

Windsor, Ontario, December 12, 2011

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 Hatfield
Councillor Maghnieh
Councillor Sleiman
Councillor Gignac

Absent

Merrill Baker

Citizens

Cheryl Cross-Leal
Barb Bjarneson

Delegations

Melanie Muir, Agent Dillon consulting and Mr. Bruda, Applicant (Item 1)
Jeffrey Slopen, Solicitor, Karl Tanner, Dillon Consulting, and Ally Esmail, property owner (Item 2)
Yingtao Shi, property owner (item 3)
Larry Sweetman, resident of Ward 4
Father Ljubo Lebo, Applicant and John Marsich, Finance Committee (Item 6)
Harry Yau, Agent (Item 4)
Wayne Tratechaud, resident of Ward 5
Zoltan Veres, President, Hungarian Christian Women's League

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
Michael Cooke, Manager of Planning Policy
Jim Abbs, Senior Planner
Lee Anne Doyle, Chief Building Official
Justina Nwaesei, Planner
June Liu-Vajko, Engineering & Corporate Projects
Chris Aspila, Planner
Georgiana Mada (Co-Op Student)
John Calhoun, Heritage Planner
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**

Item 1 Rezoning, Viorel Bruda, 755 Louis Avenue (former City of Windsor Social Services Building), permit the redevelopment and reuse of the existing two-storey building for a lodging house/residential care facility with thirty six long term care/lodging rooms with 80 beds

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

3. **Adoption of Minutes**

Moved by Councillor Sleiman, seconded by Councillor Hatfield,
That the minutes of the meeting of the Planning Standing Committee (Planning Act Matters) held November 14, 2011 **BE ADOPTED** as presented.

Carried.

Moved by Councillor Sleiman, seconded by Councillor Hatfield,
That the minutes of the meeting of the Planning Standing Committee held November 14, 2011 **BE ADOPTED** as presented.

Carried.

4. **Request For Deferrals, Referrals, or Withdrawals**

None requested.

5. **Planning Act Matters**

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

Item 1 Rezoning, Viorel Bruda, 755 Louis Avenue (former City of Windsor Social Services Building), permit the redevelopment and reuse of the existing two-storey building for a lodging house/residential care facility with thirty six long term care/lodging rooms with 80 beds

Moved by Councillor Hatfield, seconded by Councillor Sleiman,

I That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property described as West Part of Block A, Registered Plan 315, and municipally known as 755 Louis Avenue (Roll No. 030-015-05100) from CD1.4 to HRD3.4; and

II That the holding symbol **BE REMOVED** when the owner submits an application to remove the holding symbol and when the following conditions are satisfied:

a) The applicant/owner enter into a Site Plan Agreement with the City of Windsor for the upgrade of the existing parking lot as shown generally on Appendix "C"- Site Plan. Such agreement shall show consideration for the following Public Works Department items, among others, at the Site Plan Approval stage:

(1) **Alley Contribution** of \$500.00 payable to the Publics Works and deposited in the General Fund

intended for the upkeep of alleys within the City of Windsor.

(2) **Installation of Backwater Valve** or similar apparatus on any connection to municipal combined sewer, as a precaution and to mitigate possible damage from surcharge of the sewer to the satisfaction of the City Engineer.

Carried.

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

Item 2 83246 Ontario Ltd. (Courtyards of Parkway), application to convert a multiple residential apartment building from rental to condominium status (2601, 2603, 2605, 2607, 2609, 2611, 2612, 2614, 2615, 2616, 2617, 2619, 2620, and 2621 Meadowbrook Lane)

Moved by Councillor Gignac to approve the recommendations, including the addendum and also the deferral of item J for further information at Council. Seconded by Councillor Sleiman.

I That the application of 832426 Ontario Ltd. (Courtyards of Parkway) for approval of a draft plan of condominium for a property legally described Part of Lot 125, Concession 2, City of Windsor, as designated as Parts 1 to 8, Registered Plan 12R-13659, located at 2601, 2603, 2605, 2607, 2609, 2611, 2612, 2614, 2615, 2616, 2617, 2619, 2620, and 2621 Meadowbrook Lane, to permit the conversion of fourteen apartment buildings, 8, 2-storey buildings containing 16 residential dwelling units each and 6, 3-storey buildings containing 24 residential dwelling units each, for a total of 272 units, from rental to condominium status, as shown on the attached Map Numbers CDM-004/10-2 to CDM-004/10-10 **BE APPROVED** subject to the following:

- A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
- B. That the draft plan approval shall lapse on _____ (3 years from the date of approval);
- C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
- E. The owner shall agree to remedy all site and building defects as documented in the:
 1. Building Condition Assessment reports prepared by Chall-ENG Services Inc. Consulting Engineers, dated Jun 21, 2010, with all corrections and improvements to be cleared as completed by an engineer retained by the owner;

2. Works Department - Engineering and Corporate Projects comments listed in Appendix 'A' of this report;
3. Works Department – Transportation Planning comments listed in Appendix 'A' of this report;
4. Windsor Fire and Rescue comments listed in Appendix 'A' of this report

All corrections and improvements shall be to the satisfaction of the Fire Chief, Chief Building Official and the City Engineer;

- F. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated August 20, 2010 and attached as Appendix 'A'. All corrections and improvements shall be to the satisfaction of the Chief of Police;
- G. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated August 26, 2010, as attached as Appendix 'A', and to submit a photometric plan. The photometric plan will be reviewed in consultation with Windsor Police Services and will be to the satisfaction of the Landscape Architect.
- H. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the City Planner.
- I. The owner shall agree to provide adequate screened storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws to the satisfaction of the Manager of Environmental Services and Chief Building Official.
- J. The owner shall agree to remedy all accessibility deficiencies as identified in the report of the Diversity and Accessibility Officer and attached as Appendix 'A' of the memo from the Planning Department dated December 9, 2011. All corrections and improvements shall be to the satisfaction of the Diversity and Accessibility Officer.
- K. The owner shall agree to provide Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

II Final approval of the plan of condominium shall not be considered until all of the required works under 'I'. Recommendations 'I' have been completed to the satisfaction of the respective departments and a condominium agreement has been registered against the subject lands.

Carried.

6. Presentations

Jim Dymant, Planner, Meridian Planning Consultants Inc., presenting information regarding the Sandwich South Secondary Plan.

See minutes for the Planning Act Matters which are attached as Appendix "A".

7. **Administrative Matters**

Item 3 Interim Control By-law Exemption, 245 Mill Street

Yingtao Shi, property owner appears before the standing committee and is available for questions regarding the interim control by-law exemption regarding 245 Mill Street.

Moved by Councillor Gignac, seconded by Councillor Maghnieh,

THAT an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008, **BE GRANTED** to Yingtao Shi, the owner of the residential property at 245 Mill Street, to add solar panels, lower a chimney, and add skylights as proposed, and as recommended by the Windsor Heritage Committee.

Carried.

Item 6 Request to close part of the north/south alley west of Turner Road southerly from Seneca Street

Larry Sweetman, resident of Ward 4 appears before the committee to speak in support of the administrative recommendations to deny the application to close part of the north/south alley west of Turner Road, southerly from Seneca Street, stating that in the 35 years that he has lived in the neighborhood the open alley has not created any issues.

Father Ljubo Lebo, Applicant and John Marsich, Finance Committee, St. Francis of Assisi Church appear before the committee to request the possibility of purchasing a portion of the alley, stating that the church is constantly cleaning the alley and vandalism continues to occur, and conclude by stating that by closing of the alley there would be a decrease in loitering of the neighbourhood teenagers.

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

- Church has installed lighting near the alley to prevent vandalism on church property.
- Teenagers continue to loiter in the alley and it is difficult for the Church to remove them from city owned property.
- Closing the alley will facilitate control in preventing illegal activities.
- Police can be called to assist with any nuisance issues, whether on church property or city owned lands.
- Public Works- engineering has requested that the alley remain open for accessing and maintaining the 300mm combined sewer.

Moved by Councillor Sleiman, seconded by Councillor Hatfield,

THAT the application to close part of the 4.27 metres (14 feet) wide north/south alley west of Turner Road, southerly from Seneca Street from approximately 94.49 metres (310 feet) as shown on Drawing Number CC-1619, attached hereto as Appendix "A" **BE DENIED** for the following reasons:

- (i) Public Works – engineering has requested that the alley remain open for accessing and maintaining the 300 mm combined sewer; and
- (ii) Opposition received from the property owners fronting on Byng Road.

Carried.

Councillor Maghnieh voting nay.

Item 4 Request to close and purchase part of the north/south alley system between Rossini Boulevard and Bernard Road, north of Seminole

Harry Yau, Agent, representing the Windsor Chinese Alliance Church appears before the committee regarding the application to close and purchase part of the north/south alley system between Rossini Boulevard and Bernard Road, and is available for questions.

Wayne Tratechaud, 1475 Bernard Road appears before the committee requesting that access to the alley and the adjoining street is maintained.

The salient points of discussion relating to the application to close and purchase part of the alley are as follows:

- Windsor Church Alliance Church applied to close and purchase the entire wide north/south alley between Rossini Boulevard and Bernard Road.
- The committee considered the application at the September 12, 2011 meeting, and requested that administration provide information regarding the alley and if there is requirement for a maneuvering aisle to accommodate the applicant's expansion.
- A meeting was held September 30, 2011 with the abutting neighbors, Harry Yau, Councillor Sleiman, and Planning staff.
- One-half of the alley is required to provide the required number of parking spaces for the church.
- A compromise was made to split the alley and provide a satisfactory expansion of the parking area for the church as well as provide limited potential access to the neighbors' rear yards and remaining open alley.

Moved by Councillor Sleiman, seconded by Councillor Hatfield,

I. **THAT** part of the 4.27 metre (14.0 feet) wide north/south alley system between Rossini Boulevard and Bernard Road, north of Seminole Street as shown on Drawing Number CC-1615, as amended, ***attached*** hereto as Appendix "A" **BE ASSUMED** for subsequent closure and conveyance to the abutting owners and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

II. **THAT** part of the 4.27 metre (14.0 feet) wide north/south alley system between Rossini Boulevard and Bernard Road, north of Seminole Street as shown on Drawing Number CC-1615, as amended, ***attached*** hereto as Appendix "A" **BE CLOSED AND CONVEYED** to the abutting owners subject to the following:

- Restrictive covenant prohibiting the erection of any fencing or vertical projection, including any natural or fabricated screening, as well as concrete or any other curbing on any portion of the requested closure as shown on Drawing No. CC-1615
- Easements are required in favour of:
 - Bell Canada
 - Enwin Utilities – Hydro Division
 - Cogeco Cable Systems Inc.
- The conveyance costs are as follows:
 - Abutting properties zoned RD1.2: \$1.00 plus deed preparation and proportionate share of survey cost

-Abutting properties zoned ID1.1: \$2.00 per square foot (\$21.53 per square metre) no easements and \$1.00 per square foot (\$10.76 per square metre) with easements

and further, **THAT** the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing CC-1615, as amended, attached hereto as Appendix "A", the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice, and further, that the City Solicitor **BE REQUESTED** to prepare the by-law to close and restrictive covenant, 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 the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Item 5 Application to close the east/west alley located north of Hanna Street East extending westerly from Marentette Avenue

Zoltan Veres, President, Hungarian Christian Women's League appears before the committee requesting that the committee waive the conveyance fee to close the east/west alley located north of Hanna Street East extending westerly from Marentette Avenue, concluding that the organization is a non-profit organization, dependent solely on volunteer efforts making it difficult to absorb such costs.

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

- The conveyance fee of \$4,000.00 would create undue hardship for the organization.
- Organization willing to pay for all other related costs.
- Council has the ability to waive the conveyance fee.
- The current policy requires Administration to set the conveyance price of closed alleys at market value when the alley abuts commercial properties.
- Administration does not support Mr. Veres request for a gratuitous conveyance.
- Administration indicates that there is a policy in place and that they adhere to the policy.

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,

I **THAT** the 3.97 metre (13 feet) wide east/west alley located north of Hanna Street East, and westerly from Marentette Avenue as shown on Drawing No. CC-1583, **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 3.97 metre (13 feet) wide east/west alley located north of Hanna Street East, and westerly from Marentette Avenue as shown on Drawing No. CC-1583, **attached** hereto as Appendix "A" and on the aerial photo **attached** hereto as Appendix "B" **BE CLOSED AND CONVEYED** at no cost except as noted:

- (a) Easements are required as follows:
- Cogeco Cable Systems Inc. for services which are attached to the Hydro pole line
 - Enwin Utilities – Hydro for an existing double 27.6KV high voltage circuit pole line
- (b) The alley lands are to be conveyed as follows:
- Costs of deed preparation and the 12R plan as invoiced to the City of Windsor by an Ontario Land Surveyor;
- and further:
- The City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1583, attached hereto as Appendix "A"
 - The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice
 - The City Solicitor, or designate, **BE REQUESTED** to prepare the By-law to close
 - The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor
 - The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Councillor Gignac voting nay.

8. **COMMITTEE MATTERS**

Property Standards Committee minutes of its meeting held October 12, 2011

Moved by Councillor Gignac, seconded by Councillor Sleiman,

THAT the minutes of the Property Standards Committee meeting held October 12, 2011 **BE RECEIVED** for information.

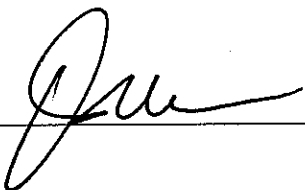
Carried.

9. **DATE OF NEXT MEETING**

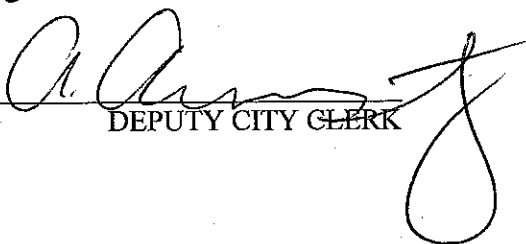
The next meeting of the Planning Standing Committee will be held on January 16, 2012 at 4:30 o'clock p.m. in Council Chambers.

10. **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)**

DECEMBER 12, 2011

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 E. Sleiman, Councillor P. Hatfield, Councillor A. Maghnieh, Councillor J. Gignac, Ms. C. Cross-Leal and Ms. B. Bjarneson.

Regrets: Merrill Baker

Also present are:

Mr. Thom Hunt – City Planner, Mr. Don Wilson - Manager of Development Applications & Secretary, Mr. Michael Cooke – Manager of Planning Policy, Mr. Chris Aspila – Planner, Mr. John Calhoun – Heritage Planner, Ms. Justina Nwaesei – Planner, Mr. Jim Abbs – Senior Planner and Ms. Marianne Sladic – Senior Clerk, Planning Department; Ms. Agatha Armstrong – Supervisor of Council Services/Deputy City Clerk; Ms. June Liu-Vajko - Engineering & Corporate Projects Department and Georgiana Mada (Co-Op Student); Ms. Lee Anne Doyle – Executive Director/Chief Building Official, Building Department; Mr. George Wilkki – City Solicitor, Legal Department; and Ms. Helga Reidel - CAO.

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.

ADOPTION OF THE MINUTES

Councillor Gignac, Ms. C. Cross-Leal and Ms. B. Bjarneson abstain from the vote due to their absence at the previous meeting.

Moved by Councillor Sleiman, seconded by Councillor Hatfield.

That the minutes of the Planning Advisory Committee (Planning Act Matters) meeting of October 11, 2011 **BE ADOPTED.**

Motion **CARRIED UNANIMOUSLY.**

The Chair introduces the first item on the agenda.

Item 1 – VIOREL BRUDA – 755 LOUIS AVE.

Ms. Bjarneson advises a pecuniary of interest and excuses herself from the presentation.

The applicant is requesting a zoning amendment to permit a lodging house/ residential care facility with 36 rooms and 80 beds within the existing building at 755 Louis Avenue. There is no addition or exterior work proposed for the existing building. However, upgrades and improvements are proposed for the existing parking area at the rear.

The subject land is designated Residential (low profile) in the Official Plan, and is zoned Commercial District 1.4 (CD1.4). The proposed zoning amendment will result in a change from the CD1.4 zoning category to the RD3.4 (Residential District 3.4) category.

The proposal includes a proposed merger of the facility at 755 Louis Avenue and the facility at 690 Cataraqi St. Same owner is in agreements to purchase both properties. [Justina Nwaesei – Planner]

Ms. Nwaesei points out information received earlier advising Mr. Bruda does not own 690 Cataraqi, but does not affect the re-zoning application. Recommendation is for approval.

Melanie Laforet-Muir (agent) – Dillon Consulting – 3200 Deziel Dr., Suite 608, Windsor, ON N8W 5K8. Concurs they (agent) were not aware Mr. Bruda does not currently own the other property (690 Cataraqi). Mr. Muir is present to answer any questions from the Committee.

Councillor Sleiman seeks clarification whether the two buildings are attached? Ms. Muir advises they are not and have no intention to join the two buildings. The Chair advises the application is for the re-zoning of 755 Louis Avenue only. Councillor Sleiman sees that the use is for long-term care. What does that involve? Ms. Muir advises the applicant has requested lodging house and residential care facility vying for grants which may include some nursing care but that is all the applicant has indicated. Councillor Sleiman asks what is involved in long-term care? Ms. Muir advises they are following the definition that is in the Official Plan for the lodging house and residential care facility. Councillor Sleiman inquires what the applicant intends to use the facilities for? Ms. Muir advises the applicant hasn't indicated a specific purpose whether it will be a residential or lodging house for long-term. It is dependent on the grant received.

Councillor Gignac asks of the agent if the applicant owns 690 Cataraqi? Ms. Muir advises that until that day, they (the agent) were advised the applicant had previously re-zoned the property and was owner of said property. The Chair adds the Children's Aid Society is still the owner of that property and there is an offer to purchase which has not yet closed.

Councillor Hatfield asks if the applicant has previous experience of long term care/lodging house? Ms. Muir advises the applicant has indicated he has other long-term facilities. He has purchased other buildings, rehabilitates them and either sells them or has others running them for him.

Councillor Gignac to Administration asks if there is any impact to this application regarding the ownership of 690 Cataraqi? Ms. Nwaesei advises there is no impact whatsoever. They are two separate properties. Councillor Gignac asks in terms of parking, allowed is one space

for every four (4), based on the use as residential or lodging? Ms. Nwaesei advises that although the applicant indicated both, the worst case scenario was taken into consideration, which is residential. Councillor Gignac requests clarification as to what is included in the Site Plan Process, i.e. Garbage bin placement, lighting, etc. Ms. Nwaesei advises no conceptual site plan was given, however, the applicant has indicated a willingness to upgrade. When it goes thru the Site Plan process there will be several departments indicating what would be the best way to upgrade it. That includes lighting, garbage, landscaping, etc. Councillor Gignac asks about the sewers. Will they be able to handle this additional capacity with what's there now? Ms. Nwaesei advises that Public Works indicates they can.

Councillor Sleiman questions Recommendation #II (a)(2) regarding installation of a back water valve. Why are we asking for it? Ms. Liu-Vajko advises that the request has become City standard in new developments. They have no information and no one has come forward to advise if there is a basement at this location. Ms. Muir advises there is a basement.

Mr. Wilson advises in regards to Recommendation III regarding road widening. In recent discussion with Administration, it was suggested that be deferred until the Site Plan Control process where it's normally taken. Therefore the request is that Recommendation III be removed. The Chair advises only the first two recommendations will be dealt with this evening.

Councillor Gignac inquires to the lodging house/residential care designation, is there a requirement for amenity areas for such use? Ms. Nwaesei advises not in the Zoning By-law but through the RD3.4 it is inferred there will be some landscaping. Councillor Gignac asks if there is anything where residents can sit out on park benches or tables? Ms. Nwaesei advises there are no specific requirements.

Moved by Councillor Hatfield, seconded by Councillor Sleiman.

I That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property described as West Part of Block A, Registered Plan 315, and municipally known as 755 Louis Avenue (Roll No. 030-015-05100) from CD1.4 to HRD3.4; and

II That the holding symbol **BE REMOVED** when the owner submits an application to remove the holding symbol and when the following conditions are satisfied:

- a) The applicant/owner enter into a Site Plan Agreement with the City of Windsor for the upgrade of the existing parking lot as shown generally on Appendix "C"- Site Plan. Such agreement shall show consideration for the following Public Works Department items, among others, at the Site Plan Approval stage:
 - (1) **Alley Contribution** of \$500.00 payable to the Publics Works and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.
 - (2) **Installation of Backwater Valve** or similar apparatus on any connection to municipal combined sewer, as a precaution and to mitigate possible damage from surcharge of the sewer to the satisfaction of the City Engineer.

Motion **CARRIED, UNANIMOUSLY.**

Item 2 – 832426 ONTARIO LTD. (COURTYARDS OF PARKWAY)

An application has been made by 832426 Ontario Limited, for approval of a plan of condominium to permit the conversion of an existing 14 building, 272 unit rental apartment complex to condominium tenure. The property is located east of Lauzon Road, north of Hawthorne Road, on both the east and west sides of Meadowbrook Lane. The buildings are known municipally as 2601, 2603, 2605, 2607, 2609, 2611, 2612, 2614, 2615, 2616, 2617, 2619, 2620, and 2621 Meadowbrook Lane. [Jim Abbs – Senior Planner]

Recommendation is for approval.

Mr. Jeffrey Slopen (attorney/agent) – 443 Ouellette Ave., Windsor, ON N9A 4J2, Mr. Karl Tanner (agent) – Dillon Consulting – 3200 Deziel Dr., Suite 608, Windsor, ON N8W 5K8 and Mr. Ally Esmail - owner (% Dan Hussey – 2609 Meadowbrook Lane, Unit 1, Windsor, ON N8T 2X9).

Mr. Slopen gives a history of the project noting it's been in process for over a year and numerous improvements and work orders have been addressed during that time, although some are still due for completion. Mr. Slopen reviews the recommendations, citing areas that can and will be addressed.

Mr. Slopen notes three issues where they (agents/owner) request some leniency. They are parking area upgrades, lighting and landscaping. Mr. Slopen brings attention to the requirement for accessible doors and the enormity of cost associated in replacing doors in all the buildings. Mr. Slopen addresses the parking area and requests the recommendation for improvements to the parking area be softened. The applicant fully intends to repair and maintain the parking area and feels it is adequately accessible. Would prefer to maintain an asphalt parking area instead of paving. Mr. Slopen turns the matter over to Mr. Tanner for further explanation of the other two issues.

Mr. Tanner expands on issues with:

- 1) Lighting – advises the number of units this entails and at time of construction the lighting provided was to standard. Through discussions with Mr. Horrobin (Police), the intent is to meet or exceed the requirements for light levels. They will choose the worst of the lots and expand from there. This one is really a non-issue.
- 2) Landscaping (pg. 31 & 32) – there are a few items that seem minor but are quite substantial. Out of the eleven items listed in the report, there are only three (3) items that need to be changed, in their opinion.
 - i) Continued Maintenance of the Property (Item 1) – This is a substantial sized property. To top dress and re-seed the entire site isn't practical. The property is maintained through cutting in summer but the property is not irrigated, therefore, grass is never overgrown. Request some relaxation on this request.

- ii) Lightproof Barrier and Hedging (Item 9) – Feel this item counters what Police comments request, providing natural surveillance by keeping things open. Believe there is a disconnect between Landscape Architect (requesting fencing/hedging) and Police (requesting to keep the property open). Request is to relax this requirement as there doesn't seem to be a need for it. Mr. Tanner notes no complaints from tenants pertaining to security or car lights shining into units. The facility has been there since 1971. The City constructed Lauzon Parkway in 1978. There has been no known issue regarding lights onto the parkway. Fencing is present along Lauzon Parkway. Although these items seem innocuous, they are a safety issue as well as a cost issue.
- iii) Fencing (Item 10) – The agents/owner do not feel fencing between them and the abutting complex is necessary. The neighbouring complex has undergone a similar transition and has opted to plant cedar trees along the property line, therefore this item can be deleted.

The Chair notes supplemental information provided concerning recommendation items J & K. The Chair points out item J concerning accessibility as to what Mr. Slopen was referring to when advising that the property will be maintained and accessible.

Councillor Hatfield comments about Mr. Tanner's "phasing" in of lighting and questions whether the condominium conversion too will be "phased" in a unit at a time for blanket approval. Mr. Slopen advises that won't be the case. Councillor Hatfield points out the sidewalks and walkways, some being natural created by tenants. Mr. Slopen advises those were paved but require some remediation and are prepared to do that as well.

Councillor Hatfield asks what will be done with the playground? Mr. Slopen advises the playground has been removed. Mr. Slopen goes on to discuss improvements made over the past year, noting the age of the property and the need to upgrade as a result. Advises the property is structurally and electrically sound. There has been significant improvement to the area as a result.

The Chair makes note concerning Councillor Hatfield's first question. Unless all the requirements are met, the applicant cannot promote the complex as a condominium. They have three (3) years to complete the requirements to the satisfaction of the various departments. If they cannot be completed, the applicant may request an extension after two (2) years. The requirements must be met in full then registered. Upon completion of registration, the applicant may then promote the facility as a condominium.

Councillor Gignac thanks the applicant for working to provide affordable home ownership and asks when they'll be on the market for purchase and for what price they'll be for sale at? Mr. Slopen advises uncertainty as to when that will occur as it depends on the amount of work needed to meet the requirements and how long that will actually take. Once the prerequisites are completed the units will be put on the market right away. The cost will be determined at that time based on market conditions. Those conditions cannot be determined at this time.

Ms. Bjarneson mentions the amount of work orders and the number of repairs already completed. Ms. Bjarneson brings attention to unit at 2612 and the conditions of the shingles.

Wants to know if they're aware of them and whether that'll be addressed? Also mentions the condition of the parking lots which are in need of repair. Mr. Slopen advises the work is in progress. Ms. Doyle advises the work orders come through the Building Department and advises that they have noted that approximately 50% of the work has been completed to date.

Councillor Maghnieh asks if the applicant is confident that all the recommendations from the Police Planner will be met? Mr. Slopen states they have no issue with any of the recommendations. Councillor Maghnieh seeks clarification on the items Mr. Tanner presented concerning landscaping. Inquires which item numbers Mr. Tanner was referring to. Mr. Tanner advises under "Required" Item 1 on page 31 and Items 9 & 10 on page 32. The remaining items can and will be met. Councillor Maghnieh asks which Ward this falls under. The Chair advises this is Ward 8.

Ms. Cross-Leal refers to Councillor Gignac's question about selling the units, noting the tax reduction and whether that was the only purpose in selling them? Mr. Slopen advises that the owner (Mr. Esmail) wants to sell the units but the question as to when is uncertain. Ms. Cross-Leal inquires about the parking lots and that they wouldn't be paved. How would they be addressed? Mr. Slopen advises the potholes would be filled in and/or the lot asphalted.

Councillor Sleiman confirms with Mr. Slopen that the applicant has no problem in providing handicap parking? Mr. Slopen agrees and advises it is already provided. Councillor Sleiman inquires about the recommendation for bicycle rack. How many bicycle racks will they provide and how many bicycles will each rack accommodate? Mr. Slopen advises there will be one (1) rack per building accommodating as many bicycles as the Municipality requires per building (between 3 and 5 bikes). Councillor Sleiman mentions Mr. Slopen's comment regarding accessible doors and asks if the applicant will provide accessible doors? Mr. Slopen advises the amount of doors to replace to be equivalent to replacing the doors of a 10-storey building, the equivalence to 112 doors adding there is no room to put them in and to do so would destroy the buildings. Councillor Sleiman notes this is a Provincial Act that the Municipalities must comply with. Mr. Slopen advises they will comply with whatever statutory compliances are given subject to the condition of the application for approval. Councillor Sleiman refers to the Tax Chart on page 21 regarding tax loss to the City as almost \$200,000 per year. Mr. Slopen notes there's somewhat of a misunderstanding and questions this as well. Continues to say that is only for one (1) year. The estimated is less than \$70,000 on an ongoing basis. Because of the conversion from a multiple residential building to a single family unit, the mill rate changes but after that it levels out. The difference ultimately is approximately \$70,000 after the first year. Councillor Sleiman asks whether the applicant will extend this savings to the people purchasing these units or will it be market value? Ms. Slopen advises it has to be market value. Eventually the buyers assume the taxes, therefore they will benefit from the lower tax rate.

Councillor Hatfield inquires about the required doors and what is actually stated in the Provincial Act and the legal requirement to have them. The Chair advises the answer to that question is currently not available and asks to defer that portion for when it comes to Council and address it at that time, noting the ODA does not apply to existing/older buildings. However, there should be information provided to assist in answering this question when it comes to Council.

Councillor Hatfield asks if this was a new building, would those doors be required. Mr. Wilson adds that the Planning Standing Committee has been putting on specific requirements for accessibility each time the Committee has dealt with Condo Conversion applications and gives an example (273 Detroit St.). Each building is different, and in this instance there are 14 buildings.

Mr. Wilson suggests having representation from the Accessibility Officer to answer these questions either at a future Planning Standing Committee meeting or at Council.

Councillor Hatfield also inquires about parking lot upgrades and do we allow at times only a partial upgrade? Is it a) In the Committee's ability to do that, and b) To insist that all of the designated handicap parking spots and pathways areas to and from the building be upgraded first. Mr. Wilson recalls a PSC application on Tecumseh Rd. E. containing four (4) buildings with a similar requirement. The request was for widened sidewalks and walkways between the building and handicap parking spot, as well as detailed comments from the Accessibility Officer. Again, that item was deferred until it went to Council on those issues. As for the parking lots, the Committee has been consistent in requesting parking lot improvements to a certain standard. This particular complex is over 40 years old and requires substantial improvements.

Ms. Doyle adds that the eighteen (18) work orders issued pertained to improvements of the parking lots to repair several items and the request was to entirely resurface the parking lots that are gravelled and/or potholed as well as drained and replace curb stops. The orders read; All parking areas to be paved or maintained with hard surface consisting of concrete, asphalt, paving brick or block. Secondly, be provided with internal drainage system, and thirdly that curb stops be installed.

Councillor Hatfield's final question is whether there is any leeway concerning the screening fence. Mr. Abbs advises the applicant will have to provide some sort of screening to the satisfaction of the Landscape Architect. The Landscape Architect and Police Planner would have to meet to determine what would be most appropriate.

Councillor Gignac notes a comment made concerning a disconnect between the Landscape Architect and Police Planner in terms of their expectations and how to monitor these sites. Mr. Hunt addresses the comment advising the Police Planner refers to is for crime prevention through environmental design and is not in direct conflict with those of the Landscape Architect. Mr. Hunt draws attention to Item 9 and the comment concerning maximum height of the light proof barrier, fence or hedging be four (4) feet. That is certainly in keeping with the same principle.

Councillor Gignac inquires to the package that comes to Council. Are they circulated to all the departments? Is there some collaboration or discussion? Mr. Hunt advises the comments are done simultaneously and one comment may be received prior to another. Ultimately, it is up to the Planner to make the final decision as to whether the comments are in harmony and make the appropriate recommendation to synthesize comments made by the other departments.

Councillor Gignac asks when the tax benefit comes into play in terms of the conversion? Mr. Abbs advises once the application is complete and finally registered in the registry office is when the tax benefit takes effect. Councillor Gignac seeks confirmation whether MPAC would evaluate the property once this occurs in order to determine the tax for each individual unit accordingly. Mr. Abbs confirms this.

Ms. Bjarneson seeks to clarify the request for accessible doors. Ms. Bjarneson interprets the requirement to be for only two (2) doors per building entrance as opposed to the 112 mentioned by Mr. Slopen. The Chair advises the request was per floor. Ms. Bjarneson states that makes no sense since there are no elevators to the 2nd and/or 3rd floors for the building to warrant accessible doors. Ms. Bjarneson interprets it to be from the parking lot and to the main doors which constitutes two doors per building, a total of 28 doors. Mr. Abbs advises that when he received the comments he had interpreted them to mean the entrance doors only. Mr. Esmail advises there is an external door and internal door, two doors per entrance, four doors per building which equals 56 doors total.

Ms. Bjarneson inquires as to the work orders, how many were issued and when were they issued? Ms. Doyle advises that the work orders were issued in 2010 and some were issued in 2011 and are in the process of refreshing some of the orders that are outstanding from 2010. There were orders issued for every building, approximately eighteen in total, consisting of, on average, 18 defects per building. Ms. Bjarneson asks in terms of the parking lot and willingness to repair the lot, would that set a precedent in terms of other applications? Ms. Doyle advises the orders are consistent and come from the Property Standards By-law. That same standard is expected throughout the City.

Ms. Bjarneson inquires about adequate garbage bins. She notes viewing the site. Some buildings had one bin others had two but they were all over-flowing. Is there a requirement or should they add more bins? Is there a standard? Ms. Doyle advises that one of the defects identified per building were in respect to these bins. Under the Dirty Yards By-law, through Compliance and Enforcement, a separate order can be issued for over-flowing or lack of regular pick-up of refuse. Those tools are used to assist and educate the property owners to comply.

Ms. Cross-Leal inquires regarding Police Planner and Landscape Architect, which would have the authority when fulfilling the recommendation. Mr. Hunt advises the recommendation passed by Council are to be followed. The recommendations presented are for consideration by the Committee. Mr. Hunt states again that he doesn't believe either are in conflict. Having said that, there is a trade-off as to aesthetics, public and personal safety.

Ms. Cross-Leal asks for clarification on the amended recommendations J & K. Ms. Cross-Leal questions why Union Gas would make a recommendation regarding accessibility. Mr. Abbs clarifies Union Gas did not make a recommendation regarding accessibility. Those comments came from the City's Accessibility Officer. Union Gas happened to send comments late. The original recommendation J is to be replaced with the amended version and recommendation K was added following comments received by Union Gas.

Mr. Wilson adds to Mr. Hunt's comments. In the past, if there's been a conflict between two (2) departments, they work together to resolve and come to a mutually beneficial conclusion.

Councillor Sleiman asks if there are any indoor amenities? Is this a requirement? Mr. Abbs advises it is not a requirement. There were some amenities offered outside (playground) but that equipment has been removed.

Councillor Sleiman advises in the past, when reviewing an application for condo conversion, the committee is provided with a percentage of the vacancy rate in the city and what of the existing stock. What is the existing stock of what's been converted? Whether the question can be answered immediately or not, what Councillor Sleiman would like to see in future is information as to the number of units that have been converted and the number that have not.

Councillor Hatfield advises visiting the units and notes he saw no elevators. They are all either two storey or three storey walk-up units. If a person in a wheelchair was to purchase a unit, they would consider the ground floor only. That being said, Councillor Hatfield seeks clarification whether both accesses require accessibility. Will this be reviewed with Ms. Jones (Accessibility Officer). The Chair nods his confirmation.

Moved by Councillor Gignac to approve the recommendations, including the addendum and also the deferral of item J for further information at Council. Seconded by Councillor Sleiman.

- I That the application of 832426 Ontario Ltd. (Courtyards of Parkway) for approval of a draft plan of condominium for a property legally described Part of Lot 125, Concession 2, City of Windsor, as designated as Parts 1 to 8, Registered Plan 12R-13659, located at 2601, 2603, 2605, 2607, 2609, 2611, 2612, 2614, 2615, 2616, 2617, 2619, 2620, and 2621 Meadowbrook Lane, to permit the conversion of fourteen apartment buildings, 8, 2-storey buildings containing 16 residential dwelling units each and 6, 3-storey buildings containing 24 residential dwelling units each, for a total of 272 units, from rental to condominium status, as shown on the attached Map Numbers CDM-004/10-2 to CDM-004/10-10 BE APPROVED subject to the following:
- L. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
 - M. That the draft plan approval shall lapse on _____ (3 years from the date of approval);
 - N. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
 - O. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
 - P. The owner shall agree to remedy all site and building defects as documented in the:

1. Building Condition Assessment reports prepared by Chall-ENG Services Inc. Consulting Engineers, dated Jun 21, 2010, with all corrections and improvements to be cleared as completed by an engineer retained by the owner;
2. Works Department - Engineering and Corporate Projects comments listed in Appendix 'A' of this report;
3. Works Department – Transportation Planning comments listed in Appendix 'A' of this report;
4. Windsor Fire and Rescue comments listed in Appendix 'A' of this report

All corrections and improvements shall be to the satisfaction of the Fire Chief, Chief Building Official and the City Engineer;

- Q. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated August 20, 2010 and attached as Appendix 'A'. All corrections and improvements shall be to the satisfaction of the Chief of Police;
- R. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated August 26, 2010, as attached as Appendix 'A', and to submit a photometric plan. The photometric plan will be reviewed in consultation with Windsor Police Services and will be to the satisfaction of the Landscape Architect.
- S. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the City Planner.
- T. The owner shall agree to provide adequate screened storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws to the satisfaction of the Manager of Environmental Services and Chief Building Official.
- U. The owner shall agree to remedy all accessibility deficiencies as identified in the report of the Diversity and Accessibility Officer and attached as Appendix 'A' of the memo from the Planning Department dated December 9, 2011. All corrections and improvements shall be to the satisfaction of the Diversity and Accessibility Officer.
- V. The owner shall agree to provide Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

II Final approval of the plan of condominium shall not be considered until all of the required works under 'I'. Recommendations 'I' have been completed to the satisfaction of the respective departments and a condominium agreement has been registered against the subject lands.

Motion **CARRIED, UNANIMOUSLY.**

Presentation of the Sandwich South Secondary Plan – Coordinated Studies (PowerPoint Presentation). See attached. Presented by Jim Dymont (over the phone) with the assistance of Mike Cooke – Manager of Planning Policy.

NOTE: The actual PowerPoint presentation can be viewed by staff/Council at: I: Council Powerpoint/Jim Dymont Sandwich South Presentation to Planning Standing Committee 121211.

Moved to receive by Councillor Hatfield, seconded by Ms. Bjarneson.

Motion **CARRIED, UNANIMOUSLY.**

Meeting adjourned: 6:00 pm

Councillor Bill Marra, Chair

Mr. D. Wilson, Secretary

/ms