

Development & Heritage Standing Committee Meeting

Date: Monday, September 21, 2020

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

Members Present:

Councillors

Ward 3 - Councillor Bortolin (Chairperson)

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 7 - Vacant

Ward 10 - Councillor Morrison

Members

Member Baker

Member Bulmer

Member Foot

Member Fratangeli

Member Gyemi

Member Miller

Member Moore

Member Rondot

Clerk's Note: Members participated via video conference, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Shelby Askin Hager, City Solicitor

Thom Hunt, City Planner

Wira Vendrasco, Deputy City Solicitor

Michael Cooke, Manager of Planning Policy & Deputy City Planner

Rob Vani, Manager of Inspections & Deputy Chief Building Official

James Chacko, Senior Manager of Parks

Jeff Hagan, Transportation Planning Senior Engineer

Patrick Winters, Development Engineer

George Robinson, Planner II – Revitalization & Policy Initiatives

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Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Kristina Tang, Planner III – Heritage
Marianne Sladic, Clerk Steno Senior
Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

Delegations—participating via video conference

Item 7.1 Melanie Muir, Dillon Consulting
Item 7.2 Jeff Libby, Manager, Windsor Operations, Titanium Trucking Services Inc.
Item 7.3 Christian LeFave, President, Brotto Family Holdings Ltd., Suburban
 Construction & Mgt. Ltd.
Item 7.3 Harry Froussios, Sr. Associate, and Rob MacFarlane, Planner, Zelinka Priamo
 Ltd.
Item 7.3 Kevin McCaughley, area resident
Item 10.1 Fr. Chadi Kattan, St. Peter’s Maronite Catholic Church
Item 10.2 Jerry Kavanaugh and Damian Kacprzak, Architectural Design Associates Inc.,
 Architects
Item 11.1 Ted Hopkins, area resident
Item 11.3 Richard Chene, applicant
Item 11.5 Melanie Muir, Dillon Consulting
Item 11.6 Melanie Muir, Dillon Consulting
Item 11.7 Stephen Berrill, ADA Architects

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:33 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

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3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

7.1. Rezoning Application for properties known as 3945 and 3985 Dougall Avenue; Applicant: 2319576 Ontario Ltd.; File No. Z-014/19, ZNG/5898; Ward 1

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

THAT the report of the Senior Planner – Subdivisions dated September 5, 2020, entitled “Rezoning Application for properties known as 3945 and 3985 Dougall Avenue; Applicant: 2319576 Ontario Ltd.; File No. Z-014/19, ZNG/5898; Ward 1” **BE DEFERRED** to a future meeting of the Development and Heritage Standing Committee to allow for the applicant to address issues raised by administration and submit a revised application.

Carried.

Report Number: S 39/2020
Clerk’s File: ZB/13592

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 4:40 o’clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:40 o’clock p.m.

11.1. Close and Convey Part of the North/South Alley Between Dougall Ave and Church St, From Liberty St to Beals St W - SAA/6064 - Applicant: Raminderpreet Sidhu - Ward 1

Ted Hopkins, Area Resident

Ted Hopkins, area resident, appears via video conference before the Development and Heritage Standing Committee and is available to provide comment regarding the administrative report “Close and Convey Part of the North/South Alley between Dougall Ave and Church St, From Liberty St to Beals St W - SAA/6064 - Applicant: Raminderpreet Sidhu - Ward 1”.

Moved by: Councillor Holt
Seconded by: Councillor Morrison

THAT the report of the Senior Planner – Policy & Special Studies dated September 1, 2020, entitled “Close and Convey Part of the North/South Alley Between Dougall Ave and Church St, From Liberty St to Beals St W - SAA/6064 - Applicant: Raminderpreet Sidhu - Ward 1” **BE**

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DEFERRED to a future meeting of the Development and Heritage Standing Committee to allow for administration to address the concerns of area residents.

Carried.

Report Number: S 118/2020

Clerk's File: SAA2020

11.3. Close and Convey a Portion of the North/South Alley Between Crawford Avenue and Oak Street, From Montrose Street to Tecumseh Boulevard West and the East/West Alley Between 1370 Oak Street and 1380 Oak Steet - SAA/4133 - Applicants: Richard & Adrienne Chene - Ward 3

Richard Chene, Applicant

Richard Chene, Applicant, appears via video conference before the Development and Heritage Standing Committee and is available to provide comment regarding the administrative report "Close and Convey a Portion of the North/South Alley between Crawford Avenue and Oak Street, From Montrose Street to Tecumseh Boulevard West and the East/West Alley between 1370 Oak Street and 1380 Oak Street - SAA/4133 - Applicants: Richard & Adrienne Chene - Ward 3."

Moved by: Councillor Holt

Seconded by: Councillor Morrison

THAT the report of the Senior Planner – Policy & Special Studies dated September 1, 2020, entitled "Close and Convey a Portion of the North/South Alley Between Crawford Avenue and Oak Street, From Montrose Street to Tecumseh Boulevard West and the East/West Alley Between 1370 Oak Street and 1380 Oak Steet - SAA/4133 - Applicants: Richard & Adrienne Chene - Ward 3" **BE DEFERRED** to a future meeting of the Development and Heritage Standing Committee to allow for administration to address the concerns of area residents.

Carried.

Report Number: S 120/2020

Clerk's File: SAA2020

11.4. Close and Convey Part of the North/South Alley East of Marentette Ave Abutting the West Side of 840 Wyandotte St E, From Wyandotte St E to Brant St - SAA/6060 - Applicant: Seiko Homes - Ward 4

Moved by: Councillor Holt

Seconded by: Councillor Morrison

THAT the report of the Senior Planner – Policy & Special Studies dated September 1, 2020, entitled "Close and Convey Part of the North/South Alley East of Marentette Ave Abutting the West Side of 840 Wyandotte St E, From Wyandotte St E to Brant St - SAA/6060 - Applicant: Seiko

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Homes, Ward 4" **BE DEFERRED** to a future meeting of the Development and Heritage Standing Committee to allow for administration to address the concerns of area residents.

Carried.

Report Number: S 121/2020

Clerk's File: SAA2020

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Items) portion is adjourned at 4:45 o'clock p.m.

The Chairperson calls the *Planning Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 4:45 o'clock p.m.

4. COMMUNICATIONS

None presented.

5. ADOPTION OF THE *PLANNING ACT* MINUTES

5.1. Minutes of the Development & Heritage Standing Committee (*Planning Act*) meeting - August 10, 2020

Moved by: Councillor Sleiman

Seconded by: Member Moore

THAT the *Planning Act* minutes of the Development & Heritage Standing Committee meeting held August 10, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 273/2020

Clerk's File: MB2020

6. PRESENTATION DELEGATIONS (*PLANNING ACT* MATTERS)

See Items 7.2 and 7.3.

7. *PLANNING ACT* MATTERS

7.2. Interim Control By-law Exemption 2020-10 - Titanium Trucking Services Inc - 0 Devon Drive - Ward 9

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Moved by: Councillor Holt

Seconded by: Councillor Sleiman

Decision Number: **DHSC 195**

1) THAT the request of Titanium Trucking Services Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for the property at 0 Devon Drive (east side of Devon Drive at Foster Avenue) **BE APPROVED**.

2) THAT Council **AMEND** By-law 78-2019 by adding to Section 6 the following:

j) 0 Devon Drive - East side of Devon Drive at Foster Avenue

Lots 26 to 28, Registered Plan 1629; PIN 01561-2468; Roll No. 070-080- 01200

Carried.

Report Number: S 110/2020

Clerk's File: SPL2020

7.3. Official Plan Amendment and Zoning By-law Amendment - 7887 Edgar Street - Suburban Construction and Management Ltd. - Z012-20 [ZNG-6081] and OPA 133 [OPA-6082] - Ward 6

Moved by: Member Gyemi

Seconded by: Member Moore

Decision Number: **DHSC 196**

1. THAT Schedule D: Land Use of the City of Windsor Official Plan, Volume I **BE AMENDED** by designating the property described as Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020) as Residential.

2. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020), from CD2.1 to RD 3.1 and by adding a site specific provision to Section 20(1) as follows:

“395 SOUTH SIDE OF EDGAR STREET, WEST OF LAUZON ROAD

For the lands comprising Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, the following additional provisions shall also apply:

- a) Building Setback - minimum - 3.0 m from the northerly *lot line*;
- b) Building Height – maximum – 16 m

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- c) Landscaped Open Space Yard – minimum – 29% of *lot area*;
 - d) *Screening fence* minimum 1.8 metres in height and landscaping shall be installed along the westerly *lot line*.
[ZDM 14; ZNG/6081]”

- 3. THAT the following items **BE REFERRED** to the Site Plan Review Committee, for inclusion in a Site Plan Control Agreement:
 - i) Mitigation measures as identified in noise report by JJ Acoustic Engineering Ltd. dated April 9th 2020.
 - ii) A gratuitous land conveyance for a 6.1m x 6.1m corner cut-off at the intersection of Lauzon Road and Edgar Street.
 - iii) The owner is to provide a minimum total of thirty (30) 70mm caliper trees on the site as a condition of Site Plan Approval. If the owner's landscape plan cannot support the minimum requirement of trees, then any deficiency to that requirement is to be compensated with Cash-in-lieu to the Parks Department (for trees to be planted elsewhere in the city) at a rate of \$450 per tree that is not able to be planted on the site.

Carried.

Report Number: S 90/2020
Clerk's File: ZO/13912

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act* Matters) portion is adjourned at 5:39 o'clock p.m.

The Chairperson calls the *Heritage Act* Matters portion of the Development & Heritage Standing Committee meeting to order at 5:39 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Adoption of the Development & Heritage Standing Committee minutes of its meeting held July 13, 2020

Moved by: Member Baker
Seconded by: Member Foot

THAT the minutes of the Development & Heritage Standing Committee meeting held July 13, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 214/2020
Clerk's File: MB2020

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8.2. Adoption of the Development & Heritage Standing Committee minutes of its meeting held August 10, 2020

Moved by: Member Baker
Seconded by: Member Foot

THAT the minutes of the Development & Heritage Standing Committee meeting held August 10, 2020 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 244/2020
Clerk's File: MB2020

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE ADMINISTRATIVE MATTERS)

See Items 10.1, 10.2, 11.5, and 11.6.

10. HERITAGE ACT MATTERS

10.1. 166 Tecumseh Rd W, St. Peter's Maronite Catholic Church (former Ste. Clare of Assisi Catholic Church)- Heritage Alteration Permit and Built Heritage Fund Request (Ward 3)

Fr. Chadi Kattan, St. Peter's Maronite Catholic Church

Fr. Chadi Kattan, St. Peter's Maronite Catholic Church, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "166 Tecumseh Rd W, St. Peter's Maronite Catholic Church (former Ste. Clare of Assisi Catholic Church) - Heritage Alteration Permit and Built Heritage Fund Request (Ward 3)" and is available for questions.

Councillor Holt remarks that structures such as this one are incredibly important to the community and adds that he looks forward to this building coming back to its original glory.

Moved by: Councillor Holt
Seconded by: Member Foot

Decision Number: **DHSC 197**

- I. THAT a total grant of an upset amount of \$78,535 from the Built Heritage Fund (Reserve Fund 155), **BE GRANTED** to St. Peter's Maronite Catholic Church, for conservation work for

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the roofing, flashing, windows, masonry and concrete, at 166 Tecumseh Road West, subject to:

- a. Submission of satisfactory product details
 - b. Determination by the City Planner that the work is completed to heritage conservation standards and the City Building Official for building code compliance (if required);
 - c. Owner's submission of paid receipts for work completed;
 - d. That the Built Heritage Fund (Reserve Fund 155), grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date;
 - e. Any further minor changes to the scope of work be delegated to the City Planner; and,
- II. THAT a Heritage Alteration Permit for the, 166 Tecumseh Rd W, **BE GRANTED**, for the following:
- a. Installation of flashing over the original windows to control water damage at the Church
 - b. Alterations to the Victoria Avenue and Tecumseh Road West concrete entrances subject to further restoration of the entrances to be confirmed with the City Planner or designate.
- III. THAT the City Planner or designate **BE DELEGATED** the authority to approve alteration details to the concrete entrances that are still to be determined, with the intent of restoration of the entrances, and approve minor changes to the heritage alterations associated with this phase and scope of conservation work as described for the property.

Carried.

Report Number: S 113/2020

Clerk's File: MBA/4897

10.2. 3203 Peter Street, Mason-Girardot Manor -Community Heritage Fund Request (Ward 2)

Moved by: Councillor Sleiman

Seconded by: Member Baker

Decision Number: **DHSC 198**

THAT the request by Aléthinos Properties Ltd, the owners of 3203 Peter Street, Mason-Girardot Manor, for a grant of an upset amount of \$23,943.54 from the Community Heritage Fund (Reserve Fund 157), for the repair and replacement of windows, **BE APPROVED**, subject to:

- a. Determination by the Chief Building Official (if part of building permit) and the City Planner that the work is completed to applicable codes and heritage conservation standards;
- b. Owner's submission of paid receipts for work completed;

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- c. That the Community Heritage Fund (Reserve Fund 157) grants approved shall lapse if the applicant has not completed the work and fulfilled the conditions within 2 years of the approval date.

Carried.

Report Number: S 115/2020

Clerk's File: MBA2020

There being no further business the meeting of the Development & Heritage Standing Committee (*Heritage Act Matters*) portion is adjourned at 5:44 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 5:44 o'clock p.m.

11. ADMINISTRATIVE ITEMS

11.5. Close and Convey the North/South Alley Between Northwood Street and EC Row Expressway, East of Rankin Avenue and West of Partington Avenue - SAA/6065 - Applicant: South Windsor Development Co. - Ward 10

Melanie Muir, Dillon Consulting

Melanie Muir, Dillon Consulting, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Close and Convey the North/South Alley Between Northwood Street and E.C. Row Expressway, East of Rankin Avenue and West of Partington Avenue - SAA/6065 - Applicant: South Windsor Development Co. - Ward 10" and is available for questions.

Councillor Bortolin inquires whether the concerns of residents have been resolved. Councillor Morrison indicates that the alleys are vacant land which will increase the size of their properties. Councillor Morrison indicates there aren't any issues other than providing education to the residents regarding the process of purchasing the alley and he adds that people are not aware of the survey costs.

Moved by: Councillor Morrison

Seconded by: Councillor Holt

Decision Number: **DHSC 200**

- I. THAT the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Rankin Avenue and West of Partington Avenue, and shown on Drawing No. CC-1772 attached as Appendix "A", **BE ASSUMED** for subsequent closure.

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- II. THAT the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Rankin Avenue and West of Partington Avenue, and shown on Drawing No. CC-1772 attached as Appendix "A", **BE CLOSED AND CONVEYED** in two equal halves, along the centre of the subject alley, to the abutting property owners, subject to the following:
- a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
- Bell Canada, MNSi and Enwin Utilities Ltd.
- III. THAT Conveyance Cost **BE SET** as follows:
- a. For alley abutting lands zoned Residential RD1.1 or Holding Residential HRD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1772, *attached* as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 122/2020
Clerk's File: SAA2020

11.6. Close and Convey the North/South Alley Between Northwood Street and EC Row Expressway, East of Partington Avenue and West of Roxborough Boulevard - SAA/6066 - Applicant: South Windsor Development Co. - Ward 10

Melanie Muir, Dillon Consulting

Melanie Muir, Dillon Consulting, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Close and Convey the North/South Alley Between Northwood Street and E.C. Row Expressway, East of Partington Avenue and West of Roxborough Boulevard - SAA/6066 - Applicant: South Windsor Development Co. - Ward 10" and is available for questions.

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

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Decision Number: **DHSC 201**

- I. THAT the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Partington Avenue and West of Roxborough Boulevard, and shown on Drawing No. CC-1773 attached as Appendix "A", **BE ASSUMED** for subsequent closure.
- II. THAT the portion of the 4.27 metre wide north/south alley located between Northwood Street and EC Row Expressway, east of Partington Avenue and West of Roxborough Boulevard, and shown on Drawing No. CC-1773 attached as Appendix "A", **BE CLOSED AND CONVEYED** in two equal halves, along the centre of the subject alley, to the abutting property owners, subject to the following:
 - a) Easement, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - Enwin Utilities Ltd.
- III. THAT Conveyance Cost **BE SET** as follows:
 - a. For alley abutting lands zoned Holding Residential HRD1.1 or Holding Residential HRD1.2: \$1.00 plus deed preparation fee and proportionate share of the survey costs as invoiced to The Corporation of the City of Windsor by an Ontario Land Surveyor.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1773, *attached* as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 123/2020
Clerk's File: SAA2020

11.2. Close and Convey Part of Daytona Avenue, West of 2640 Sorrento Court, South of Grand Marais Road West - Applicants: Namir Chahine and Racha Younes - SAA/5916 - Ward 1

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

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Decision Number: **DHSC 199**

- I. THAT the portion of the 7.01 metre wide north/south portion of Daytona Avenue located west of 2640 Sorrento Court and, south of Grand Marais Road West and shown as "Part 1" on Drawing No. CC-1763 *attached* as Appendix 'A', **BE ASSUMED** for subsequent closure.
- II. THAT the portion of the 7.01 metre wide north/south portion of Daytona Avenue located west of 2640 Sorrento Court and, south of Grand Marais Road West and shown as "Part 1" on Drawing No. CC-1763 *attached* as Appendix 'A', **BE CLOSED AND CONVEYED** to the applicant, and adjusted as necessary, in a manner deemed appropriate by the City Planner.
- III. THAT Conveyance Cost **BE SET** at \$217.55 per square metre.
- IV. THAT The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1763, *attached* as Appendix "A".
- V. THAT The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).
- VI. THAT The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor.
- VII. THAT the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Report Number: S 119/2020
Clerk's File: SAA2020

11.7. Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2236278 Ontario Ltd for 6160 Tecumseh Road East (Ward 8)

Councillor Bortolin inquires whether a plan for development is required for CIP incentives. Greg Atkinson, Senior Planner, appears via video conference before the Development and Heritage Standing Committee regarding the administrative report "Brownfield Redevelopment Community Improvement Plan (CIP) application submitted by 2236278 Ontario Ltd for 6160 Tecumseh Road East (Ward 8)" and indicates a plan is not required for the Environmental Site Assessment Grant Program. Mr. Atkinson indicates that a Phase I Environmental Site Assessment is required as well as research into the background of the property that points to potential contamination. Once that is complete, then a cost estimate to do Phase II, which consists of soil and groundwater sampling, is completed. Mr. Atkinson provides details related to clean-up of contamination should it be required. Mr. Atkinson provides details related to the tax base program, which is the second phase of the brownfield incentives.

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

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Decision Number: **DHSC 202**

- I. THAT the request made by 2236278 Ontario Ltd. to participate in the Environmental Site Assessment Grant Program **BE APPROVED** for the completion of a proposed Phase II Environmental Site Assessment Study for property located at 6160 Tecumseh Road East pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and,
- II. THAT the City Treasurer **BE AUTHORIZED** to issue payment up to a maximum of \$15,000 based upon the completion and submission of a Phase II Environmental Site Assessment Study completed in a form acceptable to the City Planner and City Solicitor to be funded from the Brownfield Strategy / Remediation Account (project # 7069003).

Carried.

Report Number: S 114/2020
Clerk's File: Z/8955

12. COMMITTEE MATTERS

None presented.

13. QUESTION PERIOD

None registered.

14. ADJOURNMENT

There being no further business the meeting of the Development & Heritage Standing Committee (Administrative Matters) is adjourned at 5:52 o'clock p.m.

Ward 3 - Councillor Bortolin
(Chairperson)

Supervisor of Council Services

**Development & Heritage Standing Committee
(Planning Act Matters)**

**Date: Monday, September 21, 2020
Time: 4:33 pm**

MEMBERS PRESENT:

Councillors:

Ward 3 - Councillor Bortolin (Chair)
Ward 4 - Councillor Holt
Ward 5 - Councillor Sleiman
Ward 7 - Vacant
Ward 10 - Councillor Morrison

Members:

Member Gyemi
Member Moore
Member Rondot

Clerk's Note: Members participated via video conference, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Shelby Askin Hager, City Solicitor
Thom Hunt, City Planner
Wira Vendrasco, Deputy City Solicitor
Michael Cooke, Manager of Planning Policy & Deputy City Planner
Rob Vani, Manager of Inspections & Deputy Chief Building Official
James Chacko, Senior Manager of Parks
Jeff Hagan, Transportation Planning Senior Engineer
Patrick Winters, Development Engineer
George Robinson, Planner II – Revitalization & Policy Initiatives
Greg Atkinson, Planner III – Economic Development
Justina Nwaesei, Planner III – Subdivisions
Adam Szymczak, Planner III – Zoning
Kristina Tang, Planner III – Heritage
Marianne Sladic, Clerk Steno Senior
Sandra Gebauer, Council Assistant
Anna Ciacelli, Supervisor of Council Services

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Delegations—participating via video conference

- Item 7.1 Melanie Muir, Dillon Consulting
- Item 7.2 Jeff Libby, Manager, Windsor Operations, Titanium Trucking Services Inc.
- Item 7.3 Christian LeFave, President, Brotto Family Holdings Ltd., Suburban Construction & Mgt. Ltd.
- Item 7.3 Harry Froussios, Sr. Associate, and Rob MacFarlane, Planner, Zelinka Priamo Ltd.
- Item 7.3 Kevin McCaughley, area resident
- Item 10.1 Fr. Chadi Kattan, St. Peter's Maronite Catholic Church
- Item 10.2 Jerry Kavanaugh and Damian Kacprzak, Architectural Design Associates Inc., Architects
- Item 11.1 Ted Hopkins, area resident
- Item 11.3 Richard Chene, applicant
- Item 11.5 Melanie Muir, Dillon Consulting
- Item 11.6 Melanie Muir, Dillon Consulting
- Item 11.7 Stephen Berrill, ADA Architects

1. CALL TO ORDER

The Chairperson calls the meeting of the Development & Heritage Standing Committee to order at 4:33 pm.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

Item 7.1 – Rezoning Application for properties known as 3945 & 3985 Dougall Ave.

Applicant: 2319576 Ontario Ltd

File: Z-014/19 [ZNG/5898]

Ward 1

Moved by: Councillor Holt

Seconded by: Councillor Sleiman

THAT the report of the Senior Planner – Subdivisions dated September 5, 2020, entitled “Rezoning Application for properties known as 3945 and 3985 Dougall Avenue; Applicant: 2319576 Ontario Ltd.; File No. Z-014/19, ZNG/5898; Ward 1” **BE DEFERRED** to a future meeting of the Development and Heritage Standing Committee to allow for the applicant to address issues raised by administration and submit a revised application.

Carried.

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Report Number: S 39/2020
Clerk's File: ZB/13592

There being no further business the meeting of the Development & Heritage Standing Committee (*Planning Act Matters*) portion is adjourned at 4:40 o'clock p.m.

The Chairperson calls the Administrative Items portion of the Development & Heritage Standing Committee meeting to order at 4:43 o'clock p.m.

4. COMMUNICATIONS

None

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1 Minutes of the Development & Heritage Standing Committee (*Planning Act Matters*) minutes held August 10, 2020.

Moved by: Councillor Sleiman

Seconded by: Member Moore

THAT the Minutes of the Development & Heritage Standing Committee meeting (*Planning Act Matters*) meeting held August 10, 2020 **BE ADOPTED** as presented.

CARRIED.

Report Number: SCM 273/2020
Clerk's File: MB2020

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

None

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7. PLANNING ACT MATTERS

7.2 ICBL Exemption 2020-10 – Titanium Trucking Services Inc. 0 Devon – Rezoning Ward 9

Chair notes additional information submitted by Jeff Libby

Adam Szymczak (author), Planner III – Zoning, presents the application.

Jeff Libby, Manager of Windsor Operations – Titanium Trucking notes the company is actively seeking to purchase the property at the corner at 3324 Marentette, an abandoned warehouse complex. To accomplish this, both lands must be rezoned for trucking purposes. The lot in question is strictly for parking of trailers. There will be no offices or trucks/tractor trailers.

Member Gyemi inquires what the consequences of Option A or B would mean for the applicant. Mr. Libby advises that denial of the exemption would result in the cease and desist of the operation on the site and they would be required to exit the premises.

Member Gyemi to Administration seeks clarification for the Exemption when zoning will change in future which may allow for said operations. Chair Bortolin explains that is what the Exemption request is for. It is to allow the applicant to continue operating while a change of zoning for the area is in process, with the intent of allowing said operations as permissible. Mr. Gyemi is concerned that any additional mitigations would not be enforceable. Mr. Szymczak clarifies that the applicant is required to enter into an SPC Agreement, at which point SPC would require any additional mitigation measures. Denial at this stage stops operations immediately. Mr. Libby interjects advising any mitigation would be enforced. Titanium Trucking wants to be a good neighbour The lot has always been a trailer parking lot. There was never any thought there was a zoning issue.

Member Moore seeks clarification for the acquisition of the property on Marentette. Mr. Libby provides detailed information on the future prospects for the property and company's intent.

Councillor Sleiman inquires whether anyone in the community has responded or any complaints to their Councillor or the City regarding this site? Mr. Szymczak advises there have been no complaints received. Mr. Libby has also advised they have worked with the adjacent property owners to address any concerns

Councillor Holt inquires why some applications for Exemption have been deferred until a report has come to Council? Mr. Szymczak advises, there are only two choices; denial or approval. Deferral would be the same as denying the exemption. There is a Work Order on the property. The City would have to act on that Order.

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Motion to approve exemption
Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: **DHSC 195**

RECOMMENDATIONS

- 1) THAT the request of Titanium Trucking Services Inc. for an exemption from the provisions of Interim Control By-law 78-2019 for the property at 0 Devon Drive (east side of Devon Drive at Foster Avenue) **BE APPROVED.**
- 2) THAT Council **AMEND** By-law 78-2019 by adding to Section 6 the following:
 - j) 0 Devon Drive - East side of Devon Drive at Foster Avenue
Lots 26 to 28, Registered Plan 1629; PIN 01561-2468; Roll No. 070-080-01200

Motion CARRIED, UNANIMOUSLY

Report Number: S 110/2020
Clerk's File: SPL2020

7.3 Z-012/20 [ZNG/6081] & OPA 133 [OPA/6182] – Suburban Construction and Management Ltd. 7887 Edgar St – Rezoning & Official Plan Amendment Ward 6

George Robinson (author), Planner II – Revitalization & Policy Initiatives, presents the application.

Robert McFarlane (Zelinka Priamo), agent – they're in agreement with recommendations. Mr. McFarlane reads through and addresses comments from area residents. Those concerns being:

- 1) Traffic –
Traffic Dept noted no issues. Sight line requirements will be adhered to. No major impact to the area.
- 2) Height –
Requesting only 2 additional metres is generally to account for architectural design features, ie. Parapets. Also providing generous setbacks from the residences.
- 3) Compati
bility and Site Design – Building's been pushed closer to the street and landscaping cut back in order to be more compatible with adjacent commercial properties and residential uses. Providing garages which provide buffer for residences.

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- 4) Services
– These will be addressed through SPC so not to adversely affect the area/residences. Sanitary, capacity, storm water all to be addressed.

Kevin McCully (resident) was online to provide feedback. Had computer issues. Chair Bortolin asks Mr. McCully to forward any issues/concerns in writing to Clerks and/or Council Members. Councillor Sleiman notes local residents' concerns regarding heights and especially services. Councillor inquires whether the area experienced flooding. Mr. Winters addresses these concerns and advises what will be required of the applicant through Site Plan Control to mitigate these factors. Councillor Sleiman inquires whether landscaping can be used to address the height concern. Mr. Robinson addresses this concern advising what Mr. McFarlane already expressed regarding a generous setback of 30m, building closer to the road, garage used as buffer and the additional 2 metres to be used for building esthetic purposes.

Member Gyemi inquires whether the garages have solid walls providing a visual block of car lights and noise? Mr. McFarlane confirms they are solid structures. Member Gyemi inquires what the additional 6 feet/2m is required for? Peaked roof? Mr. LeFave (applicant) looking to do a wood truss roof, but are also looking into concrete or steel, depending on costs. Looking to add parapets in order to provide a more residential look over a commercial look and make it esthetically appealing.

Member Gyemi inquires about the 3m setback requirement. Mr. Robinson advises there is no 3m setback requirement for commercial area. Noise Study was required for this application and noise mitigation will be addressed through Site Plan Control.

Councillor Holt inquires about the Cash in Lieu in regarding to trees. Are the requisite number of trees not going to be planted? Mr. Robinson advises there is a number of trees required and if the applicant is unable to plant the required number, a cash in lieu of is required. All to be addressed during Site Plan Control for the Landscaping Plan. Mr. McFarlane advises it is their goal to implement as many trees to the site as is physically possible.

Chair Bortolin, speaking on behalf of the resident (Kevin McCully), inquires about Traffic and entrance to the site. Are there any foreseeable issues regarding getting in and out of the site off Edgar. Mr. Hagan advises the size of the development did not warrant a Traffic Impact Study. In reviewing the application, Traffic saw no issues with the development to the surrounding neighbourhood. Chair advises the resident has noted the power goes out in the neighbourhood often. Would this development put further strain on utilities? Mr. Robinson notes the application was circulated to Enwin and they had no concerns with the proposed development. They will also likely be recirculated during the SPC phase.

Moved by: Member Gyemei
Seconded by: Member Moore

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Member Gyemi spoke to the application in support. Chair Bortolin adds that residents will be able to provide their input during the future Council meeting and there will be a SPC process but believes many of concerns were addressed during this meeting.

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Decision Number: **DHSC 196**

RECOMMENDATIONS

1. THAT Schedule D: Land Use of the City of Windsor Official Plan, Volume I **BE AMENDED** by designating the property described as Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020) as Residential.
2. THAT Zoning By-law 8600 **BE AMENDED** by changing the zoning of Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, located on the south side of Edgar Street, west of Lauzon Road (shown as the subject lands on Appendix D to Report S90/2020), from CD2.1 to RD 3.1 and by adding a site specific provision to Section 20(1) as follows:

“395 SOUTH SIDE OF EDGAR STREET, WEST OF LAUZON ROAD

For the lands comprising Lots 21 & 22, Part Lots 20, 23 & 24 Plan 980; Part Closed Alley; Part Lot 127 Concession 1 Sandwich East, now designated as Parts 1, 7 and 8 on Reference Plan 12R24215, the following additional provisions shall also apply:

- a) Building Setback - minimum - 3.0 m from the northerly *lot line*;
- b) Building Height – maximum – 16 m
- c) Landscaped Open Space Yard – minimum – 29% of *lot area*;
- d) *Screening fence* minimum 1.8 metres in height and landscaping shall be installed along the westerly *lot line*.

[ZDM 14; ZNG/6081]”

3. THAT the following items **BE REFERRED** to the Site Plan Review Committee, for inclusion in a Site Plan Control Agreement:
 - i) Mitigation measures as identified in noise report by JJ Acoustic Engineering Ltd. dated April 9th 2020.
 - ii) A gratuitous land conveyance for a 6.1m x 6.1m corner cut-off at the intersection of Lauzon Road and Edgar Street.
 - iii) The owner is to provide a minimum total of thirty (30) 70mm caliper trees on the site as a condition of Site Plan Approval. If the owner's landscape plan cannot support the minimum requirement of trees, then any deficiency to that requirement is to be compensated with Cash-in-lieu to the Parks Department (for trees to be planted elsewhere in the city) at a rate of \$450 per tree that is not able to be planted on the site.

Motion CARRIED, UNANIMOUSLY.

Report Number: S 90/2020
Clerk's File: ZO/13912

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8. ADJOURNMENT

There being no further business, the meeting of the Development & Heritage Standing Committee is adjourned at 5:39 p.m.

Moved by Councillor Holt
Seconded by Councillor Morrison

Motion CARRIED, UNANIMOUSLY

Ward 3 – Councillor Bortolin
(Chairperson)

Thom Hunt
(Secretary)