

AC/  
Windsor, Ontario, October 13, 2015

A meeting of the **Planning, Heritage and Economic Development Standing Committee** is held this day commencing at 4:30 o'clock p.m. in Council Chambers there being present the following members:

Councillor Holt  
Councillor Kusmierczyk  
Councillor Sleiman  
Councillor Marra (Chair)

**Planning Act Citizen**

Anthony Gyemi

**Heritage Act Citizens**

Lynn Baker  
Andrew Foot  
John Miller

**Regrets**

Councillor Payne  
Dorian Moore  
Barbara Bjarneson  
Simon Chamely  
Michael DiMaio

**Delegations**

Dino Aleo, President, Greco Aluminum Railings (Item 5)  
Amanda Polewski and Tom O'Dwyer, representing Soil & Materials Engineering Inc. (Item 6)

***Also present are the following from Administration:***

Helga Reidel, Chief Administrative Officer  
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  
Greg Atkinson, Planner III Economic Development  
Adam Pillon, Technologist I Development Projects and Right of Way  
Adam Szymczak, Planner III Zoning  
Matt McCullough, Zoning Coordinator  
Kevin Alexander, 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 4:38 o'clock p.m.

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

None Disclosed.

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

**Amendment to Zoning By-law 8600, R. Ethier, 3329 Sandwich Street**

Moved by Councillor Holt, seconded by Councillor Sleiman,

That the report entitled "Amendment to Zoning By-law 8600, R. Ethier, 3329 Sandwich Street" which was previously advertised in the Windsor Star as an issue to be considered at the October 13, 2015 standing committee **BE DEFERRED** to a future meeting of the Planning Heritage & Economic Development Standing Committee.

Carried.

4. **COMMUNICATIONS**

None Presented.

5. **ADOPTION OF MINUTES**

Moved by Mr. Gyemi, seconded by Councillor Kusmierczyk,

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

Carried.

6. **PRESENTATIONS AND DELEGATIONS FOR PLANNING ACT MATTERS**

None presented.

7. **PLANNING ACT MATTERS**

Minutes for the Planning Act Matters are *attached* as Appendix "A".

**Item 1 City of Windsor Planning and Building Services, Housekeeping Amendment  
2015-1 Supplementary Lot Regulations**

Moved by Councillor Sleiman, seconded by Anthony Gyemi,  
That Zoning By-law 8600 **BE AMENDED** on the following basis:

1. That the following paragraph be added to Section 7:  
“(6b) **“Architectural Feature”** means the projection of belt courses, chimneys, cornices, eaves, ledges, window sills and similar architectural features and replacement residential exterior cladding. [ZNG/4549]”
2. That Section 22 be deleted and replaced with the following:

**“SECTION 22 - SUPPLEMENTARY LOT PROVISIONS**

B/L 8614, Jun 23/1986; B/L 9057, Jul 7/1987; B/L 10238, May 30/1990; B/L 10358, Jul 16/1990; B/L 10637, Apr 22/1991;  
B/L 11093, Jul 20/1992; B/L 11096, Jul 20/1992; B/L 11406, Mar 29/1993; B/L 11780, Mar 28/1994; B/L 12429, Jan 8/1996;  
B/L 12616, Jul 2/1996; B/L 12042, Jan 9/1995; B/L 104-1998, May 15/1998; B/L 162-1998, Jun 24/1998; B/L 40-1999, Mar 16/1999;  
B/L 324-1999, Dec 1/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233; B/L 92-2003, May 6/2003; B/L 10-2004, OMB Order PL0401143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005; B/L 68-2004, Mar 31/2004; B/L 176-2004, Jul 6/2004; B/L 46-2005, Mar 23/2005; B/L 142-2006, Aug 24/2006; B/L 204-2006, Nov 30/2006; B/L 164-2010, Nov 17/2010; B/L 53-2012, Jun 1/2012; ZNG/4549;

**22.1 APPLICATION**

22.1.1 The provisions in this Section apply to the use of all lots in all zoning districts in this by-law, unless otherwise provided in this by-law.

22.1.5 “Supplementary Lot Regulations” shall mean “Supplementary Lot Provisions”.

**22.3 PROHIBITION**

22.3.1 The parking of a motor vehicle used for a commercial purpose on a lot in any Residential District for a period of time longer than is necessary for the loading or unloading of such motor vehicle or for a period of time longer than such vehicle is required in connection with the performance of a service on the same lot is prohibited.

22.3.5 The parking or storing of a boat, a travel, boat or other trailer with a valid licence plate, a bus or a recreational vehicle with a licence plate with a valid licence plate sticker, or a vehicle intended for competitive uses in a required front yard in a Residential District is prohibited unless such object was parked in the required front yard on or before July 1, 2004.

22.3.10 The outdoor storage of building materials or construction equipment in any yard, except within a permitted outdoor storage yard, is

prohibited, unless said materials and equipment are necessary for the construction or renovation on the lot of any building or other structure for which a building permit has been issued.

22.3.15 The placement of a refuse bin in any required yard is prohibited, unless incidental to the erection, renovation or demolition of structures or the removal of waste on the same lot.

22.3.20 The placement of a communications antenna in any required front or required side yard in any Residential District is prohibited.

## **22.5 CONVEYANCE OR EXPROPRIATION**

22.5.1 If a conveyance required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

.1 causes an existing lot, existing building, or existing structure to contravene any provisions of this By-law, that existing lot, existing building or existing structure shall be deemed to comply with the provisions of this By-law;

.2 causes required parking spaces on a lot to be removed, the required parking spaces that remain are deemed to satisfy the parking space requirements of this By-law for that building and permitted uses that were on the lot on the day before the conveyance, dedication or expropriation.

22.5.5 Where Section 22.5.1.1 applies and a new building or structure or an expansion to an existing building or structure is proposed all zoning provisions shall be calculated using the original lands in existence immediately prior to the conveyance or expropriation.

## **22.10 MINIMUM BUILDING SETBACK FROM CERTAIN STREETS**

22.10.1 For any building or structure, excluding a sign permitted by the City of Windsor Sign By-law, the minimum setback from the street shall be:

.1 15.0 metres from the east side of Walker Road between the south limit of Tecumseh Road East and the north limit of Grand Marais Road East;

## **22.20 CORNER LOT PROVISIONS**

22.20.1 For an accessory structure on a corner lot that is setback less than 6.0 metres from the rear lot line, where an exterior side lot line of a corner lot meets the front lot line of an abutting lot, the minimum setback for an accessory structure from the exterior side lot line shall equal the minimum front yard depth required on the abutting lot.

22.20.3 On a corner lot, any part of any building or structure shall have a minimum separation of 6.0 metres from the point of intersection of any two streets unless:

.1 that part of the building or structure is elevated a minimum of 2.20 metres above grade; or

.2 that part of the building or structure consists exclusively of not more than one structural support column having a maximum outside diameter of 1.0 metre and a minimum height of 2.20 metres above grade.

22.20.5 On a lot having lot lines that abut the intersection of a street and a railway right-of-way that does not have a railway control gate at said intersection, a building, structure, or part thereof, is prohibited within 6.0 metres of the point of the intersection.

## **22.25 REDUCTION IN REQUIRED FRONT YARD DEPTH**

22.25.1 On a lot within a zoning district in Section 10 or Section 11, the required front yard depth may be reduced:

.1 where a vacant interior lot abuts lots on which dwellings have setbacks from the front lot line of a lesser depth than that required by this by-law, the minimum setback from the front lot line for any dwelling to be erected on the said vacant interior lot is equal to the average of the setbacks from the front lot line of the dwellings on the abutting lots.

.2 where a vacant corner lot abuts a lot on which a dwelling has setbacks from the front lot line of a lesser depth than that required by this by-law, the minimum setback from the front lot line for any dwelling to be erected on the corner lot is equal to the setback from the front lot line of the dwelling on the abutting lot.

## **22.30 ADDITION TO EXISTING SINGLE UNIT DWELLING - ADDITIONAL PROVISIONS**

22.30.1 For an existing single unit dwelling in any Residential District, where the minimum side yard width that is less than required by this by-law, any addition shall be setback:

.1 a minimum of 1.0 metres from an interior side lot line; or

.2 a minimum equal to the existing side yard width from an exterior side lot line.

22.30.5 For an existing single unit dwelling in any Residential District, where the minimum lot frontage or minimum lot area is less than required by this by-law, an addition to such dwelling may be erected provided that the lot has a

minimum area of 275.0 square metres and that the addition is in compliance with all other provisions in this by-law.

### **22.32 SEMI-DETACHED DWELLING – ADDITIONAL PROVISIONS**

22.32.1 For a semi-detached dwelling unit, a door that opens to the rear yard shall be a minimum of 1.20 metres from a common interior lot line.

22.32.3 For a semi-detached dwelling unit, for which a front yard parking space has been provided in accordance with the provisions of this by-law, the minimum side yard width shall be 1.20 metres.

22.32.5 When a lot on which a semi-detached dwelling has been erected and is subsequently severed by a common interior lot line that separates the dwelling units:

.1 The Minimum Lot Width for each dwelling unit shall be equal to the width of the dwelling unit and the side yard as existing at the time of the lot severance;

.2 The Minimum Lot Area for each dwelling unit shall be as existing at the time of the lot severance;

.3 The Maximum Lot Coverage for each dwelling unit and its accessory buildings shall be 50% of the minimum lot area; and

.4 An Interior Side Yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot severance.

### **22.34 TOWNHOME DWELLING - ADDITIONAL PROVISIONS**

22.34.1 For a townhome dwelling unit, a door that opens to the rear yard shall be a minimum of 1.20 metres from a common interior lot line.

22.34.5 When a lot on which a townhome dwelling has been erected and is subsequently severed by common interior lot lines that separate the dwelling units:

.1 The Minimum Lot Width for each dwelling unit shall be equal to the width of the existing dwelling unit at the time of the lot severance;

.2 The Minimum Lot Area for each dwelling unit shall be as existing at the time of the lot severance;

.3 The Maximum Lot Coverage for each dwelling unit and its accessory buildings shall be 50% of the minimum lot area; and

.4 An Interior Side Yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot

severance.

**22.50 ENCROACHMENT INTO A YARD**

22.50.1 For the purpose of Section 22.50, “ground” shall mean the average elevation of the ground within 3.0 metres of the main building on the lot.

22.50.5 Notwithstanding the provisions of Section 22.50, an encroachment, except for a building projection located a minimum of 3.0 metres above the ground, is prohibited into a parking area, access area, parking space, or a driveway leading thereto.

22.50.10 The permitted encroachments are shown in Table 22.50.10:

<b>TABLE 22.50.10 – ENCROACHMENT INTO A YARD</b>				
<b>Type of Encroachment</b>	<b>Maximum Encroachment Into</b>		<b>Minimum Separation From</b>	
	<b>Yard</b>	<b>Metres</b>	<b>Lot Line</b>	<b>Metres</b>
.1 <b>Architectural Feature</b> into a required yard of less than 1.20 metres in width or depth	Any required yard	0.30 m	n/a	n/a
.2 <b>Architectural Feature</b> into a required yard of 1.20 metres or more in width or depth	Any required yard	0.60 m	n/a	n/a
.10 <b>Balcony</b>	Required Front Yard or Required Rear Yard	1.50 m	n/a	n/a
	Required Side Yard	25% of the required side yard width		
.15 <b>Bay Window</b>	Required Front Yard or Required Rear Yard	1.00 m	Side Lot Line	1.20 m
	Required Side Yard	0.30 m		
.20 <b>Below Grade Entrance Pad and Steps Leading Thereto</b>	Required Front Yard or Required Rear Yard	2.50 m	Side Lot Line	1.20 m
	Any Side Yard	No Limit		
.25 <b>Central Air Conditioning Unit</b>	Required Rear Yard	No Limit	Side Lot Line	0.60 m
.35 <b>Deck – part of a deck having a floor height of 0.30 metres or less above the ground</b>	Any Required Yard	No Limit	n/a	n/a
.36 <b>Deck – part of a deck having a floor height of greater than 0.30 metres and less than 1.20 metres above the ground</b>	Required Front Yard	2.50 m	Any Lot Line	1.20 m
	Any Side Yard or Required Rear Yard	No Limit		
.37 <b>Deck – part of a deck having a floor height of greater than 1.20 metres</b>	Any Front Yard or	2.50 m	Front Lot Line Rear Lot Line	1.20 m

<b>TABLE 22.50.10 – ENCROACHMENT INTO A YARD</b>				
<b>Type of Encroachment</b>	<b>Maximum Encroachment Into</b>		<b>Minimum Separation From</b>	
	<b>Yard</b>	<b>Metres</b>	<b>Lot Line</b>	<b>Metres</b>
above the ground	Any Rear Yard		Side Lot Line	Minimum side yard width required by Zoning District
.40 Fire Escape	Required Rear Yard	2.50 m	Side Lot Line	1.20 m
.60 Porch	Any Front Yard or Any Rear Yard	2.50 m	Side Lot Line	Minimum side yard width required by Zoning District
			Front Lot Line Rear Lot Line	1.20 m
A porch, that is lawfully in existence on the effective date of this provision and which is located in whole or in part in a front yard, may be repaired or replaced by a new porch with the same encroachment, or less, into the front yard subject to the minimum separation requirements as stated above.				
.70 Solar Panel and Supporting Structure – Residential District	Required Rear Yard	No Limit	Side Lot Line	1.20 m
.71 Solar Panel and Supporting Structure - Other Zoning District	Any Required Yard	No Limit	n/a	n/a
.75 Steps – Having a maximum height of 0.30 metres above the ground	Any Required Yard	No Limit	n/a	n/a
.76 Steps – Having a height of greater than 0.30 metres above the ground	Any Side Yard Required Front Yard Required Rear Yard	No Limit	Any Lot Line	1.20 m
	Maximum total tread area of 5.0 square metres within a required yard.			
.80 Sunroom	Required Year Yard	3.75 m	Side Lot Line	Minimum side yard width required by Zoning District
	Maximum Floor Area of 15.0 sq. m within the required rear yard			
.90 Wheelchair Ramp or Lift	Any Side Yard Required Front Yard Required Rear Yard	No Limit	Any Lot Line	1.20 m

Carried.

The Planning Act portion of the meeting concludes at 5:04 o'clock p.m.

The Heritage Act portion of the meeting convenes at 5:05 o'clock p.m.



8. ADOPTION OF MINUTES

Moved by Mr. Foot, seconded by Ms Baker,  
**THAT** the minutes of the Planning, Heritage and Economic Development  
Standing Committee meeting held September 14, 2015 **BE ADOPTED** as  
presented.

Carried.

9. PRESENTATIONS AND DELEGATIONS FOR COMMITTEE AND  
ADMINISTRATIVE MATTERS

**Item 5 Economic Revitalization Community Improvement Plan application made by  
KEK Investments Inc. for 3255 Wyandotte Street East**

Dino Aleo, President, Greco Aluminum Railings, appears before the Planning,  
Heritage and Economic Development Standing Committee regarding the administrative  
report Economic Revitalization Community Improvement Plan application made by KEK  
Investments Inc. for 3255 Wyandotte Street East and is available for questions.

Greg Atkinson, Planner III Economic Development, appears before the Planning,  
Heritage and Economic Development Standing Committee and provides a brief outline of  
the administrative report regarding Economic Revitalization Community Improvement  
Plan application made by KEK Investments Inc. for 3255 Wyandotte Street East.

Councillor Sleiman comments on the potential for new jobs at the site. Mr. Aleo  
indicates there is a potential for 11-16 new jobs at the facility. Mr. Atkinson indicates  
that assessed values are determined by MPAC and changes are reviewed by MPAC to  
determine fluctuations in the assessment.

Councillor Sleiman and Councillor Holt commend the applicant for investing in  
the City.

Moved by Councillor Sleiman, seconded by Councillor Holt,

I. **THAT** the request made by KEK Investments Inc. to participate in  
the Business Retention and Expansion Grant Program **BE APPROVED** for 100%  
of the municipal portion of the tax increment resulting from the proposed  
development located at 3255 Wyandotte Street East for up to 10 years or until  
100% of the eligible costs are repaid pursuant to the City of Windsor Economic  
Revitalization Community Improvement Plan; and

II. **THAT**, Administration **BE DIRECTED** to prepare an agreement  
between the City and KEK Investments Inc. to implement the Business Retention  
and Expansion Grant Program in accordance with all applicable policies,  
requirements, and provisions contained within the Economic Revitalization  
Community Improvement Plan to the satisfaction of the City Planner as to  
content, the City Solicitor as to legal form, and the CFO/City Treasurer as to  
financial implications; and

III. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement.

Carried.

**LIVELINK 17963, SPL/10759**

**Item 6 Application for Environmental Study Grant under the Brownfield Redevelopment Community Improvement Plan for 1290 Tecumseh Road East (608234 Ontario Limited/Garden Homes Construction Ltd.)**

Amanda Polewski and Tom O'Dwyer, representing Soil & Materials Engineering Inc. appear before the Planning, Heritage and Economic Development Standing Committee and are available for questions.

Greg Atkinson, provides a brief summary of the administrative report regarding Application for Environmental Study Grant under the Brownfield Redevelopment Community Improvement Plan for 1290 Tecumseh Road East (608234 Ontario Limited/Garden Homes Construction Ltd.)

Councillor Sleiman inquires as to the future plans of the building or property. Mr. O'Dwyer indicates he's unaware of the future plans for the site.

Councillor Kusmierczyk inquires as to the budget for the Brownfield Strategy and whether there's an annual allotment. Mr. Atkinson indicates that the amount of funding in the account is high, but he indicates that this money will be required for future applications. Mr. Hunt indicates that the money has been allocated as per the 5 year budget plan, but if a significant project comes forward this fund can be depleted rather quickly.

Moved by Councillor Holt, seconded by Councillor Sleiman,

I. THAT the request made by 608234 Ontario Limited (Garden Homes Construction Ltd.) to participate in the Environmental Study Grant Program **BE APPROVED** for the property located at 1290 Tecumseh Road East pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan; and

II. THAT the City Treasurer **BE AUTHORIZED** to issue payment upon the completion and submission of a Phase II Environmental Site Assessment Study in a form acceptable to the City Planner and City Solicitor.

Carried.

**LIVELINK 17961, Z/8955**

**10. HERITAGE ACT MATTERS**

**Item 2 Wallmay Carriage House, 819 Argyle Road—Community Heritage Fund Request**

John Calhoun, Heritage Planner, appears before the Planning, Heritage and Economic Development Standing Committee and provides a brief outline of the

administrative report regarding the Wallmay Carriage House, 819 Argyle Road—  
Community Heritage Fund Request.

Councillor Sleiman requests an explanation of the funding. Mr. Calhoun provides the detail requested including timelines for applications.

Moved by Lynn Baker, seconded by Andrew Foot,

THAT a grant to the owner of the Wallmay Carriage House, 819 Argyle Road, **BE APPROVED** for an upset amount of \$2,954 from the Community Heritage Fund (Reserve Fund 157) for replacing cedar shingles with the same roofing material on the original heritage-designated building. Provided that funds up to the approved amount will be disbursed when work is complete, and work receipts produced. The Chief Building Official and City Planner will determine if work is according to applicable codes and historic standards.

Carried.

LIVELINK 17965 MBA/2859

**Item 3 Janisse-Schade House, 5325 Riverside Drive East—Community Heritage Fund Request**

John Calhoun provides a brief outline of the administrative report regarding Janisse-Schade House, 5325 Riverside Drive East—Community Heritage Fund Request.

Moved by Councillor Sleiman, seconded by John Miller,

THAT a grant to the owner of the Janisse-Schade House, 5325 Riverside Drive East, **BE APPROVED** for an upset amount of \$1,465 from the Community Heritage Fund (Reserve Fund 157) for repairing wood windows and doors with the same materials on this heritage-designated building. Provided that funds up to the approved amount will be disbursed when work is complete, and work receipts produced. The Chief Building Official and City Planner will determine if work is according to applicable codes and historic standards.

Carried.

LIVELINK 17958 MBA/5456

John Calhoun, distributes a flyer to Committee members and provides a reminder regarding the Cultural Heritage Workshop which will be taking place in the Town of Tecumseh on October 20, 2015 and reminds members to register this week if they'd like to attend.

The Heritage Act portion of the meeting is adjourned at 5:13 o'clock p.m.

The Administrative portion of the meeting convenes at 5:14 o'clock p.m.

**11. ADMINISTRATIVE ITEMS**

**Item 4 Application by the Mandarino Holdings Ltd., the owner of 3211-3225 Sandwich Street for Financial Incentives under the Sandwich Community Improvement Plan Incentive Program**

Kevin Alexander, Planner III Special Projects, provides a brief summary of the administrative report regarding the Application by the Mandarin Holdings Ltd., the owner of 3211-3225 Sandwich Street for Financial Incentives under the Sandwich Community Improvement Plan Incentive Program.

Councillor Kusmierczyk inquires as to the value of the proposed project. Mr. Alexander indicates originally the project was budgeted over \$200,000 and will be higher as a change is being made with respect to the brick.

Moved by Councillor Holt, seconded by Councillor Sleiman,

I. THAT the financial incentives application made under the Sandwich Incentive Program(s) "toolkit" by Mandarin Holdings Ltd., owner of the property located at 3211-3225 Sandwich Street, **BE APPROVED** for the following incentive programs:

- i. Commercial/Mixed Use Building Facade Grant in the amount of \$25,000;
- ii. Development and Building Fees Grant for 100% of the Development and Building Fees identified in the Sandwich CIP (+/- \$8,907);

II. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Sandwich Incentive Program(s) Agreements in accordance with all applicable policies, requirements, and provisions contained within the Olde Sandwich Towne Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications.

Carried.

**LIVELINK 17960, Z/10320**

12. **COMMITTEE MATTERS**

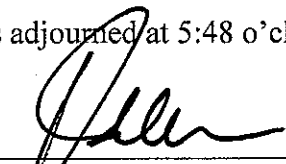
None

13. **QUESTION PERIOD**

None.

14. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:48 o'clock p.m.

  
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CHAIR

  
\_\_\_\_\_  
SUPERVISOR OF COUNCIL SERVICES

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

Councillor Marra  
Councillor Sleiman  
Councillor Kusmierczyk  
Councillor Holt

**Citizens**

Anthony Gyemi

**Regrets**

Councillor Payne  
Dorian Moore  
Barb Bjarneson

**Delegations**

*Also present are the following from Administration:*

Wira Vendrasco, Deputy City Solicitor  
Thom Hunt, City Planner  
Don Wilson, Manager of Development Applications  
Adam Szymczak, Planner III  
Greg Atkinson, Planner III  
John Calhoun, Heritage Planner  
Adam Pillon, Public Works - Engineering  
John Revell, Chief Building Official  
Anna Ciacelli, Supervisor of Council Services  
Marianne Sladic, Senior Steno Clerk, Planning

1. **CALL TO ORDER**

The Chair calls the meeting to order at 4:38 pm.

The Chair goes over the process of the Committee.

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

None

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

The Chair advises there is a request for deferral of Z-013/15 [ZNG/4488] – Robert Ethier – 3329 Sandwich St. and asks if there is anyone in the audience to speak on the deferral.

Larry Gross (tenant) advises he is against the proposal. States the building is unsafe, has not been inspected, hasn't been zoned and that he doesn't even receive his mail because the address doesn't exist. He indicates they learned of the application from an adjoining neighbour.

Amelia Cristofaro (tenant) is also opposed to the proposal and agrees with everything Mr. Gross mentioned. The building is unsafe.

Kim Melbo (tenant), lives with Mr. Gross, is also in attendance and is opposed to the proposal.

The Chair explains the motion is to defer the item until a later date and has Mr. Hunt explain.

Mr. Hunt advises the request for deferral is due to the need for more information in order to provide a better report to bring to the Committee. Having information, such as theirs, brought forth will provide additional questions that need to be addressed prior to bringing before the Committee.

The Chair advises the item will probably come before this Committee in November. Ms. Ciacelli provides them with her card in order to obtain their email address for notification, since they don't receive mail at their address.

Moved by Councillor Holt, seconded by Councillor Sleiman.

Motion to **DEFER CARRIED, UNANIMOUSLY.**

4. **ADOPTION OF MINUTES**

Moved by x, seconded by x.

**THAT** the minutes of the meeting of the Planning & Economic Development Standing Committee held Monday, September 14, 2015 BE ADOPTED.

Motion **CARRIED, UNANIMOUSLY.**

5. **COMMUNICATIONS**

None

6. **PRESENTATIONS AND DELEGATIONS**

None

7. **PLANNING ACT MATTERS**

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

Item 1. **HOUSEKEEPING AMENDMENTS 2015-1 – City Wide**

Mr. Adam Szymczak presents the item.

Councillor Sleiman requests further clarification of the description and regulations of a porch. Mr. Szymczak explains in more details.

Mr. Gyemi had several questions regarding wording and clarification on a few of the sections. Mr. Szymczak explains them and advises an amendment can be done regarding explanations and wording to make the descriptions more clear. A change is made to the table that forms part of the proposed amendment.

Councillor Sleiman seeks clarification regarding the section on antennae, poles, size and if located on building. Mr. Szymczak gives more detailed explanation.

Councillor Sleiman asks if section 22.10.1 refers to any building. Mr. Szymczak advises the sections states it is for “ANY” building.

Moved by Councillor Sleiman, seconded by Mr. Gyemi as **AMENDED**.

That Zoning By-law 8600 **BE AMENDED** on the following basis:

1. That the following paragraph be added to Section 7:  
“(6b) **“Architectural Feature”** means the projection of belt courses, chimneys, cornices, eaves, ledges, window sills and similar architectural features and replacement residential exterior cladding. [ZNG/4549]”
2. That Section 22 be deleted and replaced with the following:

**“SECTION 22 - SUPPLEMENTARY LOT PROVISIONS**

B/L 8614, Jun 23/1986; B/L 9057, Jul 7/1987; B/L 10238, May 30/1990; B/L 10358, Jul 16/1990; B/L 10637, Apr 22/1991; B/L 11093, Jul 20/1992; B/L 11096, Jul 20/1992; B/L 11406, Mar 29/1993; B/L 11780, Mar 28/1994; B/L 12429, Jan 8/1996; B/L 12616, Jul 2/1996; B/L 12042, Jan 9/1995; B/L 104-1998, May 15/1998; B/L 162-1998, Jun 24/1998; B/L 40-1999, Mar 16/1999; B/L 324-1999, Dec 1/1999; B/L 33-2001, Oct 23/2001, OMB Decision/Order No. 1716, OMB Case No. PL010233; B/L 92-2003, May 6/2003; B/L 10-2004, OMB Order PL0401143, File No. R040023, Decision/Order No. 0055, Issued Jan 12/2005; B/L 68-2004, Mar 31/2004; B/L 176-2004, Jul 6/2004; B/L 46-2005, Mar 23/2005; B/L 142-2006, Aug 24/2006; B/L 204-2006, Nov 30/2006; B/L 164-2010, Nov 17/2010; B/L 53-2012, Jun 1/2012; ZNG/4549;

**22.1 APPLICATION**

22.1.1 The provisions in this Section apply to the use of all lots in all zoning districts in this by-law, unless otherwise provided in this by-law.

22.1.5 “Supplementary Lot Regulations” shall mean “Supplementary Lot Provisions”.

**22.3 PROHIBITION**

22.3.1 The parking of a motor vehicle used for a commercial purpose on a lot in any Residential District for a period of time longer than is necessary for the loading or unloading of such motor vehicle or for a period of time longer than such vehicle is required in connection with the performance of a service on the same lot is prohibited.

22.3.5 The parking or storing of a boat, a travel, boat or other trailer with a valid licence plate, a bus or a recreational vehicle with a licence plate with a valid licence plate sticker, or a vehicle intended for competitive uses in a required front yard in a Residential District is prohibited unless such object was parked in the required front yard on or before July 1, 2004.

22.3.10 The outdoor storage of building materials or construction equipment in any yard, except within a permitted outdoor storage yard, is prohibited, unless said materials and equipment are necessary for the construction or renovation on the lot of any building or other structure for which a building permit has been issued.

22.3.15 The placement of a refuse bin in any required yard is prohibited, unless incidental to the erection, renovation or demolition of structures or the removal of waste on the same lot.

22.3.20 The placement of a communications antenna in any required front or required side yard in any Residential District is prohibited.

## **22.5 CONVEYANCE OR EXPROPRIATION**

22.5.1 If a conveyance required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

.1 causes an existing lot, existing building, or existing structure to contravene any provisions of this By-law, that existing lot, existing building or existing structure shall be deemed to comply with the provisions of this By-law;

.2 causes required parking spaces on a lot to be removed, the required parking spaces that remain are deemed to satisfy the parking space requirements of this By-law for that building and permitted uses that were on the lot on the day before the conveyance, dedication or expropriation.

22.5.5 Where Section 22.5.1.1 applies and a new building or structure or an expansion to an existing building or structure is proposed all zoning provisions shall be calculated using the original lands in existence immediately prior to the conveyance or expropriation.

## **22.10 MINIMUM BUILDING SETBACK FROM CERTAIN STREETS**

22.10.1 For any building or structure, excluding a sign permitted by the City of Windsor Sign By-law, the minimum setback from the street shall be:

.1 15.0 metres from the east side of Walker Road between the south limit of Tecumseh Road East and the north limit of Grand Marais Road East;

## **22.20 CORNER LOT PROVISIONS**

22.20.1 For an accessory structure on a corner lot that is setback less than 6.0 metres from the rear lot line, where an exterior side lot line of a corner lot meets the front lot line of an abutting lot, the minimum setback for an accessory structure from the exterior side lot line shall equal the minimum front yard depth required on the abutting lot.



22.20.3 On a corner lot, any part of any building or structure shall have a minimum separation of 6.0 metres from the point of intersection of any two streets unless:

.1 that part of the building or structure is elevated a minimum of 2.20 metres above grade;  
or

.2 that part of the building or structure consists exclusively of not more than one structural support column having a maximum outside diameter of 1.0 metre and a minimum height of 2.20 metres above grade.

22.20.5 On a lot having lot lines that abut the intersection of a street and a railway right-of-way that does not have a railway control gate at said intersection, a building, structure, or part thereof, is prohibited within 6.0 metres of the point of the intersection.

### **22.25 REDUCTION IN REQUIRED FRONT YARD DEPTH**

22.25.1 On a lot within a zoning district in Section 10 or Section 11, the required front yard depth may be reduced:

.1 where a vacant interior lot abuts lots on which dwellings have setbacks from the front lot line of a lesser depth than that required by this by-law, the minimum setback from the front lot line for any dwelling to be erected on the said vacant interior lot is equal to the average of the setbacks from the front lot line of the dwellings on the abutting lots.

.2 where a vacant corner lot abuts a lot on which a dwelling has setbacks from the front lot line of a lesser depth than that required by this by-law, the minimum setback from the front lot line for any dwelling to be erected on the corner lot is equal to the setback from the front lot line of the dwelling on the abutting lot.

### **22.30 ADDITION TO EXISTING SINGLE UNIT DWELLING - ADDITIONAL PROVISIONS**

22.30.1 For an existing single unit dwelling in any Residential District, where the minimum side yard width that is less than required by this by-law, any addition shall be setback:

.1 a minimum of 1.0 metres from an interior side lot line; or

.2 a minimum equal to the existing side yard width from an exterior side lot line.

22.30.5 For an existing single unit dwelling in any Residential District, where the minimum lot frontage or minimum lot area is less than required by this by-law, an addition to such dwelling may be erected provided that the lot has a minimum area of 275.0 square metres and that the addition is in compliance with all other provisions in this by-law.

### **22.32 SEMI-DETACHED DWELLING – ADDITIONAL PROVISIONS**

22.32.1 For a semi-detached dwelling unit, a door that opens to the rear yard shall be a minimum of 1.20 metres from a common interior lot line.

22.32.3 For a semi-detached dwelling unit, for which a front yard parking space has been provided in accordance with the provisions of this by-law, the minimum side yard width shall be 1.20 metres.

22.32.5 When a lot on which a semi-detached dwelling has been erected and is subsequently severed by a common interior lot line that separates the dwelling units:

.1 The Minimum Lot Width for each dwelling unit shall be equal to the width of the dwelling unit and the side yard as existing at the time of the lot severance;

.2 The Minimum Lot Area for each dwelling unit shall be as existing at the time of the lot severance;

.3 The Maximum Lot Coverage for each dwelling unit and its accessory buildings shall be 50% of the minimum lot area; and

.4 An Interior Side Yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot severance.

#### **22.34 TOWNHOME DWELLING - ADDITIONAL PROVISIONS**

22.34.1 For a townhome dwelling unit, a door that opens to the rear yard shall be a minimum of 1.20 metres from a common interior lot line.

22.34.5 When a lot on which a townhome dwelling has been erected and is subsequently severed by common interior lot lines that separate the dwelling units:

.1 The Minimum Lot Width for each dwelling unit shall be equal to the width of the existing dwelling unit at the time of the lot severance;

.2 The Minimum Lot Area for each dwelling unit shall be as existing at the time of the lot severance;

.3 The Maximum Lot Coverage for each dwelling unit and its accessory buildings shall be 50% of the minimum lot area; and

.4 An Interior Side Yard shall not be required along the common interior lot line for that part of the dwelling unit lawfully existing at the time of the lot severance.

#### **22.50 ENCROACHMENT INTO A YARD**

22.50.1 For the purpose of Section 22.50, "ground" shall mean the average elevation of the ground within 3.0 metres of the main building on the lot.

22.50.5 Notwithstanding the provisions of Section 22.50, an encroachment, except for a building projection located a minimum of 3.0 metres above the ground, is prohibited into a parking area, access area, parking space, or a driveway leading thereto.

22.50.10 The permitted encroachments are shown in Table 22.50.10:

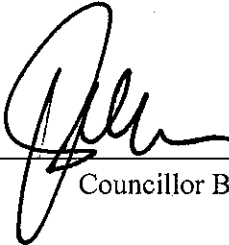
<b>TABLE 22.50.10 – ENCROACHMENT INTO A YARD</b>				
<b>Type of Encroachment</b>	<b>Maximum Encroachment Into</b>		<b>Minimum Separation From</b>	
	<b>Yard</b>	<b>Metres</b>	<b>Lot Line</b>	<b>Metres</b>
.1 <b>Architectural Feature</b> into a required yard of less than 1.20 metres in width or depth	Any required yard	0.30 m	n/a	n/a
.2 <b>Architectural Feature</b> into a required yard of 1.20 metres or more in width or depth	Any required yard	0.60 m	n/a	n/a
.10 <b>Balcony</b>	Required Front Yard or Required Rear Yard	1.50 m	n/a	n/a
	Required Side Yard	25% of the required side yard width		
.15 <b>Bay Window</b>	Required Front Yard or Required Rear Yard	1.00 m	Side Lot Line	1.20 m
	Required Side Yard	0.30 m		
.20 <b>Below Grade Entrance Pad and Steps Leading Thereto</b>	Required Front Yard or Required Rear Yard	2.50 m	Side Lot Line	1.20 m
	Any Side Yard	No Limit		
.25 <b>Central Air Conditioning Unit</b>	Required Rear Yard	No Limit	Side Lot Line	0.60 m
.35 <b>Deck</b> – part of a deck having a floor height of 0.30 metres or less above the ground	Any Required Yard	No Limit	n/a	n/a
.36 <b>Deck</b> – part of a deck having a floor height of greater than 0.30 metres and less than 1.20 metres above the ground	Required Front Yard	2.50 m	Any Lot Line	1.20 m
	Any Side Yard or Required Rear Yard	No Limit		
.37 <b>Deck</b> – part of a deck having a floor height of greater than 1.20 metres above the ground	Any Front Yard or Any Rear Yard	2.50 m	Front Lot Line Rear Lot Line	1.20 m
			Side Lot Line	Minimum side yard width required by Zoning District
.40 <b>Fire Escape</b>	Required Rear Yard	2.50 m	Side Lot Line	1.20 m
.60 <b>Porch</b>	Any Front Yard or Any Rear Yard	2.50 m	Side Lot Line	Minimum side yard width required by Zoning District
			Front Lot Line Rear Lot Line	1.20 m
A porch, that is lawfully in existence on the effective date of this provision and which is located in whole or in part in a front yard, may be repaired or replaced by a new porch with the same encroachment, or less, into the front yard subject to the minimum separation requirements as stated above.				
.70 <b>Solar Panel and Supporting Structure</b> – Residential District	Required Rear Yard	No Limit	Side Lot Line	1.20 m

TABLE 22.50.10 – ENCROACHMENT INTO A YARD				
Type of Encroachment	Maximum Encroachment Into		Minimum Separation From	
	Yard	Metres	Lot Line	Metres
.71 Solar Panel and Supporting Structure - Other Zoning District	Any Required Yard	No Limit	n/a	n/a
.75 Steps – Having a maximum height of 0.30 metres above the ground	Any Required Yard	No Limit	n/a	n/a
.76 Steps – Having a height of greater than 0.30 metres above the ground	Any Side Yard Required Front Yard Required Rear Yard	No Limit	Any Lot Line	1.20 m
	Maximum total tread area of 5.0 square metres within a required yard.			
.80 Sunroom	Required Year Yard	3.75 m	Side Lot Line	Minimum side yard width required by Zoning District
	Maximum Floor Area of 15.0 sq. m within the required rear yard			
.90 Wheelchair Ramp or Lift	Any Side Yard Required Front Yard Required Rear Yard	No Limit	Any Lot Line	1.20 m

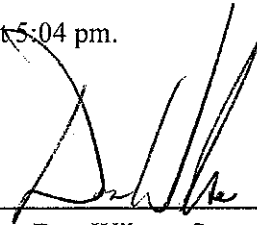
Motion **CARRIED, UNANIMOUSLY.**

The Chair concludes the Planning Act portion of the meeting.

There being no further business, the meeting is adjourned at 5:04 pm.



Councillor Bill Marra, Chair



Don Wilson, Secretary

/ms