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Windsor, Ontario, February 9, 2015

A meeting of the **Planning, Heritage and Economic Development 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 Holt  
Councillor Kusmierczyk  
Councillor Payne  
Councillor Sleiman

**Planning Act Citizen**

B. Bjarneson

**Regrets**

M. Baker

**Heritage Act Citizens**

Lynn Baker  
Robin Easterbrook  
Noreen Slack  
Simon Chamely

**Regrets**

Andrew Foot  
Jeffrey Mellow

**Delegations**

Al Shipley (Item 1)  
Kevin Flood (Item 1)  
Jacqueline Gagnon (Item 4)  
Edna LaBonte, (Item 4)  
Edward Dell (Item 4)  
Karl Barnard (Item 5)  
John Fairley (Item 6)

***Also present are the following from Administration:***

Wira Vendrasco, Deputy City Solicitor  
Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Mike Clement, Acting Director of Parks/Manager of Parks Development  
Mark Winterton, Executive Director of Operations  
John Revell, Assistant/Developmental Chief Building Official  
Neil Robertson, Manager of Urban Design  
Sahar Jamshidi, Planner II – Development Review  
Adam Szymczak, Senior Planner

John Calhoun, Heritage Planner  
Laura Diotte, Planner III – Special Projects  
Robert Barlozzari, Council Secretariat

1. **CALL TO ORDER**

The Chairperson calls the meeting of the Planning, Heritage and Economic Development Standing Committee to order at 4:30 o'clock p.m.

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

None disclosed.

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

**Item 2 St. Barnabas Church, 2115-2121 Chilver Road, Request for Demolition of Property on Heritage Register**

Moved by Councillor Holt, seconded by Councillor Kusmierczyk,  
THAT Item 2 of Heritage Act Matters entitled "St. Barnabas Church, 2115-2121 Chilver Road, Request for Demolition of Property on Heritage Register" **BE DEFERRED** to the Monday, March 9, 2015 meeting of the Planning, Heritage and Economic Development Standing Committee.

Carried.

4. **COMMUNICATIONS**

None.

5. **ADOPTION OF MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Holt,  
THAT the minute of the Planning, Heritage and Economic Development Standing Committee (*Planning Act* Matters) meeting held January 12, 2015 **BE ADOPTED** as presented.

Carried.

6. **PLANNING ACT MATTERS**

**Item 1 Amendment to Zoning By-law 8600 – 725 Randolph Avenue, Al Shipley & Shelley Kaschak, to permit a semi-detached dwelling on the subject parcel.**

**Mr. Al Shipley, Applicant**

Mr. Al Shipley, Applicant, appears before the Planning, Heritage and Economic Development Standing Committee and is available for question regarding his request to permit a semi-detached dwelling at 725 Randolph Avenue.

**Mr. Kevin Flood, Resident**

Mr. Kevin Flood appears before the Planning, Heritage and Economic Development Standing Committee towards convey his support to Mr. Shipley's application and project.

Moved by Councillor Payne, seconded by Councillor Kusmierczyk

That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of part of Lots 712 and 713, Registered Plan 682, situated on the west side of Randolph Avenue between Wyandotte Street West and Union Street and known municipally as 725 Randolph Avenue, from RD1.3 to HRD2.2;

That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding provision and when the following condition is satisfied:

- a. **Land Conveyance** – Prior to the issuance of a Building Permit, the owner shall agree to gratuitously convey to the Corporation, land sufficient to create at 20 metre wide right-of-way on Randolph Avenue. This conveyance shall be 0.85-metres along the entire frontage of the subject property.

Carried.

7. **ADOPTION OF THE MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Holt,

**THAT** the minutes of the meeting of the Planning, Heritage and Economic Development Standing Committee held January 12, 2015 **BE ADOPTED** as presented.

Carried

8. **PRESENTATIONS AND DELEGATIONS FOR ADMINISTRATIVE AND COMMITTEE MATTERS**

**Item4 Request under the alley Closing Subsidy Program (ACSP) to close the north/south alley located between Tourangeau Road and Rossini Boulevard, south of Reginald Street and north of Alice Street**  
**Edna LaBonte, Applicant**

Edna LaBonte, Applicant, appears before the Planning, Heritage and Economic Development Standing Committee and is available for questions regarding the request to close the north/south alley located between Tourangeau Road and Rossini Boulevard, south of Reginald Street and north of Alice Street

**Jacqueline Gagnon, Resident**

Jacqueline Gagnon, resident, appears before the Planning, Heritage and Economic Development Standing Committee and states that she disagrees with the administrative recommendations to close the alley. Ms. Gagnon explains that she requires the alleyway to remain open so that she may access her garage. Ms. Gagnon further indicated that she would be agreeable to a partial closing of the alley if it did not restrict access to her garage from Alice Street.

**Edward Dell, Resident**

Edward Dell, resident, appears before the Planning, Heritage and Economic Development Standing Committee citing that he does not support a partial closing of the alley, but rather supports full closure as per the administrative recommendations.

Moved by Councillor Sleiman, seconded by Councillor Holt,

I. That part of the north-south alley located between Tourangeau Rd. and Rossini Blvd., south of Reginald St. and north of Alice St. having two different widths of 4.27m (14ft) wide for a length of 38m from Reginald Street, and 4.9m (16ft) wide for the remaining part of the alley continuing south to Alice Street, as shown on Drawing CC-1670a **attached** hereto as Appendix "A", **BE ASSUMED** for subsequent closure from its northern limit at Reginald St. to the south lot line of 1662 Tourangeau Rd. (PLAN 1099; LOT 170);

II. That part of the north-south alley located between Tourangeau Rd. and Rossini Blvd., south of Reginald St. and north of Alice St., having two different widths of 4.27m (14ft) wide for a length of 38m from Reginald Street, and 4.9m (16ft) wide for the remaining part of the alley continuing south to Alice Street, as shown on Drawing CC-1670a attached hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, from its northern limit at Reginald St. to the south lot line of 1662 Tourangeau Rd. (PLAN 1099; LOT 170), subject to the following:

- i. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
    - i. Bell Canada, Cogeco Cable Canada LP, and Enwin Utilities Ltd (Hydro)
  - ii. Conveyance Cost **BE SET** as follows:
    - Abutting properties zoned RD1.2 and GD1.1:
      1. \$1.00 plus alley subsidy cost of \$99.00 **during** the alley subsidy program;
      2. \$1.00 plus alley subsidy cost of \$99.00 **after** the expiration of the alley subsidy program according to CR88/2014 (for LiveLink REPORT#: 17038)
      3. Abutting properties zoned GD1.1: to be retained for municipal purposes
- III. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1670, ***attached*** hereto as Appendix "A"
- IV. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice
- 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.

**Livelihood #17542 SAA2015**

**Item 5 Request under the Alley Closing Subsidy Program (ACSP) to close the north/south alley located between Arthur Road and Pillette Road, south of Alice Street and north of Milloy Street**

**Karl Bannard, Applicant**

Karl Bannard, Applicant, appears before the Planning, Heritage and Economic Development Standing Committee and is available for questions regarding his request to close the north/south alley located between Arthur Road and Pillette Road, south of Alice Street and north of Milloy Street.

Moved by Councillor Sleiman, seconded by Councillor Holt

I. That the north-south alley having the width of 3.66m (12ft), located between Arthur Rd. and Pillette Rd., south of Alice St. and north of Milloy St., as shown on Drawing CC-1664 **attached** hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. That the north-south alley having the width of 3.66m (12ft), located between Arthur Rd. and Pillette Rd., south of Alice St. and north of Milloy St., as shown on Drawing CC-1664 **attached** hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:

- i. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
  - ii. Bell Canada, Cogeco Cable Canada LP, and Enwin Utilities Ltd (Hydro)
- iii. Conveyance Cost **BE SET** as follows:
  - Abutting properties zoned RD1.2 or RD2.1:
    4. \$1.00 plus alley subsidy cost of \$99.00 **during** the alley subsidy program;
    2. \$1.00 alley subsidy cost of \$99.00 after the expiration of the alley subsidy program according to CR88/2004 (for Livelink REPORT#: 17038)

III. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1664, **attached** hereto as Appendix "A"

IV. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice

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

VIII. That the City shall remove existing alley approaches in the future when budget funds exist. Should property owners that abut the approaches to the closed alley wish to retain the alley approaches as driveways, permits from Public Works shall **BE REQUIRED**

IX. That **CONVEYANCE** of the alley lands to the abutting property owners **NOT PROCEED** until after September 30, 2015.

Carried.

**Livelihood #17543 SAA2015**

**Item 6 Downtown Windsor Planning Study – Terms of Reference**

Laura Diotte, Planner III, Special Projects provides a PowerPoint Presentation to the Planning, Heritage & Economic Development Standing Committee regarding the Downtown Windsor Planning Study.

Councillor Holt requests clarification regarding the harmonization of the Community Improvement Plans (CIP's) involved within the identified project boundary being the City Centre West CIP and the Glengarry–Marentette CIP.

Administration explains that the current CIP boundaries could be adjusted or refined as a result of the study. Furthermore, there may be new CIP's established that could focus on the residential, commercial or retail sectors as a result of the study.

Councillor Payne questions if a goal of the study will be aimed at bringing the residential sector back to the downtown and what will happen with the housing stock that is currently there.

Administration indicates that the study will include an investigation into the residential sector and may present options for residential opportunities. Of the current housing stock, current structures may require upgrading or required maintenance. A residential rehabilitation or incentives programs could be established to address those issues.

Councillor Payne requests further explanation regarding the use of incentives, and whether Provincial approvals would be required to issue such.

Administration clarifies that incentives are not known at this time as the first step in the project is to identify the current barriers to investing in the downtown. Recommendations will be presented to the Standing Committee after discussion is held with all stakeholders involved in helping establish those recommendations. At that time, a CIP area, or sub-area's could be established which Council may want to address at future Capital Budget discussions.

**John Fairley, Vice President, College and Community Relations,  
St. Clair College**

John Fairley, Vice President, College and Community Relations attend the Planning, Heritage and Economic Development Standing Committee to express that St. Clair College is excited to be participating as a stakeholder in Downtown Windsor Planning Study. Mr. Fairley also explains that St. Clair College has made a commitment to Windsor's Downtown through the acquisition of the St. Clair College Centre for the Arts, Chrysler Theatre, the MediaPlex and other buildings and structures and opportunities that have been considered in Downtown Windsor. St. Clair College administration, faculty and students are eager to participate as stakeholders and want to help the City of Windsor with this initiative. The College wants the downtown campuses to be as successful as the brand is at the South Windsor and Chatham Campuses. Recruiting students for the downtown programs also benefits the city where \$75.00 per student is paid to the City of Windsor. Mr. Fairley concludes that the St. Clair College is looks forward to the working relationship with the new Mayor and City Council.

Moved by Councillor Holt, seconded by Councillor Payne

I. That the Planning Department **BE DIRECTED** to undertake the Downtown Windsor Planning Study to address Councils request from March 7, 2011 in motion M70-2011;

II. That the Terms of Reference for the Downtown Windsor Planning Study attached as Appendix 'A' to this report **BE ADOPTED**; and,

III. That a Downtown Windsor Planning Study Steering Committee **BE ESTABLISHED** and that the membership consist of the Councillors that make up the Planning, Heritage and Economic Development Standing Committee, the Ward 3 Councillor and the Ward 4 Councillor.

Carried.

**Livelihood #17540 Z/7290**

**9. HERITAGE ACT MATTERS**

**Item 3 Heritage Awards**

Moved by Councillor Kusmierczyk, seconded by L. Baker

That the heritage at-large members of the Planning, Heritage & Economic Development Standing Committee form a subcommittee for the purpose of recommending selections for the 2015 Heritage Awards, and

That a report to the PHEDSC's March 9, 2015 meeting identify which properties would be selected for heritage awards in 2015, to be confirmed by Planning, Heritage & Economic Development Standing Committee.

Carried.

**Livelihood #17539 MBA/2274**



10. **ADMINISTRATIVE ITEMS**

11. Please refer to Section 8: "Presentations and Delegations for Administrative and Committee Matters."

12. **ADDITIONAL MATTER REFERRED BY CITY COUNCIL**

M. Clement, Manager of Parks Development, attends the Planning, Heritage and Economic Development Standing Committee to provide the members with an update regarding the City of Windsor's last application to participate in Communities in Bloom. M. Clement suggests that there is significant preparation involved with a full application and recommends that it would be favourable to join the organization at this time, but perhaps reserve full application to a later date.

Moved by Councillor Holt, seconded by Councillor Sleiman  
That the Parks Department **BE AUTHORIZED** to **REGISTER**  
the City of Windsor in the *Friends Category* with Communities in Bloom Ontario  
for 2015, and further

That the Parks Department **REPORT BACK** to the Planning,  
Heritage and Economic Development Standing Committee with respect to making  
a full application to Communities in Bloom Ontario for 2016.


Carried.


13. **QUESTION PERIOD**

None.

14. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 6:28 o'clock p.m.

  
\_\_\_\_\_  
CHAIR

  
\_\_\_\_\_  
COUNCIL ASSISTANT

A meeting of the Planning Heritage & Economic Development Standing Committee is held this day commencing at 4:29 pm in Council Chambers, there being present the following members:

Councillor Marra  
Councillor Sleiman  
Councillor Payne  
Councillor Kusmierczyk  
Councillor Holt

**Citizens**

Barbara Bjarneson

**Regrets**

Merrill Baker

**Delegations**

*Also present are the following from Administration:*

Wira Vendrasco, Deputy City Solicitor  
Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Michael Cooke, Manager of Planning Policy  
Neil Robertson, Manager of Urban Design  
Adam Szymczak, Planner III  
Tom Cadman, Planner III  
Justina Nwaesei, Planner II  
Sahar Jamshidi, Planner II  
Adam Coates, Planner II  
Kevin Alexander, Planner III  
John Calhoun, Heritage Planner  
June Liu-Vajko, Public Works - Engineering  
Barry Horrobin, Windsor Police Services  
Agatha Armstrong, Supervisor of Council Services/Deputy City Clerk

**1. CALL TO ORDER**

The Chair calls the meeting to order at 4:20 pm.

The Chair goes over the process of the Committee and notes changes in the Committee, primarily the addition of the Heritage Committee.

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

None.

3. **ADOPTION OF MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Holt.

**THAT** the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, January 12, 2015 BE ADOPTED.

Carried, **UNANIMOUSLY**.

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

None

5. **COMMUNICATIONS**

None

6. **PRESENTATIONS AND DELEGATIONS**

None

7. **PLANNING ACT MATTERS**

The Chair asks if there are any delegates present for any of the items. The Chair announces additional information provided for the one item.

Item 1 **ALSHIPLEY & SHELLEY KASCHAK – 7245 Randolph Ave.**

Mr. Szymczak presents the item.

Mr. Shipley (applicant) states he's in agreement with the recommendations. What he does have a problem with, however, is the charge/fee for H Removal application. He asks the committee to waive the fee. The Chair advises the Committee does not have the authority to waive the fee.

Ms. Bjarneson seeks information about the property, what it will look like, how many bedrooms, will he sell or rent? Mr. Shipley advises at this time he's not certain what the building will look like. He wanted to first complete this process before proceeding, and spending money on anything else. The intention is to have a semi-detached dwelling for rent with 6 bedrooms in each. Ms. Bjarneson was looking to alleviate a concern that the building would consume the entire site. Mr. Szymczak advises a single, semi-detached or duplex are permitted on the site with two (2) parking spaces.

Ms. Bjarneson asks about the neighbouring homes, noting they're all single detached homes. She inquires whether they're rented? Mr. Szymczak advises he does not have that information. Mr. Szymczak also advises that the owners of neighbouring homes were sent letters advising of this application. There was no negative response received.

Ms. Bjarneson confirms that the Committee can only approve the zoning, not how many bedrooms a building may have? Mr. Szymczak confirms. Ms. Bjarneson notes her questioning is based on comments provided by Windsor Police Services.

Councillor Holt inquires if the Committee has any control over the build form? His concern is that the new build would differ from the rest of the street and would be inconsistent with the neighbourhood. Based on the composite drawing in the report, he wouldn't like the garage to be seen in front of the semi-detached dwelling. Mr. Szymczak advises the Committee can place whatever regulations it deems necessary to achieve what it believes to be the character of the neighbourhood. Currently, what applies are the regulations in RD2.2, if approved which encompasses setbacks, front yard, back yard, building height, etc. Mr. Szymczak, however, cautions the Committee on doing so. Councillor Holt asks Mr. Szymczak to elaborate. Mr. Szymczak advises the zoning allows for more than what is presently there. All those buildings may be traditional, but zoning allows for taller buildings. What is being suggested is to down-zone a property. Councillor Holt is seeking to move the garage to the back rather than the full face of the structure. Mr. Szymczak advises that if the Committee wants the garages in the back then the Committee would have to put that in as a regulation.

Mr. Hunt tries to clarify the situation further. Mr. Hunt advises there are a number of ways to re-articulate the zoning category but the Committee needs to provide clearer objectives as to what they would like to see. Mr. Szymczak advises the applicant could build two (2) single homes at this time without a change in zoning. He can build whatever type of house he'd like subject to the regulations. He just has to go to the Building Department and he'd be approved. Mr. Szymczak advises that what Councillor Holt is suggesting is for the applicant to go beyond what any other homeowner on Randolph is required to do. Therefore, as a professional Planner, he cannot support that request.

Councillor Payne inquires along the same lines and asks if all that is there is all that they can legally insist on? Mr. Szymczak answers the Committee can ask for whatever regulations they believe will achieve the look they want. There is no legal or illegal. But the Committee would have to make it clear why they want the additional regulations..

Councillor Payne then asks if they can legally do that? Mr. Szymczak advises that it can be challenged at the Board (Ontario Municipal Board), who would probably be in favour of the applicant over the Committee's regulations. Council would have to justify why they added or modified the zoning regulations. Council would have to explain their intent for doing so. The Chair adds the situation Council would find themselves in is that professional planners have recommended approval of this application because it's consistent with provincial policy and official plan. If it goes down the path where something different is proposed, Council agrees and it's appealed, the City would have to seek external professional support at an OMB hearing. The City wouldn't be able to rely on our own planners because of the position they had already taken on this application.

Ms. Bjarneson comments that she believes the reason there is no neighbourhood complaint is because many of the residents are students and not necessarily the homeowners. Feels they need to be very clear of what the issue is with these type of applications and their ramifications.

Ms. Bjarneson has two queries: 1) With a built form of a 4-plex, how many bedrooms can there legally be? 2) Is it possible to have a different zoning recommendation, such as RD2.1, that can limit it to a semi-detached? Mr. Szymczak cannot answer the first question because the parameters of the build are unknown at this time. Ms. Bjarneson notes the lot size can determine what kind of built form can go on it. Mr. Szymczak advises that would also require four (4) parking spaces, which would have to be located on site, as well as setbacks, etc. A 4-plex may not work on that property. As for the 2<sup>nd</sup> question, the Committee can recommend a different zoning, which would be a more appropriate measure. RD2.1 would only permit a single unit,

duplex or semi-detached. Ms. Bjarneson asks why that wasn't considered? Mr. Szymczak advises the application was processed as received. The Chair asked the applicant if that was what he asked for? Mr. Shipley advised he asked for RD2.2 and further clarifies for Ms. Bjarneson and the Councillors that he has no intention of building a 4-plex, citing the building would have too narrow hallways separating the units and setbacks are too great.

Councillor Kusmierczyk asks if the design is a snout house and if Administration has a position on that? Mr. Szymczak advises they have no position on it.

Councillor Sleiman inquires whether there will be a shared driveway? Mr. Shipley advises the composite site plan shows the garages on opposite ends. Mr. Shipley seeks clarification as to whether the Councillor is asking if he intends to pave the entire front yard? The Chair clarifies that there does not appear to be a shared driveway in the Conceptual design. The side yard is predicated by the by-law.

Kevin Flood (landlord in area) 194 Campbell, Windsor, ON – appears in support of Mr. Shipley and urges the Committee to approve the applications. Mr. Flood gives several examples of lesser type homes/rentals in the area and raves about the type of build Mr. Shipley has already provided on his previous build. Mr. Flood also makes an argument for Mr. Shipley regarding the gratuitous conveyance of land for future road widening. Mr. Hunt clarifies the protocol for the benefit of Mr. Flood, Mr. Shipley and the Committee.

The Chair asks if there are any other individuals in the audience to speak on this application. Seeing none, the Chair asks if there are any further questions from the Committee.

Moved by Councillor Payne, seconded by Councillor Kusmierczyk.

1. That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lots 712 and 713, Registered Plan 682, situated on the west side of Randolph Avenue between Wyandotte Street West and Union Street and known municipally as 725 Randolph Avenue, from RD1.3 to HRD2.2;
2. That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding provision and when the following condition is satisfied:
  - a. **Land Conveyance** – Prior to the issuance of a Building Permit, the owner shall agree to gratuitously convey to the Corporation, land sufficient to create a 20 metre wide right-of-way on Randolph Avenue. This conveyance shall be 0.85-metres along the entire frontage of the subject property;

Motion **CARRIED, UNANIMOUSLY.**

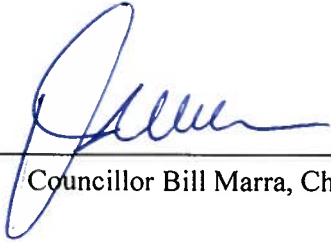
Ms. Bjarneson speaks in support of the recommendation and notes her questions were not meant to be derogatory but she noted her concerns of the possible 4-units, number of bedrooms, which unfortunately we (the Committee) have no control over, but were noted in comments from the Police Department, therefore feels those things need to be looked at when looking at in-fill and intensification of these areas.

The Chair advises Mr. Shipley that his question regarding the fee wasn't being ignored. This Committee only makes recommendations to Council. The Chair suggests he correspond with Council at time of the Council meeting. The Committee is not permitted to recommend changes

in fees. It is Council that determines the fees and therefore should be approached regarding waiver of those fees.

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:03 pm.



Councillor Bill Marra, Chair



Don Wilson, Secretary

/ms

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1. **CALL TO ORDER**

The Chair calls the meeting to order at 4:20 pm.

The Chair goes over the process of the Committee and notes changes in the Committee, primarily the addition of the Heritage Committee.

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

None.

3. **ADOPTION OF MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Holt.

**THAT** the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, January 12, 2015 BE ADOPTED.

Carried, **UNANIMOUSLY**.

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

None

5. **COMMUNICATIONS**

None

6. **PRESENTATIONS AND DELEGATIONS**

None

7. **PLANNING ACT MATTERS**

The Chair asks if there are any delegates present for any of the items. The Chair announces additional information provided for the one item.

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Ms. Bjarneson confirms that the Committee can only approve the zoning, not how many bedrooms a building may have? Mr. Szymczak confirms. Ms. Bjarneson notes her questioning is based on comments provided by Windsor Police Services.



Councillor Holt inquires if the Committee has any control over the build form? His concern is that the new build would differ from the rest of the street and would be inconsistent with the neighbourhood. Based on the composite drawing in the report, he wouldn't like the garage to be seen in front of the semi-detached dwelling. Mr. Szymczak advises the Committee can place whatever regulations it deems necessary to achieve what it believes to be the character of the neighbourhood. Currently, what applies are the regulations in RD2.2, if approved which encompasses setbacks, front yard, back yard, building height, etc. Mr. Szymczak, however, cautions the Committee on doing so. Councillor Holt asks Mr. Szymczak to elaborate. Mr. Szymczak advises the zoning allows for more than what is presently there. All those buildings may be traditional, but zoning allows for taller buildings. What is being suggested is to down-zone a property. Councillor Holt is seeking to move the garage to the back rather than the full face of the structure. Mr. Szymczak advises that if the Committee wants the garages in the back then the Committee would have to put that in as a regulation.

Mr. Hunt tries to clarify the situation further. Mr. Hunt advises there are a number of ways to re-articulate the zoning category but the Committee needs to provide clearer objectives as to what they would like to see. Mr. Szymczak advises the applicant could build two (2) single homes at this time without a change in zoning. He can build whatever type of house he'd like subject to the regulations. He just has to go to the Building Department and he'd be approved. Mr. Szymczak advises that what Councillor Holt is suggesting is for the applicant to go beyond what any other homeowner on Randolph is required to do. Therefore, as a professional Planner, he cannot support that request.

Councillor Payne inquires along the same lines and asks if all that is there is all that they can legally insist on? Mr. Szymczak answers the Committee can ask for whatever regulations they believe will achieve the look they want. There is no legal or illegal. But the Committee would have to make it clear why they want the additional regulations..

Councillor Payne then asks if they can legally do that? Mr. Szymczak advises that it can be challenged at the Board (Ontario Municipal Board), who would probably be in favour of the applicant over the Committee's regulations. Council would have to justify why they added or modified the zoning regulations. Council would have to explain their intent for doing so. The Chair adds the situation Council would find themselves in is that professional planners have recommended approval of this application because it's consistent with provincial policy and official plan. If it goes down the path where something different is proposed, Council agrees and it's appealed, the City would have to seek external professional support at an OMB hearing. The City wouldn't be able to rely on our own planners because of the position they had already taken on this application.

Ms. Bjarneson comments that she believes the reason there is no neighbourhood complaint is because many of the residents are students and not necessarily the homeowners. Feels they need to be very clear of what the issue is with these type of applications and their ramifications.

Ms. Bjarneson has to queries: 1) With a built form of a 4-plex, how many bedrooms can there legally be? 2) Is it possible to have a different zoning recommendation, such as RD2.1, that can limit it to a semi-detached? Mr. Szymczak cannot answer the first question because the parameters of the build are unknown at this time. Ms. Bjarneson notes the lot size can determine what kind of built form can go on it. Mr. Szymczak advises that would also require four (4) parking spaces, which would have to be located on site, as well as setbacks, etc. A 4-plex may not work on that property. As for the 2<sup>nd</sup> question, the Committee can recommend a different zoning, which would be a more appropriate measure. RD2.1 would only permit a single unit,

duplex or semi-detached. Ms. Bjarneson asks why that wasn't considered? Mr. Szymczak advises the application was processed as received. The Chair asked the applicant if that was what he asked for? Mr. Shipley advised he asked for RD2.2 and further clarifies for Ms. Bjarneson and the Councillors that he has no intention of building a 4-plex, citing the building would have too narrow hallways separating the units and setbacks are too great.

Councillor Kusmierczyk asks if the design is a snout house and if Administration has a position on that? Mr. Szymczak advises they have no position on it.

Councillor Sleiman inquires whether there will be a shared driveway? Mr. Shipley advises the composite site plan shows the garages on opposite ends. Mr. Shipley seeks clarification as to whether the Councillor is asking if he intends to pave the entire front yard? The Chair clarifies that there does not appear to be a shared driveway in the Conceptual design. The side yard is predicated by the by-law.

Kevin Flood (landlord in area) 194 Campbell, Windsor, ON – appears in support of Mr. Shipley and urges the Committee to approve the applications. Mr. Flood gives several examples of lesser type homes/rentals in the area and raves about the type of build Mr. Shipley has already provided on his previous build. Mr. Flood also makes an argument for Mr. Shipley regarding the gratuitous conveyance of land for future road widening. Mr. Hunt clarifies the protocol for the benefit of Mr. Flood, Mr. Shipley and the Committee.

The Chair asks if there are any other individuals in the audience to speak on this application. Seeing none, the Chair asks if there are any further questions from the Committee.

Moved by Councillor Payne, seconded by Councillor Kusmierczyk.

1. That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lots 712 and 713, Registered Plan 682, situated on the west side of Randolph Avenue between Wyandotte Street West and Union Street and known municipally as 725 Randolph Avenue, from RD1.3 to HRD2.2;
2. That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding provision and when the following condition is satisfied:
  - a. **Land Conveyance** – Prior to the issuance of a Building Permit, the owner shall agree to gratuitously convey to the Corporation, land sufficient to create a 20 metre wide right-of-way on Randolph Avenue. This conveyance shall be 0.85-metres along the entire frontage of the subject property;

Motion **CARRIED, UNANIMOUSLY.**

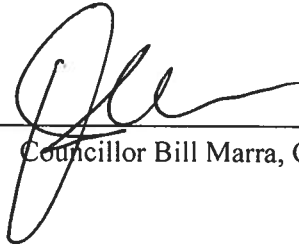
Ms. Bjarneson speaks in support of the recommendation and notes her questions were not meant to be derogatory but she noted her concerns of the possible 4-units, number of bedrooms, which unfortunately we (the Committee) have no control over, but were noted in comments from the Police Department, therefore feels those things need to be looked at when looking at in-fill and intensification of these areas.

The Chair advises Mr. Shipley that his question regarding the fee wasn't being ignored. This Committee only makes recommendations to Council. The Chair suggests he correspond with Council at time of the Council meeting. The Committee is not permitted to recommend changes

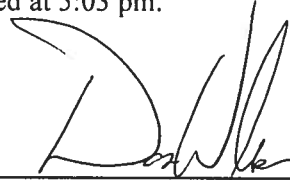
in fees. It is Council that determines the fees and therefore should be approached regarding waiver of those fees.

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:03 pm.



Councillor Bill Marra, Chair



Don Wilson, Secretary

/ms