it to Council or the Committee of Adjustment, depending on the way the by-law is written.

The Chair asks what the negative planning issues would be to increase the bedding to 200? Mr. Abbs notes concern over the large number allowed based on the parking facilities (800 beds). Some limitations had to be administered. The maximum of 100 beds was chosen based on the number of units were currently in the structure. Through the process, another residential care facility could not be found for a lodging house in the City Centre area of that scale. There's also a concern that a lodging house/extended care facility of that scale in the City Centre area may not be appropriate. The applicant needs to advise what is appropriate and why it is appropriate. 100 was a comfortable number for the Planning Dept.

The Chair inquires what role Licensing would play with respect to capacity? Ms. Doyle advises Licensing regulations pertains more to the operations of the facility not to stipulating dwelling units. Zoning dictates that. It is a Planning decision, not a Licensing decision.

Moved by Councillor Gignac, seconded by Councillor Sleiman.

- I That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of 675-687 Goyeau Street; Lots 125, 128, 129, Part of Lots 124 and 132, Plan 1303, located on the northwest corner of the intersection of Goyeau Street and Tuscarora Street; from CD3.1 to CD3.1, with site specific provision as follows:
- (a) A lodging house, multiple dwelling and residential care facility as additional permitted uses;
 - (b) Ground floor dwelling units in a lodging house, multiple dwelling and/or residential care facility are permitted;
 - (c) A maximum of 100 beds in a lodging home or a residential care facility.

Councillor Gignac appreciates the request for 200 beds, but at this time until an actual application outlining the use of the building is received, she will follow the recommendations of the Planning Department.

The Chair suggests that additional information be brought forth when this application goes to Council. The Chair notes his inclination in supporting the request for an increase, however, would like to see more information from the applicant.

Ms. Cross-Leal agrees with the Chair and would like to see more information in support of the requested increase in beds allowed.

The Chair also states there is further opportunity for consultation between the applicant and the Planning Department prior to Council.

Councillor Sleiman comments that the applicant is not looking to convert immediately. They stated they're looking at 9-10 years down the road. It's hard to predict what the economic climate will be. That's why he's in support of the recommendations as they state now. The applicant can always come back to request an increase, should it be deemed necessary.

The Chair cautions that if the zoning were changed, it can dramatically change those timelines. If the change makes the property more marketable in a different way, that timeline could decrease significantly. Mr. Tomas concurs.

Motion CARRIED.

Approved: Councillor Gignac, Councillor Sleiman, Councillor Maghnieh and C. Cross-Leal

Opposed: M. Baker and the Chair

Abstained: B. Bjarneson

Meeting adjourned: 6:08 pm

Councillor Bill Marra, Chair

Mr. Don Wilson, Secretary

/ms