

AA/
Windsor, Ontario, January 12, 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
Andrew Foot
Robin Easterbrook

Regrets

Simon Chamely
Jeffrey Mellow
Noreen Slack

Delegations

Paul Nesselth, Solicitor (Item 1)
Craig Goodman and Susan Mark (Item 4)
Ted and Arlene Ure (Item 6)
Denise Ethier, (Item 9)
Sid Catalano, (Item 10)

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
Sahar Jamshidi, Planner II – Development Review
Adam Coates, Planner II- Urban Design
Justina Nwaesei, Planner II – Development Review
Thomas Cadman, Planner III- Subdivisions
Adam Szymczak, Senior Planner
John Calhoun, Heritage Planner
June Liu-Vajko, Public Works - Engineering
Barry Horrobin, Windsor Police Services
Agatha Armstrong, Deputy City Clerk

1. **CALL TO ORDER**

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

The Deputy City Clerk calls for nominations from the floor for the position of Chair for the Planning, Heritage and Economic Development Standing Committee, Councillor Sleiman nominates Councillor Marra for the position of Chair. The Deputy City Clerk inquires if there are any further nominations, seeing none Councillor Marra is asked if he accepts the nomination, Councillor Marra accepts.

Moved by Councillor Sleiman, seconded by B. Bjarensen,
That Councillor Marra **BE ELECTED** as the Chair of the Planning,
Heritage and Economic Development Standing Committee until December 31,
2015.

Carried.

Councillor Marra assumes the position of Chair.

The Chair calls for nominations from the floor for the position of Vice Chair for the Planning, Heritage and Economic Development Standing Committee. Councillor Kusmierczyk nominates Councillor Sleiman for the position of Vice Chair. The Chair inquires if there are any further nominations, seeing none Councillor Sleiman is asked if he accepts the nomination, Councillor Sleiman accepts.

Moved by Councillor Gignac, seconded by Councillor Sleiman,
That Councillor Sleiman **BE ELECTED** as the Vice Chair of the
Planning, Heritage and Economic Development Standing Committee until December 31,
2015.

Carried.

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

None disclosed.

3. **ADOPTION OF MINUTES**

Moved by Councillor Payne, seconded by Councillor Sleiman,
THAT the minutes of the meeting of the Planning and Economic
Development Standing Committee held November 10, 2014 **BE ADOPTED** as
amended.

Carried.

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

None requested.

5. **COMMUNICATIONS**

None presented.

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

Item 9 Request under the Alley Closing Subsidy Program (ACSP) to close the north/south alley located between Pillette Road and Olive Road, south of Guy Street and north of Empress Street

Denise Ethier, Applicant

Denise Ethier, Applicant appears before the committee and is available for questions regarding the request to close the north/south alley located between Pillette Road and Olive Road, south of Guy Street and north of Empress Street.

Moved by Councillor Kuzmierczyk, seconded Councillor Payne

- I. That the 3.66m (12ft) wide north-south alley located between Pillette Rd. and Olive Rd., south of Guy St. And north of Empress St., as shown on Drawing CC-1667 ***attached*** hereto as Appendix "A", **BE ASSUMED** for subsequent closure;
- II. That the 3.66m (12ft) wide north-south alley located between Pillette Rd. and Olive Rd., south of Guy St. And north of Empress St., as shown on Drawing CC-1667 ***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:
 - a. Bell Canada, Cogeco Cable Canada LP, and Enwin Utilities Ltd (Hydro)
 - ii. Conveyance Cost **BE SET** as follows:
 - Abutting properties zoned RD1.2 and RD2.1:
 1. \$1.00 plus alley subsidy cost of \$99.00 **during** the alley subsidy program;
 2. \$1.00 plus deed preparation plus proportionate share of survey cost **after** the expiration of the alley subsidy program

- III. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1667, 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 #17495 SAA2015

Item 10 Amendment to Sign By-Law 250-2004 for Pattison Signs

Sid Catalano, representing Pattison Outdoors Inc. to speak in support of the administrative recommendation to amend the Sign By-Law 250-2004 for Pattison Signs to allow for the installation of (1) digital electronic billboard to replace the current (5) non electric billboards, stating that Pattison Signs Inc. will be completing physical repairs to the wall and will need to remove the existing signs and erect the new electronic billboard sign, and concludes by stating this will be completed in the spring of 2015.

- Moved by Councillor Payne, seconded Councillor Sleiman
- I. THAT the application for an amendment to the Windsor Sign By-law 250-2004, to allow for the installation of (1) digital electronic billboard to replace the current (5) non electric billboards, **BE APPROVED** and that By-law 250-2004 **BE AMENDED** subject to the following conditions:
 - a) Messages and/or images on the proposed information signs, should comply with the City of Windsor's standards on permitted colours (Traffic Safety, subsection 10.3.2);
 - b) Council reserves the right to require the removal of any advertising which does not meet acceptable community standards;
 - c) Only static images will be displayed, no motion or animation will be used;
 - d) That the electronic sign shall be programmed to dim the intensity of illumination during dusk and night hours, and also at the request of the Canada Border Services Agency;

- e) Flashing of changing of copy shall not occur in intervals of less than 4 seconds per section 3.3.2 of the Sign By-law 250-2004;
- f) The existing wall which holds the current (5) billboards be restored so that it is not apparent on the wall that there were signs hanging there. (i.e. UV damage to surrounding material creating a variation in surface colour).

Carried.

Livelihood #17491 SBS2015

7. **PLANNING ACT MATTERS**

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

Item 1 Application to permit the conversion of 28 residential dwelling units fronting Forest Glade Court from rental to condominium tenure

Moved by Councillor Payne, seconded by B. Bjarneson

That the application of Forest Park of Windsor Inc. for approval of a draft plan of condominium for a property legally described as Part Block M, Plan 12M-77, as further described as Parts 1 and 2 12R-5704, exclusive of Parts 1 to 11, 12R25845, City of Windsor known municipally as 9900 to 9996 Forest Glade Court to permit the conversion of 28 residential dwelling units from rental to condominium tenure, as shown on the attached Map No. CDM-001/14-2, **BE APPROVED** subject to:

- A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
- B. That the draft plan approval shall lapse on _____ (3 years from the date of approval);
- C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
- E. The owner shall agree to remedy all site/building defects and deficiencies as contained in the:
 - 1. Building Condition Assessment report prepared by AMEC Environment & Infrastructure, dated October , 2013 with all corrections and improvements to be cleared as completed by a Professional Engineer retained by the owner;
 - 2. Building Department's Order to Repair dated February 10, 2014, as attached as **Appendix 'A'** of this report;
 - 3. Works Department - Engineering and Geomatics comments listed in **Appendix 'A'** of this report;

4. Works Department – Transportation Planning comments listed in **Appendix ‘A’** of this report;
5. Windsor Fire and Rescue Services comments listed in **Appendix ‘A’** of this report;

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

- F. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated March 25, 2014, as included in **Appendix ‘A’**. All corrections and improvements shall be to the satisfaction of the Chief of Police;
- G. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department’s Landscape Architect, dated February 18, 2014, as included in **Appendix ‘A’**.
- H. All landscaping improvements will be to the satisfaction of the Planning Department’s Landscape Architect and to the satisfaction of the Manager of Development.
- I. The owner shall provide a letter of credit/bonding, if required, to the satisfaction of the City Solicitor to guarantee work required under paragraphs E thru G, inclusive.

- II** Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in ‘**1. Recommendations I**’ of this report, have been completed to the satisfaction of the respective departments and a Condominium Agreement has been registered against the subject lands.

Carried.

LIVELINK 17320 ZP/11828

Item 2 Amendment to Zoning By-law 8600-2366 Dougall Avenue

Moved by Councillor Sleiman, seconded by B. Bjarneson

That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 80, Concession 2, identified as Parts 1 to 5, Plan 12R-18615, known municipally as 2366 Dougall Avenue, situated on the east side of Dougall Avenue, south of Jackson Street by adding a site specific provision that an Automobile Sales Lot and a Motor Vehicle Dealership are additional permitted uses.

Carried.

LIVELINK 17320 ZP/11828

Item 3 Housekeeping Amendment 2014-1

Moved by B. Bjarneson, seconded by Councillor Kusmierczyk

That Zoning By-law 8600 **BE AMENDED** on the following basis: That Section 25 **BE DELETED AND REPLACED** with the following information outlined in the attached report.

Carried.

LIVELINK 17482 ZB/12039

Item 4 Official Plan and Zoning By-Law Amendments (Tunnel Bar-BQ & The Nuthouse Sites)

Moved by B. Bjarneson, seconded by Councillor Holt

1. That OPA 98 **BE ADOPTED** to amend the City of Windsor Official Plan by adding the following site specific policies:
 - (1) The lands described as Lots 81-85 (incl.), Part of Lots 86-88 (incl.), Part of Block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, and municipally known as 58-62 Park St. E., 0 Park St. E. & 376 Freedom Way, along with lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., and municipally known as 0 Goyeau St., and 357 Goyeau St., are designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan
 - (2) Notwithstanding the “Mixed Use” designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, “university and college uses” may be additional permitted uses.
2. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands described as Lots 81-85 (incl.), Part of Lots 86-88 (incl.), Part of Block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, and municipally known as 58-62 Park St. E., 0 Park St. E. & 376 Freedom Way, along with lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., and municipally known as 0 Goyeau St., and 357 Goyeau St., by adding a site specific holding provision to allow university and college uses as additional permitted uses on the subject lands;
3. That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding provision and when the following conditions are satisfied:
 - i. An approved by-law for an Official Plan Amendment (OPA 98) to allow a site specific policy permitting university and college uses as additional permitted uses on the subject lands in the Mixed Use designation in the City Centre Planning district;
 - ii. A Geotechnical Report (paid for by the applicant) identifying required mitigation measures is completed to the satisfaction of the City Planner and the City Engineer;
 - iii. An Archaeological assessment is completed to the satisfaction of the City Planner; and

- iv. An executed Site Plan Control Agreement with the Corporation of The City of Windsor that includes any required mitigation measure identified in the required support studies.
Carried.

LIVELINK 17480 ZB/12060 ZO/12061

8. **HERITAGE ACT MATTERS**

Item 5 Stone Curb at 537 Kildare Road- Request for Removal

John and Karen Fisk, Property Owner

John and Karen Fisk appear before the committee to speak against the administrative recommendation to deny the removal of a section of stone curb in front of the property, suggesting that the Google maps picture is distorted as it relates to the tree, Mr. Fisk explains that the position of the tree is on the property line and 21 feet from the side of the house, and concludes by stating that the intention is to cut the curb as far as possible from the tree.

Mr. Fisk explains that additional applications could be made by other property owners. No owners within the block or north of the block that have sufficient room to install a driveway.

Mr. Fisk explains that when they purchased the property 7 years ago there was no issue with parking, over the years 15 businesses have opened and parking has become limited.

Councillor Marra corrects the record and states that there is a municipal lot located off of Lincoln Road.

Mrs. Fisk states that while business owners require parking, the residents in the area also need to be able to park on the street.

Councillor Holt asks administration to provide an estimate for the total of linear feet of the stone curb remaining throughout the City.

Administration states that the 400 and 500 blocks of Kildare have the stone curb.

Councillor Holt confirms that the curb was designated in 2008.

Administration states the accurate date is June of 2013 and reiterates that it is a listing on the Windsor Municipal Heritage Register.

Mr. Easterbrook asks administration to clarify whether the curbs are actual stone or different types of concrete or aggregate. What is the real nature of the curbs?

Administration advises the committee that the curbs are actual stone cut in rectangular blocks.

Councillor Sleiman asks the Applicant regarding the alley behind the property and the condition of the alley.

Mrs. Fisk states that the alley is paved; stating the condition of the alley is poor.

Councillor Sleiman inquires if the property owner has parking in the alley.

Mr. Fisk states that they do not have parking only a garage, stating that last winter he was unable to drive down the alley due to the inclement weather.

Councillor Marra asks administration to comment on the access points of the property.

Administration states that under City's Best Practices Policy only one driveway per property is allowed.

Councillor Kusmierczyk inquires if it would be possible to cut the stone curb out and transfer the stone curb elsewhere.

Administration does not recommend that option.

Moved by Councillor Holt, seconded by Lynn Baker

THAT the request by the owner of 537 Kildare Road for the City to remove a section of stone curb in front of said property **BE DENIED** under provisions of the *Ontario Heritage Act*; the stone curbs in the 400 and 500 blocks are listed on the Windsor Municipal Heritage Register.

Carried.

Councillors Sleiman, Kusmierczyk and Payne voting nay.

Item 6 William Ure House/Farm, 5680 Baseline Road, Request for Demolition of Barns and Request to Remove other property from the Heritage Register

Ted and Arlene Ure, Owners appear before the committee to speak in support of the administrative recommendation to grant the requests to demolish two barns and to remove parts of the property from the Windsor Municipal Heritage Register, and concludes by requesting if there will be an impact on the sale of his property once the designation from parts of the property is removed.

Administration informs Mr. Ure that the status on the register means that there is a 60 day review period of the demolition permit that is applied for. It does not prohibit the transfer of ownership of the property.

Moved by Councillor Sleiman, seconded by Lynn Baker

THAT the request to demolish two barns as shown on Appendix 'A' at 5680 Baseline Road, which is listed on the Windsor Municipal Heritage Register as the William Ure House / Farm **BE GRANTED**.

THAT the request to remove other parts of the property from the Windsor Municipal Heritage Register **BE GRANTED** subject to the following provisions:

- a. The farm fields are to be excluded from the Register listing. Only the built-up area is to be included; this is located west of Plan of Survey 12R-23620 and is about 128 m (420 ft) east-west by 124 m (405 ft) north-south.
- b. The 1875 house, the c1910 barns and the concrete-base silos will remain on the Register. Other buildings and structures will not require heritage review before demolition.

Carried.

Livelihood #17490 MBA2015

Item 7 Response to M52-2014, Regarding council Direction for Heritage Property Priorities including Scoring

Councillor Payne asks administration the reason for recommending a scoring system, as the report indicates the scoring system is flawed.

Administration indicates that there are requirements in order for a property to be designated; therefore a scoring system would help for properties to remain on the register. A scoring system is better than an arbitrary system.

Councillor Payne asks a question concerning the 10 properties that will be designated per year and who requests the designation of the property.

Administration states that there is no requirement for the owner to request the designation. Administration will request several property owners and determine if there is an interest in a designation being completed on their property.

Councillor Payne inquires if all designations come to Council for approval.

Administration indicates all designations come to Council for approval.

Moved by Councillor Holt, seconded by Councillor Kusmierczyk

I. THAT Administration **BE DIRECTED** to establish a scoring system for heritage properties, based upon the system used in Brantford, Ontario, which will be used only when considering a property for a new individual designation after all information pertinent to the property is collected.

II. THAT Administration **BE DIRECTED** to prepare a minimum of ten individual property heritage designations per year, in addition to district designations, and in addition to those properties being considered for demolition.

III. THAT Administration **BE DIRECTED** to continue to recommend properties for listing in the Windsor Municipal Heritage Register for Council consideration as properties of cultural heritage value or interest.

IV. THAT Administration **BE DIRECTED** to prepare a report to recommend a basic level of submission requirements to be included in requests for demolition.

Carried.

Councillor Payne voting nay.

9. ADMINISTRATIVE ITEMS

Item 8 Request to close the east/west alley and part of the north/south alley east of Rossini Boulevard, south of Riverside Dr. E., abutting the property known as 242 Rossini Boulevard

Deborah Buckner, resident

Deborah Buckner, resident appears before the committee to speak in support of the administrative recommendation to deny the closure of the subject alleys, and concludes by stating that maintenance is required on the existing sewers and access is required.

Moved by Councillor Kuzmierczyk, seconded Councillor Sleiman

VIII. That the request of Mehdi Sangani Monfared (owner of 242 Rossini) to close the 4.27 metres (14 feet) wide east/west alley and part of the 4.27 metres (14 feet) wide north/south alley located on the east side of Rossini Boulevard, south of Riverside Drive E., abutting the north side lot line and the rear lot line of the property known as 242 Rossini Boulevard, as shown on Drawing No. CC-1668 attached hereto as Appendix "A", **BE DENIED** for the following reason:

- to ensure that the subject alleys remain accessible for maintenance/servicing of the existing sewers.

Carried.

Livelihood #17486 SAA2015

10. **QUESTION PERIOD**

None.

11. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 7:12 o'clock p.m.



CHAIR



DEPUTY CITY CLERK

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

Ms. Armstrong calls the meeting to order at 4:29 pm, welcoming everyone to the 2015 year. Ms. Armstrong opens the floor to nomination the Chair of the committee.

Councillor Sleiman nominates Councillor Bill Marra, seconded by Barb Bjarneson.

Ms. Armstrong asks if there are any further nominations? Seeing none. Ms. Armstrong asks Councillor Marra if he accepts. Councillor Marra accepts and takes his seat as Chair.

Motion is **CARRIED, UNANIMOUSLY.**

The Chair opens the floor for nominations of Vice Chair.

Councillor Kusmierczyk nominates Councillor Sleiman. Seconded by Ms. Bjarneson.

The Chair asks if there are any other nominations? Seeing none, the Chair asks Councillor Sleiman if he accepts. Councillor Sleiman accepts the nomination of Vice-Chair.

Motion is **CARRIED, UNANIMOUSLY.**

The Chair goes over the process of the Committee and notes changes in the Committee, primarily the addition of the Heritage Committee. The Chair also welcomes Councillor Holt to the Committee.

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

None.

ADOPTION OF MINUTES

Moved by Councillor Payne, seconded by Councillor Sleiman.

THAT the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, November 10, 2014 BE ADOPTED.

Carried, **UNANIMOUSLY.**

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

None

4. **COMMUNICATIONS**

None

5. **PRESENTATIONS AND DELEGATIONS**

None

6. **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 **FOREST PARK OF WINDSOR INC. – 3163 Forest Glade Dr.**

Mr. Cadman presents the item.

Mr. Nesseth (solicitor for applicant) – Requests an amendment to the recommendations. Given the age of the owners, they are asking that the recommendation to update and repair the entire property prior to the sale of the first unit and condominium registration be waived and that repairs/updates be completed on an as needed basis. The repairs/units would be completed as each unit is sold, rather than having the large expenditure all at once.

Councillor Sleiman seeks clarification regarding transfer of title. The Chair provides explanation. The Chair explains that the applicant is seeking relief from improving all 28 units and rather do it

as each is sold. A condition on title would commit them in doing that as each is sold. The Chair had asked Mr. Hunt if that had ever been done previously to which he was advised, no.

Councillor Kusmierczyk reviews the Order to Repair list and notes some of the deficiencies noted are quite egregious, giving several examples. The Councillor asks how they've allowed this state of disrepair? Why weren't these things addressed years ago instead of forcing people to live in these conditions, compromising their safety? Mr. Naseef comments no one is being forced, the project is over 35 years old and has been subject to various tenants over those years. Mr. Naseef advises much of the repair is cosmetic. Three on Forest Glade Drive have been corrected and they've sold. They're confident the issues are not a problem and can be taken care. The investors just want to deal with them on an as need basis.

Councillor Kusmierczyk asks what will occur if the applicants' petition is not approved? Mr. Naseef advises there'll need to be a discussion as to how to proceed forward.

Ms. Bjarneson asks when the last repairs were made to the units, notwithstanding the roofs? What kind of maintenance has been done to these properties in the past 35 years? Mr. Naseef advises he doesn't have that information available at his disposal at this time. Mr. Naseef advises they've also had issues with tenants not paying rent. However, his superintendent assures him that items have been addressed as they've come forth.

Ms. Bjarneson to Administration, asks the present status of the Work Order and how long do they have to complete? Given there was no one from the Building Dept. present, the Chair responds and advises the query will be noted in the minutes. Mr. Cadman adds the Order is attached to the Approval. The Building Department, seeing the Order & Approval, allow 3 years for completion, unless an extension is requested. Once all items have been satisfied by the completion date, the property is then registered.

Ms. Bjarneson asks if there were any Orders previous to this application? Mr. Cadman advises there may have been but it was not part of this condominium. The application requires the Building Dept. to come and 'inspect' as part of the condominium process. There may have been other work orders prior, but those wouldn't be looked at. Mr. Cadman was dealing with only that aspect related to the Condominium Conversion process. The Chair adds that is good information to have in time for Council.

Councillor Payne asks for Legal to comment on the petition presented by Mr. Nesseth. Ms. Vendrasco advises that according to the Official Plan, all works are to be completed prior to Condominium Plan registration. Given that the request is contrary to the Official Plan, an Official Plan Amendment would have to be requested and approved. Mr. Hunt adds that in the event of an application for amendment to the Official Plan, the Planning Department would not be in support of the application.

Councillor Sleiman asks if the vacancy rate of 4.2% is the current rate or the rate at the time the application was received? Mr. Cadman advises the application has been in process over an extended period of time of at least 2 years. The 4.2% is current.

Councillor Kusmierczyk asks about the tax revenue repercussions? Mr. Cadman advises the information is in the report on page 24 from the Finance Dept. Mr. Cadman notes the tax loss would only come into effect once Registration has taken place.

Mr. Kusmierczyk inquires whether there's concern this move to Condominium is merely to save on taxes? The Chair says yes. Mr. Cadman advises that in the past several years, there have been over 40 Condominium Conversions in the city. To this date, he is not aware of any of them being sold. Mr. Cadman also advises the same question used to be posed by former Councillor Percy Hatfield. Mr. Nesseth advises that is not the case. In the case of the applicants, they simply want to exit the project.

Councillor Kusmierczyk asks if it's possible to convert one unit at a time, as opposed to the entire property? Mr. Cadman advises it is doable, however, Official Plan Policies do not allow that procedure.

Councillor Kusmierczyk asks if the Conversion doesn't move forward, what of these repairs? Mr. Cadman advises that now that a Work Order is in place, those work orders must be satisfied regardless of approval or not.

The Chair notes his response to the taxation was based on past results and does not reflect on the current application, nor is it a reason to deny the application.

Councillor Sleiman asks if a condition can be placed after the legal conversion, if work orders incomplete the units convert back to apartments? The Chair advises that is not allowable. Ms. Vendrasco advises that is not appropriate. Once the unit has been converted and registered, it would be up to the Applicant to request a reversal.

Ms. Bjarneson seeks confirmation that the past conversions have all had to complete work orders. Mr. Cadman advises the largest was in Meadowbrook, with 14 buildings, having over \$1 million in extensive work done. Three years time to complete the orders is given. If incomplete, the applicant can request an extension, which can be up to another 3 years. This can continue until completed. And only then will they be permitted to register.

The Chair asks if there are any further questions for the applicant or administration? Seeing none, the Chair asks if there is anyone in the audience.

Mr. Hans Forsteller, 9900 Forest Glade Court. Advises he is interested in purchasing one of the units.

Councillor Holt seeks clarification that should this Committee approve the staged conversion, Council would probably deny it? The Chair advises, as stated earlier, what would be required is an amendment to the Official Plan, which Planning would not support.

Moved by Councillor Payne, seconded by Ms. Bjarneson.

I That the application of Forest Park of Windsor Inc. for approval of a draft plan of condominium for a property legally described as Part Block M, Plan 12M-77, as further described as Parts 1 and 2 12R-5704, exclusive of Parts 1 to 11, 12R25845, City of Windsor known municipally as 9900 to 9996 Forest Glade Court to permit the conversion of 28 residential dwelling units from rental to condominium tenure, as shown on the attached Map No. CDM-001/14-2, **BE APPROVED** subject to:

A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;

- B. That the draft plan approval shall lapse on _____ (3 years from the date of approval);
- C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
- E. The owner shall agree to remedy all site/building defects and deficiencies as contained in the:
 - 1. Building Condition Assessment report prepared by AMEC Environment & Infrastructure, dated October , 2013 with all corrections and improvements to be cleared as completed by a Professional Engineer retained by the owner;
 - 2. Building Department's Order to Repair dated February 10, 2014, as attached as **Appendix 'A'** of this report;
 - 3. Works Department - Engineering and Geomatics comments listed in **Appendix 'A'** of this report;
 - 4. Works Department – Transportation Planning comments listed in **Appendix 'A'** of this report;
 - 5. Windsor Fire and Rescue Services comments listed in **Appendix 'A'** of this report;

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

- F. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated March 25, 2014, as included in **Appendix 'A'**. All corrections and improvements shall be to the satisfaction of the Chief of Police;
 - G. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated February 18, 2014, as included in **Appendix 'A'**.
 - H. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the Manager of Development.
 - I. The owner shall provide a letter of credit/bonding, if required, to the satisfaction of the City Solicitor to guarantee work required under paragraphs E thru G, inclusive.
- II** Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in '**1. Recommendations I**' of this report, have been completed to the satisfaction of the respective departments and a Condominium Agreement has been registered against the subject lands.

Motion **CARRIED, UNANIMOUSLY.**

Item 4 **UNIVERSITY OF WINDSOR – 58-62 Park St. E., 376 Freedom Way, 0 & 357 Goyeau St.**

Ms. Nwaesei presents the item.

Craig Goodman – CS&P Architects & Susan Mark – University of Windsor are in attendance. Mr. Goodman states full agreement with the recommendations and also provides a brief slide presentation, showcasing the artist renditions of the proposed developments on the subject lands.

Councillor Payne notes there are no parking spaces provided. Mr. Goodman advises parking is part of a different set of activity of the university, but they do have plans to convert a majority of the Bus Depot lands to parking dedicated to the three buildings. Councillor Payne asks if they have a plan they can show of this proposed parking? Mr. Goodman advises they have a preliminary plan. Councillor Payne advises he would like to see it as a condition of approval. Mr. Goodman advises they're not required to provide parking for this project. There is no zoning requirement for parking for this building. The Chair concurs and advises that is the case for the City Centre and that the City also relies on the private sector for their role, mentioning the parking availability just east of the Casino. There are also other, Council approved, initiatives in the works. The Chair agrees with Mr. Goodman that parking is not a requirement and would not be a condition imposed.

Councillor Payne notes there will be a physical need for parking. Ms. Mark briefly discusses an initiative by the University study that is in the works as well pertaining to parking for students and faculty. Councillor Payne asks why parking can't be seen? Mr. Goodman mentions a parking study which is also available with this application. Mr. Hunt further advises there are plans to utilize existing and new parking structure to accommodate the university and free up space currently occupied by City personnel. The By-Law has no parking requirement or reduced parking requirement in the downtown corridor for most businesses; therefore, it would not be an imposed condition, but alternate solutions are being created to accommodate for a vibrant downtown core.

Councillor Payne continues, advising he'd like to see all those comments and suggestions in a report in order to make his recommendation. The Chair advises that information will be included in time for the Council meeting.

Ms. Bjarneson inquires as to what type of separation will be done between the School of Creative Arts Centre and Burger King? Mr. Goodman advises much of the buildings will be constructed to the lot line; however, in the area around the current NutHouse, there is proposed fencing and foliage.

Ms. Bjarneson notes concern over the alleyway, worried about people accessing Tim Horton's. Mr. Hunt advises the truck delivery is scheduled. As for Tim Horton's, all access is off of Goyeau St.; therefore, posing no concern for traffic in the alleyway. Also, Goyeau is no longer a through street, closing at Park St. for the Tunnel Corporation. Ms. Bjarneson was under the impression that the drive-thru was accessible from the alley. Ms. Bjarneson asks why is the alley open? Mr. Hunt advises it's to access the refuse and for delivery periodically.

The Chair asks if there are any further questions of the applicant or administration? Seeing none.

Moved by Ms. Bjarneson, seconded by Councillor Holt.

1. That OPA 98 **BE ADOPTED** to amend the City of Windsor Official Plan by adding the following site specific policies:
 - (1) The lands described as Lots 81-85 (incl.), Part of Lots 86-88 (incl.), Part of Block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, and municipally known as 58-62 Park St. E., 0 Park St. E. & 376 Freedom Way, along with lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., and municipally known as 0 Goyeau St., and 357 Goyeau St., are designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan
 - (2) Notwithstanding the "Mixed Use" designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, "university and college uses" may be additional permitted uses.
2. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands described as Lots 81-85 (incl.), Part of Lots 86-88 (incl.), Part of Block 'A', RP 91, Pt Block 'O', RP 85, located on the northeast corner of the intersection of Park St. E. and Freedom Way, and municipally known as 58-62 Park St. E., 0 Park St. E. & 376 Freedom Way, along with lands described as Lots 48 & 49, RP 91, located on the west side of Goyeau St. midway between Park St. E. and University Ave. E., and municipally known as 0 Goyeau St., and 357 Goyeau St., by adding a site specific holding provision to allow university and college uses as additional permitted uses on the subject lands;
3. That the holding symbol **BE REMOVED** when the applicant submits an application to remove the holding provision and when the following conditions are satisfied:
 - (i) An approved by-law for an Official Plan Amendment (OPA 98) to allow a site specific policy permitting university and college uses as additional permitted uses on the subject lands in the Mixed Use designation in the City Centre Planning district;
 - (ii) A Geotechnical Report (paid for by the applicant) identifying required mitigation measures is completed to the satisfaction of the City Planner and the City Engineer;
 - (iii) An Archaeological assessment is completed to the satisfaction of the City Planner; and
 - (iv) An executed Site Plan Control Agreement with the Corporation of The City of Windsor that includes any required mitigation measure identified in the required support studies.

Friendly amendment by Councillor Payne that background parking information be provided at time of Council Meeting.

Motion **CARRIED, UNANIMOUSLY.**

Item 2 **1859275 ONTARIO INC. – 2366 Dougall Ave.**

Mr. Szymczak presents the item.

Mr. John Tartaro (owner/applicant) is in complete agreement with the recommendations.

Ms. Bjarneson notes the applicant appears confident of the outcome and has already redesigned the building, advising how aesthetically pleasing it looks and everything is in place, including the vehicles in the showroom. Ms. Bjarneson inquires whether there's a process in place in the event that an applicant proceeds with business prior to approval? Are there fines incurred? Mr. Szymczak advises, ultimately, that's an enforcement issue which is complaint driven. But the applicant would have to have a business license to operate. Mr. Hunt explains further that Mr. Szymczak can only speak to Planning responsibilities. Mr. Hunt also notes that he has no knowledge that a business license and that operation has begun.

Councillor Holt inquires how long was it a car dealership prior to the music store? Mr. Tartaro advises to his knowledge, it was built as a Volkswagen Dealership in 1969. It was taken over by Leone's in 1994.

Mr. Tartaro also advises the Committee that there has been no sales or service being performed on the property. The cars inside the window are merely showcasing what is to come.

The Chair asks if there are any other questions of the applicant or administration.

Moved by Councillor Sleiman, seconded by Ms. Bjarneson.

That an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Lot 80, Concession 2, identified as Parts 1 to 5, Plan 12R-18615, known municipally as 2366 Dougall Avenue, situated on the east side of Dougall Avenue, south of Jackson Street by adding a site specific provision that an Automobile Sales Lot and a Motor Vehicle Dealership are additional permitted uses.

Motion **CARRIED, UNANIMOUSLY.**

Item 3 **HOUSEKEEPING AMENDMENT 2014-1 – City Wide**

Mr. Szymczak presents the item.

Councillor Holt notes the very detailed explanations given with the report and inquires about where the parking for bicycles can be found. Mr. Szymczak advises bicycle parking information can be found in Section 24.

Ms. Bjarneson inquires about temporary parking lots. Mr. Szymczak advises temporary parking provisions were removed several years ago. Ms. Bjarneson asks if this amendment then will help in how existing parking lots look and maintained etc.? Mr. Szymczak advises much of it already exists, it's just reformatted to be more consistent in terms of how it operates. The current wording has a lot of back-and-forth regulation references, whereas this simplifies it. There is really nothing new being introduced, it's merely being revised and up-to-date.

Ms. Bjarneson inquires if recommendations made regarding how a parking lot is maintained, etc., if it would be monitored by enforcement? Mr. Szymczak concurs that enforcement would be complaint based. If someone complains of non-compliance of a parking lot, they can call 311 and the City would take a look at it.

Councillor Payne inquires about the matter of the height of buildings, mentioning an application that came forth last year regarding an addition to a home on Riverside Drive and the neighbour was complaining of excessive height. Is this issue covered in this report? Mr. Szymczak advises it is not. This report covers height of accessory buildings only, such as garages, carports and sheds. Not main buildings.

Councillor Payne asks if the other issue was remedied? Mr. Hunt answers there was no easy way to resolve the issue and advises he will look into it further and get back to the Councillor on specifics.

Ms. Bjarneson mentions it also is happening elsewhere in Windsor, such as South Windsor, where homes are changing from bungalows to, what appears to be, 3-storey homes. It's aesthetically unpleasant. Mr. Szymczak asks the Committee to recall that a report was brought forward specifically dealing with height to simplify that issue, however, the main concern for some Committee members was the number that was proposed for the maximum building height. Therefore, that amendment has been delayed for the time being, pending further study. Mr. Szymczak proceeds to explain there is a difference between storey height and building height and different definitions of each. The attempt was to simplify, like with this report. Mr. Hunt advises the Deputy Solicitor reminded him that that particular item got deferred at that time. So it will have to come back to the Committee, at some point, to be considered again.

The Chair asks if there are further questions.

Moved by Ms. Bjarneson, seconded by Councillor Kuzmierczyk.

That Zoning By-law 8600 **BE AMENDED** on the following basis:

1. That Section 25 **BE DELETED AND REPLACED** with the following:

“SECTION 25 - PARKING AREA PROVISIONS

(Amended by: B/L 9057, Jul 7/1987; B/L 12429, Jan 8/1996; B/L 33-2001, Oct 23/2001, OMB Order No. 1716, OMB Case No. PL010233; B/L 370-2001, Nov 15/2001; B/L 167-2003, Jun 27/2003; B/L 167-2003, Jun 27/2003; B/L 132-2011, Aug 5/2011; B/L 53-2012, Jun 1/2012) [ZNG/4249]

25.1 APPLICATION

- .1 The provisions in this Section apply to the construction or maintenance of a parking area containing five or more parking spaces, accessible parking spaces, visitor parking spaces or combination thereof in all zoning districts in this by-law.

25.5 GENERAL PROVISIONS

25.5.1 PROHIBITIONS

- .1 The parking or display of a motor vehicle within a landscaped open space yard, landscaped open space island or parking area separation is prohibited.

- .5 The placement of a refuse bin within a parking area and within 6.0 metres of the point of intersection of any two streets or any street and an access area; within a required parking space, required accessible parking space or required visitor parking space; or in a manner so as to hamper the movement or prevent the safe operation of a motor vehicle utilizing the parking area is prohibited.

25.5.10 CONSTRUCTION AND MAINTENANCE OF PARKING AREA

- .1 All parking spaces, visitor parking spaces and accessible parking spaces shall be accessible directly and exclusively from a parking aisle.
- .3 A curb shall bound the perimeter of a parking area and shall separate a landscaped open space yard, landscaped open space island or parking area separation from the parking area.
- .5 Any curb shall be constructed of poured in place concrete, shall be continuous and shall have a minimum width and height of 15.0 centimetres. Precast concrete, rubber, plastic or other curbing or a parking stop that is not continuous is prohibited.
- .7 A parking area shall be graded and drained into a municipal sewer system to prevent the runoff of surface water onto a street, alley or abutting properties.
- .9 A parking area shall be paved with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof, and shall be maintained in good condition.
- .11 Any lighting used to illuminate a parking area shall be full cut-off lighting.
- .13 For any part of a parking area that is located less than 4.50 metres from a dwelling unit on an abutting lot, a screening fence with a minimum height of 1.20 metres shall be provided along the lot line on which the parking area is located.
- .15 Where a parking area abuts an alley that provides access to the parking area, a screening fence that is located within 6.00 metres of the access area shall have a height of 0.90 metres.
- .17 Subject to Section 25.5.1.5, a refuse bin may be located within a parking area and shall be fully screened by a screening fence having a minimum height of 1.80 metres.

25.5.20 PARKING AREA SEPARATION

- .1 A parking area separation shall be provided as shown in Table 25.5.20.1:

TABLE 25.5.20.1 – PARKING AREA SEPARATION		
PARKING AREA FROM		MINIMUM SEPARATION
.1	Huron Church Road between the south limit of College Avenue and the north limit of the EC Row Expressway	10.00 m
	Save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1820 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West)	3.00 m
.2	Any other street	3.00 m
.3	An interior lot line or alley	0.90 m
.4	A rear lot line on a lot located in a Commercial District 3.9	10.00 m
.5	A building wall in which is located a main pedestrian entrance facing the parking area	2.00 m
.6	A building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area	4.50 m

- .5 The area forming the parking area separation shall be maintained exclusively as a landscaped open space yard.

25.5.30 ACCESS AREA

- .1 Ingress to a parking area from a street or alley or egress from a parking area to a street or alley shall be by way of an access area.
- .2 An access area may cross a required yard or a required landscaped open space yard.
- .3 An access area exclusively serving a loading space or serving a building in an Manufacturing District 1 or Manufacturing District 2 shall have one or more one-way lanes. Each lane shall have a minimum width of 3.50 metres and a maximum width of 6.50 metres.
- .4 An access area for all other uses shall have one or more one-way lanes. Each lane shall have a minimum width of 3.50 metres and a maximum width of 4.50 metres.
- .5 The width of each lane in an access area shall be measured a maximum of 3.00 metres from the lot line the access area crosses.

- .6 The width of the access area where it crosses the lot line shall be a minimum of the measurement in Section 25.5.30.5.

25.5.40 COLLECTOR AISLE

- .1 A collector aisle is prohibited within a street or alley.
- .2 A collector aisle shall be designed to prevent any vehicle that utilizes the collector aisle from entering upon a street or alley except by way of an access area.
- .3 A collector aisle that has a length of less than 50.00 metres shall have a minimum width of 6.00 metres for the entire length of the collector aisle.
- .4 A collector aisle that has a length of 50.00 metres or more shall have a minimum width of 7.50 metres for the entire length of the collector aisle.
- .5 Where a collector aisle is perpendicular to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 3.00 metres.
- .6 Where a collector aisle is parallel to a parking space, accessible parking space or visitor parking space, the minimum separation between the collector aisle and a parking space, accessible parking space or visitor parking space shall be 2.50 metres.
- .7 The area forming the separation between a collector aisle and a parking space, accessible parking space or visitor parking space shall be maintained exclusively as a landscaped open space yard.

25.5.50 PARKING AISLE

- .1 A parking aisle is prohibited within a street and shall be designed to prevent any motor vehicle that utilizes the parking aisle from entering upon a street except by way of an access area.
- .2 A parking aisle located, in whole or in part, within an alley shall have a minimum width in conformity with Table 25.5.50.3. Where a parking aisle is not located, in whole or in part, within an alley, the parking aisle shall be designed to prevent any motor vehicle that utilizes the parking aisle from entering upon the alley except by way of an access area.

- .3 The minimum width of a parking aisle shall be as follows:

TABLE 25.5.50.3 – MINIMUM PARKING AISLE WIDTH		
ANGLE OF PARKING SPACE RELATIVE TO THE PARKING AISLE (IN DEGREES)		MINIMUM WIDTH OF A PARKING AISLE
.1	30.0°	3.50 metres
.2	45.0°	4.50 metres
.3	60.0°	5.50 metres
.4	90.0°	6.00 metres
.5	All angles and widths not indicated above are deemed to be the next highest angle and width indicated.	

- .4 A parking aisle having a width of less than 5.50 metres shall be designed to provide one-way movement of vehicles by providing a vehicular ingress at one end and a vehicular egress at the opposite end.
- .5 Where a parking aisle has a length of 50.00 metres or more and intersects with another parking aisle, there shall be a minimum 2.50 metre wide landscaped open space island at the intersection of the parking aisles.

25.10 PUBLIC PARKING AREA PROVISIONS

25.10.1 The provisions in Section 25.5 and the following additional provisions shall apply to a public parking area:

- .1 A shelter for parking attendants with a maximum gross floor area of 5.00 square metres and a maximum building height of 3.00 metres may be erected within a public parking area. All other buildings within a public parking area are prohibited;
- .2 A public parking area within any required yard of any dwelling or combined use building is prohibited; and
- .3 The sale, lease, rental, display or repair of motor vehicles within a public parking area is prohibited.

25.20 PARKING GARAGE PROVISIONS

25.20.1 The provisions in Section 25.1, Section 25.5.1, Section 25.5.10, Section 25.5.30, Sections 25.5.40.3 to 25.5.40.6 inclusive, and the following additional provisions shall apply to a parking garage:

- .1 A minimum separation of 6.00 metres shall be provided between an access ramp and an access area.

- .2 Perimeter screening shall be provided at each level of an above ground parking garage so as to prevent the projection of light from headlights into habitable room windows that face the parking garage and are not separated there from by a street.”
2. That Section 7 **BE AMENDED** as follows:
 - a) By adding the following paragraph after paragraph (1)

“(1a) **“Access Ramp”** means that part of a collector aisle that has a slope of greater than 12.0 degrees from the horizontal plane and that provides motor vehicle egress from the parking garage. [ZNG/4249]”
 - b) By deleting paragraph (27) and replacing it with the following:

“(27) **“Collector Aisle”** means an unobstructed part of a parking area that provides direct access to a parking aisle.[ZNG/4249]”
 - c) By deleting paragraph (90) and replacing it with the following:

“(90) **“Manoeuvring Aisle”** See Section 7(105) Parking Aisle. [ZNG/4249]”
 - d) By deleting paragraph (105) and replacing it with the following:

“(105) **“Parking Aisle”** means an unobstructed part of a parking area that provides direct access to a parking space. A Manoeuvring Aisle is a Parking Aisle. [ZNG/4249]”
 - e) By adding paragraph (105a) as follows:

“(105a) **“Parking Area”** means an area used for parking spaces, bicycle parking spaces and loading spaces and includes all collector aisles and parking aisles. An outdoor storage yard is not a parking area. [ZNG/2930; ZNG/4249]”
3. That Section 20(1) **BE AMENDED** as follows:

Section 20(1)19 be deleted and replaced with the following:

“19. For the lands comprising Lot 2 and part of Lot 1, Block “H”, Registered Plan 84; Lots 1 to 6 inclusive, Lots 9 to 16 inclusive, Lots A, B, C, D and E and all of Lane, Registered Plan 88; Lots 7, 9 and 10, Registered Plan 120; Lots 7 and 8, Lots G, H, I and J and all of private lane, Registered Plan 289 and part of Lot 80, Concession 1, comprising the block bounded by Riverside Drive West, Ferry Street, Ouellette Avenue and Pitt Street West and designated as Parts 1 to 26 on Plan 12R-16416, the following regulations shall not apply:

 - (i) Section 16(1)(b)(ii) relating to minimum amenity area per dwelling unit;
 - (ii) Sections 24.20.10, 24.22.10 and 24.24.10 relating to size of parking spaces;

- (iii) Section 24.40.1 relating to required loading spaces;
- (iv) Section 25.5.30.4 relating to access areas;
- (v) Section 25.5.50.5 relating to parking aisles;
- (vi) Section 22(3)(b) relating to location of buildings on corner lots;

and, the maximum building height shall be 125.0 metres.

[ZDM 3; ZNG/2930; ZNG/4249]"

Section 20(1)147 be deleted and replaced with the following:

- "147. For the lands comprising Lots 36 to 39 inclusive, Block C, Registered Plan 50, situated on the west side of California Avenue, south of College Avenue. For a townhome dwelling, the maximum number of dwelling units shall be 5, the maximum building height of the main building shall be 3 storeys, the maximum total lot coverage shall be 40% of the lot area and the minimum side yard width shall be 1.30 metres and that Section 25.5.10.1 and Section 25.5.30.1 shall not apply. [ZDM 4; ZNG/4249]"

Section 20(1)152 be deleted and replaced with the following:

- "152. For the lands comprising Lots 68 to 70, Registered Plan 581, situated at the northwest corner of Giles Boulevard West and Pelissier Street, a business office within the existing building shall be an additional permitted use, subject to the provision of six on-site parking spaces. Further, Section 25.5.10.3, Section 25.5.10.5, Section 25.5.30, Section 25.5.40 and Section 25.5.50 shall not apply. [ZDM 7; ZNG/4249]"

Section 20(1)204 be deleted and replaced with the following:

- "204. For the lands comprising Part of Lot 75, Concession 1, located on the west side of Crawford Avenue, south of Giles Boulevard West, the following shall be additional permitted uses:
- (i) An automobile sales lot subject to the provisions of Sections 25.5.10.7, 25.5.10.9 and 25.5.10.11; [ZNG/4249]
 - (ii) The sale and display of natural stone slabs and architectural stone products, subject to the provision of a fence with a minimum height of 1.80 meters on the entire perimeter of the subject site. (ZDM 4)"

Section 20(1)205 be deleted and replaced with the following:

- "205. For the lands comprising Lot 35 and Part of Lots 33 and 34, Block C, Registered Plan 50, situated at the southwest corner of College Avenue and California Avenue, the following provisions shall apply to a multiple dwelling with a maximum of three units:

- (i) Minimum lot width - 14.0 metres

- (ii) Minimum lot area - 525.0 square metres
- (iii) Sections 25.5.10.7, 25.5.10.9 and 25.5.10.11 shall not apply to any parking area. [ZDM 3; ZNG/4249]"

Section 20(1)208 be deleted and replaced with the following:

- "208. For the lands comprising Part of Lots 25 and 26, Registered Plan 50, situated on the north side of University Avenue West, east of Sunset Avenue, as shown delineated by a heavy black line on Schedule 'A' of By-law 37-2007, a restaurant shall be an additional permitted use subject to the provision of a minimum of seven on-site parking spaces. Further, Section 25.5.20.1, Section 25.5.30.1, Section 25.5.50.2 and Section 25.5.50.3 shall not apply. [ZDM 3; ZNG/4249]"

Section 20(1)219 be deleted and replaced with the following:

- "219. For the lands comprising Part of Block 'A' and Lots 50 to 54 inclusive, Registered Plan 91 and Part of Block 'O', Registered Plan 85, situated at the southwest corner of University Avenue East and Goyeau Street, as shown delineated by a heavy block line on Schedule 'A' attached to By-law 182-2007, a drive-thru restaurant shall be an additional permitted use subject to the provision of a minimum of nine stacking spaces. Further:

- (i) Section 25.5.20.1.2 shall not apply;
- (ii) Access from an alley to a parking area or egress from a parking area to an alley shall be permitted. [ZDM 6;ZNG/4249]"

Section 20(1)246 be deleted and replaced with the following:

- "246. For the lands bounded on the north by Riverside Drive East, on the east by Aylmer Avenue, on the south by University Avenue East, and on the east by Glengarry Avenue, except 568 Chatham Street East, as delineated by a heavy black line on Schedule 'A' attached to By-law 117-2009, a public parking area shall be an additional permitted use and the following additional regulations shall apply:

- (i) Notwithstanding Section 25.5.20.1.2, the minimum parking area separation from Riverside Drive East and Glengarry Avenue is 0.0 metres.
- (ii) Notwithstanding Section 25.5.20.1.2, the minimum parking area separation from Chatham Street East and University Avenue East is 1.0 metres. [ZDM 6; ZNG 4249]"

Section 20(1)256 be deleted and replaced with the following:

- "256. For the lands comprising Part of Lots 1, 3, 4 and 6 and Part of Block 'N', Registered Plan 211, situated at the northwest corner of Walker Road and Wyandotte Street East, as described on Schedule "A" to By-law 11952, the following regulations shall apply:

- (i) A minimum of 24 on-site parking spaces shall be provided;
- (ii) The parking of a motor vehicle may be permitted within 3.0 metres from the intersection of Walker Road and Wyandotte Place;
- (iii) The minimum width of a parking aisle adjacent to the two most westerly parking spaces along Wyandotte Street East may be 2.0 metres;
- (iv) A minimum 0.60 metre setback shall be provided between a parking space and a collector aisle where a parking space is parallel to a collector aisle;
- (v) Section 25.5.20.1.2 shall not apply to that part of a parking area abutting Wyandotte Place; and
- (vi) A minimum 1.50 metre setback shall be provided between a parking area and a building wall in which is located the main pedestrian entrance facing the parking area. [ZDM 6; ZNG 4249]”

Section 20(1)264 be deleted and replaced with the following:

“264. For the lands comprising Part of Lot 128, Concession 1, situated on the east side of Lauzon Road and west side of Frank Avenue, more particularly described as Part 1 and Part 2 and the north part of Parts 7 and 8, Plan 12R-24162, a parking area shall be an additional permitted use, subject to the following:

- (i) All provisions in Section 25.1, Section 25.5 and Section 25.10;
- (ii) Minimum parking area separation from the northerly lot line shall be 4.0 metres;
- (iii) Minimum parking area separation from Lauzon Road shall be 8.0 metres;
- (iv) Provide a 1.50 metre high screening fence along the northerly lot line;
- (v) No direct vehicular access to Lauzon Road and Frank Avenue. [ZDM 10; ZNG/4249]”

Section 20(1)266 be deleted and replaced with the following:

“266. For the lands comprising the north Part of Lot 57, the south Part Lot 59 and Lot 58, Registered Plan 831, situated on the east side of Aubin Road, north of Seminole Street, the following additional provisions shall apply:

- (i) Minimum building setback from the Aubin Road right-of-way shall be 3.0 metres;
- (ii) Provision of a wood screening fence with a minimum height of 1.8 metres along the north property line between the carport at 1478 Aubin Road and the east property line of subject land;

- (iii) The required exterior finish of the building duplicate the brick pattern and colour on the existing building at 3930 Seminole Street;
- (iv) That Section 25.5.10.3, Section 25.5.10.5, Section 25.5.20.1 and Section 25.5.20.5 shall not apply to any parking space adjacent to a building wall. Painted lines shall be provided to indicate the westerly limit of the parking space. [ZDM 10; ZNG/420; ZNG/4249]”

Subsections 3 and 4 of Section 20(1)282 be deleted and replaced with the following:

“3. The following provisions for the Additional Permitted Uses shall not apply:

- (i) Section 21 (12) (a) (iv)
- (ii) Section 25.5.20.1.2 [ZNG/4249]

4. The following provisions for the Additional Permitted Uses shall not apply when adjacent to another Institutional use:

- (i) Section 25.5.20.1.3 [ZNG/4249]

(ZDM 9)”

Section 20(1)298 be deleted and replaced with the following:

298. For the lands comprising of Lots 32 and 31 on Plan 360, located on the north side of Erie Street East, between Parent Avenue and Elsmere Avenue, and municipally known as 866 and 870 Erie Street East, a Lodging House shall be an additional permitted use, subject to the following additional regulations:

- i. No person shall be provided with lodging on any part of the ground floor level of the building used for a Lodging House;
- ii. Parking shall be provided at the rear and vehicular access shall be provided through the rear alley; and
- iii. The requirements of Section 25.5.10.3, Section 25.5.10.5, Section 25.5.10.13, Section 25.5.10.15, Section 25.5.20 and Section 25.5.50.5 shall not apply. [ZDM 7; ZNG/3999; ZNG/4249]”

4. That Section 21 be amended by adding the following sub-section:

“(25) Automobile Sales, Lease or Rental – Accessory Use

- (a) The sale, lease or rental of automobiles as an accessory use is prohibited, save and except the sale, lease or rental of an automobile as an accessory use to an Automobile Repair Garage or the lease or rental of an automobile as an accessory use to any Retail Store or Service Station is permitted subject to the following provisions:

- (i) The storage or display of five or more automobiles for sale, lease or rental purposes on a lot is prohibited.
- (ii) The storage or display of an automobile for sale, lease or rental purposes having a width of greater than 2.50 metres or a length greater than 6.10 metres is prohibited.
- (iii) The storage or display of an automobile for sale, lease or rental purposes in a required parking space, in a required accessible parking space or in a landscaped open space yard is prohibited.
- (iv) The area where an automobile for sale, lease or rental purposes is stored or displayed shall be paved with a hard surface consisting of paving brick or block, asphalt, concrete or any combination thereof, and shall be maintained in good condition.[ZNG/4249]"

5. That Section 7(17) be deleted and replaced with the following:

“(17) **"Building Height"** means:

- (a) For any building or part of any building with a flat roof or a roof having a slope of less than 20.0 degrees, the vertical distance between the grade and the highest point of the roof;
- (b) For a main building or that part of a main building with any other roof, the vertical distance between the grade and the mid-point between the lowest eaves and the highest point of the roof;
- (c) For an accessory building or that part of an accessory building with any other roof, the vertical distance between the grade and the highest point of the roof. [ZNG/4249]"

6. That Section 7(21) be deleted and replaced with the following:

“(21) **"Carport"** means an accessory building or part of a main building that covers a parking space and that is completely open on at least two sides. [ZNG/4249]

7. That Section 22(9)(d) be deleted.

8. That Section 21(11) be deleted and replaced with the following:

“(11) **ACCESSORY BUILDINGS**

(Amended by B/L 10358, Jul 16/1990; B/L 10358, Jul 16/1990; B/L 11093, Jul 20/1992; B/L 11780, Mar 28/1994; B/L 324-1999, Dec 1/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233; B/L 164-2010, Nov 17/2010) [ZNG/4249]

- (a) On a through lot, an accessory building shall have a minimum setback from the rear lot line equal to the minimum front yard depth required for a main building on the lot.
- (b) The minimum separation between the closest wall of an accessory

building and the closest wall of a dwelling located on the same lot shall be 2.50 metres.

- (c) For a carport located within a parking area, the provisions of Section 25.20 shall apply.
- (d) In any Residential District or Institutional District, a detached accessory building including a detached garage or a detached carport shall be permitted in a rear yard or a side yard and shall have a minimum separation of 0.60 metres from a rear lot line or side lot line. Any eaves or gutters on the detached accessory building shall have a minimum separation of 0.30 metres from a rear lot line or side lot line.
- (e) In any Residential District, the maximum building height of an accessory building shall be 5.50 metres from grade, save and except, for an accessory building having a flat roof or a mansard roof, the maximum building height shall be 3.00 metres from grade.

For the purpose of provision 21(11)(e), grade shall mean the average elevation of the finished surface of the ground adjacent to the accessory building.

- (f) Notwithstanding the provisions respecting accessory building lot coverage, in a Residential District, on a lot having a lot area of less than 370.0 square metres, the maximum lot coverage for all accessory buildings on such lot shall be 37.0 square metres.”

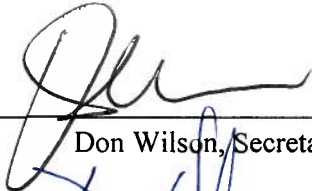
Ms. Bjarneson commends Mr. Szymczak on cleaning up the definitions in this amendment.

Motion **CARRIED, UNANIMOUSLY.**

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:44 pm.

Councillor Bill Marra, Chair


Don Wilson, Secretary