

AC/  
Windsor, Ontario, July 11, 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 (arrives at 4:37 o'clock p.m.)  
Councillor Sleiman

Citizen Members

Merrill Baker  
Cheryl Cross-Leal

Members Absent

Councillor Gignac  
Barbara Bjarneson

Delegations

Ron Balla, representing the Coffee Exchange Inc.  
Shawna Vedhuis, representing Magnetsigns Windsor South/North  
Hal Kersey, representing the Applicant 4909 Riverside Dr. E. for rezoning

*Also present are the following from Administration:*

George Wilkki, City Solicitor and Corporate Leader Economic Development and Public Safety  
Thom Hunt, City Planner  
Bill Jean, Manager of Permit Services, Deputy Chief Building Official  
Jim Abbs, Planner III, Subdivisions  
Kevin Alexander, Planner III, Community Development  
Justina Nwaesei, Planner II, Research  
Noushy Tavassoli, Planner III, Senior Urban Designer  
Marianne Sladic, Steno Clerk Senior (A)  
Anna Ciacelli, Council Assistant

1. Call to Order

The meeting is called to order at 4:33 o'clock p.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

3. Requests for Deferrals, Referrals or Withdrawals

Councillor Hatfield requests that Item 6 Rezoning – 4909 Riverside Drive East -2248090 Ontario Ltd be deferred as it is an issue concerning Ward 6 which is Councillor Gignac's ward and she is unable to attend today's meeting.

Councillor Marra calls for any objections, none are noted.

**Item 6 Rezoning – 4909 Riverside Drive East -2248090 Ontario Ltd.**

Moved by Councillor Hatfield, seconded by Councillor Sleiman  
PSC8/11 That Item 6 Rezoning – 4909 Riverside Drive East -2248090 Ontario Ltd. **BE DEFERRED** to the next meeting of the Planning Standing Committee, to allow for Councillor Gignac to be in attendance.  
Carried.

**4. Adoption of Minutes**

Moved by Councillor Hatfield, seconded by Councillor Sleiman,  
That the minutes of the meeting of the Planning Advisory Committee held June 13, 2011 **BE ADOPTED** as presented.  
Carried.

Councillor Hatfield inquires as to whether the agenda/minutes of the Planning Standing Committee can be separated into sections that the entire committee can participate in, and a section which only Council members who sit on the Planning Standing Committee can participate in. Administration will provide an update at a future meeting.

**5. Business Items**

**Planning Act Matter**

**Item 5 Zoning Amendments – Quonset Huts within Residential Areas in Windsor**

Councillor Maghnieh comments that he is in support of the administrative recommendation but questions the potential of enforcement.

J. Nwaesei, Planner II, Research & Development indicates there will be some challenges because it is a new area for enforcement but administration will work through it.

Councillor Hatfield indicates that Waterloo currently has a by-law prohibiting Quonset huts in residential areas.

J. Nwaesei, indicates there isn't currently a problem regarding this issue, but this will alleviate issues before they arise.

Councillor Sleiman questions whether this report is the result of complaints about these structures on industrial or commercial properties that are close to residential areas.

T. Hunt, City Planner explains these types of structures are currently allowed in commercial and industrial areas and this will address the issue in residential areas should it be required.

Councillor Maghnieh commends the effort by Councillor Dilkens to bring forward the issue, adding that these type of structures shouldn't exist in residential neighbourhoods and that they will cause blight issues, and property standards issues.

Councillor Hatfield agrees with Councillor Maghnieh indicating that they cause a blemish in residential areas instead of blight.

Councillor Sleiman agrees and adds that the structures are not an appropriate look for residential areas.

Moved by Councillor Maghnieh, seconded by Councillor Hatfield,  
**PSC7/11** That in response to Council's directive contained in M101-2011, the following  
**BE APPROVED** to further amend Zoning By-laws 8600 and 85-18:

- (1) Add the following definition to Section 7 of By-law 8600:

**"Quonset Hut"** means a prefabricated structure having a semicircular cross section ("full arch" design) or a curved roof with straight walls cross section ("mailbox" design), and occupying an area greater than 10 square meters.

- (2) Add the following to Subsection 12, Section 21 of By-law 8600:

(a) The construction, or installation of a Quonset Hut is prohibited in any Residential District

(b) A Quonset Hut lawfully existing on a lot in any Residential District prior to the passing of this bylaw is permitted; however, an addition, expansion, or extension to, or the replacement of an existing Quonset Hut is prohibited.

- (3) Add the following definition to Section 3 of By-law 85-18:

**"Quonset Hut"** means a prefabricated structure having a semicircular cross section ("full arch" design) or a curved roof with straight walls cross section ("mailbox" design), and occupying an area greater than 10 square meters.

- (4) Add the following to Subsection 16, Section 5 of By-law 85-18:

(a) The construction, or installation of a Quonset Hut is prohibited in any Residential District.

(b) A Quonset Hut lawfully existing on a lot in any Residential District prior to the passing of this bylaw is permitted; however, an addition, expansion, or extension to, or the replacement of an existing Quonset Hut is prohibited.

Carried.

The *Planning Act* matters are heard and the committee recesses at 4:47 o'clock p.m. to allow the citizens of the committee to depart.

The Committee reconvenes at 4:51 o'clock p.m. and the regular items on the agenda are heard.

**Item 1 266 Ouellette Avenue o/a the Coffee Exchange Inc.—New Mini Cafe**

Ron Balla, representing the Coffee Exchange Inc. provides a brief history of his establishment and an overview of the benefits of allowing a mini cafe at this location.

Councillor Hatfield inquires as to the outcome should the concept of mini cafes in the downtown area take off.

R. Balla indicates it would redefine cafes providing for interaction between businesses and the people of the City

T. Hunt states it is more flexible. The tables will be away from the building front wall, and allow for pedestrian movement. This is a pilot project and administration will report back their findings.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**PSC9/11** That the application by Ron Balla owner and operator of 1214750 Ontario Ltd. (The Coffee Exchange Inc.), for permission to erect a Mini Café at 266 Ouellette Avenue, as shown on the **attached** Drawing C-3101, **BE APPROVED** subject to the following conditions:

1. Applicant and owner comply with all requirements of the sidewalk cafe handbook except location at building/property line.
2. Require a minimum 8-foot wide (2.4 metres) clear sidewalk aisle adjacent to the Mini Café tables and chairs for pedestrians on Ouellette Avenue.
3. The applicant is permitted to erect a maximum of two (2) tables and eight (8) chairs as defined in the Sidewalk Cafe handbook.

*“Mini Cafe - a sidewalk cafe on the public right-of-way, which encroaches a maximum of 6 feet, with no railings, a maximum of 2 tables and 8 chairs. It is not licensed by the AGCO, and complies with all requirements of the Sidewalk Cafe Handbook. “*

4. The City requires a certificate of insurance from the applicant that is satisfactory to the Risk Management Supervisor.
5. Fees for 2011 are waived, including the reduction of the Street Opening Permit fee of \$132.00 to \$1.00 for 2011 as per council motion M96-2011 on April 6, 2011.

Carried.

**Item 2 373 Detroit Street**

Councillor Hatfield questions the physical address of the application.

Jim Abbs Planner III, Subdivisions indicates there is no impact to the condominium application whether it is a 1 bedroom or 2 bedroom unit. The address refers to the same building and the municipal address is correct.

Councillor Sleiman inquires whether it is a condominium which contains units which will be rented or purchased.

Jim Abbs indicates it currently contains units that will be rented and the owner is in the process of making application to convert it into a condominium where the units can be purchased. The procedure for the request remains unchanged whether the units are purchased or rented.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,  
**PSC10/11** 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, 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.

### Item 3 Sign By-law 250-2004 General Housekeeping Amendment July 2011

Shawna Veldhuis, representing Magnetsigns Windsor South/North provides several factors for opposing the amendment to the current by-law. She questions the requirement of an elaborate site plan, which would cause further delay and add additional costs to basic sign applications. She indicates her firm has always been diligent about providing applications for signs and feels the added necessity of the site plan will have the opposite effect on other sign companies deterring them from following the process as her business does on every occasion. She states that this will also cause the City to have decreased revenues, and increased expenses for by-law enforcement.

Councillor Hatfield inquires as to why the amendment is required and whether issues have arisen.

Noushy Tavassoli, Planner III, Senior Urban Designer indicates there have been some complaints and adding this requirement will strengthen the legal aspect of the by-law, providing a specific criteria that is necessary when making an application. The site plan can be a simple scale drawing, and doesn't have to be an elaborate site plan undertaken by a survey company.

Bill Jean states that currently the application has a number of questions and check boxes and usually applicants check all boxes "yes" and they don't meet some requirements, this will reinforce that everyone is mandated to abide by the by-law. He also indicates that usually a site plan is available on file that will be sufficient for the requirement and the sign company can have this faxed to them to use with the application.

Councillor Hatfield inquires as to whether the two sides can work together on some wording in the recommendation to provide for assistance to the applicant. All sides are in general agreement.

Councillor Maghnieh inquires as to whether this will cause further time constraints in receiving a permit.

Bill Jean indicates that the procedures have changed and they have only one dedicated person in the office who takes care of sign applications. Applications are faxed in and they are addressed immediately with a very quick turnaround time.

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,  
**PSC11/11** That the City of Windsor Sign By-Law (By-Law 250-2004) **BE AMENDED** to add the requirement for a site plan for Temporary Signs (Section 4.2.2) and further, that a meeting **BE HELD** with the local sign companies and the building department regarding a possible compromise respecting the wording that will appear in the by-law regarding the type of site plan necessary, prior to the amended by-law being forwarded to Council.  
 Carried.

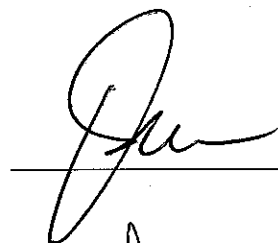
**Item 4 Amendment to Sign By-Law 250-2004 for Schlegel Village Inc. The Village of Aspen Lake, 9855 McHugh Street our file No SGN-001/11**

Moved by Councillor Hatfield, seconded by Councillor Sleiman  
**PSC12/11** That the application of Schlegel Village Inc. for an amendment to the By-Law 250-2004 (City of Windsor Sign By-Law) to permit one permanent two sided ground sign, as depicted by Appendices A, B, C, and D on the property known municipally as 9855 McHugh Street **BE APPROVED** and that By-Law 250-2004 **BE AMENDED**;

That a minimum setback of 2.0 metres from the McHugh Street property line **BE INCLUDED** in the amendment to By-Law 250-2004.  
 Carried.

6. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:18 o'clock p.m.

  
 CHAIR

  
 COUNCIL SECRETARIAT

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

Original signed minutes (of Planning  
Act Matters) are with the Planning  
Department

**JULY 11, 2011**

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A meeting of the Windsor Planning Standing Committee was held this day at 4:33 p.m. in the Council Chambers, Third Floor, City Hall, there being present:

Councillor B. Marra - Chair, Councillor P. Hatfield, Councillor E. Sleiman, Councillor A. Maghnieh, Mr. M. Baker, and Ms. C. Cross-Leal.

Regrets: Councillor J. Gignac and Ms. B. Bjarneson.

Also present are:

Mr. J. Abbs – Acting Manager of Development Applications & Secretary, Mr. Thom Hunt – City Planner, Mr. John Revell – Planner, Ms. Justina Nwaesei – Planner, Mr. Kevin Alexander – Acting Manager of Urban Design, Ms. Noushy Tavassoli – Planner III Senior Urban Designer, and Ms. M. Sladic – Senior Clerk, Planning Department; Mr. George Wilkki – City Solicitor; Mr. Bill Jean – Manager of Permit Services/Deputy Chief Building Official.

**GENERAL BUSINESS:**

**ADOPTION OF THE MINUTES**

Moved by Councillor P. Hatfield and seconded by Councillor E. Sleiman.

That the minutes of the Planning Standing Committee meeting of June 13, 2011 **BE ADOPTED.**

Approve: Councillor Sleiman and Councillor Hatfield.

Refrain: C. Cross-Leal and M. Baker

Motion **CARRIED.**

Ms. C. Cross-Leal advises the reason for refraining from the vote due to being present for only the portion of the meeting that required her presence.

After a brief discussion amongst the members it is decided that there would be two (2) sets of Meeting Minutes; one for the portion in which all Members of the Planning Standing Committee are present and one for the remaining portion in which only Council Members are present.

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 of the public present if there are any requests for deferral. Hearing none, he introduces the first item on the agenda.

**Item 6 – AMICA (WINDSOR) INC. – 4909 Riverside Dr. E.**

The subject property is located at 4909 Riverside Drive East, south of Riverside Drive, east of Pillette Road and north of Pleasant Place. It is the site of the AMICA mature lifestyles (retirement) facility and is designated Residential in the Official Plan and is zoned "H" Residential District 3.7 (HRD3.7). The applicant is seeking a site specific provision from Zoning By-Law 8600 that requires a restricted access gate between the front and rear parking areas. The front and rear parking areas are connected by a driveway and the gate is intended to restrict access by preventing a direct connection to Riverside Drive East from Pleasant Place. The applicant is also seeking to remove the holding ("H") as part of this application.

Mr. John Revell (Planner) is the Author/Planner of the report.

Councillor Hatfield motions for a deferral. The application refers to Councillor Gignac's Ward and Councillor Hatfield thinks she would want to be present to be able to represent her constituents. Councillor Hatfield asked the agent (Mr. Kersey) in the audience if this would be acceptable to him as well at which time Mr. Kersey nodded his agreement and would be present at the next meeting on August 15<sup>th</sup>.

Moved by Councillor Hatfield, seconded by Councillor Maghnieh.

That the application of Amica (Windsor) Inc. at 4909 Riverside Dr. **BE DEFERRED** to August 15, 2011, in order to have Councillor Gignac present for the report review.

Motion **CARRIED, UNANIMOUSLY.**

**ITEM 5 – QUONSET HUTS**

The City of Windsor is proposing amendments to the Zoning By-laws for all lands within its boundaries. The proposed amendment to the bylaws is in response to a directive from City Council.

Planning is recommending restrictive clauses for the proposed amendments to the Zoning By-laws 8600 and 85-18.

The recommendations will achieve the following:

Define a Quonset Hut and Prohibit Quonset Huts on lands within Residential Zoning Districts in the City of Windsor.

Ms. Justina Nwaesei (Planner) summarizes the report. The recommendation is for approval.



Councillor Magnieh states support of the recommendations. Councillor Magnieh questions whether the restrictions will be tough enough and if there is support through the Municipal and Planning Acts to enforce the objectives noted in the recommendations. Ms. Nwaesei advises these are new grounds. There will be challenges and the recommendations are not fool proof. Attempts have been made to address some of the areas of concern.

Councillor Hatfield notes the City of Waterloo prohibits the location of Quonset Huts on any land within the city of Waterloo. Councillor Hatfield suggests perhaps referring to their by-law for reference for anyone that may challenge the by-law. Councillor Hatfield states that originally he was opposed to this but has since changed his mind, seeing the merit of the change before it becomes a problem.

Councillor Sleiman views the application as prohibiting these structures in residential areas, however, notes some residential areas are in close proximity to industrial and commercial zones. Ms. Nwaesei advises the by-law amendment was requested due to a complaint received pertaining to a structure in a residential zone. There are structures on industrial and commercially zoned properties but no complaints have been received pertaining to those. At this time, there is no issue with Quonset Huts used for industrial or commercial purpose and in close proximity to a residential zone.

Mr. Hunt clarifies for Councillor Sleiman that the way the by-law is written, it only prohibits Quonset Huts in the residential area. The instance where a residential zone is close to industrial or commercial zone with such a structure can exist. But such a structure would not be permitted in a residential zone.

Moved by Councillor Magnieh, seconded by Councillor Hatfield.

I That in response to Council's directive contained in M101-2011, the following **BE APPROVED** to further amend Zoning By-laws 8600 and 85-18:

(1) Add the following definition to Section 7 of By-law 8600:

**"Quonset Hut"** means a prefabricated structure having a semicircular cross section ("full arch" design) or a curved roof with straight walls cross section ("mailbox" design), and occupying an area greater than 10 square meters.

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(b) A Quonset Hut lawfully existing on a lot in any Residential District prior to the passing of this by-law is permitted; however, an addition, expansion, or extension to, or the replacement of an existing Quonset Hut is prohibited.

(3) Add the following definition to Section 3 of By-law 85-18:

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(4) Add the following to Subsection 16, Section 5 of By-law 85-18:

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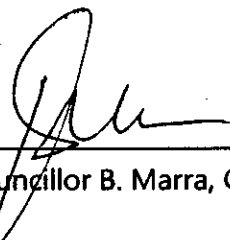
Councillor Magnieh commends Councillor Dilkens who first sparked the initiative where the complaint originated. Councillor Magnieh is in full support of the amendment, seeing first-hand the type of atmosphere such structures can create (lack of yard & structure maintenance, etc.).

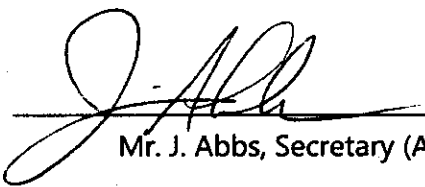
Councillor Hatfield disagrees that this is a magnet for blight, although it can be a blemish to a residential area due to lack of maintenance or completion of such projects and therefore is in support of the amendment.

Councillor Sleiman is definitely in support but has concerns for future if the structure's design changes.

Motion **CARRIED, UNANIMOUSLY.**

1<sup>st</sup> Half of Meeting adjourned: 4:43 pm

  
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Councillor B. Marra, Chair  
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Mr. J. Abbs, Secretary (A)