

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 Sleiman
Councillor Kusmierczyk
Councillor Dilkens (Vice Chair)

Members Absent

Councillor Payne
Councillor Marra (Chairperson)

Citizens

Merrill Baker

Citizens Absent

Barbara Bjarneson

Delegations

Jeffrey Slopen—Solicitor for the Applicant (Item 1)
Karl Tanner—Consultant for the Applicant (Item 1)
Mayer Schulman, resident Ward 4 (Item 1)
Jamie Quinion, resident Ward 4 (Item 1)
MariAnne Nykilchuk, resident Ward 4 (Item 1)
Peter Nykilchuk, resident Ward 4 (Item 1)

Also present are the following from Administration:

Don Wilson, Manager of Development Applications
Wira Vendrasco, Deputy City Solicitor
Justina Nwaesei, Planner II, Development Review
Kevin Alexander, Planner III, Community Development
John Calhoun, Heritage Planner
Adam Pillon, Technologist I
Anna Ciacelli, Supervisor of Council Services (A)

1. CALL TO ORDER

The Chair calls the meeting of the Planning 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. **ADOPTION OF MINUTES**

Moved by Councillor Sleiman, seconded by Councillor Kusmierczyk,
THAT the minutes of the meeting of the Planning and Economic Development
Standing Committee held June 16, 2014 **BE ADOPTED** as presented.
Carried.

Moved by Councillor B. Bjarneson, seconded by Councillor Kusmierczyk,
THAT the minutes of the meeting of the Planning and Economic Development
Standing Committee (Planning Act Matters) held June 16, 2014 **BE ADOPTED** as
presented.
Carried.

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

None requested.

5. **COMMUNICATIONS**

None presented.

6. **PRESENTATIONS AND DELEGATIONS**

None.

7. **PLANNING ACT MATTERS**

Item 1 **679711 Ontario Ltd.—Rezoning – 5350 North Service Road**

Justina Nwaesei, Planner II, Development Review appears before the Planning &
Economic Development Standing Committee and provides a brief outline of the report by the
City Planner regarding the requested zoning amendment for 5350 North Service Road.

Mary Ann Keefner, Solicitor for the Applicant

Mary Ann Keefner, Solicitor for the applicant, appears before the Planning & Economic
Development Standing Committee and provides comment regarding the rezoning application at
5350 North Service Road, indicating that the applicant would like the zoning changed to allow for
a permitted use currently included in the MD1.1 use which would allow the manufacturing of
small metal products specifically hinges for garage doors. She also states that currently there
isn't any anticipated expansion of the building or facilities, and traffic impacts would remain
minimal.

Gordon Fry, Resident

Gordon Fry, resident, appears before the Planning & Economic Development Standing Committee and provides comment regarding the rezoning amendment request for 5350 North Service Road including concerns with:

- Possibility for expansion if business grows
- Increase in hours of operation
- Increased number of workers, increase in traffic
- More frequent shipments of material
- Increase of noise level due to increased operation of facility
- Railroad noise already a concern

Mr. Fry concludes by asking the applicant to consider the impact to the residents in the area while making changes to the facility as well as during regular operation of the business.

Councillor Payne inquires as to whether the complaints regarding noise were deemed in contravention of the existing noise by-law. Mr. Fry indicates the noise emanating from this business has been an issue since 2010.

Ms. Keefner indicates she will bring the noise concerns to the attention of her client.

F. Foster, Resident

F. Foster, resident, appears before the Planning & Economic Development Standing Committee and provides comment regarding the rezoning request for 5350 North Service Road inquiring as to the whether an environmental impact or study has been conducted on this site specifically to address the exhaust impact on the community including chemicals and cleaning solutions etc. that may be utilized should the requested permitted uses for this business be approved.

Doug Teller, Resident

Doug Teller, resident, appears before the Planning & Economic Development Standing Committee and provides comment regarding the rezoning request for 5350 North Service Road and provides a comparison to the operation of the previous business on the site in terms of size and permitted expansion.

Ms. Keefner indicates the operation is not to the magnitude of the previous business that operated from this location.

Claudia Smith, Resident

Claudia Smith, resident, appears before the Planning & Economic Development Standing Committee and provides comment regarding the rezoning request for 5350 North Service Road citing concerns with noise and distraction that may occur as she works out of her home.

Ron Lemay, Resident

Ron Lemay, resident, appears before the Planning & Economic Development Standing Committee and provides comment regarding the rezoning request for 5350 North Service Road inquiring as to whether the current owner is affiliated with the previous owner.

Councillor Sleiman inquires as to the exact distance of the homes close to the facility and whether the Ministry of the Environment has been contacted regarding the air quality in the area.

B. Bjarnesson inquires as to how long the existing owner has owned the property and whether he is currently operating.

Ms. Keefner is not certain as to the exact time that the owner has owned the property and whether the operation is currently ongoing.

Councillor Kusmierczyk inquires as to the use of forklifts, and transports being used as part of the business incurring a possibility for increased noise levels.

Ms. Keefner would have to consult with her client regarding the specifics of the operation.

Councillor Dilkens inquires as to the specific uses that the applicant has requested.

Justina Nwaesei, explains the difference between the permitted uses that are currently allowed and the requested permitted uses.

Councillor Payne inquires as to whether the Ministry of Natural Resources would have to be consulted as part of this application.

Justina Nwaesei indicates that this application didn't require approval from the Ministry of Natural Resources as it doesn't encompass a natural area or other requirements that would fall under this approval.

Moved by B. Bjarneson, seconded by Councillor Payne

I **THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the north side of the North Service Road East, between Clemenceau Boulevard and Pillette Road, abutting CN & CP Rail Yards, and described as Pt Lots 113 & 114, Concession 2 Sandwich East; Parts 6 to 9 (incl.) on Reference Plan 12R2428, by adding a site specific provision to allow only the following permitted uses under Section 18 subsection 1—Manufacturing District 1.1 (MD1.1) within the existing buildings:

18(1)(a) 9 “**Miscellaneous Manufacturing including:** Manufacture of musical instruments, ceramics, jewellery, toys, cutlery, or other small metal products; manufacture and application of protective coatings”; and

18(1)(a) 12 “**Welding:** A welding shop for the welding of small metal products”; and

II **THAT** the applicant **BE REQUESTED** to address the existing issue of the noise emanating from the exhaust fan at the rear of the building, prior to the report being addressed by City Council.

Carried.

8. **COMMITTEE MATTERS**

Report No. 346 of the Windsor Heritage Committee (Commercial Plaza, 3211-3215 Sandwich Street Heritage Alteration Permit)

Moved by Councillor Dilkens, seconded by Councillor Sleiman

THAT Report No. 346 of the Windsor Heritage Committee (Commercial Plaza, 3211-3215 Sandwich Street Heritage Alteration Permit) **BE RECEIVED** for information Carried.

9. **ADMINISTRATIVE ITEMS**

Item 2 **Request to close part of the east-west alley located east side of McDougall Street, between Wyandotte Street East and Tuscarora Street, abutting north of the property known as 350 Tuscarora Street**

Justina Nwaesei, Planner II, Development Review appears before the Planning & Economic Development Standing Committee and provides a brief outline of the report by the City Planner regarding the request to close part of the east-west alley located east side of McDougall Street, between Wyandotte Street East and Tuscarora Street, abutting north of the property known as 350 Tuscarora Street.

Walter Bezzina, Applicant

Walter Bezzina, applicant appears before the Planning and Economic Development Standing Committee regarding the requested alley closure and is available for questions.

Moved by Councillor Dilkens, seconded by Councillor Sleiman

- I. **THAT** the portion of the 3.05 metre (10 feet) wide east-west alley located east of McDougall Street, between Wyandotte Street East and Tuscarora Street, shown as Part 1 on Drawing No. CC-1655 ***attached*** hereto as Appendix "A", **BE ASSUMED** for subsequent closure; and
- II. **THAT** the portion of the 3.05 metre (10 feet) wide east-west alley located east of McDougall Street, between Wyandotte Street East and Tuscarora Street, shown as Part 1 on Drawing No. CC-1655 ***attached*** hereto as Appendix "A", **BE CLOSED AND CONVEYED** to the abutting property owners, subject to the easements and conveyance costs noted below; and
- III. **THAT** Easements **BE REQUIRED** in favour of:
 - Bell Canada
 - Cogeco Cable Canada LP
 - Enwin Utilities Ltd.; and
- IV. **THAT** Conveyance Cost **BE SET** as follows:

For property zoned CD3.6 - \$86.11 per square metre (\$8.00 per square foot) for lands without easements or \$43.06 per square metre (\$4.00 per square foot) for lands with easements. Survey cost and deed preparation in addition; and

- V. **THAT** The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1655, attached hereto as Appendix "A"; and
- VI. **THAT** The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice; and
- 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; and
- IX. **THAT** the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

10. **QUESTION PERIOD**

None.

11. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:35o'clock p.m.



CHAIR



SUPERVISOR OF COUNCIL SERVICES (A)