

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 Payne (Acting Chair)
Councillor Kusmierczyk

Members Absent

Councillor Marra
Councillor Dilkens

Citizens

Barbara Bjarneson
Merrill Baker

Delegations

Shirley Lessard, Resident (Item 3)
Jeffrey Slopen & Karl Tanner, Representing Applicant (Item 3)
Christine Oszter, Applicant (Item 1)
Lenn Curtis, Jack Ramieri, Representing the Applicant (Item 1)

Also present are the following from Administration:

Thom Hunt, City Planner/Executive Director
Don Wilson, Manager of Development Applications
Wira Vendrasco, Deputy City Solicitor
Adam Szymczak, Planner III, Zoning
Jim Abbs, Planner III, Subdivisions
Tony Ruffolo, Right of Way Coordinator
Justina Nwaesei, Planner II, Development Review
Anna Ciacelli, Supervisor of Council Services (A)

1. **CALL TO ORDER**

The Supervisor of Council Services calls the meeting of the Planning and Economic Development Standing Committee to order at 4:30 o'clock p.m. and requests volunteers from the members for the position of acting chair. Councillor Sleiman recommends Councillor Payne for the position of acting chair. Councillor Payne accepts the recommendation and assumes the Chair.

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

None Disclosed.

3. **ADOPTION OF MINUTES**

Moved by Councillor I. Kusmierczyk, seconded by Councillor E. Sleiman,
THAT the minutes of the meeting of the Planning and Economic Development
Standing Committee held May 12, 2014 **BE ADOPTED** as presented.
Carried.

Moved by Councillor I. Kusmierczyk, seconded by Councillor E. Sleiman,
THAT the minutes of the meeting of the Planning and Economic Development
Standing Committee (Planning Act Matters) held May 12, 2014 **BE ADOPTED** as
amended noting that Ms. Bjarneson was in favour generally of the application for Item 2
but was opposed to the request permitting the industrial use.
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 **Rezoning, C. Oszter, 3101 & 3143 Walker Road, add a site specific exception**

Justina Nwaesei, Planner II, Development Review appears before the Planning &
Economic Development Standing Committee providing a brief outline of the report by the City
Planner regarding the requested site specific exception for 3101 & 3143 Walker.

Lenn Curtis and Jack Ramieri, representing the Applicant

Lenn Curtis and Jack Ramieri, representing the Applicant C. Oszter, appears before the
Planning & Economic Development Standing committee providing details regarding the rezoning
application at 3101 & 3143 Walker Road indicating that the applicant would like to add sale of
motorcycles and automobiles to the permitted uses on the site. The current business provides
sales of e-bikes and off road vehicles. The inventory for the business will remain indoors.

Barb Bjarneson inquires about the apartment above the business and whether the fence
around the property can be made into a more esthetically pleasing privacy fence to reduce the
visibility of storage in the area.

Jack Ramieri indicates that his firm can provide historic documentation that the building is a legal non conforming use should the committee require the information for the application. There is a possibility upgrades to the fence can be considered.

Barb Bjarneson inquires as to whether an automobile repair shop is allowed with this type of zoning and how it will be enforced.

Justina Nwaesei, indicates that a repair shop will be allowed as per the permitted use and should there be an issue the by-law enforcement division would have to investigate complaints through their normal procedures. Justina Nwaesei indicates that planning can't provide a basis of the request to require the privacy fence, legislation does not exist for the request for this particular use.

Moved by Councillor Sleiman, seconded by B. Bjarneson,

1. **THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property located south of the E. C. Row Expressway, on the west side of Walker Road, described as Lots 818 to 820, Pt. Lots 821 to 823, Part of Block "AC" & Pt closed Alley on Plan 1126, designated as Parts 1, 2, 3, 4, 5 & 8, Plan 12R-10804 and Pt. closed Alley on Registered Plan 1126, designated as Part 2 on Reference Plan 12R-18422, by adding a site specific provision to allow "a motor vehicle dealership limited to the sale, lease or rental of motorcycles and the sale, lease or rental of up to two automobiles" as additional permitted use, subject to the following additional regulations:
 - (i) The display of motorcycles shall occur entirely within a building; and
 - (ii) The display of up to two automobiles for sale, lease or rental shall occur within two parking spaces designated and reserved within a paved on-site parking lot.
2. **THAT** the possibility of improving the fencing **BE INVESTIGATED**.
Carried.

Item 2 **Amendment to Zoning By-law 8600, City of Windsor, west of Woodward Boulevard between Lappan Avenue and Calderwood Avenue**

Barb Bjarneson inquires as to an explanation of the Police comments creating a safety concern. Adam Szymczak, Planner III, Zoning indicates the comments are out of the scope of the report and the laneway will remain open at this time.

Moved by M. Baker, seconded by Councillor Sleiman,
THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Block 106, Plan 12M-255, located west of Woodward Boulevard between Lappan Avenue and Calderwood Avenue from Green District 1.1 (GD1.1) to Residential District 1.1 (RD1.1).

Carried.

Councillor Kusmierczyk voting nay.

Councillor Kusmierczyk, states his opposition to the sale of parkland and the cost of the land and can't support the motion.

Barb Bjarneson expresses her concerns with the visual sightlines.

Item 3 **Draft Plan of Subdivision Application – Mid-South Developments Corp. Ltd. -4735 Adstoll Avenue & 2570 Pilette Road, construction of single unit, semi-detached and townhouse dwellings**

Jim Abbs, Planner III, Subdivisions appears before the Planning and Economic Development Committee and provides a brief summary of the draft plan of subdivision application.

Shirley Lessard, Resident

Shirley Lessard, Resident appears before the Planning and Economic Development Standing Committee, and expresses concerns regarding the proposed draft plan of subdivision application at 4735 Adstoll Avenue & 2570 Pilette Road including damage by trucks to the roads, reconstruction of the road not included in the plan, construction of the curbs, and payment of the curb construction.

Jeffrey Slopen & Karl Tanner, representing the Applicant

Jeffrey Slopen & Karl Tanner, representing the Applicant appears before the Planning and Economic Development Standing Committee, providing additional comments regarding the Draft Plan of Subdivision application for 4735 Adstoll Avenue & 2570 Pilette Road and providing details about the proposed subdivision. Jeffrey Slopen indicates that the property was purchased from the City of Windsor and ensures that all requirements in the agreement will be met. Karl Tanner indicates they have had generally positive feedback during the public open houses. There won't be any negative impact in terms of infrastructure concerns in the surrounding areas. Several of the resident's concerns will be addressed through the development agreement and approval process which will be adequately addressed in the future through necessary requirements.

Tony Ruffolo, Right of Way Coordinator, appears before the Planning & Economic Development Standing Committee to provide details on the concerns expressed by the resident. He indicates there are securities provided through the application process and any damages to the right of way will be covered by the securities put forward by the developer. Any issues will be corrected by the developer. Any infrastructure in terms of curbs and gutters on Adstoll Avenue are required and will be completed by the developer or contribution in lieu will be required.

Barb Bjarneson, Committee Member inquires about the Police comments regarding the design of the homes, lighting, and location of the garage. Karl Tanner indicates that there are thousands of these designs in the area and these concerns would be addressed through the Building Application process, if the designs meet the code there wouldn't be an issue. Mr. Tanner indicates the concerns raised will be brought to the builders attention.

Councillor Sleiman inquires as to the size of the parcel of land and how many phases of the project would be involved. Mr. Tanner indicates the land is approximately 4.5 acres and there will be one phase of construction.

Barb Bjarneson expresses concern regarding the potential of the removal of the park in the area as well as whether her concerns with the design of the house can be noted.

Jim Abbs indicates there was no requirement to make a change to the intersection. There are no stipulations in the by-law regarding the design of the home in terms of distance of the front door and the garage entrance.

Councillor Sleiman expresses concern regarding moving the existing park. Jim Abbs indicates there has been some discussion to upgrade Ypres park which is a block and a half away from the existing site.

Moved by M. Baker, seconded by B. Bjarneson

- D) THAT the application of Mid-South Developments Corp. Ltd. for Draft Plan of Subdivision approval for Part of Block A, Part of Closed Alley Registered Plan 1157, and Lot 39, Part of Block A, Registered Plan 1359; located at 4735 Adstoll Avenue and 2570 Pillette Road (Roll #. 070-420-00200-0000 and 070-420-00700-0000) located at 4735 Adstoll Avenue and 2570 Pillette Road BE APPROVED on the following basis:**

THAT this approval applies to the draft plan of subdivision, as shown on the attached Map No. SDN-001/014, which will facilitate the construction of single unit, semi-detached and townhouse dwellings.

- A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval).
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/14 prepared by VSHBB Inc. Land Surveyors, identified as Work Order 4-26263.x04, Plan File No: C-3811'F' dated February 26, 2011, showing 25 lots for semi-detached dwellings, and the Olive Road road allowance.
- C. That prior to the execution and registration of a Subdivision Agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner, final draft M-Plans which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the owner enter into a subdivision agreement with the Corporation of the City of Windsor, such agreement to provide for the following matters:

- a. The owner shall agree to include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
- b. No driveway access shall be permitted to Adstoll Avenue.
- c. The Owner(s) agrees to gratuitously convey, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
 - i. 20.0m right-of-way for Olive Road
- d. The Owner(s) shall comply with all the following requirements relating to sidewalks:
 - i. Sidewalk shall be constructed on the west side of Olive Road;
 - e. The Owner(s) agree to gratuitously convey a [4.6 m x 4.6 m (15' x 15'), corner cut-off at the intersection of Pillette Road and Adstoll Avenue in accordance with City of Windsor Standard Drawing AS-230 prior to the issuance of a construction permit.
 - f. The Owner(s) agree to:
 - i) Construct at their own expense and according to City of Windsor Standard Specifications, concrete curb and gutter along the entire Adstoll Avenue frontage of the subject lands.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future construction of concrete curb and gutter on the Adstoll Avenue frontage of the subject lands.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

- g. The Owner(s) agree to:
 - i) Construct at their own expense and according to City of Windsor Standard Specifications, pavement restoration associated with new sewer construction on Adstoll Avenue from Olive Road to Norman Road.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future restoration of Adstoll Avenue, prior to the issuance of a construction permit.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

- h. The Owner(s) agree to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems to the satisfaction of the City Engineer, prior to the issuance of a construction permit.
 - i. The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system.

- ii The study shall be finalized to the satisfaction of the City Engineer.
- i. The Owner(s) agree to conduct video inspection, or pay the cost of similar inspection, of all existing sanitary/storm sewers on Pillette Road which will be tapped to service the development.
- j) The Owner(s) agree to consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The locations shall be identified on the appropriate servicing plans.
- k) The Owner(s) agree to display a map on in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- l) The Owner(s) agree to include in all offers of purchase and sale a statement which advises the purchaser:
 - i) that mail will be delivered via Community Mail Box;
 - ii) the locations of all Community Mail Boxes within the development;
 - iii) of any established easements granted to Canada Post to permit access to the Community Mail Box.
- m) The Owner(s) agree to provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations
- n) The Owner(s) agree to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - i.) Any required walkway across the boulevard, per municipal standards
 - ii.) Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - iii.) A Community Mailbox concrete base pad per Canada Post specifications.
- o) The Owner(s) agree to pay to the Corporation, cash-in-lieu of parkland as per By-law 12780, prior to the issuance of a construction permit.

NOTES TO DRAFT APPROVAL (File: SDN-001/14)

1. The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Ontario Municipal Board. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.

3. Required agreements with the Municipality will be prepared by the City Solicitor.
4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
5. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.
6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
7. Where agency conditions are required to be included in the City's Subdivision Agreement, the applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.

II. **THAT** the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.

III. **THAT** the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.

IV. **THAT** prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.

Carried.

8. **COMMITTEE MATTERS**

Minutes of the Windsor Heritage Committee meeting held April 9, 2014

Moved by Councillor Sleiman, seconded by Councillor Kusmierczyk

THAT the minutes of the Windsor Heritage Committee meeting held April 9, 2014 **BE RECEIVED** for information.

Carried.

9. **ADMINISTRATIVE ITEMS**

None presented.

10. **QUESTION PERIOD**

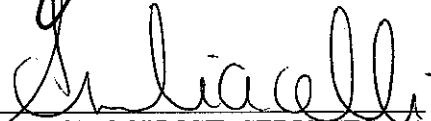
None.

11. **ADJOURNMENT**

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



CHAIR



SUPERVISOR OF COUNCIL SERVICES (A)

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 Payne
Councillor Sleiman
Councillor Kusmierczyk

Citizens

Barb Bjarneson
Merrill Baker

Regrets

Councillor Marra (Chair)
Councillor Dilkens (Vice-Chair)

Delegations

Also present are the following from Administration:

Wira Vendrasco, Deputy City Solicitor
Thom Hunt, City Planner
Don Wilson, Manager of Development Applications
Adam Szymczak, Planner III
Jim Abbs, Planner III
Justina Nwaesei, Planner II
Tony Ruffolo, Engineering, Public Works
Anna Ciacelli, Supervisor of Council Services (A)

1. CALL TO ORDER

Ms. Ciacelli calls the meeting to order at 4:30 pm. Given that both Chair and Vice-Chair are not present, Ms. Ciacelli asks for nomination for Acting Chair of the meeting.

Councillor Sleiman nominates Councillor Payne. All members are in favour. Councillor Payne accepts and takes a seat at the podium.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

ADOPTION OF MINUTES

Ms. Bjarneson notes an amendment to Item 2 of the Planning Act Matters.

Moved by Councillor Kusmierczyk, seconded by Councillor Sleiman.

THAT the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, May 12, 2014 BE ADOPTED as amended.

Carried, Unanimously.

REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None

3. **COMMUNICATIONS**

4. **PRESENTATIONS AND DELEGATIONS**

5. **PLANNING ACT MATTERS**

The Acting Chair asks if there are any delegates present for any of the items.

Item 3 **MID-SOUTH LAND DEVELOPMENTS CORP. – 4735 Adstoll Rd. & 2570 Pillette Rd.**

Jim Abbs is introduced as the author of the report. The recommendation is for approval.

Shirley Lessard (resident) – 2488 Arthur Rd., Windsor, ON N8W 4V7 – Has a list of questions and concerns the area residents would like answered:

- 1) Sewer & storm water management to be considered during development
- 2) What of the damage to the roads/sidewalk caused by trucks carrying dirt, etc.?
- 3) What is the reason for the reconstruction of Adstoll not being included with the curbs and sidewalks, etc.?
- 4) What is the reason for taking payment for curbs and sidewalks in lieu of the developer completing the work at time of construction?
- 5) Has the City received other quotes regarding costs of repairs to the roads? If not, how does the Planning Department know what to request of the Developer to cover cost?
- 6) If the sewers are not as good as the inspections states, will the Developer be responsible for all costs if they don't serve the area as stated in the inspection?
- 7) Have all the conditions listed by Planning been approved by the Developer?
- 8) Have all the conditions stated in the Draft Plan of Subdivision been approved by the Developer?

Jeffrey Slopen (agent) – Shibley Righton LLP – present on behalf of the applicant. They are in full support of the recommendation and requirements as listed in the report and intend to comply fully. Mr. Slopen explains the purpose of a “bond” for the benefit of Ms. Lessard.

Karl Tanner (planner) – Dillon Consulting – describes the development for the Committee.

Mr. Ruffolo responds to the questions posed by Ms. Lessard.

- 1) The reason for road reconstruction not included with curb? Mr. Ruffolo advises there are securities provided to the City of Windsor for damage to the right-of-way whenever development occurs. Those securities are utilized to ensure that any damages done are corrected by the Developer. With respect to reconstruction to Adstoll, he advises they typically require the Developer to upgrade any structure that is directly abutting the subject development. Therefore, curb & gutter are required on the south side of Adstoll as well as sidewalks. But limited to only those improvements directly abutting the subject

development. Regarding the contributions, because there is no curb and gutter on Adstoll, rather than have the Developer construct now and the City come and do it later, they request a contribution towards the curb and gutter for future when the City comes in and does it all at the same time.

- 2) The second question regarding contribution request was answered by Mr. Ruffolo in his first answer.
- 3) Has the City received other quotes regarding cost of repair when taking money in lieu of the Developer making the repair? Mr. Ruffolo advises they will not take anything less of the cost to do the work.
- 4) Is the Developer responsible for cost of sewers to ensure they service the area properly? Mr. Ruffolo advises a servicing study was prepared to determine the needs of the development. Those requirements will be included in the servicing agreement and is the Public Works Department's responsibility to ensure they are completed properly.
- 5) Have all the listed concerns been approved by the Developer? Mr. Ruffolo advises that the requirements will be a condition of approval, signed by both the Developer and the City of Windsor.

Ms. Bjarneson asks Mr. Tanner if he's had time to review the different departmental comments? Mr. Tanner advises he has and that there didn't appear to be any real conflict that would cause changes to the drawings as presented. Ms. Bjarneson asks if Mr. Tanner has considered Police comments regarding the snout design of the home frontage? Mr. Tanner advises they had amended the original drawing and that they didn't see any security issue with their current design. Mr. Tanner also mentions that the Planning Act doesn't address plan design, it's under the Building Code, and doesn't see that it will present a problem.

Councillor Sleiman reconfirms there will be 50 semi-detached units. Mr. Tanner confirms. Councillor Sleiman asks how large the parcel of land is, and whether it'll be built at once or in phases? Mr. Tanner advises the land is approximately 4 acres and the development will be built in one phase. Councillor Sleiman inquires whether the sewers can accommodate the extra homes? Mr. Tanner informs the Committee that following the service study, they determined there won't be any problems with the additional homes. There are three (3) sanitary sewers in which the homes will be serviced. The Service Study was performed by Dillon Consulting. Mr. Slopen informs that, with the help of Public Works, they had developed a plan that would split the development amongst the available sanitary sewers so they wouldn't be over-taxed.

Ms. Bjarneson asks of Administration if there is any plans regarding improvements to the intersection at Adstoll and Pillette? Mr. Abbs advises that there was no requirement to make any changes to the intersection at Adstoll and Pillette, however, they will be monitoring the area. Ms. Bjarneson asks that Council pay increased attention to increased traffic at the intersection.

Ms. Bjarneson also asks if the Committee can incorporate comments into the recommendations regarding design of the homes, per the concern of Police as listed in the report? Mr. Abbs advises the Developer is given an envelope in which to design. There are no specific requirements in the by-law that stipulates the distance from the front of the main dwelling to the front of the garage. One of Mr. Horrobin's (Police) concerns is visibility from the front door around the garage. But if the front door is on the main face of the building, then the problem is solved. Mr. Abbs also noted that LED lighting is now a City standard and that will be required within this development. The Committee can make any suggestion or recommendation they want. The issue is how would the Corporation enforce something like that? To enforce such a requirement would require changes to the zoning by-law which would specifically limit that type of development.

Councillor Sleiman asks where the new play area is for the children of this neighbourhood? Mr. Abbs advises that there are discussions regarding changes to Ypres Park. Council has allocated a portion of the proceeds of the sale of Adstoll to improvements at Ypres Park, which is located only a block and a half away.

The Acting Chair asks the Planner if he still stands by his recommendation. Mr. Abbs states his recommendations stand.

Moved by Mr. Baker, seconded by Ms. Bjarneson,

D) That the application of **Mid-South Developments Corp. Ltd.** for Draft Plan of Subdivision approval for Part of Block A, Part of Closed Alley Registered Plan 1157, and Lot 39, Part of Block A, Registered Plan 1359; located at 4735 Adstoll Avenue and 2570 Pillette Road (Roll #. 070-420-00200-0000 and 070-420-00700-0000) located located at 4735 Adstoll Avenue and 2570 Pillette Road BE APPROVED on the following basis:

That this approval applies to the draft plan of subdivision, as shown on the attached Map No. SDN-001/014, which will facilitate the construction of single unit, semi-detached and townhouse dwellings.

- A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval).
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/14 prepared by VSHBB Inc. Land Surveyors, identified as Work Order 4-26263.x04, Plan File No: C-3811'F' dated February 26, 2011, showing 25 lots for semi-detached dwellings, and the Olive Road road allowance.
- C. That prior to the execution and registration of a Subdivision Agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner, final draft M-Plans which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the owner enter into a subdivision agreement with the Corporation of the City of Windsor, such agreement to provide for the following matters:
 - a. The owner shall agree to include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
 - b. No driveway access shall be permitted to Adstoll Avenue.
 - c. The Owner(s) agrees to gratuitously convey, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
 - i. 20.0m right-of-way for Olive Road
 - d. The Owner(s) shall comply with all the following requirements relating to sidewalks:
 - i. Sidewalk shall be constructed on the west side of Olive Road;
 - e. The Owner(s) agree to gratuitously convey a [4.6 m x 4.6 m (15' x 15'), corner cut-off at the intersection of. Pillette Road and Adstoll Avenue in accordance with City of Windsor Standard Drawing AS-230 prior to the issuance of a construction permit.
 - f. The Owner(s) agree to:
 - i) Construct at their own expense and according to City of Windsor Standard Specifications, concrete curb and gutter along the entire Adstoll Avenue frontage of the subject lands.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future construction of concrete curb and gutter on the Adstoll Avenue frontage of the subject lands.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

g. The Owner(s) agree to:

- i) Construct at their own expense and according to City of Windsor Standard Specifications, pavement restoration associated with new sewer construction on Adstoll Avenue from Olive Road to Norman Road.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future restoration of Adstoll Avenue, prior to the issuance of a construction permit.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

h. The Owner(s) agree to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems to the satisfaction of the City Engineer, prior to the issuance of a construction permit.

- i. The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system.

- ii The study shall be finalized to the satisfaction of the City Engineer.

i. The Owner(s) agree to conduct video inspection, or pay the cost of similar inspection, of all existing sanitary/storm sewers on Pillette Road which will be tapped to service the development.

j) The Owner(s) agree to consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The locations shall be identified on the appropriate servicing plans.

k) The Owner(s) agree to display a map on in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.

l) The Owner(s) agree to include in all offers of purchase and sale a statement which advises the purchaser:

- i) that mail will be delivered via Community Mail Box;
- ii) the locations of all Community Mail Boxes within the development;
- iii) of any established easements granted to Canada Post to permit access to the Community Mail Box.

m) The Owner(s) agree to provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations

- n) The Owner(s) agree to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - i. Any required walkway across the boulevard, per municipal standards
 - ii. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - iii. A Community Mailbox concrete base pad per Canada Post specifications.
- o) The Owner(s) agree to pay to the Corporation, cash-in-lieu of parkland as per By-law 12780, prior to the issuance of a construction permit.

NOTES TO DRAFT APPROVAL (File: SDN-001/14)

1. The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Ontario Municipal Board. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
 2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.
 3. Required agreements with the Municipality will be prepared by the City Solicitor.
 4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
 5. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.
 6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
 7. Where agency conditions are required to be included in the City's Subdivision Agreement, the applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.
- II.** That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.
- III.** That the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- IV.** That prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.

Motion **CARRIED, UNANIMOUSLY**

Ms. Bjarneson supports the application and just would like the Developer to consider the design of the home to alleviate security issues. Ms. Bjarneson also feels it would be prudent to look at the intersection at Pillette and Adstoll for safety concerns.

Item 1 **CHRISTINE MARIE OSZTER – 3101 & 3143 Walker Rd.**

Ms. Nwaesei is introduced as the author of the report. Recommendation is for approval.

Jack Ramieri (agent) – Miller Canfield LLP – along with Mr. Lenn Curtis (operator of the business). Ms. Christine Oszter is in the audience, available to answer any questions as well. They are in agreement with the recommendations. The current business is e-bike sales. The purpose to allow vehicles on site is for trade-in purposes but don't foresee the need for more than an allowance of four (4) automobiles on site. Intend to sell and repair e-bikes and motorcycles. Inventory will be indoors, given the probability of theft. Trailors are stored in the fenced area for transitory purposes only of picking up and dropping off inventory.

Councillor Sleiman reconfirms the applicant is in agreement with the recommendations. Mr. Ramieri confirms and only wanted to make the Committee aware they don't intend to have outdoor storage due to the type of inventory they carry. The applicant does not intend for a car dealership in future. It doesn't fit the property. Only requests allowance for automobiles for contingency purposes regarding trade-ins.

Councillor Sleiman inquires whether a licence is required for e-bikes? Mr. Curtis advises a licence is not required to ride an e-bike. It's like selling a regular bicycle, just require a helmet. A motorcycle requires a licence.

Ms. Bjarneson asks whether there is still a 2 bedroom apartment over top and is it a permitted use? Mr. Curtis advises there is an apartment above the facility. Mr. Ramieri advises they can provide evidence for a legal non-conforming use, which was in effect since the previous owner (Corbret's Pets). Currently, Ms. Oszter's daughter resides in the apartment.

Ms. Bjarneson addresses concern that Walker Road is considered a gateway into Windsor and wonders if the applicant will improve the fencing from chain link to privacy fence? Mr. Ramieri advises this was not an issue with Council. Ms. Bjarneson will pose the question to Administration at the appropriate time.

Ms. Bjarneson asks if a repair option is permitted under ancillary use? Ms. Nwaesei advises it is listed as one of the permitted uses under CD3.3 zoning district. Ms. Bjarneson asks if repairs must be inside or outside the building? Ms. Nwaesei advises the nature of auto repair is typically inside but the vehicles may be stored outside. However, in this zoning, no outdoor storage is permitted outside. Ms. Bjarneson asks how that is monitored? Ms. Nwaesei advises it is enforced by Enforcement Officers, confirming it is complaint driven.

Ms. Bjarneson asks if there is consideration for having the requirement for screening fence at 3101 Walker Rd. in terms of aesthetics? Ms. Nwaesei advises it would've been a consideration if an outdoor storage yard was permitted, but since there isn't, there is nothing to justify the request from a planning point of view. Also, because there is no development to occur, it makes it difficult to put conditions on based on what may or may not happen.

Mr. Baker inquires of the applicant regarding the part-time storage of a trailer on the property. Mr. Ramieri advised it wasn't something that was discussed in consultation but they are open to discuss and come to a compromise with Planning to work it out.

Councillor Kusmierczyk inquires of the existing use of the residential. How is it a legal non-conforming use? Mr. Ramieri advises the property goes back to By-Law 3072 which went out of force in 2002 where it was a legal use at that time. Mr. Ramieri informs the Committee he has been in contact with the solicitor that sold them the property and has been advised they can provide an affidavit stating the use was a legal existing use.

Councillor Kusmierczyk poses the same inquiry to Administration. Ms. Nwaesei advises she made inquiries through zoning regarding the residential units and evidence shows that it's been there for quite some time. A permit was issued to allow construction of that unit. Therefore, there is evidence that there was residential lawful use of the upper level.

Councillor Sleiman asks if the application is for re-development? Ms. Nwaesei advises the applicant has proposed to additions to the building or parking. There is no evidence of any development based on what was received. There was only the request to extend the use on site.

Councillor Sleiman asks, given there will be motorcycles on site and the mention of Walker Road as a gateway, is there anything Administration can propose regarding fencing or should it be just landscaped to appeal to the public? Ms. Nwaesei advises through the Site Plan process, decorative fencing can be encouraged, but there has to be a development to suggest it. In this case, having no development, it isn't proper nor is no planning rationale to request it at this time.

The Acting Chair intercedes and suggests Councillor Sleiman add it as part of the motion at the appropriate time, if he wishes to see this. However, at this time, the Planner has already expressed her decision on this topic.

Mr. Hunt advises there is no way to implement that condition. At this point, the owner would have to want to do it of their own volition, given that there is no development occurring at this time. The only discussion the City would have, given the direction of the Standing Committee, is that the Committee would like to see some form of improvement to the fencing to take into consideration. However, that consideration is completely up to the Applicant.

The Acting Chair asks the Planner if she still stands by his recommendation. Ms. Nwaesei states she stands by her recommendation.

Moved by Councillor Sleiman, seconded by Ms. Bjarneson.

1. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property located south of the E. C. Row Expressway, on the west side of Walker Road, described as Lots 818 to 820, Pt. Lots 821 to 823, Part of Block "AC" & Pt closed Alley on Plan 1126, designated as Parts 1, 2, 3, 4, 5 & 8, Plan 12R-10804 and Pt. closed Alley on Registered Plan 1126, designated as Part 2 on Reference Plan 12R-18422, by adding a site specific provision to allow "a motor vehicle dealership limited to the sale, lease or rental of motorcycles and the sale, lease or rental of up to two automobiles" as additional permitted use, subject to the following additional regulations:

- (i) The display of motorcycles shall occur entirely within a building; and

(ii) The display of up to two automobiles for sale, lease or rental shall occur within two parking spaces designated and reserved within a paved on-site parking lot.

(iii) Consideration be made for improvement of the fencing, to be discussed with Planning.

Motion **CARRIED, UNANIMOUSLY.**

Item 1 **CITY OF WINDSOR – 0 Woodward Blvd.**

M. Szymczak is the author of the report. Recommendation is for approval.

Moved by Mr. Baker, seconded by Councillor Sleiman.

THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Block 106, Plan 12M-255, located west of Woodward Boulevard between Lappan Avenue and Calderwood Avenue from Green District 1.1 (GD1.1) to Residential District 1.1 (RD1.1).

Ms. Bjarneson inquires about an email from the Windsor Police Service (WPS) regarding safety and she wanted to know if there were any other comments regarding their concerns? She is also concerned about creating corridors that are fenced, with no lighting, causing a safety concern. Mr. Szymczak advises that WPS was asking for additional items to be put in place. Council decided to declare part of this area as surplus and that the Planning Department rezone this parcel. What the Windsor Police Service is requesting is beyond the scope of this report.

Ms. Bjarneson asks if the bikeway will remain open? Mr. Szymczak confirms it will. The subject parcel does affect the trail.

The Acting Chair asks if the Planner has any other comments. Mr. Szymczak advises none.

Motion **CARRIED.**

Councillor Kusmierczyk opposed.

Councillor Kusmierczyk comments that he was opposed to the sale of parkland to private owners and also the sale of parkland at the cost of \$1 per square foot. Therefore, he will vote against this.

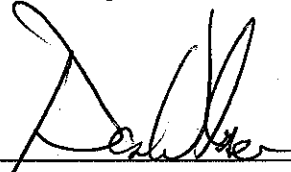
Ms. Bjarneson notes concerns of that laneway being closed off, it's near a school and wants to caution that. The Acting Chair advises the laneway has not been closed. A portion of the City-owned trail is to be sold to the abutting properties. The trail remains open. Ms. Bjarneson adds that the property owners will be permitted to put a fence up, causing the visual sightlines to be hindered. This is cause for safety concern.

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:35 pm.



Councillor Bill Marra, Chair



Don Wilson, Secretary

/ms