

RB/  
Windsor, Ontario, December 9, 2013

A meeting of the **Planning 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 Dilkens  
Councillor Sleiman  
Councillor Payne

**Citizens**

Barb Bjarneson

**Regrets**

Merrill Baker

**Delegations**

Tullio Meconi, Solicitor (Item 1)  
Nelson Rocha (Item 2)  
Jennifer Van Gaalen, (Item 2)  
Chris Dunn (Item 2)  
Carmen Battagin (Item 2)  
Giordano Battagin (Item 2)  
Marty Paonessa, (Item 3)  
Ursula Miletic, (Item 4)  
Max DiAngelis (Item 4)  
Daphne Clark (Report 335 of the Windsor Heritage Committee)

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

Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Wira Vendrasco, Deputy City Solicitor  
Lee Anne Doyle, Executive Director/Chief Building Official  
Tony Ruffolo, Right of Way Coordinator, Public Works  
Justina Nwaesei, Planner II  
John Calhoun, Heritage Planner  
Tom Cadman, Planner III  
Robert Barlozzari, Council Assistant

1. **CALL TO ORDER**

The Chair calls the meeting of the Planning and Economic Development Standing Committee to order at 4:31 o'clock p.m.

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

Councillor Payne discloses an interest and abstains from voting on the Minutes of the Property Standards Committee held October 28, 2013.

3. **ADOPTION OF MINUTES**

Moved by B. Bjarneson, seconded by Councillor Dilkens,  
**THAT** the minutes of the meeting of the Planning and Economic Development Standing Committee (Planning Act Matters) held November 12, 2013 **BE ADOPTED** as presented.

Carried.

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

Rezoning, David Tran, 1478 Wyandotte Street East, add site specific provisions to allow a pawnshop as additional permitted use – **APPLICATION WITHDRAWN**.

5. **PRESENTATIONS AND DELEGATIONS**

Item 3 **Request to close the entire/west and north/south alleys situated south of Wyandotte Street East, between Elinor Street and Florence Avenue extension.**

**Marty Paonessa, Property Owner**

M. Paonessa, Florence Avenue resident appears before the Planning & Economic Development Standing Committee to support the alley closures as described in the administrative report recommendations.

Moved by Councillor Dilkens, seconded by Councillor Payne

I. THAT the portion of the 4.27 metre (14.0 feet) wide east-west alley south of Wyandotte Street East, between Elinor Street and Florence Avenue extension, shown as Part 2 on Drawing No. CC-1646 ***attached*** hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. THAT the portion of the 4.27 metre (14.0 feet) wide east-west alley south of Wyandotte Street East, between Elinor Street and Florence Avenue extension, shown as Part 2 on Drawing No. CC-1646 ***attached*** hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the easements and conveyance costs noted below;

III. THAT the entire 4.27 metre (14.0 feet) wide north-south alley south of Wyandotte Street East, between Elinor Street and Florence Avenue extension,

shown as Part 3 and Part 4 on Drawing No. CC-1646 attached hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

IV. THAT the entire 4.27 metre (14.0 feet) wide north-south alley south of Wyandotte Street East, between Elinor Street and Florence Avenue extension, shown as Part 3 and Part 4 on Drawing No. CC-1646 attached hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the easements and conveyance costs noted below;

V. THAT Easements **BE REQUIRED** in favour of:

- Bell Canada, for Parts 2, 3 & 4
- Cogeco Cable Canada LP, for Parts 2, 3 & 4

VI. THAT Conveyance Costs **BE SET** as follows:

- Abutting properties zoned DRD1.1 and RD1.2: \$1.00 plus deed preparation plus proportionate share of survey cost

VII. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1646, attached hereto as Appendix "A"

VIII. THAT the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice

IX. That the City Solicitor **BE REQUESTED** to prepare the necessary by-laws;

X. 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;

XI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.  
Carried.

Item 4 **Request to close the east/west alley between Lincoln Road and Windermere Road, south of Ypres Avenue**

**Max DeAngelis, DeAngelis Construction**

Max DeAngelis, appears before the Planning & Economic Development Standing Committee on behalf of his client at 2420 Lincoln Road to clarify the alley approach/apron requirements.

**Ursula Miletic, Resident**

Ursula Miletic appears before the Planning & Economic Development Standing Committee to ensure that in the event of current or future alley closures

associated to construction at 2420 Lincoln Road, area property owners will have the opportunity to purchase the portion abutting their homes.

Moved by Councillor Sleiman, seconded by Councillor Dilkens

I. That the west part of the 4.27 metre (14.0 feet) wide east-west alley between Lincoln Road and Windermere Road, south of Ypres Avenue, shown as Part 1 on Drawing No. CC-1647 attached hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners subject to the easements and conveyance costs noted below;

II. THAT Easements **BE REQUIRED** in favour of:

- Bell Canada
- Cogeco Cable Canada LP
- Enwin Utilities – Hydro

III. THAT Conveyance Cost **BE SET** as follows:

- Abutting properties zoned RD1.1: \$1.00 plus deed preparation plus proportionate share of survey cost.

IV. THAT the applicant **BE REQUIRED** to remove the existing approach at the west end of the subject alley along Lincoln Road, and restore the boulevard and barrier curb to the satisfaction of the City Engineer OR that the applicant **BE REQUIRED** to obtain a permit to maintain the existing approach

V. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1647, attached hereto as Appendix "A"

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

VII. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s)

VIII. 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

IX. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

6. **PLANNING ACT MATTERS**

Minutes for the Planning Act Matters for the December 9, 2013 Planning & Economic Development Standing Committee meeting are attached as Appendix "A".

Item 1 **Rezoning, Wonsch Construction Company Limited, 700 and 850 Cabana Road East, permit semi-detached dwellings**

Moved by Councillor Sleiman, seconded by B. Bjarneson.

1. That an amendment to Zoning By-law 8600 **BE APPROVED**, amending the zoning for 700 Cabana Road East (Part Lot 88 Concession 3, now described as Parts 1, 20 & 21, 12R-14400), from RD1.2 to RD2.1 and 850 Cabana Road East (Part Lots 89 & 90 Concession 3, now described as Parts 17, 53 & 54, 12R-14400), from RD1.4 to RD2.1 to permit semi-detached dwellings.

Carried.

Item 2 **Rezoning, Nelson Rocha, 254 Watson Avenue, permit a double duplex building containing 4 dwelling units**

Moved by Councillor Payne, seconded by B. Bjarneson

THAT the application to amend the Zoning By-law 8600 for 254 Watson Avenue (North part Lot 80, Part Lot 81, Plan 829; Part Lot 129 Concession 1), from RD1.2 to RD2.2 to permit a double duplex building containing 4 dwelling units **BE DENIED**.

Carried.

7. **ADMINISTRATIVE ITEMS**

Item 5 **Conveyance of part of the north/south alley between Edward Avenue and Virginia Avenue, north of Raymond Avenue to alley next south of St. Rose Avenue**

Moved by Councillor Sleiman, seconded by Councillor Payne

THAT the request by the owner of the property indicated below, to acquire an unclaimed part of the north/south alley between Edward Avenue and Virginia Avenue north of Raymond Avenue to alley next south of St. Rose Avenue, Registered Plan 1145, being part of PIN 01078-0539, as shown on the *attached* drawing, closed by By-law Number 10999 dated May 4, 1992 and registered on title May 11, 1992 as instrument number R1198110, **BE APPROVED** subject to easements in favour of ENWIN Utilities Ltd., Bell Canada and Cogeco Cable Canada LP, and further, the unclaimed alley **BE CONVEYED** at \$1.00 plus deed preparation costs and survey costs, since the abutting property owner has waived their right to acquire:

**UNCLAIMED ALLEY**

924 Virginia Avenue  
Plan 1145, Lot 212

**CONVEY TO**

915 Edward Avenue  
Plan 1145, Lot 204

Carried.

8. **COMMITTEE MATTERS**

**Report No. 323 of the Windsor Heritage Committee (Request to remove from Heritage Register – Holy Cross Greek Orthodox Church, 65 Ellis Street East)**

Moved by Councillor Sleiman, seconded by Councillor Dilkens

THAT Report No. 323 of the Windsor Heritage Committee (Request to remove from Heritage Register Holy Cross Greek Orthodox Church, 65 Ellis Street East) **BE RECEIVED** and **BE REFERRED** to City Council for decision.

Carried.

**Report No. 334 of the Windsor Heritage Committee (Semi-detached residence, 650 Devonshire Road, amend Heritage Designation)**

Moved by Councillor Sleiman, seconded by Councillor Dilkens

THAT City Council **GIVE NOTICE** of an intention **TO AMEND** the Heritage Designation By-law for the semi-detached residence at 650 Devonshire Road from the existing list of heritage features (Appendix A) to a new list (Appendix B).

Carried.

**Report No. 335 of the Windsor Heritage Committee (St. Alphonsus Church, 85 Park Street East – Built Heritage Fund Grant for Provincial Plaque)**

Moved by Councillor Dilkens, seconded by Councillor Sleiman

THAT the request by St. Alphonsus Church for a grant of **\$600** from the Built Heritage Fund **BE APPROVED** for a contribution for a provincial plaque honouring the Rev. James Theodore Wagner, provided that funds up to the approved amount will be disbursed when work is complete and installed.

Carried.

**Report No. 336 of the Windsor Heritage Committee (Response to CQ15-2013 – Heritage Ratings)**

Moved by Councillor Dilkens, seconded by Councillor Sleiman

THAT Administration **BE DIRECTED** to send a letter to every owner of a non-designated property on the Windsor Municipal Heritage Register, stating what the listing status means; and

THAT Administration **BE DIRECTED** to develop and report back to City Council on a scoring system for heritage properties that will be used only when considering a property for a new individual designation after all information pertinent to the property is collected.

Carried.

**Minutes of the Property Standards Committee meeting held October 28, 2013**

Moved by Councillor Dilkens, seconded by Councillor Sleiman,  
That the Minutes of the Property Standards Committee meeting held October 28,  
2013 **BE DEFERRED** to the next Planning & Economic Development Standing  
Committee to allow time for the Property Standards Committee to review and approve  
the minutes.

Carried.

Councillor Payne discloses and interest and abstains from voting on this matter.

9. **QUESTION PERIOD**

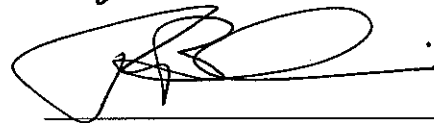
None

10. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:39 o'clock p.m.



CHAIR



COUNCIL ASSISTANT

## APPENDIX "A"

MS/  
Windsor, Ontario, December 9, 2013

A meeting of the Planning & Economic Development Standing Committee is held this day commencing at 4:30 pm in Council Chambers, there being present the following members:

Councillor Marra (Chair)  
Councillor Dilkens  
Councillor Payne  
Councillor Sleiman

### Citizens

Barb Bjarneson

### Regrets

Merrill Baker

### Delegations

Jennifer Gaalen  
Chris Dunn  
Carmen & Giordano Battagin  
Louis Guarascio

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

Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Wira Vendrasco, Deputy City Solicitor  
Lee Anne Doyle, Chief Building Official/Director of Building  
Tom Cadman, Planner III  
Justina Nwaesei, Planner II  
Tony Ruffolo, Right-Of-Way Coordinator, Public Works  
Robert Barlozzari, Council Secretariat

### 1. CALL TO ORDER

The Chair calls the meeting to order at 4:32 pm.

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

None disclosed.

### 3. ADOPTION OF MINUTES

Moved by Ms. Bjarneson, seconded by Councillor Sleiman.

**THAT** the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, November 9, 2013 BE ADOPTED as presented.

Carried, Unanimously.



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

None.

5. **COMMUNICATIONS**

None.

6. **PRESENTATIONS AND DELEGATIONS**

Item 2 Nelson Rocha Z-013/13 [ZNG/4022]

- Jennifer Gaalen & Chris Dunn
- Carmen & Giordano Battagin
- Louis Guarascio

7. **PLANNING ACT MATTERS**

Item 1 **Wonsch Construction Company Ltd. – 700 & 850 Cabana Rd. E.**

Mr. Cadman is introduced as the author by the Chair. The recommendation is for Approval.

Mr. Tullio Meconi (agent) and Mr. G. Wonsch gives a brief background of the development and are in agreement with the recommendations. They are also aware of the changes and comments recently received.

Councillor Payne seeks further clarification of an OMB regarding the subject properties. Mr. Meconi clarified the OMB approved 25% (4 units) of the development for single detached lots and the City, appellant and applicant were to determine where these lots would be located.

Ms. Bjarneson seeks clarification or correction of paragraph 3, under 'Official Plan' on page 5 of 14 of the report. The wording states double duplex but should read semi-detached dwelling. Mr. Cadman confirms. Ms. Bjarneson also notes a gully on the property which should be rectified once the property is built. Mr. Cadman confirms that as well.

Ms. Bjarneson asks if anyone has further information regarding the OMB ruling. Mr. Cadman advises the board member wanted 25% to be single family homes. It was the City that determined where the four (4) lots would be. The two (2) on either side of Holburn were sold. They were also Model Homes.

Moved by Councillor Sleiman, seconded by B. Bjarneson.

1. That an amendment to Zoning By-law 8600 **Be Approved**, amending the zoning for 700 Cabana Road East (Part Lot 88 Concession 3, now described as Parts 1, 20 & 21, 12R-14400), from RD1.2 to RD2.1 and 850 Cabana Road East (Part Lots 89 & 90 Concession 3, now described as Parts 17, 53 & 54, 12R-14400), from RD1.4 to RD2.1 to permit semi-detached dwellings.

The Chair asks the author/planner if he stands by his recommendation? Mr. Cadman advises his recommendation stands.

Ms. Bjarneson seconds the motion with trepidation. Asks that future P&EDSC members take into consideration when considering increased neighbourhood density fronting busy streets.

Motion CARRIED, UNANIMOUSLY.

Item 2 **Nelson Rocha – 254 Watson Ave.**

Mr. Cadman is introduced as the author by the Chair. Recommendation is for Approval.

Nelson Rocha advises his request conforms to the Official Plan and has the support of the Planning Department. He is in agreement with the recommendations.

The following residents came forth to oppose the recommendation:

Jennifer Gaalen & Chris Dunn – 246 Watson

Carmen & Giordano Battagin – 236 Watson

Louis Guarascio – 230 Watson

Their comments were as follows:

- Impact of the changes in zoning, ie. changes in quality of life in the community
- Decreased parking due to visitors to the double duplex
- Concern the owner may add another double duplex to the back of the property
- Feels the area is being over-saturated with multi-family properties
- Decreased value of homes/neighbourhood
- Quickly becoming less a single family neighbourhood
- Safety for children/residents – have no street lighting on this block
- Have apartment buildings located nearby and public housing down the road
- Opposed to the request for approval of this application

The Chair notes also receiving a letter from Willian Lappan – 242 Watson, also opposed to the recommendations.

Mr. Rocha refers to comments from Police Services advising no objection to the proposal. Also adding there was nothing to reveal above average incidences in the area in terms of crime. In terms of parking, he is accommodating the future residents with space on the property, as required. Mr. Rocha also notes no negative feedback from Transportation Planning.

Ms. Bjarneson asks the applicant what future plans he has with the space behind the residence? Mr. Rocha advises he has no plans. Ms. Bjarneson then asks why the property isn't located further away from the road? Mr. Rocha advises ease of maintenance/upkeep as reasons.

Councillor Sleiman to Administration, asks if there is room to accommodate more parking spaces on site to accommodate possible 2<sup>nd</sup> household vehicles and visitors? Mr. Cadman advises the applicant is only required to provide one parking space per unit, per the by-law. There is space available for more. It is up to the applicant to chose to add more than what is required.

Councillor Payne asks Mr. Cadman to clarify what is on the block from Riverside Dr. E. south to Clairview Ave.? Mr. Cadman advises there are four residences north of the subject property, one immediately south of the property. The remainder are two 3-storey apartment buildings.

Councillor Payne asks why are we changing the zoning from RD1.1 to RD1.2? Mr. Cadman advises so that a double duplex would be permitted on the site. Councillor Payne notes the

residents surrounding the subject property had expected the zoning not to change. Mr. Cadman advises the applicant had requested to rezone the property, therefore, it had to be addressed.

Councillor Payne asks if just because an applicant asks for a rezoning, that Planning has to agree with it? Mr. Cadman says no, but it does have to be dealt with.

Ms. Bjarneson is concerned with the possible change of character in the neighbourhood. It would've accommodated a semi-detached but now is being asked for more. This is a mid-block intrusion of a double duplex between two single family homes. Where is the line drawn? What if someone purchased two properties and consolidated? Mr. Cadman advises the property must meet the required frontage to support a double duplex. This property meets the requirement.

Ms. Bjarneson inquires if there's any possibility that the back portion would be developed at a later date? Mr. Cadman advises it cannot. It's all owned by the condominium Seaway Towers. If Mr. Rocha tried to split the lot, he would only have 27 metres left to work with. He would need 36 m to construct another double duplex. There can only be one building on a property. He would have to sever the property (another process) in order to add another building.

Motion to deny the recommendation. Moved by Councillor Payne, seconded by Ms. Bjarneson.

1. ~~That an amendment to Zoning By-law 8600 Be Approved, amending the zoning for 254 Watson Avenue (North Part Lot 80, Part Lot 81, Plan 829; Part Lot 129 Concession 1), from RD1.2 to RD2.2 to permit a double duplex building containing 4 dwelling units.~~

Councillor Payne advises that any family buying property would assume this was a single family area. It doesn't seem fair to allow a double duplex in between two single family homes.

Councillor Dilkens also voting with the motion. Not to invalidate the arguments of the residents, however, when this goes to the OMB, those arguments will not be sufficient. That being said, the Councillor sees this as more of a multi-residential creep, comparing it to commercial creep, pushing out the single family homes and making room for multi-family units.

Councillor Sleiman notes comments made by the residents and their quality of life. The Councillor feels that further multi-family units don't fit in.

Ms. Bjarneson's reasons for denial were as follows:

- 1) Feels a double duplex is an intrusion mid-block,
- 2) It changes the character of the neighbourhood, and
- 3) It simply doesn't fit.

The Chair asks the author/planner if he stands by her recommendation? Mr. Cadman advises his recommendation stands.

Motion CARRIED, UNANIMOUSLY.

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:17 pm.

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Councillor Bill Marra, Chair

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Don Wilson, Secretary

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