

Minutes
Planning, Heritage & Economic Development Standing Committee
City of Windsor

Monday, February 08, 2016
4:30 o'clock p.m.

Members Present:

Chairperson

Ward 8—Councillor Marra

Councillors

Ward 7 - Councillor Kusmierczyk

Ward 9 - Councillor Payne

Ward 5 - Councillor Sleiman

Councillors-Absent

Ward 4 - Councillor Holt—City Business

Planning Act Citizens

Member Bjarneson

Member Gyemi

Member Moore

Heritage Act Citizens

Member Baker

Member DiMaio

Member Foot

Member Miller

Heritage Act Citizens-Regrets

Member Chamely

Delegations

Mary-Ann Keefner, Solicitor representing applicant (Item 7.1)

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ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, Executive Director Planning, Building Services/City Planner
Don Wilson, Manager of Development Applications
John Revell, Chief Building Official
Jim Abbs, Planner III Subdivisions
Adam Pillon, Right of Way Supervisor
Adam Szymczak, Planner III Zoning
Justina Nwaesei, Planner II Development Review
John Calhoun, Heritage Planner
Anna Ciacelli, Supervisor of Council Services
Marianne Sladic, Steno Clerk Senior
Stefan Venier, Articling Student-Legal

1. CALL TO ORDER

The chairperson calls the meeting of the Planning, Heritage & Economic Development Standing Committee was call to order at 4:31 o'clock p.m.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

4. COMMUNICATIONS

See item 10.3 below.

5. ADOPTION OF THE PLANNING ACT MINUTES

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5.1. Minutes of the Planning, Heritage & Economic Development Standing Committee Meeting (Planning Act Matters) held December 14, 2015

Moved by: Councillor Sleiman

Seconded by: Member Moore

That the minutes of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) held December 14, 2015 **BE ADOPTED** as presented.

Carried.

Agenda Item: SCM 20/2016

5.2. Minutes of the Planning Heritage & Economic Development Standing Committee meeting (Planning Act Matters) held January 11, 2016

Moved by: Member Gyemi

Seconded by: Councillor Sleiman

That the minutes of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) held January 11, 2016 **BE ADOPTED** as amended to indicate Ms. Bjarneson provided regrets.

Carried.

Agenda Item: SCM 22/2016

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

None Presented.

7. PLANNING ACT MATTERS

7.1. Deauville Apartments Inc. – 8750 Wyandotte Street East - Condominium Conversion Ward 6

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

Decision Number: **PHED 352**

I That the application of Deauville Apartments Inc. for approval of a draft plan of condominium for a property legally described as Lots 99 to 103, inclusive, Plan 1564, including the 9.144 m wide alley immediately to the north of Lots 99 to 103, inclusive RP1564 (if closed and acquired), City of

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Windsor known municipally as 8750 Wyandotte Street East, to permit the conversion of a 3-storey rental apartment building containing 36 residential dwelling units, to condominium tenure, as shown on the attached Map No. CDM-007/15-2, **BE APPROVED** subject to the following:

- 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 to the City Solicitor;
- E. The owner shall agree to comply with and remedy all site/building defects and deficiencies, including submission of applicable certificates, as contained in the:
 1. Building Condition Assessment report prepared by Chall.Eng Consulting Engineers, completed August 18, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer or Professional Architect retained by the owner; and
 2. Building Department's Order to Repair dated December 3, 2015 as included in Appendix A of this report.

All corrections and improvements shall be to the satisfaction of the Chief Building Official.

- F. The owner shall agree to comply with and address any requirements identified in the Public Works Department – Engineering - Development, Projects & Right-of-Way November 9, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the City Engineer or designate:
 1. Submission of Site Servicing Plans for storm, sanitary and water services;
 2. Installation of a sanitary sewer-sampling manhole, if one does not exist, accessible at the property line;
 3. Apply for street opening permits for sewer taps, drain taps, flatworks, landscaping, curb cuts and driveway approaches prior to commencement of any construction on the public highway;
 4. Gratuitous conveyance to the Corporation of a 1.8 metre wide road widening across the entire Wyandotte Street East frontage of the property;
- G. The owner shall agree to remedy all safety and security deficiencies identified in the Windsor Police Services' December 11, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the Director of Planning & Physical Resources, Windsor Police Services:

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1. Construction of a vestibule at the main exterior door of each of the building's 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), with the following:
 - i. the interior door of each vestibule having locks installed of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted; and
 - ii. a communication (i.e. intercom) and building entry system, with resident directory panel, within each vestibule, that enables residents within each of the building's 6 separate sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building's 6 sections, that would allow residents to respond to a visitor's ring, go to the interior door of the vestibule and permit entry;
2. Alternatively, if no vestibule is constructed at the main exterior door of each of the building's 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), the following is acceptable:
 - i. installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the 6 existing main exterior doors and that these doors be kept locked;
 - ii. installation of a communication (i.e. intercom) and building entry system, with resident directory panel, that enables residents within each of these sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building's 6 sections, that would allow residents to respond to a visitor's ring, go to the main exterior door and permit entry;
3. Installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the existing rear exterior doors of each of the building's 6 separate sections (as indicated on page 4 of Appendix D – Building Section Plan) and that these doors be kept locked;
4. Installation of a one-way privacy viewing port on the entry door of each residential unit within the building;
5. Provision of a certificate, prepared by a qualified lighting consultant/engineer, verifying that, as per Section 3.2.7.1 of Ontario Regulation 332/12, every exit, public corridor or corridor providing access to an exit, shall be equipped to provide illumination to an average level of not less than 50 lux (4.64 foot-candles) at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps and that the minimum value of the illumination shall be not less than 10 lux (0.93 foot-candles);
6. Installation of a locking ring/and or post attached to the patio floor or adjacent wall of all residential units on the ground floor to prevent theft of items stored on the patio;

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7. Removal or reconfiguration of the parking spaces abutting the rear entry doors of Sections C and D (as indicated on page 4 of Appendix D – Building Section Plan) to provide unrestricted access and installation of “No Parking” signage and/or pavement markings in front of the doors;
 8. Replacement of the existing municipal address on the sign in front of the building with a minimum address number height of 3 inches for a location no greater than 25 feet (7.5m) from the curb line or edge of pavement and a minimum address number height of 6 inches for a location greater than 25 feet (7.5m) from the curb line or edge of pavement, as per By-law 196-2011; and
 9. Affixing on the main door of each of the 6 sections (as indicated on page 4 of Appendix D – Building Section Plan) within the building, the range of unit numbers found in each section - i.e. 'Section A: Units 101-302'; a minimum address number height of 3 inches is required for a location no greater than 25 (7.5m) feet from the curb line or edge of pavement, as per By-law 196-2011.
- H. The owner shall agree to submit a photometric plan to the Corporation's Landscape Architect and the Director of Planning & Physical Resources, Windsor Police Services for approval, prior to final approval and registration of the condominium plan. The photometric plan shall be prepared by a qualified lighting consultant (i.e. lighting engineer, landscape architect, etc.) in accordance with the City Guidelines found in CR228/2005 Lighting Intensity Standards Study, showing all anticipated lighting improvements, including replacement of existing fixtures that are not of “Full Cut-Off” type. The photometric plan shall include any manufacturer product data sheets and verification that any proposed fixtures are ‘Full Cut-Off’, with the following minimum and maximum illumination levels measured in foot-candles (fc):
- a. uncovered parking areas - 0.5 min./4.0 max;
 - b. walkways - 0.5 min./2.0 max;
 - c. building entrances - 3.5 min./8.0 max;
 - d. loading and outdoor garbage storage areas - 1.0 min./2.5 max.; and
 - e. after hours lighting (11:00pm to 5:00am) - 0.5min./2.0max.
- I. The owner shall agree to address the requirements identified in the comments from the Corporation's Landscape Architect's November 23, 2015 comments (in Appendix 'A'), as indicated below, to the satisfaction of the Corporation's Landscape Architect:
1. Provision of visual screening with tall evergreen shrubs in the planting bed along the south fence line of the pool enclosure to provide more privacy.
- J. The owner shall agree to address the requirements identified in the Diversity and Accessibility Officer's December 24, 2015 comments (in Appendix 'A'), as indicated below, to the satisfaction of the Diversity and Accessibility Officer and the Chief Building Official:
1. Installation of a ramp in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, to provide access to

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the 6 main doors located on the lower level of the building (as indicated on page 4 of Appendix D – Building Section Plan); and

2. Construction of a slip resistant walkway in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, from the parking area to the ramp described in the previous condition.
 - K. The owner shall agree to provide 1 Type 'A' (3.5m x 5.5m) and 1 Type 'B' (2.5m x 5.5m) accessible parking space, as per By-law 8600, as close as possible to the main entrance or secondary entrance, designated with appropriate signage and access aisles that meet the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, 7 visitor parking spaces designated with appropriate signage and a bicycle rack facility accommodating a minimum of 4 bicycles at a visible and safe location near an entrance to the building. All improvements are to be to the satisfaction of the City Engineer, Diversity and Accessibility Officer and Chief Building Official;
 - L. The owner shall agree to provide adequate storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws, to the satisfaction of the Manager of Environmental Services and Chief Building Official. The owner is advised that they will be entitled to once a week collection from the City and if further collections are needed, there is a fee;
 - II That the owner shall acquire the alley at the rear of the property in order to provide adequate room for maneuvering and parking spaces within the alley, to the satisfaction of the City Engineer and Chief Building Official;
 - III That the owner shall either remove the parking spaces, encroaching onto the Wyandotte Street East right-of-way, on the east and west side of the building or enter into an Encroachment Agreement with the Corporation in order to provide for the existing parking spaces, to the satisfaction of the City Engineer, and Chief Building Official;
 - IV That the owner shall grant an easement in favor of the property owner of 564 Alan Crescent for access to the rear of their property from Wyandotte Street East;
 - V Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in the '**Recommendations**' of this report have been completed to the satisfaction of the respective agencies and departments, and a Condominium Agreement has been registered against the subject lands.
- Carried.

Agenda Item: S 6/2016
Clerk's File: ZP/12354

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The meeting of the Planning, Heritage and Economic Development Standing Committee (Planning Act Matters) portion is adjourned at 4:41 o'clock p.m.

The meeting of the Planning, Heritage and Economic Development Standing Committee (Heritage Act Matters) is called to order at 4:44 o'clock p.m.

8. ADOPTION OF THE MINUTES

8.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held December 14, 2015

Moved by: Councillor Kusmierczyk
Seconded by: Member Foot

That the minutes of the Planning, Heritage and Economic Development Standing Committee held December 14, 2015 **BE ADOPTED** as presented.

Carried.

John Miller was absent when the vote was taken on this matter.

Agenda Item: SCM 19/2016

8.2. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held January 11, 2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Sleiman

That the minutes of the Planning, Heritage and Economic Development Standing Committee held January 11, 2016 **BE ADOPTED** as presented.

Carried.

John Miller was absent when the vote was taken on this matter.

Agenda Item: SCM 21/2016

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE & ADMINISTRATIVE MATTERS)

None presented.

10. HERITAGE ACT MATTERS

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10.1. Heritage Recognition Awards 2016

John Calhoun, Heritage Planner, appears before the Planning, Heritage & Economic Development Standing Committee and provides a brief outline of the Built Heritage Awards and the other recognition awards. He concludes by adding that once a choice of the award recipients is determined at the Council level a presentation would be prepared for a future Council Meeting. It is at Council's discretion to choose all of the administrative recommended options or none of them.

Moved by: Councillor Kusmierczyk
Seconded by: Member Baker

Decision Number: **PHED 353**

THAT the Built Heritage Awards for 2016 **BE APPROVED** for the owners of 167-181 Ferry Street, 1291-1293 Victoria Avenue, 793 Devonshire Road and 1241-1247 Wyandotte Street East; and THAT the owners of these four properties and of one recently designated property (the Montreuil-Buckland-Vichos House at 4187 Riverside Drive East) **BE RECOGNIZED** for their contributions to the City of Windsor.

Carried.

Agenda Item: C 3/2016
Clerk's File: MBA/2274

10.2. Willistead Park, 1899 Niagara Street - Benches Ward 2

John Calhoun, Heritage Planner, provides a brief outline of the report regarding Willistead Park, 1899 Niagara Street—Benches and indicates benches can be currently found in the park. Some that don't fit the prescribed model highlighted in the administrative report will be removed and replaced by the new benches.

Councillor Sleiman requests clarification on the difference between regular benches and these specific benches. Administration explains the difference including reference to the Heritage designation of the park and certain landscape elements which must be included.

Councillor Sleiman inquires as to the cost difference between regular benches and these specific benches. Thom Hunt, City Planner, appears before the Planning, Heritage and Economic Development Standing Committee and explains that the budget for the upgrades to the Park which were previously approved include these benches. In addition to the benches future work to the gateways will also be considered as a part of this budget. Mr. Hunt adds that some other parks in the Sandwich area are also using these benches.

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Councillor Sleiman inquires as to whether the Ford City area could be considered for these benches. Administration indicates they may be a candidate for future consideration.

Moved by: Member Foot

Seconded by: Councillor Sleiman

Decision Number: **PHED 354**

That the benches and litter bins selected for Willistead Park (per Appendix 'B') **BE APPROVED**.

Carried.

Agenda Item: S 59/2015

Clerk's File: MBA/3302

10.3. Ontario Heritage Conference Niagara-on-the-Lake April 30 – May 3, 2015

John Calhoun, Heritage Planner, provides a brief outline of the conference that was held last year, and advises the committee of the upcoming conference which will take place in May 2016. He requests that members who may be interested in attending the upcoming conference contact him so that the registration process can begin. He indicates that there is funding for 1(one) member to attend the conference.

Moved by: Member Foot

Seconded by: Member DiMaio

Decision Number: **PHED 355**

That the report of the Heritage Planner entitled "Ontario Heritage Conference Niagara-on-the-Lake April 30-May 3, 2015" dated December 14, 2015 **BE RECEIVED** for Information.

Carried.

Agenda Item: SCM 31/2015

Clerk's File: MBA/5350

Mr. Calhoun explains that a copy of the Quarterly Publication of Community Heritage Ontario news has been distributed to all members for their information.

There being no further business, the Heritage Act Matters portion of the Planning, Heritage & Economic Development Standing Committee meeting is adjourned at 4:54 o'clock p.m.

The chair calls the Administrative items portion of the Planning, Heritage & Economic Development Standing Committee meeting to order @4:55 o'clock p.m.

11. ADMINISTRATIVE ITEMS

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**11.1. Conveyance of part of closed alley between Walker Road and Turner Road abutting 3527 Walker Road (to be consolidated with 3511 Walker Road) - SAA/4586
Ward 9**

Don Wilson, Manager of Development Applications provides a brief history of the property and the alley closing conveyance request.

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

Decision Number: **PHED 356**

- I. That City of Windsor By-law 187-2000 registered on title June 16, 2000 as Instrument Number LT274866 **BE AMENDED** as follows:
 - 2.(i) alley lands abutting properties zoned CD3.3 on Walker Road being conveyed at the price of \$11.00 per square foot without easements or \$5.50 per square foot with easements, proportionate share of survey cost and deed preparation in addition.
- II. That the City Solicitor **BE DIRECTED** to prepare an amending by-law for Council's consideration; and further, 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 any subsequent transactions **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Agenda Item: S 73/2015

Clerk's File: SAA2016

11.2. Removal of Holding Symbol Application Fee Review - City Wide - M76-2015

Councillor Payne requests clarification regarding the fees charged at the time of the initial report and the current fees that are charged. Mr. Wilson explains the process involved. In 2008 the development fees were reviewed by a consultant, the hourly rates of administration, Council's time and Planning Board time were taken into consideration and the fees were increased. Just recently the fees were reviewed again and increased by approximately 10%.

Moved by: Councillor Payne

Seconded by: Councillor Sleiman

Decision Number: **PHED 357**

THAT the report of the Senior Planner entitled "Removal of Holding Symbol Application Fee Review-City Wide -M76-2015" dated January 20, 2016 **BE NOTED AND FILED**.

Carried.

Agenda Item: S 25/2016

Clerk's File: Z2016

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11.3. Ward 6 - Request to close the east/west alley north of Wyandotte St. E., west of Westchester Dr., abutting 8750 & 8850 Wyandotte St. E.; File No.: SAA/4480

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

Decision Number: **PHED 358**

- I. That the 9.14metres (30feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot lines of the properties known as 8750 and 8850 Wyandotte Street East, and shown as Parts 1 and 2 on Drawing No. CC-1683 attached hereto as **Appendix "A", BE ASSUMED** for subsequent closure;
- II. That the 9.14metres (30feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot line of the property known as 8750 Wyandotte Street East, and shown as Part 1 on Drawing No. CC-1683 attached hereto as **Appendix "A", BE CLOSED AND CONVEYED** entirely to the abutting property owner fronting on Wyandotte Street East (i.e. owner of 8750 Wyandotte Street East), subject to easements as noted in Recommendation IV & V below;
- III. That the 9.14metres (30feet) wide east/west alley located north of Wyandotte Street East, west of Westchester Drive, abutting the north lot line of the property known as 8850 Wyandotte Street East, and shown as Part 2 on Drawing No. CC-1683 attached hereto as **Appendix "A", BE CLOSED AND CONVEYED** to the abutting property owners, subject to easements as noted in Recommendation IV below;
- IV. That the closures noted above in Recommendations II and III be implemented subject to the following:
 - a. Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practice, be granted to:
 - i. Bell Canada, Cogeco Cable Canada LP, & Enwin Utilities Ltd.
- V. That the closure noted above in Recommendation II be implemented subject to the following:
 - a. A temporary easement for access only be granted to the current owners of 564 Alan Crescent as long as they remain the owners of 564 Alan Crescent.
- VI. Conveyance Cost **BE SET** as follows:
 - a. For land abutting properties zoned RD1.1: \$1.00 plus deed preparation fee and proportionate share of the survey cost as invoiced to the Corporation by an Ontario Land Surveyor.
 - b. For land abutting properties zoned RD3.4: \$53.82 per square metre (\$5.00 per square foot) without easements or \$26.91 per square metre (\$2.50 per square foot) with easements. Survey cost & deed preparation fee included.

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- VII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1683, 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-law(s);
- 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; and
- XI. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.
Carried.

Agenda Item: S 2/2015
Clerk's File: SAA2015

- 11.4. **Additional Information for S 2/2015 - Request to close the east/west alley north of Wyandotte St. E., west of Westchester Dr., abutting 8750 & 8850 Wyandotte St. E.**

See item 11.4 for final disposition of this matter.

Agenda Item: SCM 11/2016

12. COMMITTEE MATTERS

None Presented.

13. QUESTION PERIOD

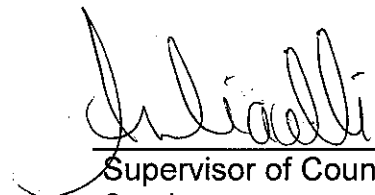
None.

14. ADJOURNMENT

There being no further business the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 5:03 o'clock p.m.



Ward 8—Councillor Marra
(Chairperson)



Supervisor of Council
Services

Planning Act Minutes
Planning, Heritage & Economic Development Standing Committee
City of Windsor

Monday, February 8, 2016
4:31 PM

Members Present:

Chairperson

Ward 8—Councillor Marra

Councillors

Ward 7 - Councillor Kusmierczyk

Ward 5 - Councillor Sleiman (Vice Chairperson)

Ward 9 – Councillor Payne

Planning Act Citizens

Anthony Gyemi

Dorian Moore

Barb Bjarneson

Members absent:

Ward 4 – Councillor Holt

Delegations

None

ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Thom Hunt, Executive Director Planning, Building Services/City Planner

Don Wilson, Manager of Development Applications

Jim Abbs, Planner III

Adam Szymczak, Planner III

John Calhoun, Heritage Planner (4:39)

Adam Pillon, Engineering

John Revell, Chief Building Official

Stefan Venier, Articling Student – Legal

Anna Ciacelli, Supervisor of Council Services

Marianne Sladic, Senior Steno Clerk, Planning

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1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Disclosed.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None Requested.

4. COMMUNICATIONS

None Presented.

5. ADOPTION OF THE PLANNING ACT MINUTES

5.1. Minutes of the Planning, Heritage & Economic Development Standing Committee meeting held December 14, 2015 (Planning Act Matters)

Moved by: Councillor Sleiman

Seconded by: Member Moore

5.2 Minutes of the Planning Heritage & Economic Development Standing Committee meeting held January 11, 2016 (Planning Act Matters)

Member Bjarneson requests to be noted as a regret for January's meeting.

Moved by: Member Gyemi

Seconded by: Councillor Sleiman

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

Please see section 7.1

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7. PLANNING ACT MATTERS

7.1. Z-015/15 [ZNG/4574] – 1762643 Ontario Inc. (Dior Homes) – 1493 Parent Ave. – Re-Zoning Ward 4

Mr. Abbs presents the item on behalf of Tom Cadman (author)

Ms. Mary Ann Keefner (agent) representing the Applicant. Advises the owner/applicant is in agreement with the conditions for the recommendations.

The Chair inquires if there is anyone in the audience to speak on this item.

Ms. Bjarneson inquires whether the pool will be opened or will remain closed? Ms. Keefner advises there was to be no changes to the pool. The Chair notes the pool has been filled in.

Ms. Bjarneson to Administration asks if a request can be made to tear down the fencing around the former pool area in order to provide more greenspace? Mr. Wilson advises the fence was part of a requirement for safety around the pool area. Since the pool is no longer, that is a possibility however, the request should be addressed to the Applicant. Ms. Bjarneson asks Ms. Keefner if the Applicant would consider removing the fence and providing more greenspace? Ms. Keefner advises there was no discussion regarding the pool fence, but may be something the Applicant will consider if the fence is not required.

Mr. Moore requests some clarification regarding the encroachment request for 564 Alan Crescent and how it affects the project. Mr. Abbs advises it does not affect the project. Mr. Abbs explains the residents at 564 Alan Cres. store their pleasure boat in the backyard and access it through the alleyway. To ensure they have access, the Applicant will provide an easement in order to allow access through their parking area.

Mr. Moore asks how the alley closing affect garbage collection. Is it collected through the alley or from the street? Mr. Abbs advises it has to be collected from the street and points to the area map to show the location of the refuse bins.

The Chair asks if there are any further questions of the Agent or of Administration.

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

Decision Number: ??

I That the application of Deauville Apartments Inc. for approval of a draft plan of condominium for a property legally described as Lots 99 to 103, inclusive, Plan 1564, including the 9.144 m wide alley immediately to the north of Lots 99 to 103, inclusive RP1564 (if closed and acquired), City of

Planning Act Minutes

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Monday, December 14, 2015

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Windsor known municipally as 8750 Wyandotte Street East, to permit the conversion of a 3-storey rental apartment building containing 36 residential dwelling units, to condominium tenure, as shown on the attached Map No. CDM-007/15-2, **BE APPROVED** subject to the following:

- 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 to the City Solicitor;
- E. The owner shall agree to comply with and remedy all site/building defects and deficiencies, including submission of applicable certificates, as contained in the:
 1. Building Condition Assessment report prepared by Chall.Eng Consulting Engineers, completed August 18, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer or Professional Architect retained by the owner; and
 2. Building Department's Order to Repair dated December 3, 2015 as included in Appendix A of this report.

All corrections and improvements shall be to the satisfaction of the Chief Building Official.

- F. The owner shall agree to comply with and address any requirements identified in the Public Works Department – Engineering - Development, Projects & Right-of-Way November 9, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the City Engineer or designate:
 1. Submission of Site Servicing Plans for storm, sanitary and water services;
 2. Installation of a sanitary sewer-sampling manhole, if one does not exist, accessible at the property line;
 3. Apply for street opening permits for sewer taps, drain taps, flatworks, landscaping, curb cuts and driveway approaches prior to commencement of any construction on the public highway;
 4. Gratuitous conveyance to the Corporation of a 1.8 metre wide road widening across the entire Wyandotte Street East frontage of the property;
- G. The owner shall agree to remedy all safety and security deficiencies identified in the Windsor Police Services' December 11, 2015 comments (in Appendix A), as indicated below, to the satisfaction of the Director of Planning & Physical Resources, Windsor Police Services:

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1. Construction of a vestibule at the main exterior door of each of the building's 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), with the following:
 - i. the interior door of each vestibule having locks installed of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted; and
 - ii. a communication (i.e. intercom) and building entry system, with resident directory panel, within each vestibule, that enables residents within each of the building's 6 separate sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building's 6 sections, that would allow residents to respond to a visitor's ring, go to the interior door of the vestibule and permit entry;
2. Alternatively, if no vestibule is constructed at the main exterior door of each of the building's 6 sections (as indicated on page 4 of Appendix D – Building Section Plan), the following is acceptable:
 - i. installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the 6 existing main exterior doors and that these doors be kept locked;
 - ii. installation of a communication (i.e. intercom) and building entry system, with resident directory panel, that enables residents within each of these sections to communicate with visitors prior to granting access to the building and that no resident names appear on the resident directory panel or alternatively, installation of a wireless doorbell system, with a resident directory panel (resident names should not appear on the panel), for all units in each of the building's 6 sections, that would allow residents to respond to a visitor's ring, go to the main exterior door and permit entry;
3. Installation of locks of higher security (i.e. Medeco, Primus) with a key design that is patent protected and where unauthorized key duplication is restricted, on the existing rear exterior doors of each of the building's 6 separate sections (as indicated on page 4 of Appendix D – Building Section Plan) and that these doors be kept locked;
4. Installation of a one-way privacy viewing port on the entry door of each residential unit within the building;
5. Provision of a certificate, prepared by a qualified lighting consultant/engineer, verifying that, as per Section 3.2.7.1 of Ontario Regulation 332/12, every exit, public corridor or corridor providing access to an exit, shall be equipped to provide illumination to an average level of not less than 50 lux (4.64 foot-candles) at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or ramps and that the minimum value of the illumination shall be not less than 10 lux (0.93 foot-candles);
6. Installation of a locking ring/and or post attached to the patio floor or adjacent wall of all residential units on the ground floor to prevent theft of items stored on the patio;

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7. Removal or reconfiguration of the parking spaces abutting the rear entry doors of Sections C and D (as indicated on page 4 of Appendix D – Building Section Plan) to provide unrestricted access and installation of “No Parking” signage and/or pavement markings in front of the doors;
 8. Replacement of the existing municipal address on the sign in front of the building with a minimum address number height of 3 inches for a location no greater than 25 feet (7.5m) from the curb line or edge of pavement and a minimum address number height of 6 inches for a location greater than 25 feet (7.5m) from the curb line or edge of pavement, as per By-law 196-2011; and
 9. Affixing on the main door of each of the 6 sections (as indicated on page 4 of Appendix D – Building Section Plan) within the building, the range of unit numbers found in each section - i.e. ‘Section A: Units 101-302’; a minimum address number height of 3 inches is required for a location no greater than 25 (7.5m) feet from the curb line or edge of pavement, as per By-law 196-2011.
- H. The owner shall agree to submit a photometric plan to the Corporation’s Landscape Architect and the Director of Planning & Physical Resources, Windsor Police Services for approval, prior to final approval and registration of the condominium plan. The photometric plan shall be prepared by a qualified lighting consultant (i.e. lighting engineer, landscape architect, etc.) in accordance with the City Guidelines found in CR228/2005 Lighting Intensity Standards Study, showing all anticipated lighting improvements, including replacement of existing fixtures that are not of “Full Cut-Off” type. The photometric plan shall include any manufacturer product data sheets and verification that any proposed fixtures are ‘Full Cut-Off’, with the following minimum and maximum illumination levels measured in foot-candles (fc):
- a. uncovered parking areas - 0.5 min./4.0 max;
 - b. walkways - 0.5 min./2.0 max;
 - c. building entrances - 3.5 min./8.0 max;
 - d. loading and outdoor garbage storage areas - 1.0 min./2.5 max.; and
 - e. after hours lighting (11:00pm to 5:00am) - 0.5min./2.0max.
- I. The owner shall agree to address the requirements identified in the comments from the Corporation’s Landscape Architect’s November 23, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Corporation’s Landscape Architect:
1. Provision of visual screening with tall evergreen shrubs in the planting bed along the south fence line of the pool enclosure to provide more privacy.
- J. The owner shall agree to address the requirements identified in the Diversity and Accessibility Officer’s December 24, 2015 comments (in Appendix ‘A’), as indicated below, to the satisfaction of the Diversity and Accessibility Officer and the Chief Building Official:
1. Installation of a ramp in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, to provide access to

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- the 6 main doors located on the lower level of the building (as indicated on page 4 of Appendix D – Building Section Plan); and
2. Construction of a slip resistant walkway in compliance with all applicable legislation and regulations including the AODA and Ontario Building Code, that meets the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, from the parking area to the ramp described in the previous condition.
- K. The owner shall agree to provide 1 Type 'A' (3.5m x 5.5m) and 1 Type 'B' (2.5m x 5.5m) accessible parking space, as per By-law 8600, as close as possible to the main entrance or secondary entrance, designated with appropriate signage and access aisles that meet the specifications as set out in the Integrated Accessibility Standards (s. 80.23) under the AODA, 7 visitor parking spaces designated with appropriate signage and a bicycle rack facility accommodating a minimum of 4 bicycles at a visible and safe location near an entrance to the building. All improvements are to be to the satisfaction of the City Engineer, Diversity and Accessibility Officer and Chief Building Official;
- L. The owner shall agree to provide adequate storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws, to the satisfaction of the Manager of Environmental Services and Chief Building Official. The owner is advised that they will be entitled to once a week collection from the City and if further collections are needed, there is a fee;
- II That the owner shall acquire the alley at the rear of the property in order to provide adequate room for maneuvering and parking spaces within the alley, to the satisfaction of the City Engineer and Chief Building Official;
- III That the owner shall either remove the parking spaces, encroaching onto the Wyandotte Street East right-of-way, on the east and west side of the building or enter into an Encroachment Agreement with the Corporation in order to provide for the existing parking spaces, to the satisfaction of the City Engineer, and Chief Building Official;
- IV That the owner shall grant an easement in favor of the property owner of 564 Alan Crescent for access to the rear of their property from Wyandotte Street East;
- V Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in the '**Recommendations**' of this report have been completed to the satisfaction of the respective agencies and departments, and a Condominium Agreement has been registered against the subject lands.

Carried, Unanimously

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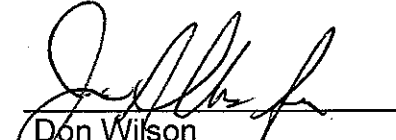
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There being no further business, the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 4:41 o'clock p.m



Ward 8 Councillor Marra
(Chairperson)



Don Wilson
Secretary