

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

Monday, January 11, 2016
4:30 PM

Members Present:

Chairperson

Ward 8 – Councillor Marra (Chairperson)

Councillors

Ward 7 - Councillor Kusmierczyk
Ward 5 – Councillor Sleiman

Planning Act Citizens

Member Gyemi
Member Moore

Members

Member Baker
Member Chamely

Regrets--Councillors

Councillor Payne
Councillor Holt

Regrets--Planning Act Citizens and Members

Member Bjarneson
Member DiMaio
Member Foot
Member Miller

Delegations

Mr. Rio Aiello – President – Dior Homes (Item 7.1)
Ray Belisle, resident (Item 7.1)
Scott Allen (MHBC) – Agent representing Applicant (Item 7.2)
Amira Meddaoui & Amine Hakim (Owner/Applicant) (Item 7.2)

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ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Wira Vendrasco, Deputy City Solicitor
Thom Hunt, Executive Director Planning, Building Services/City Planner
Don Wilson, Manager of Development Applications
John Revell, Chief Building Official
Adam Pillon, Right of Way Supervisor
Justina Nwaesei, Planner II Development Review
Thomas Cadman, Planner III Subdivisions
Laura Diotte, Planner III Special Projects
John Calhoun, Heritage Planner
Anna Ciacelli, Supervisor of Council Services
Marianne Sladic, Steno Clerk Senior

1. CALL TO ORDER

The Chairperson calls the meeting of the Planning, Heritage and Economic Development Standing Committee to order at 4:34 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

None presented.

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6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

Please see Planning Act Minutes Re: Items 7.1 and 7.2

7. PLANNING ACT MATTERS

7.1. 1762643 Ontario Inc. (Dior Homes) - 1493 Parent Ave. - Zoning By-law Amendment to permit construction of a multi-unit residential building. Ward 4

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Sleiman

Decision Number: **PHED 350**

That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the northwest corner of the intersection of Parent Avenue and Shepherd Street East, described as Lots 162 and 163, Plan 937, from Institutional District 1.1 (ID1.1) to Residential District 3.1 (RD3.1), and by adding a special zoning provision as shown below:

- (i) Notwithstanding the provisions of clause (a) of subsection (1) of Section 12 of By-law 8600, for the land described as Lots 162 and 163, Plan 937, situated on the northwest corner of the intersection of Parent Avenue and Shepherd Street east, a maximum of six dwelling units shall be permitted.

Carried.

Agenda Item: S 53/2015
Clerk's File: ZB/12377

7.2. 1849677 Ontario Ltd. - 5501 to 5533 Reginald Street - Condominium Conversion Ward 8

Moved by: Councillor Sleiman
Seconded by: Member Gyemi

Decision Number: **PHED 351**

I That the application of 1849677 Ontario Limited for approval of a draft plan of condominium for a property legally described as Part of Lot 114, Concession 1, City of Windsor, known municipally as 5501 to 5533 Reginald Street, to permit the conversion of a rental townhome complex containing 17 residential dwelling units to condominium tenure, as shown on the attached Map No. CDM-006/15-2, **BE APPROVED** subject to the following:

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- 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 TSS Building Science (London) Incorporated, completed April 3, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer retained by the owner; and
 2. Building Department's Order to Repair dated December 2, 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 October 26, 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, at the property line;
 3. Removal and replacement of the existing lead-in walk in the Reginald Street right-of-way;
 4. Removal of the existing driveway approaches and reconstruction in such width and location as approved by the City Engineer, including provision of straight flare driveway approaches and termination of raised curbs so that the raised curbs do not extend into the driveway approaches, outside the subject property;
 5. All non-residential driveway approaches of concrete shall be in compliance with City of Windsor Standard Drawing AS-204;
 6. 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; and
 7. Execution of a reciprocal agreement with the abutting property owners, if required, for services.

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- G. The owner shall agree to remedy all safety and security deficiencies identified in the Windsor Police Services October 27, 2015 comments (in Appendix 'A'), as indicated below, to the satisfaction of the Director of Planning for Windsor Police Services:
1. 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 all exterior doors of each building;
 2. Installation of a one-way privacy viewing port on the entry door of each residential unit;
 3. Installation of a locking ring/and or post attached to the patio floor or adjacent wall for all residential units to prevent theft of items;
 4. Removal of the temporary chain link fence by the dwelling units at the far south end of the property that extends to the wooden privacy fence on the property line, to provide access to the surrounding amenity area; and
 5. Trimming and thinning of all trees and shrubbery located on the site, particularly along the west property line, to provide appropriate visibility for security purposes;
- H. The owner shall agree to submit a photometric plan to both the Corporation's Landscape Architect and the Director of Planning for 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 October 26, 2015 comments (in Appendix 'A'), as indicated below, to the satisfaction of the Corporation's Landscape Architect:
1. Submission of a Landscape Plan (3 full-size copies of all plans) prior to final approval and registration of the condominium plan. The Landscape Plan shall be prepared by a Landscape Architect registered with the OALA, complete with plant material, surface treatments, site amenities, proposed exterior lighting (including wall mounted luminaries) and all details. The Landscape Plan shall include the location of all existing and proposed light fixtures and any manufacturer product data sheets and verification that any replacement or proposed fixtures are 'Full Cut-Off'.

The plan is to address the following issues:

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- a. Consideration of a wider diversity of Genus when selecting species, in order to reduce total loss during a pathogen epidemic as seen with the Emerald Ash Beetle and Dutch Elm Disease;
 - b. Selection of plant species capable of withstanding the Windsor/Essex County climatic including cold and heat hardiness, soil conditions, and any other environmental conditions that may affect the sustainability of a plants health; and
 - c. Coordination of trees and light poles/signs to reduce conflict.
- J. The owner shall agree to provide a minimum of 1 Type 'A' (3.5m x 5.5m) accessible parking space, as per By-law 8600, in the complex parking area, designated with appropriate signage and with access aisles that meet the specifications as set out in the Integrated Accessibility Standards under the AODA. All improvements are to be to the satisfaction of the City Engineer and Chief Building Official;
- K. 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;

II That the owner shall remove the existing sign encroaching into the Reginald Street right-of-way or alternatively, enter into an Encroachment Agreement with the City to provide for the encroachment, to the satisfaction of the Civic Engineer and Chief Building Official.

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

Carried.

Agenda Item: S 64/2015
Clerk's File: ZP/12403

The meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 4:59 o'clock p.m. due to lack of quorum. No further business is conducted.

8. ADOPTION OF THE MINUTES

N/A

9. PRESENTATIONS AND DELEGATIONS (COMMITTEE & ADMINISTRATIVE MATTERS)

N/A

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10. HERITAGE ACT MATTERS

**10.1. 446 Indian Road (Sandwich HCD) -
Request for Demolition**

Due to lack of quorum this item is not discussed.

11. ADMINISTRATIVE ITEMS

N/A

12. COMMITTEE MATTERS

N/A

13. QUESTION PERIOD

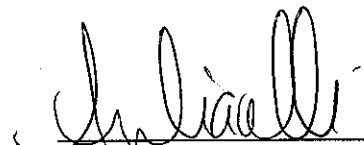
N/A

14. ADJOURNMENT

Due to lack of quorum, the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 4:59 o'clock p.m.



Ward 8 Councillor
Bill Marra (Chairperson)



Supervisor of Council
Services

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

Monday, January 11, 2016
4:34 PM

Members Present:

Chairperson

Ward 8—Councillor Marra

Councillors

Ward 7 - Councillor Kusmierczyk

Ward 5 - Councillor Sleiman (Vice Chairperson)

Planning Act Citizens

Anthony Gyemi

Dorian Moore

Members absent:

Ward 4 – Councillor Holt

Ward 9 – Councillor Payne

Member Bjarneson

Delegations

Ray Belisle (Item 7.1)

ALSO PRESENT ARE THE FOLLOWING FROM ADMINISTRATION:

Wira Vendrasco, Deputy City Solicitor

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

Don Wilson, Manager of Development Applications

Tom Cadman, Planner III

Justina Nwaesei, Planner II

Samantha Leger, Co-Op Student - Planning

John Calhoun, Heritage Planner (4:46)

Laura Diotte – Urban Design

Adam Pillon, Engineering

John Revell, Chief Building Official

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 4:34 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 November 9, 2015 (Planning Act Matters)

Deferred to the February meeting.

6. PRESENTATION & DELEGATIONS (PLANNING ACT MATTERS)

Please see section 7.1 and 7.2

7. PLANNING ACT MATTERS

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

Ms. Nwaesei presents the item.

Mr. Rio Aiello – President – Dior Homes – is available for questions.

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

Ray Belisle (property owner) – 1453 Parent rental property. Mr. Belisle noted concern over sewer consumption. Advised he had spoken to Councillor Holt as well. Mr. Pillon informed Mr. Belisle that Public Works recommended a backwater valve to avoid flooding in the area. Also through Site Plan Control Process, if there's a parking lot, the development is restricted to pre-development flows which will not allow any additional water to enter the system through this development.

Mr. Belisle mentioned a few other items to which the Chair advised this forum was in regards to the application brought forth, however, the Chair advised he would personally contact Councillor Holt to respond to Mr. Belisle and follow-up on his property concerns.

Mr. Gyemi to Administration, inquired as to why it was limited to six (6) units? Was it to control the size of development or was that what the applicant requested? Ms. Nwaesei advised it was both. First of all, the Applicant asked for only six units. Also, the neighbourhood is predominantly low density. Although the zoning would permit up to eight (8) units, a cap of 6 units was recommended.

Mr. Gyemi notes 10 parking spaces shown on the rendered drawing attached, which would be adequate for 8 units. Is there a concern for later addition of units? Ms. Nwaesei advised there are areas of zoning issues which will be addressed through the Site Plan Control process, which will impact the number of parking spaces available.

To the applicant, Mr. Gyemi posed several questions regarding building orientation, characteristics, etc., at which point the Chair noted that they are items that are discussed in the Site Plan Control.

Councillor Sleiman asked the Applicant if the property will be a rental or if he intends to convert to condominium? Mr. Aiello advises it will strictly be a rental property. He has no intention of converting to condominium.

Councillor Sleiman asks if the units will be available to the general public. Mr. Aiello advised he is aiming at a more family oriented renters.

Mr. Moore to Administration, inquires whether the building has adequate setbacks? Ms. Nwaesei advised that such details are addressed through Site Plan Control. Mr. Hunt further adds that discussions and negotiations typically occur between departments and the developer at the Site Plan stage to ensure requirements are met, such as setbacks, orientation, parking, etc.

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

Decision Number: **PHED350**

That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the northwest corner of the intersection of Parent Avenue and Shepherd Street East, described as Lots 162 and 163, Plan 937, from Institutional District 1.1 (ID1.1)

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to Residential District 3.1 (RD3.1), and by adding a special zoning provision as shown below:

- (i) Notwithstanding the provisions of clause (a) of subsection (1) of Section 12 of By-law 8600, for the land described as Lots 162 and 163, Plan 937, situated on the northwest corner of the intersection of Parent Avenue and Shepherd Street east, a maximum of six dwelling units shall be permitted.

Carried, Unanimously

Agenda Item: S 53/2015
Clerk's File: ZB/12377

7.2. CDM-006/15 [CDM/4526] - 1849677 Ontario Ltd. – 5501-5533 Reginald St. - Condo Conversion Ward 8

Mr. Tom Cadman presents the item.

Scott Allen (MHBC) – Agent – Is in complete agreement with the recommendations and is available for questions.

Amira Meddaoui & Amine Hakim (Owner/Applicant) are also present for questions.

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

Moved by: Councillor Sleiman

Seconded by: Member Gyemi

Decision Number: **PHED 351**

I That the application of 1849677 Ontario Limited for approval of a draft plan of condominium for a property legally described as Part of Lot 114, Concession 1, City of Windsor, known municipally as 5501 to 5533 Reginald Street, to permit the conversion of a rental townhome complex containing 17 residential dwelling units to condominium tenure, as shown on the attached Map No. CDM-006/15-2, **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;

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- 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 TSS Building Science (London) Incorporated, completed April 3, 2015, with all corrections and improvements to be cleared as completed by a Professional Engineer retained by the owner; and
 2. Building Department's Order to Repair dated December 2, 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 October 26, 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, at the property line;
 3. Removal and replacement of the existing lead-in walk in the Reginald Street right-of-way;
 4. Removal of the existing driveway approaches and reconstruction in such width and location as approved by the City Engineer, including provision of straight flare driveway approaches and termination of raised curbs so that the raised curbs do not extend into the driveway approaches, outside the subject property;
 5. All non-residential driveway approaches of concrete shall be in compliance with City of Windsor Standard Drawing AS-204;
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 7. Execution of a reciprocal agreement with the abutting property owners, if required, for services.
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1. 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 all exterior doors of each building;
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4. Removal of the temporary chain link fence by the dwelling units at the far south end of the property that extends to the wooden privacy fence on the property line, to provide access to the surrounding amenity area; and
 5. Trimming and thinning of all trees and shrubbery located on the site, particularly along the west property line, to provide appropriate visibility for security purposes;
- H. The owner shall agree to submit a photometric plan to both the Corporation's Landscape Architect and the Director of Planning for 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):
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- The plan is to address the following issues:
- a. Consideration of a wider diversity of Genus when selecting species, in order to reduce total loss during a pathogen epidemic as seen with the Emerald Ash Beetle and Dutch Elm Disease;
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- J. The owner shall agree to provide a minimum of 1 Type 'A' (3.5m x 5.5m) accessible parking space, as per By-law 8600, in the complex parking area, designated with appropriate signage and with access aisles that meet the specifications as set out in the

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Integrated Accessibility Standards under the AODA. All improvements are to be to the satisfaction of the City Engineer and Chief Building Official;

- K. 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;

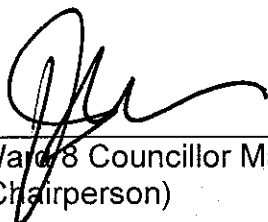
II That the owner shall remove the existing sign encroaching into the Reginald Street right-of-way or alternatively, enter into an Encroachment Agreement with the City to provide for the encroachment, to the satisfaction of the Civic Engineer and Chief Building Official.

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

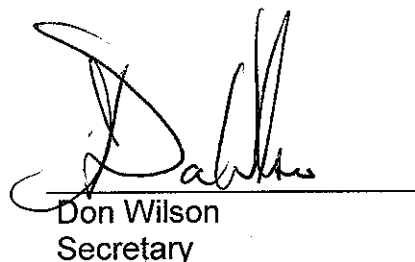
Carried, Unanimously.

Agenda Item: S 64/2015
Clerk's File: ZP/12403

There being no further business, the meeting of the Planning, Heritage and Economic Development Standing Committee is adjourned at 4:59 o'clock p.m



Ward 8 Councillor Marra
(Chairperson)



Don Wilson
Secretary