

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

Councillor Marra (Chair)  
Councillor Dilkens  
Councillor Payne  
Councillor Sleiman

**Citizens**

Merrill Baker  
Barb Bjarneson  
Cheryl Cross-Leal

**Regrets**

**Delegations**

*Also present are the following from Administration:*

Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Wira Vendrasco, Deputy City Solicitor  
Bill Jean, Manager of Permit Service/Deputy Chief Building Official  
Helga Reidel, CAO  
Jim Abbs, Planner III  
Adam Szymczak, Planner III  
Justina Nwaesei, Planner II  
Stacy Shyshak, Engineering  
Agatha Armstrong, Deputy City Clerk

1. **CALL TO ORDER**

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

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

None disclosed.

3. **ADOPTION OF MINUTES**

Moved by Councillor Payne, seconded by Councillor Sleiman.

**THAT** the minutes of the meeting of the Planning & Economic Development Standing Committee held Tuesday, October 15, 2013 BE ADOPTED as presented.

Ms. Bjarneson abstains from vote. She was absent at the October meeting.

Carried, Unanimously.

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

None.

5. **COMMUNICATIONS**

None.

6. **PRESENTATIONS AND DELEGATIONS**

Item 2 1433389 Ontario Ltd. – Z-09/13 [ZNG/3999]

- Mike Mastromattei
- Anthony Cutrone

Item 3 Mid-South Developments Corp. Ltd. – Z-012/13 [ZNG/4014]

- Shirley Lessard
- Cheryl Schram
- Joseph Decaire
- Julie Zanella
- Walter Polkosnik
- Michael Czilli

7. **PLANNING ACT MATTERS**

Item 1 **Windsor Beauty & Esthetics Supply – 6640 Tecumseh Rd. E.**

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

Ms. Slopen is in agreement with the recommendations.

Moved by Councillor Dilkens, seconded by M. Baker.

That an amendment to Zoning By-law 8600 changing the zoning of Part 2, Plan 12R-5439 (save and except for Part 4, Plan 12R-22975), situated on the north side of Tecumseh Road East, west of Roseville Garden Drive, by adding a site-specific provision to allow a retail store as an additional permitted use **BE APPROVED**.

Motion Carried, Unanimously.

Item 2 **1433389 Ontario Ltd. – 866 & 870 Erie St. E.**

Ms. Justina Nwaesei is introduced as the author by the Chair. Recommendation is for Approval.

Mr. Tony Conciatori (applicant) and Mr. Frank Fazio (attorney) are in agreement with the recommendations. Mr. Fazio notes there have been some changes to the submitted plans. Originally the applicant was to construct two additional stories to the former CIBC building, however, due to hydro conductors in back, the owner is unable to build the full length of the wall, therefore, he will add three stories to the building for a total of 20 beds maximum. They still comply with parking requirements. Mr. Fazio also has letters from local businesses/supporters of the application.

Mike Mastromattei – 903 Elsmere – Voices disapproval of application for the following reasons:

- Increased density to Erie St. (Via Italia)
- Increased number of lodging houses
- Parking issues
- Losing retail component
- Creating a dead zone

Anthony Cutrone, on behalf of residents Roma Cutrone (mother) & Barbara Abate – 876-878 Erie St. E. – Agrees with comments made by Mr. Mastromattei, and adds his own:

- Impact of the changes in zoning, ie. changes in quality of life in the community
- Decreased parking due to visitors to these lodging houses
- Increase in garbage
- Feels the area is being over-saturated
- Increased difficulty in attracting outside tenants & customers
- Concern with process to validate information provided to Council – feels currently there isn't one. Information is based on face value.
- Is opposed to the request for approval of this application

Mr. Fazio addresses some of the concerns and comments:

- Mentions a restaurant that went broke and stood empty and CIBC Building has been vacant for over 15 years, therefore, concern regarding loss of retail space is unfounded
- Sufficient parking is available for the Lodging House and will not take away from others

Ms. Bjarneson agrees the application addresses a need but can also relate to the concerns, particularly parking, although most tenants of the Lodging Home don't own vehicles. Mr. Fazio states that other than free parking, the City has Public Parking available behind the buildings on the south side of Erie St. which provide ample space for local establishments.

Ms. Bjarneson advises she witnessed a delivery van in the alleyway and inquired about deliveries. Mr. Conciatori responded advising that there is no designated spot, however, the delivery trucks come generally earlier in the day and stop in the alleyway to deliver goods rather than park on the street and walk to the back. It does not inhibit anyone looking for parking in the parking lot. Ms. Bjarneson asks if there have been any complaints? Mr. Conciatori advises there haven't.

Ms. Bjarneson seeks confirmation on total beds as listed in the report. Mr. Fazio advised originally it was 17 beds on two stories, now it'll be 20 beds on three stories. The site plan as shown in the report will be amended but will not exceed the height requirement as stated in the by-law of 14 metres.

Mr. Baker seeks clarification of merger of title on both properties. Mr. Baker advises there is nothing that shows merger of titles and inquires whether the two properties can be sold off separately? Also, seeks clarification of parking requirements. With the increase in beds, Mr. Baker is concerned there may be a deficiency in parking required. Mr. Baker is also concerned with the height of the proposed addition. Ms. Nwaesei advises the applicant has been made fully aware a building permit cannot be obtained without proof of ownership to confirm ownership as a merged parcel or contiguous lots under the same ownership. Ms. Nwaesei provides the calculations for the required parking and advises the 17 beds require 2 parking spaces and 20 beds would require 3 parking spaces, therefore there is compliance with the zoning by-law. With respect to the overall lodging facility, Ms. Nwaesei states that the existing lodging house with 40 beds could have some parking deficiencies which can be carried over. However, the parking and

height issue will be dealt with through Site Plan process. Ms. Nwaesei states that there are no indications it will exceed the standards set in the by-law.

Mr. Baker clarifies his question regarding merger of title, asking whether the owner/applicant can sell off a parcel without a severance from the City? Mr. Fazio advises the properties are considered individual lots on the Registered Plan, so no severance would be required to separate the lots. However, the first floor throughout is necessary for the beds to exist. Each property supplements the other; therefore a severance is not possible. The existing facilities are required in order to support the additional facilities.

Mr. Baker notes that there is a proposed addition to the existing building. Wouldn't the parking requirements then be reviewed? Ms. Nwaesei advises that all requirements for height, parking etc. are part of the Site Plan Approval process and will be addressed there.

Councillor Sleiman inquires about the number of beds currently existing? Mr. Fazio advises 24 units/40 beds.

Councillor Sleiman reiterates the application states it's a Lodging House and asks the difference between a Lodging House and Retirement Home? Ms. Nwaesei provides the definition of a Lodging House as described in the Zoning By-Law.

Councillor Sleiman inquires whether a transient can stay for a short time or is it a long-term lodging? Ms. Nwaesei advises tenure is not dealt with.

Councillor Sleiman seeks confirmation that instead of 17 beds, the applicant now wishes to add 20 beds? Mr. Fazio confirms. Councillor Sleiman inquires whether the existing building can support the addition? Mr. Fazio advises engineers have assured the applicant that it can and/or will be taken care of. The Chair interjects advising that is a process not dealt with by the City nor this Committee.

Councillor Sleiman requests of Administration a more comprehensive report due to the changes from the original report. The Chair advises that is possible, however, feels most answers regarding the "zoning change" can be addressed at this time. The Chair notes making a site visit and viewing the interior and exterior for a better understanding, which also immediately addressed any concerns mentioned by Mr. Baker. Councillor Sleiman asks for Mr. Hunt's opinion. Mr. Hunt feels the report is informative and any questions relating to zoning have been, or will be, addressed. At the end, the Chair will ask the Planner if he/she stands by their recommendation(s), given the new information. If so, then the report stands.

Councillor Payne repeats concerns by the two delegates earlier and asks Mr. Hunt what the position is of the Planning Department on these comments/concerns and the impact. Mr. Hunt notes the number of improvements on Erie St. However, both properties have been vacant for a very long time. Opportunities for other retail/commercial uses for those properties were long available and not utilized. Ideally, would prefer retail/commercial use, however, reality is that it hasn't happened and a different use is now being proposed. The Official Plan identifies the area as Mixed Use, in order to fill those empty spaces. This enterprise, in time too, may expire and something else may replace it.

Councillor Payne asks whether there would be a net loss of business opportunities in the area because of this endeavour? Mr. Hunt advises there is no way to answer that question.

Ms. Cross-Leal clarifies there is no change in the Zoning District and Commercial District 2.2 allows apartments. These are just Lodging House rooms. Ms. Nwaesei confirms the designation permits apartments in a combined use setting.

Ms. Bjarneson asks if there's a differential in parking spaces if a Lodging House has an eating facility as opposed to one that doesn't? Ms. Bjarneson is referring to space for deliveries, laundry services, etc. Ms. Nwaesei advises loading issues are not something delved into during the re-zoning process. These matters are dealt with during the Site Plan process.

Ms. Bjarneson inquires whether the proposed addition is in scale with the rest of the block? Ms. Nwaesei advises the property may line up with other existing buildings. It will depend on the design. Ms. Bjarneson is concerned with potential lack of building height consistency in the block. The Chair advises these concerns are dealt with during the Site Plan process.

The Chair mentions Mr. Cutrone's concern over validation and asks Mr. Hunt to explain the process. Mr. Hunt advises many of the concerns addressed are beyond that of the re-zoning process and are dealt with in Site Plan, but will be brought forth to the Site Plan Approval Officer when a draft plan is provided. Height, elevation, parking and facade are all part of that process as well as in keeping with the context of the block. This also addresses some of the concerns mentioned by Councillor Payne insofar as streetview/animation.

Moved by Ms. Bjarneson with special consideration during Site Plan regarding compatibility and height, seconded by Ms. Cross-Leal.

The Chair notes these items would automatically be part of the Site Plan process, however, they will also be included in the recommendations.

1. That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the north side of Erie Street East, between Parent and Elsmere Avenues, described as Lots 32 and 31 on Plan 360, and municipally known as 866 and 870 Erie Street East, by adding a site specific provision to allow a Lodging House as an additional permitted use, subject to the following additional regulations:
  - i. No person shall be provided with lodging on any part of the ground floor level of the building used for a Lodging House;
  - ii. Parking shall be provided at the rear and vehicular access shall be provide through the rear alley; and
  - iii. The requirements of Sections 25(4)(d) and 25(6) shall not apply.
2. That the following be considered during the Site Plan Control process:
  - i. That the building height and scale of the new addition be consistent and compatible with the buildings in the neighbourhood.

The Chair asks the author/planner if she stands by her recommendation? Ms. Nwaesei advises her recommendation stands.

Motion CARRIED. Opposed: M. Baker

Mr. Baker departs at 5:48 pm

Item 3 **Mid-South Developments Corp. Ltd. – 4735 Adstoll Ave. & 2570 Pillette Rd.**

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

Mr. Dino Maggio (Applicant/Developer) and Mr. Slopen (agent) are in agreement with the recommendations. Mr. Slopen provides a concept drawing of a semi-detached homes as well as the concept subdivision plan (not approved) for viewing and the intent of the application and future development. Any issues within the report would be resolved during the subdivision approval process.

NOTE: No concept drawings or draft subdivision plan(s) were provided in the report as these have not yet been approved and are not required during the re-zoning process.

The Chair asks if there is anyone in the audience in attendance for this item?

Shirly Lessard – 2488 Arthur Rd.  
Cheryl Schram – 2552 Norman Rd.  
Joe Decaire – 2489 Olive Rd.  
Julie Zanella – 2471 Norman Rd.  
Walter Polkosnik – 2483 Norman Rd.  
Michael Czilli – 2465 Olive Rd.

The aforementioned residents each approached the Committee. Their concerns were as follows:

- Increased traffic & congestion
- Compatibility with the area
- Increased density (single family to semi-detached/condo)
- Increased noise
- Child/person safety walking on the street
- Increased sewer use and the possibility of flooding, as already experienced by neighbourhood
- Disrepair of streets
- Speeding
- Loss of parkland in immediate area and having to cross busy Pillette to reach other park
- Decrease in value of their homes
- On-street parking

The Chair asks Mr. Abbs if residents have an opportunity to voice concerns during the Site Plan Subdivision process. When the application comes forth, a draft plan of subdivision will be provided, what lots will be and their configuration, Olive Road extension, the size of the road, sidewalk and driveway locations. There will also be a footprint rendering of what the development will look like in future.

Ms. Lessard mentioned receiving Notice in the mail yet her neighbour did not. Mr. Abbs advised there is a radius of residents that are notified and also Notice in the newspaper, as directed under the Planning Act. The same also applies during the subdivision application process. Ms. Lessard requests additional notice from Council regarding this application.

The Chair also notes additional comments received via mail from other residents in the area.

Mike Stamp – Manager of Real Estate Services (City of Windsor) – available to answer any questions regarding the history of the site, how offered for sale, difficulties in selling the site and

any other questions that may arise. Advises that with the sale, Council allocated a financial contribution towards Ypres Park as part of the proceeds of the sale.

Ms. Zanella comes forth to advise she is opposed to the townhome at the end of the block. She would rather see two more semi-detached homes.

Following hearing all the delegates speak, the Chair notes this is his Ward and that no one that contacted him said they were opposed to the subdivision. Everyone he's heard from shared the same concerns as those brought forth earlier. There was a notion that the new subdivision would look similar to that of the rest on Olive Rd. However, the lot sizes in the area vary. The new subdivision is based on the size of the property. One woman in the audience disagreed, stated she is very opposed to the plan. The Chair reiterates he's referring to those who spoke to him personally.

Mr. Slopen tries to address some of the concerns of the residents present:

- 1) High density – this is not high density or high storey. It is a semi-detached which meets the zoning criteria. Each unit will have a garage & driveway so parking won't be an issue. The property can't support single family homes.
- 2) Reduction in value of homes – these will be luxury units, compatible in price to surrounding area homes. The development will be very attractive and desirable.
- 3) Sewers – Currently, the sewage runs in one direction. Through their architect, they are requesting sewers to run in both directions. The development is to hook in to a connection further away, at greater expense to the applicant, in order to avoid future flooding in the area.
- 4) Traffic – the addition of 50 units will not detrimentally add to the problem. The problem lies from Grand Marais Rd. Also intent on widening Pillette Rd.

Ms. Bjarneson asks whether the concerns from the Police Department will be addressed and how? Mr. Slopen advises the homes will be designed to be well lit and safe for residents. There are no issues and will comply with all requirements, which will be addressed in Subdivision process.

Ms. Bjarneson inquired about the lands on Grand Marais and Pillette. There are two existing homes present. Mr. Abbs advises the one property is owned by the applicant. Mr. Abbs also states the concept plan does not interfere or include those properties.

Ms. Bjarneson feels the concerns of the residents are reasonable. How will the applicant minimize the impact to Norman Road in terms of lighting, etc.? Mr. Slopen advises that their job is to develop the property. The subject of lighting will probably come in the subdivision approval process. They do intend to provide lighting on the street for the subdivision. But they will solve the sewer problem.

Ms. Cross-Leal inquires the distance of Ypres Park from the development? An unknown member of the audience advises it's a golf ball distance away. It's not much further away than the current park, but kids/people have to cross Pillette Road, which is very busy. The Chair confirms the park is approximately one block away on the other side of Pillette Rd.

Ms. Cross-Leal advises she doesn't feel there is an issue with the homes being semi-detached as it is perhaps the feeling of congestion. According to the rendition, they seem very close to each other. Mr. Slopen advises these are merely perspectives and that once they're built, that won't even be an issue. Ms. Cross-Leal also asks that the road may be wider to allow traffic through.

Ms. Cross-Leal inquires about run-off and paving. Ms. Slopen advises Dillon Consulting did a massive study regarding sewer and water run-off. The developer will be connecting to another sewer line in order to avoid flooding.

Councillor Sleiman asked if the applicant considered single family homes? Ms. Slopen advised that was the initial intent. But the project isn't feasible for a single family.

Councillor Sleiman reconfirms the proposed cost of these homes. Are they comparable to the existing homes of the neighbourhood? Mr. Slopen advises they will be reasonable in the market area, but they will not be a box. They will be nicely designed homes with numerous upgrades.

Ms. Bjarneson inquires regarding the semi-detached that will front Pillette, she doesn't feel it's good planning to have driveways fronting onto a busy street like Pillette. Was there any consideration given? Mr. Abbs advises the developer had a concept which featured stub roads coming in off of Pillette Road, but Planning felt this was less desirable. Ms. Bjarneson asks if there was any concern over that many driveways front Pillette from Transportation? Mr. Abbs advises Transportation did indicate concern. It isn't the best situation, however, in the Mr. Abbs' opinion; it works best in this situation.

Ms. Bjarneson asks in terms of the parkland, are there any other parks in the area that don't require crossing Pillette? Mr. Abbs advises it's not possible to have a park beside every neighbourhood/subdivision. The next nearest park is at Rivard & Grand Ave. Ms. Bjarneson suggests that when goes before Council, that Parks again make comments on that issue.

Mr. Stamp advises that the Adstoll Park playstructure was one of the units to be removed and not replaced. McDonald Park & Ypres Park are both close enough for the neighbourhood and are much larger in size and can accommodate the tennis/sports court. Next closest park with tennis courts are Realtor and Forest Glade parks which are well beyond this area.

Ms. Cross-Leal asks if traffic issues (potholes, lighting) will be addressed along Adstoll when this subdivision goes in? Mr. Abbs doesn't feel the addition of these homes will be of detriment to the area and will add considerably. There will always be additional traffic during school hours when there are schools nearby. Ms. Cross-Leal also notes difficulty in backing out onto Pillette, through a bike lane, doesn't seem safe. Mr. Abbs notes it's a point well taken and would be addressed during Plan of Subdivision approval.

Councillor Sleiman asks if part of the proceeds received in the sale will be used to improve the nearby street lighting, etc.? Not necessarily towards the new subdivision. Mr. Abbs advises the Developer is not responsible for off-site streets like Norman, the other side of Olive or any other street near the subdivision. It is up to the City to determine what the standard of lighting and sidewalks and roads has to be in any particular area. Those funds come from general revenue (ie. Taxes). Any additional monies from this development has already been earmarked to defer costs of the WFCU Arena. Anything over and above goes to the park to the west.

Councillor Sleiman asks how can these improvements be made? Mr. Abbs advises the best way is through a local improvement project. The residents petition the City to improve their streets, lighting and sidewalks done through Public Works department. Payment comes from the residents who are benefitting.

The Chair makes a point at this time that the purpose is not to approve the lot configuration, at this time. It's simply the rezoning that's being requested and not the specific lot configuration.



Mr. Abbs adds that the zoning RD2.2 permits single, semi, townhome, duplex and double duplexes.

Ms. Zanella comes forth to show, on the map provided, where she stops with her children in order to cross the street to get to the park. She stresses the amount of traffic & congestion. Suggests a stop light at Pillette and Adstoll. She also notes difficulty of current homes fronting Pillette and their difficulty reversing into traffic and the probability of people using Adstoll more in order to avoid Pillette. Ms. Zanella refers to a subdivision similar to the one proposed and the amount of congestion and lack of parking issues that area has.

Councillor Sleiman concurs the purpose is to approve rezoning. The issues are to be dealt with during Subdivision Approval. Is it normal for Administration to contact the neighbourhood to work with them with a site plan that would be acceptable? Mr. Abbs states that when the application for subdivision comes forward, there will be a circulation similar to the circulation for rezoning. There will be a copy of the proposed draft plan included. Any person can make comments regarding the draft plan to the planner in charge of the file. It won't be Site Plan Control, but a Plan of Subdivision. The Chair advises the Committee can recommend a public information session for the development pursuant to the Plan of Subdivision.

The Chair asks if there are any other questions? Seeing none.

The Chair asks the Committee if they have any questions?

Moved by B. Bjarneson as Amended, seconded by Councillor Sleiman.

That an amendment to Zoning By-law 8600 **BE APPROVED** amending the zoning of 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, from Green District (GD) 1.1 and Residential District (RD) 3.1 zone categories to Residential (RD) 2.2 with a Hold provision to ensure the following provision is met:

- a) Registration of Final Plan of Subdivision.
- b) That a Public Consultation take place pursuant to submission for Plan of Subdivision.
- c) That consideration to concerns regarding reducing the density of homes fronting Pillette Road
- d) That consideration for crosswalk and increased safety measures for crossing Pillette Road in order to reach the park.

The Chair addresses the residents present on their contribution and noting their concerns.

Ms. Bjarneson commends the developer. Advises it's evident there is a great deal of thought and consideration being made in the development of the area. Also commends the neighbourhood.

The Chair notes there will yet be another opportunity to address any issues when the Plan of Subdivision returns to this Committee in future prior to going to Council.

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

Motion Carried, Unanimously.

The Chair conveys a special gratitude to Ms. Cheryl Cross-Leal for her many years of service with the Corporation as a Civil Member of first the Planning Advisory Committee and then with the Planning & Economic Development Standing Committee. She will be greatly missed.

There being no further business, the meeting is adjourned at 7:07 pm.

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Councillor Bill Marra, Chair

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Don Wilson, Secretary

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